

1 [Housing Code - Operational Elevators]

2

3 **Ordinance amending the Housing Code to require R-1 and R-2 group buildings to**
4 **maintain at least one existing elevator for residents' use; and affirming the Planning**
5 **Department's determination under the California Environmental Quality Act.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.
8 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
9 **Board amendment additions** are in double-underlined Arial font.
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.
11 **Asterisks (* * * *)** indicate the omission of unchanged Code
12 subsections or parts of tables.

10

11 Be it ordained by the People of the City and County of San Francisco:

12

13 Section 1. Findings.

14 (a) The Planning Department has determined that the actions contemplated in this
15 ordinance comply with the California Environmental Quality Act (California Public Resources
16 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
17 Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this
18 determination.

19 (b) On _____, the Building Inspection Commission considered this
20 ordinance at a duly noticed public hearing pursuant to Charter Section 4.121 and Building
21 Code Section 104A.2.11.1.1.

22 (c) No local findings are required under California Health and Safety Code
23 Section 17958.7 because the amendments to the Building Code contained in this ordinance
24 do not regulate materials or manner of construction or repair, and instead relate in their
25 entirety to administrative procedures for implementing the code, which are expressly excluded

1 from the definition of a “building standard” by California Health and Safety Code
2 Section 18909(c).

3
4 Section 2. Chapter 7 of the Housing Code is hereby amended by revising Section 713,
5 to read as follows:

6 **SEC. 713. ELEVATORS.**

7 In all R-1 and R-2 Occupancies,:

8 (a) Buildings with ~~building~~ heights exceeding 50 feet, which are required to have an
9 operable elevator per the Fire Code, ~~said buildings~~ shall have at least one operating elevator
10 for the residential occupants’ use.

11 (b) Buildings that have an existing elevator, regardless of the height of the building, shall
12 maintain at least one operable elevator for residential occupants’ use.

13 (c) Notwithstanding subsections (a) and (b), the requirement to have an operable elevator for
14 residential occupants’ use is suspended when there is no operable elevator in the Building that may be
15 safely accessed and used by residential occupants because the Building or its elevator is actively
16 undergoing repair, modification, or maintenance pursuant to a valid building permit, work plan
17 approved by an entity with jurisdiction over the work in question, or contract with a certified elevator
18 repair company for the prompt repair, modification, upgrades, or improvements to the elevator system
19 beyond regular maintenance and servicing.

20
21 Section 3. Effective Date. This ordinance shall become effective 30 days after
22 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
23 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
24 of Supervisors overrides the Mayor’s veto of the ordinance.

1 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
2 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
3 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
4 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
5 additions, and Board amendment deletions in accordance with the “Note” that appears under
6 the official title of the ordinance.

7
8 APPROVED AS TO FORM:
9 DAVID CHIU, City Attorney

10 By: /s/ Robb Kapla
11 ROBB KAPLA
12 Deputy City Attorney

13 n:\legana\as2024\2400454\01775476.docx

14
15
16
17
18
19
20
21
22
23
24
25