

89.101.4 Annexes. Provisions contained in the annexes of this code shall not apply unless specifically adopted by a state agency or adopted by a local enforcing agency in compliance with Health and Safety Code Section 18938 (b) for Building Standards Law, Health and Safety Code Section 17950 for State Housing Law and Health and Safety Code Section 13869.7 for Fire Protection Districts. See section 89.101.8 of this code.

89.101.5 Referenced Codes. The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code. When this code does not specifically cover any subject related to building design and construction, recognized architectural or engineering practices shall be employed. The National Fire Codes and the Fire Protection Handbook of the National Fire Prevention Association are permitted to be used as authoritative guides in determining recognized fire-prevention engineering practices.

89.101.6 Non-Building Standards, Orders and Regulations. Requirements contained in the National Electrical Code, or in any other referenced standard, code or document, which are not building standards as defined in section 18909, Health and Safety Code, shall not be construed as part of the provisions of this code. For non-building standards, orders, and regulations, see other titles of the California Code of Regulations.

89.101.7 Order of Precedence and Use.

89.101.7.1 Differences. In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern.

89.101.7.2 Specific provision. Where a specific provision varies from a general provision, the specific provisions shall apply.

89.101.7.3 Conflicts. When the requirements of this code conflict with the requirements of any other part of the California Building Standards Code, Title 24, the most restrictive requirement shall prevail.

89.101.8 City, County, or City and County Amendments, Additions or Deletions. The provisions of this code do not limit the authority of city, county, or city and county governments to establish more restrictive and reasonably necessary differences to the provisions contained in this code pursuant to complying with section 89.101.8.1. The effective date of amendments, additions, or deletions to this code of cities, counties, or city and counties filed pursuant to section 89.101.8.1 shall be the date filed. However, in no case shall the amendments, additions or deletions to this code be effective any sooner than the effective date of this code.

89.101.8.1 Findings and Filings.

1. The city, county, or city and county shall make express findings for each amendment, addition or deletion based upon climatic, topographical, or geological conditions.

Exception: Hazardous building ordinances and programs mitigating unreinforced masonry buildings.

2. The city, county, or city and county shall file the amendments, additions, or deletions expressly marked and identified as to the applicable findings. Cities, counties, cities and counties, and fire departments shall file the amendments, additions or deletions, and the findings with the California Building Standards Commission at 2525 Natomas Park Drive, Suite 130, Sacramento, CA 95833.

3. Findings prepared by fire protection districts shall be ratified by the local city, county, or city and county and filed with the California Department of Housing and Community Development at 1800 3rd Street, Room 260, Sacramento, CA 95814.

89.101.9 Effective Date of this Code. Only those standards approved by the California Building Standards Commission that are effective at the time an application for building permit is submitted shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see the History Note page of this code.

89.101.10 Availability of Codes. At least one entire copy each of Titles 8, 19, 20, 24, and 25 with all revisions shall be maintained in the office of the building official responsible for the administration and enforcement of this code. See Health and Safety Code section 18942 (d) (1) & (2).

89.101.11 Format. This part fundamentally adopts the National Electrical Code by reference on a chapter-by-chapter basis. Such adoption is reflected in the Matrix adoption table of each chapter of this part. When the Matrix adoption tables make no reference to a specific chapter of the National Electrical Code, such chapter of the National Electrical Code is not adopted as a portion of this code.

89.101.12 Validity. If any chapter section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.