

October 4, 2024

Michael Nearman, Deputy Executive Director
California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

RE: BSC 05/24- 2025 California Building Code, Part 2.
Section

Dear Mr. Nearman:

As an architect with over 40 years experience, I realized recently when acting as an expert witness for a client that there are no provisions in the Building Code specifically for reclining seating in theaters or cinemas.

Reclining seating poses safety concerns in a dark theatre environment such as:

- a. Create a non- uniform, inconsistent back of seat height in seating aisles where patrons can adjust their seating either up or down.
- b. Create up to an 8" gap between the edge of the tiered seated to the back of the seat to accommodate the space necessary for the seat adjustment.

Both of these items listed above create a safety hazard to the public that can cause someone to easily trip and fall due to the varied seat heights and the gap created behind the seat.

Propose changes to the following sections of the code to read:

1013.17.1 Perimeter Guards. Perimeter guards shall be provided where the footboards or walking surfaces of **fixed** seating facilities are more than 30 inches (762 mm) above the floor or grade below. **Self rising or reclining seats where the backs of the chairs varying in height shall provide perimeter guards at the backs of the seating facilities are more than 7 inches (178 mm) above the floor or grade.**

Sincerely,



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