

BOARD of SUPERVISORS



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October 8, 2019

**File No. 190959-190964**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On October 1, 2019, the Building Inspection Commission submitted the proposed legislation:

**File No. 190959**

**Ordinance repealing the 2016 Building Code in its entirety and enacting a 2019 Building Code consisting of the 2019 California Building Code and the 2019 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law.**

**File No. 190960**

**Ordinance repealing the 2016 Existing Building Code in its entirety and enacting a 2019 Existing Building Code consisting of the 2019 California Existing Building Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law.**

**File No. 190961**

**Ordinance repealing the 2016 Electrical Code in its entirety and enacting a 2019 Electrical Code consisting of the 2019 California Electrical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

**File No. 190962**

**Ordinance repealing the 2016 Mechanical Code in its entirety and enacting a 2019 Mechanical Code consisting of the 2019 California Mechanical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

**File No. 190963**

**Ordinance repealing the 2016 Plumbing Code in its entirety and enacting a 2019 Plumbing Code consisting of the 2019 California Plumbing Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

**File No. 190964**

**Ordinance repealing the 2016 Green Building Code in its entirety and enacting a 2019 Green Building Code consisting of the 2019 California Green Building Standards Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

The above legislation are being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board



By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

1 [Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

2  
3 **Ordinance repealing the 2016 Building Code in its entirety and enacting a 2019 Building**  
4 **Code consisting of the 2019 California Building Code and the 2019 California**  
5 **Residential Code, as amended by San Francisco; adopting environmental findings and**  
6 **findings of local conditions under the California Health and Safety Code; providing for**  
7 **an operative date of January 1, 2020; and directing the Clerk of the Board to forward**  
8 **the legislation to the California Building Standards Commission as required by State**  
9 **law.**

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

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

18 Section 1. Environmental Findings. The Planning Department has determined that the  
19 actions contemplated in this ordinance comply with the California Environmental Quality Act  
20 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with  
21 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
22 reference. The Board affirms this determination.

23 Section 2. General Findings.

24 (a) The California Building Standards Code is contained in Title 24 of the California  
25 Code of Regulations. It consists of 12 Parts, which are based upon model codes that are  
amended by the State agencies with jurisdiction over the subject matter. The California

1 Building Code is Part 2 of Title 24 of the California Code of Regulations; the California  
2 Residential Code is Part 2.5. The 2019 California Building Code and 2019 California  
3 Residential Code will go into effect throughout California on January 1, 2020.

4 (b) The State of California adopts a new California Building Standards Code every  
5 three years ("triennial CBSC") with supplemental amendments published in intervening years.  
6 The triennial CBSC goes into effect throughout the State of California 180 days after its  
7 publication by the California Building Standards Commission or at a later date established by  
8 the Commission. The 2019 triennial CBSC will go into effect on January 1, 2020.

9 (c) Local jurisdictions must enforce the California Building Standards Code but they  
10 may also enact more restrictive building standards that are reasonably necessary because of  
11 local climate, geologic, or topographical conditions. Local amendments may be made both to  
12 a triennial CBSC and also to its individual Parts during the intervening years; however, local  
13 amendments previously adopted are not automatically applicable to a triennial CBSC. Rather,  
14 they must be re-enacted with the required findings of local climate, geologic, or topographical  
15 conditions, expressly made applicable to the new triennial CBSC, and with an operative date  
16 no earlier than the effective date of the new State Code.

17 (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of  
18 Supervisors repeals the 2016 San Francisco Building Code in its entirety, enacts the 2019  
19 San Francisco Building Code, and re-enacts the existing local amendments to make them  
20 applicable to the 2019 California Building and Residential Codes.

21 (e) Pursuant to Charter Section D3.750-5, the Building Inspection Commission  
22 considered and approved San Francisco's amendments to the 2019 California Building Code  
23 at a duly noticed public hearing that was held on July 17, 2019.

24  
25 Section 3. Findings regarding Local Conditions.

1 (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that  
2 before making any changes or modifications to the California Building Code and any other  
3 applicable provisions published by the California Building Standards Commission, the  
4 governing body must make an express finding that each such change or modification is  
5 reasonably necessary because of specified local conditions. The local amendments together  
6 with the required findings must be filed with the California Building Standards Commission  
7 before the local changes or modifications can go into effect.

8 (b) The City and County of San Francisco is unique among California communities  
9 with respect to local climate, geologic, topographical, and other conditions. A specific list of  
10 findings that support San Francisco's modifications to the 2019 California Building Code and  
11 the 2019 California Residential Code, with a section-by-section correlation of each  
12 modification with a specific numbered finding, are contained in Exhibit A entitled "Standard  
13 Findings for San Francisco Building Standards Code Amendments."

14 (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,  
15 the Board of Supervisors finds and determines that the local conditions described in Exhibit A  
16 constitute a general summary of the most significant local conditions giving rise to the need  
17 for modification of the 2019 California Building Code and 2019 California Residential Code  
18 provisions published by the California Building Standards Commission. The Board of  
19 Supervisors further finds and determines that the proposed modifications are reasonably  
20 necessary based upon the local conditions set forth in Exhibit A.

21  
22 Section 4. Repeal of 2016 San Francisco Building Code and Enactment of the 2019  
23 San Francisco Building Code.

24 (a) The 2016 San Francisco Building Code is hereby repealed in its entirety. The  
25 San Francisco Building Code being repealed was enacted on November 22, 2016, by

1 Ordinance Nos. 225-16 and 226-16, with an operative date of January 1, 2017. It was  
2 amended by Ordinance Nos. 53-17, 131-17, 200-17, 233-17, 36-18, 102-18, 121-18, 245-18,  
3 267-18, 301-18, 3-19, 52-19, 60-19, 62-19, 65-19, and 207-19. These ordinances are  
4 available on the Board of Supervisors' website.

5 (b) The 2019 San Francisco Building Code is hereby enacted. It consists of (1) the  
6 2019 California Building Code, (2) the 2019 California Residential Code, and (3) San  
7 Francisco's existing local amendments to those 2019 California Codes, which are re-enacted  
8 and expressly made applicable to said codes. Copies of the 2019 California Building Code,  
9 the 2019 California Residential Code, and the stand-alone San Francisco amendments to  
10 those 2019 California Codes are declared to be part of Board File No. \_\_\_\_\_ and are  
11 incorporated into this ordinance by reference as though fully set forth. Existing San Francisco  
12 amendments that are being made applicable to those 2019 California Codes are shown in  
13 unformatted ("plain") text and may include bold and/or italicized type; new San Francisco  
14 amendments are underlined; and deleted San Francisco amendments are in strikeout text.

15  
16 Section 5. Continuation of Actions Under Prior Code. Nothing contained in this  
17 ordinance shall be construed as abating any action now pending under or by virtue of any  
18 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance  
19 be construed as discontinuing, abating, modifying or altering any penalties accruing, or to  
20 accrue, or as waiving any right of the City under any such ordinance.

21  
22 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this  
23 ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the  
24 remaining portions of this ordinance. The Board of Supervisors hereby declares that it would  
25 have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this

1 Ordinance, irrespective of the fact that any one or more sections, subsections, sentences,  
2 clauses, or phrases be declared invalid.

3  
4 Section 7. Effective and Operative Dates. This ordinance shall become effective 30  
5 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor  
6 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,  
7 or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall  
8 take effect and be in full force on and after either January 1, 2020 or its effective date if the  
9 effective date is later.

10  
11 Section 8. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the  
12 Board of Supervisors is hereby directed to transmit to the California Building Standards  
13 Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit  
14 A attachment, and 3) the San Francisco modifications to the 2019 California Building Code  
15 and the 2019 California Residential Code.

16  
17 APPROVED AS TO FORM:  
18 DENNIS J. HERRERA, City Attorney

19 By:

  
\_\_\_\_\_  
20 ROBB KAPLA  
Deputy City Attorney

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## LEGISLATIVE DIGEST

[Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

**Ordinance repealing the 2016 Building Code in its entirety and enacting a 2019 Building Code consisting of the 2019 California Building Code and the 2019 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law.**

### Existing Law

The Building Code regulates and controls the design, construction, quality of materials, use and occupancy, location, maintenance and demolition of all buildings and structures, and quarrying, grading, excavation and filling of land. The current San Francisco Building Code consists of the 2016 California Building Code (which incorporates the 2015 International Building Code), the 2016 California Residential Code (which incorporates the 2015 International Residential Code), and San Francisco's local amendments to those California Codes ("San Francisco Amendments"). Chapter 36 of the San Francisco Building Code serves as a directory of where the provisions of the California Residential Code may be found in the San Francisco Building Code.

### Amendments to Current Law

On January 1, 2020, a 2019 California Building Code and 2019 California Residential Code ("California Codes") will go into effect throughout the State. The San Francisco Amendments to the 2016 editions of these California Codes must be re-enacted and made applicable to the 2019 California Codes. Therefore, as in past State Code adoption cycles, San Francisco will repeal its existing Building Code in its entirety and adopt a new Building Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco. The San Francisco Amendments to the 2016 California Codes will be carried forward and made applicable to the 2019 California Codes with no or only minor technical changes.

The San Francisco Amendments are not integrated into the text of the California Codes but rather are separately printed in a stand-alone document. Therefore, the user must consult both texts in order to determine the complete code requirement. In the San Francisco Amendments, unchanged language from the 2019 California Codes is shaded gray, San Francisco's additions to the 2019 California Codes are shown in unshaded text, additions to San Francisco's amendments are underlined and deletions are shown with strikethrough.



Background Information

The State of California adopts a new California Building Standards Code every three years (the “triennial State Code”) with supplements published in intervening years. The triennial State Code goes into effect throughout the State 180 days after its publication by the California Building Standards Commission or at a later date established by the Commission. In the current triennial State Code adoption cycle, the California Building Standards Code will go into effect on January 1, 2020. The California Building Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several parts that are based upon model codes with amendments made by the State agencies with jurisdiction over the subject matter. The California Building Code is Part 2 of Title 24 of the California Code of Regulations; the California Residential Code is Part 2.5.

Local jurisdictions must enforce the California Building Standards Code, but they may also enact more restrictive building standards that are reasonably necessary because of local conditions caused by climate, geology, or topography. Local amendments may be made to a triennial State Code and also throughout the intervening years. However, local amendments previously adopted are not automatically applicable to a new triennial State Code. Rather, they must be re-enacted with the required findings of local conditions, expressly made applicable to the new triennial State Code, and with an operative date no earlier than the effective date of the new State Code.

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1 [Existing Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

2  
3 **Ordinance repealing the 2016 Existing Building Code in its entirety and enacting a 2019**  
4 **Existing Building Code consisting of the 2019 California Existing Building Code as**  
5 **amended by San Francisco; adopting environmental findings and findings of local**  
6 **conditions under the California Health and Safety Code; providing for an operative date**  
7 **of January 1, 2020; and directing the Clerk of the Board to forward the legislation to the**  
8 **California Building Standards Commission as required by State law.**

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

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

17 Section 1. Environmental Findings. The Planning Department has determined that the  
18 actions contemplated in this ordinance comply with the California Environmental Quality Act  
19 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with  
20 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
21 reference. The Board affirms this determination.

22 Section 2. General Findings.

23 (a) The California Building Standards Code is contained in Title 24 of the California  
24 Code of Regulations. It consists of 12 Parts, which are based upon model codes that are  
25 amended by the State agencies with jurisdiction over the subject matter. The California  
Existing Building Code is Part 10 of Title 24 of the California Code of Regulations.

1 (b) The State of California adopts a new California Building Standards Code every  
2 three years ("triennial CBSC") with supplemental amendments published in intervening years.  
3 The triennial CBSC goes into effect throughout the State of California 180 days after its  
4 publication by the California Building Standards Commission or at a later date established by  
5 the Commission. The 2019 triennial CBSC will go into effect on January 1, 2020.

6 (c) Local jurisdictions must enforce the California Building Standards Code but they  
7 may also enact more restrictive building standards that are reasonably necessary because of  
8 local climate, geologic, or topographical conditions. Local amendments may be made both to  
9 a triennial CBSC and to its individual Parts during the intervening years; however, local  
10 amendments previously adopted are not automatically applicable to a triennial CBSC. Rather,  
11 they must be re-enacted with the required findings of local climate, geologic, or topographical  
12 conditions, expressly made applicable to the new triennial CBSC, and with an operative date  
13 no earlier than the effective date of the new State Code.

14 (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of  
15 Supervisors repeals the 2016 San Francisco Existing Building Code in its entirety, enacts the  
16 2019 San Francisco Existing Building Code, and re-enacts the existing local amendments to  
17 make them applicable to the 2019 California Existing Building Code.

18 (e) Pursuant to Charter Section D3.750-5, the Building Inspection Commission  
19 considered and approved San Francisco's amendments to the 2019 California Existing  
20 Building Code at a duly noticed public hearing that was held on July 17, 2019.

21  
22 Section 3. Findings regarding Local Conditions.

23 (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that  
24 before making any changes or modifications to the California Existing Building Code and any  
25 other applicable provisions published by the California Building Standards Commission, the

1 governing body must make an express finding that each such change or modification is  
2 reasonably necessary because of specified local conditions. The local amendments together  
3 with the required findings must be filed with the California Building Standards Commission  
4 before the local changes or modifications can go into effect.

5 (b) The City and County of San Francisco is unique among California communities  
6 with respect to local climate, geologic, topographical, and other conditions. A specific list of  
7 findings that support San Francisco's modifications to the 2019 California Existing Building  
8 Code, with a section-by-section correlation of each modification with a specific numbered  
9 finding, are contained in Exhibit A entitled "Standard Findings for San Francisco Building  
10 Standards Code Amendments."

11 (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,  
12 the Board of Supervisors finds and determines that the local conditions described in Exhibit A  
13 constitute a general summary of the most significant local conditions giving rise to the need  
14 for modification of the 2019 California Existing Building Code provisions published by the  
15 California Building Standards Commission. The Board of Supervisors further finds and  
16 determines that the proposed modifications are reasonably necessary based upon the local  
17 conditions set forth in Exhibit A.

18  
19 Section 4. Repeal of the 2016 San Francisco Existing Building Code and Enactment of  
20 the 2019 San Francisco Existing Building Code.

21 (a) The 2016 San Francisco Existing Building Code is hereby repealed in its  
22 entirety. The San Francisco Existing Building Code being repealed was enacted on November  
23 22, 2016, with an operative date of January 1, 2017. It was amended by Ordinance No. 0065-  
24 19. These ordinances are available on the Board of Supervisors' website.

1 (b) The 2019 San Francisco Existing Building Code is hereby enacted. It consists of  
2 the 2019 California Existing Building Code and San Francisco's existing local amendments,  
3 which are re-enacted and expressly made applicable to the 2019 California Existing Building  
4 Code. Copies of the 2019 California Existing Building Code and the stand-alone San  
5 Francisco amendments are declared to be part of Board File No. \_\_\_\_\_ and are  
6 incorporated into this ordinance by reference as though fully set forth. Existing San Francisco  
7 amendments that are being made applicable to the 2019 California Existing Building Code are  
8 shown in unformatted ("plain") text and may include bold and/or italicized formatting; new San  
9 Francisco amendments are underlined; and deleted San Francisco amendments are in  
10 ~~strikeout text.~~

11  
12 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this  
13 ordinance shall be construed as abating any action now pending under or by virtue of any  
14 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance  
15 be construed as discontinuing, abating, modifying or altering any penalties accruing, or to  
16 accrue, or as waiving any right of the City under any such ordinance.

17  
18 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this  
19 ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the  
20 remaining portions of this ordinance. The Board of Supervisors hereby declares that it would  
21 have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this  
22 Ordinance, irrespective of the fact that any one or more sections, subsections, sentences,  
23 clauses, or phrases be declared invalid.

1 Section 7. Effective and Operative Dates. This ordinance shall become effective 30  
2 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor  
3 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,  
4 or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall  
5 take effect and be in full force on and after either January 1, 2020 or its effective date if the  
6 effective date is later.

7  
8 Section 8. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the  
9 Board of Supervisors is hereby directed to transmit to the California Building Standards  
10 Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit  
11 A attachment, and 3) the San Francisco amendments to the 2019 California Existing Building  
12 Code.

13  
14 APPROVED AS TO FORM:  
15 DENNIS J. HERRERA, City Attorney

16 By:

  
17 JUDITH A. BOYAJIAN  
Deputy City Attorney

18 n:\legana\as2019\1900415\01384322.docx

## **LEGISLATIVE DIGEST**

[Existing Building Code – Repeal of Existing 2016 Code and Enactment of 2019 Edition]]

**Ordinance repealing the 2016 Existing Building Code in its entirety and enacting a 2019 Existing Building Code consisting of the 2019 California Existing Building Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

### Existing Law

The Existing Building Code regulates additions, alterations, or repairs to existing buildings, structures, and property. The current San Francisco Existing Building Code consists of the 2016 California Existing Building Code and San Francisco's local amendments to the California Existing Building Code.

### Amendments to Current Law

Every three years the State of California adopts a new California Building Standards Code ("triennial CBSC"), which amends the California Existing Building Code and the other state codes that constitute the CBSC. The 2019 triennial CBSC will go into effect throughout the State on January 1, 2020. As in past triennial CBSC adoption cycles, San Francisco will repeal its current Existing Building Code in its entirety and adopt a new Existing Building Code that applies San Francisco's existing local amendments to the new California Existing Building Code. Except for non-substantive or technical modifications required by amendments to the state code, there are no changes to the existing San Francisco Existing Building Code amendments being carried forward.

### Background Information

Local jurisdictions are required to enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local climate, geology, or topography. Local amendments may be made to a triennial CBSC and also throughout the intervening years. However, local amendments previously adopted are not automatically transferred to a new triennial CBSC. Rather, they must be re-enacted with the required findings of local climate, geologic, or topographical conditions, expressly made applicable to the new triennial CBSC, and with an operative date no earlier than the effective date of the new State Code.

1 [Electrical Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

2  
3 **Ordinance repealing the 2016 Electrical Code in its entirety and enacting a 2019**  
4 **Electrical Code consisting of the 2019 California Electrical Code as amended by San**  
5 **Francisco; adopting environmental findings and findings of local conditions under the**  
6 **California Health and Safety Code; providing an operative date of January 1, 2020; and**  
7 **directing the Clerk of the Board of Supervisors to forward the legislation to the**  
8 **California Building Standards Commission as required by State law.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
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14 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
15 subsections or parts of tables.

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

17 Section 1. Environmental Findings. The Planning Department has determined that the  
18 actions contemplated in this ordinance comply with the California Environmental Quality Act  
19 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with  
20 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
21 reference. The Board affirms this determination.

22 Section 2. General Findings.

23 (a) The California Building Standards Code is contained in Title 24 of the California  
24 Code of Regulations. It consists of 12 Parts, which are based upon model codes that are  
25 amended by the State agencies with jurisdiction over the subject matter. The California  
Electrical Code is Part 3 of Title 24 of the California Code of Regulations.



1 (b) The State of California adopts a new California Building Standards Code every  
2 three years ("triennial CBSC") with supplemental amendments published in intervening years.  
3 The triennial CBSC goes into effect throughout the State of California 180 days after its  
4 publication by the California Building Standards Commission or at a later date established by  
5 the Commission. The 2019 triennial CBSC will go into effect on January 1, 2020.

6 (c) Local jurisdictions must enforce the California Building Standards Code but they  
7 may also enact more restrictive building standards that are reasonably necessary because of  
8 local climate, geologic, or topographical conditions. Local amendments may be made both to  
9 a triennial CBSC and to its individual Parts during the intervening years; however, local  
10 amendments previously adopted are not automatically applicable to a triennial CBSC. Rather,  
11 they must be re-enacted with the required findings of local climate, geologic, or topographical  
12 conditions, expressly made applicable to the new triennial CBSC, and with an operative date  
13 no earlier than the effective date of the triennial CBSC.

14 (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of  
15 Supervisors repeals the 2016 San Francisco Electrical Code in its entirety, enacts the 2019  
16 San Francisco Electrical Code, and re-enacts the existing local amendments to make them  
17 applicable to the 2019 California Electrical Code.

18 (e) Pursuant to Charter Section D3.750-5, the Building Inspection Commission  
19 considered and approved San Francisco's amendments to the 2019 California Electrical Code  
20 at a duly noticed public hearing that was held on July 17, 2019.

21  
22 Section 3. Findings regarding Local Conditions.

23 (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that  
24 before making any changes or modifications to the California Electrical Code and any other  
25 applicable provisions published by the California Building Standards Commission, the

1 governing body must make an express finding that each such change or modification is  
2 reasonably necessary because of specified local conditions. The local amendments together  
3 with the required findings must be filed with the California Building Standards Commission  
4 before the local changes or modifications can go into effect.

5 (b) The City and County of San Francisco is unique among California communities  
6 with respect to local climate, geologic, topographical, and other conditions. A specific list of  
7 findings that support San Francisco's modifications to the 2019 California Electrical Code, with  
8 a section-by-section correlation of each modification with a specific numbered finding, are  
9 contained in Exhibit A entitled "Standard Findings for San Francisco Building Standards Code  
10 Amendments."

11 (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,  
12 the Board of Supervisors finds and determines that the local conditions described in Exhibit A  
13 constitute a general summary of the most significant local conditions giving rise to the need  
14 for modification of the 2019 California Electrical Code provisions published by the California  
15 Building Standards Commission. The Board of Supervisors further finds and determines that  
16 the proposed modifications are reasonably necessary based upon the local conditions set  
17 forth in Exhibit A.

18  
19 Section 4. Repeal of 2016 San Francisco Electrical Code and Enactment of the 2019  
20 San Francisco Electrical Code.

21 (a) The 2016 San Francisco Electrical Code is hereby repealed in its entirety. The  
22 San Francisco Electrical Code being repealed was enacted on November 22, 2016, by  
23 Ordinance No. 227-16, with an operative date of January 1, 2017. It was amended by  
24 Ordinance Nos. 0095-18 and 0065-19. These ordinances are available on the Board of  
25 Supervisors' website.

1 (b) The 2019 San Francisco Electrical Code is hereby enacted. It consists of the  
2 2019 California Electrical Code and San Francisco's existing local amendments, which are re-  
3 enacted and expressly made applicable to the 2019 California Electrical Code. Copies of the  
4 2019 California Electrical Code and the stand-alone San Francisco amendments are declared  
5 to be part of Board File No. \_\_\_\_\_ and are incorporated into this ordinance by reference  
6 as though fully set forth. Existing San Francisco amendments that are being made applicable  
7 to the 2019 California Electrical Code are shown in unformatted ("plain") text and may include  
8 bold and/or italicized type; new San Francisco amendments are underlined; and deleted San  
9 Francisco amendments are in strikeout text.

10  
11 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this  
12 ordinance shall be construed as abating any action now pending under or by virtue of any  
13 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance  
14 be construed as discontinuing, abating, modifying or altering any penalties accruing, or to  
15 accrue, or as waiving any right of the City under any such ordinance.

16  
17 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this  
18 ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the  
19 remaining portions of this ordinance. The Board of Supervisors hereby declares that it would  
20 have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this  
21 Ordinance, irrespective of the fact that any one or more sections, subsections, sentences,  
22 clauses, or phrases be declared invalid.


23  
24 Section 7. Effective and Operative Dates. This ordinance shall become effective 30  
25 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor

1 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,  
2 or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall  
3 take effect and be in full force on and after either January 1, 2020 or its effective date if the  
4 effective date is later.

5  
6 Section 8. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the  
7 Board of Supervisors is hereby directed to transmit to the California Building Standards  
8 Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit  
9 A attachment, and 3) the San Francisco amendments to the 2019 California Electrical Code.

10  
11 APPROVED AS TO FORM:  
12 DENNIS J. HERRERA, City Attorney

13 By:

  
14 JUDITH A. BOYAJIAN  
15 Deputy City Attorney

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## **LEGISLATIVE DIGEST**

[Electrical Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

**Ordinance repealing the 2016 Electrical Code in its entirety and enacting a 2019 Electrical Code consisting of the 2019 California Electrical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

### Existing Law

The Electrical Code regulates equipment, wiring, and systems of electrical installations. The existing San Francisco Electrical Code consists of the 2016 California Electrical Code (which incorporates the 2014 National Electrical Code as amended by California) and San Francisco's local amendments to the California Electrical code.

### Amendments to Current Law

Every three years the State of California adopts a new California Building Standards Code ("triennial CBSC"), which amends the California Electrical Code and the other state codes that constitute the CBSC. The 2019 triennial CBSC will go into effect throughout the State on January 1, 2020. As in past triennial CBSC adoption cycles, San Francisco will repeal its existing Electrical Code in its entirety and adopt a new Electrical Code that applies San Francisco's existing local amendments to the new California Electrical Code. Except for non-substantive or technical modifications required by amendments to the state code, there are no changes to the existing San Francisco Electrical Code amendments being carried forward.

### Background Information

Local jurisdictions are required to enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local climate, geology, or topography. Local amendments may be made to a triennial CBSC and also throughout the intervening years. However, local amendments previously adopted are not automatically transferred to a new triennial CBSC. Rather, they must be re-enacted with the required findings of local climate, geologic, or topographical conditions, expressly made applicable to the new triennial CBSC, and with an operative date no earlier than the effective date of the new State Code.

1 [Mechanical Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

2  
3 **Ordinance repealing the 2016 Mechanical Code in its entirety and enacting a 2019**  
4 **Mechanical Code consisting of the 2019 California Mechanical Code as amended by**  
5 **San Francisco; adopting environmental findings and findings of local conditions under**  
6 **the California Health and Safety Code; providing an operative date of January 1, 2020;**  
7 **and directing the Clerk of the Board of Supervisors to forward the legislation to the**  
8 **California Building Standards Commission as required by State law.**

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

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

17 Section 1. Environmental Findings. The Planning Department has determined that the  
18 actions contemplated in this ordinance comply with the California Environmental Quality Act  
19 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with  
20 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
21 reference. The Board affirms this determination.

22 Section 2. General Findings.

23 (a) The California Building Standards Code is contained in Title 24 of the California  
24 Code of Regulations. It consists of 12 Parts, which are based upon model codes that are  
25 amended by the State agencies with jurisdiction over the subject matter. The California  
Mechanical Code is Part 4 of Title 24 of the California Code of Regulations.

1 (b) The State of California adopts a new California Building Standards Code every  
2 three years (the “triennial CBSC”) with supplemental amendments published in intervening  
3 years. The triennial CBSC goes into effect throughout the State of California 180 days after its  
4 publication by the California Building Standards Commission or at a later date established by  
5 the Commission. The 2019 triennial CBSC will go into effect on January 1, 2020.

6 (c) Local jurisdictions must enforce the California Building Standards Code but they  
7 may also enact more restrictive building standards that are reasonably necessary because of  
8 local climate, geologic, or topographical conditions. Local amendments may be made both to  
9 a triennial CBSC and to its individual Parts during the intervening years; however, local  
10 amendments previously adopted are not automatically applicable to a triennial CBSC. Rather,  
11 they must be re-enacted with the required findings of local climate, geologic, or topographical  
12 conditions, expressly made applicable to the new triennial CBSC, and with an operative date  
13 no earlier than the effective date of the triennial CBSC.

14 (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of  
15 Supervisors repeals the 2016 San Francisco Mechanical Code in its entirety, enacts the 2019  
16 San Francisco Mechanical Code, and re-enacts the existing local amendments to make them  
17 applicable to the 2019 California Mechanical Code.

18 (e) Pursuant to Charter Section D3.750-5, the Building Inspection Commission  
19 considered and approved San Francisco’s amendments to the 2019 California Mechanical  
20 Code at a duly noticed public hearing that was held on July 17, 2019.

21  
22 Section 3. Findings regarding Local Conditions.

23 (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that  
24 before making any changes or modifications to the California Mechanical Code and any other  
25 applicable provisions published by the California Building Standards Commission, the

1 governing body must make an express finding that each such change or modification is  
2 reasonably necessary because of specified local conditions. The local amendments together  
3 with the required findings must be filed with the California Building Standards Commission  
4 before the local changes or modifications can go into effect.

5 (b) The City and County of San Francisco is unique among California communities  
6 with respect to local climate, geologic, topographical, and other conditions. A specific list of  
7 findings that support San Francisco's modifications to the 2019 California Mechanical Code,  
8 with a section-by-section correlation of each modification with a specific numbered finding, are  
9 contained in Exhibit A entitled "Standard Findings for San Francisco Building Standards Code  
10 Amendments."

11 (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,  
12 the Board of Supervisors finds and determines that the local conditions described in Exhibit A  
13 constitute a general summary of the most significant local conditions giving rise to the need  
14 for modification of the 2019 California Mechanical Code provisions published by the California  
15 Building Standards Commission. The Board of Supervisors further finds and determines that  
16 the proposed modifications are reasonably necessary based upon the local conditions set  
17 forth in Exhibit A.

18  
19 Section 4. Repeal of 2016 San Francisco Mechanical Code and Enactment of the  
20 2019 San Francisco Mechanical Code.

21 (a) The 2016 San Francisco Mechanical Code is hereby repealed in its entirety. The  
22 San Francisco Mechanical Code being repealed was enacted on November 22, 2016, by  
23 Ordinance No. 230-16, with an operative date of January 1, 2017. This ordinance is available  
24 on the Board of Supervisors' website.



1 (b) The 2019 San Francisco Mechanical Code is hereby enacted. It consists of the  
2 2019 California Mechanical Code and San Francisco’s existing local amendments, which are  
3 re-enacted and expressly made applicable to the 2019 California Mechanical Code. Copies of  
4 the 2019 California Mechanical Code and the stand-alone San Francisco amendments are  
5 declared to be part of Board File No. \_\_\_\_\_ and are incorporated into this ordinance by  
6 reference as though fully set forth. Existing San Francisco amendments that are being made  
7 applicable to the 2019 California Mechanical Code are shown in unformatted (“plain”) text and  
8 may include bold and/or italicized formatting; new San Francisco amendments are underlined;  
9 and deleted San Francisco amendments are in strikeout text.

10  
11 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this  
12 ordinance shall be construed as abating any action now pending under or by virtue of any  
13 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance  
14 be construed as discontinuing, abating, modifying or altering any penalties accruing, or to  
15 accrue, or as waiving any right of the City under any such ordinance.

16  
17 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this  
18 ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the  
19 remaining portions of this ordinance. The Board of Supervisors hereby declares that it would  
20 have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this  
21 Ordinance, irrespective of the fact that any one or more sections, subsections, sentences,  
22 clauses, or phrases be declared invalid.

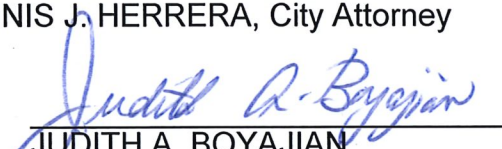
23  
24 Section 7. Effective and Operative Dates. This ordinance shall become effective 30  
25 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor

1 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,  
2 or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall  
3 take effect and be in full force on and after either January 1, 2020 or its effective date if the  
4 effective date is later.

5  
6 Section 8. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the  
7 Board of Supervisors is hereby directed to transmit to the California Building Standards  
8 Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit  
9 A attachment, and 3) the San Francisco amendments to the 2019 California Mechanical  
10 Code.

11  
12 APPROVED AS TO FORM:  
13 DENNIS J. HERRERA, City Attorney

14 By:

  
15 JUDITH A. BOYAJIAN  
Deputy City Attorney

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## **LEGISLATIVE DIGEST**

[Mechanical Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

**Ordinance repealing the 2016 Mechanical Code in its entirety and enacting a 2019 Mechanical Code consisting of the 2019 California Mechanical Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

### **Existing Law**

The Mechanical Code regulates heating, ventilating, air-conditioning, exhaust and duct systems, refrigeration, and miscellaneous heat-producing and energy-utilizing equipment. The current San Francisco Mechanical Code consists of the 2016 California Mechanical Code (which incorporates the 2015 Uniform Mechanical Code) and San Francisco's local amendments to the 2019 California Mechanical Code ("San Francisco Amendments").

### **Amendments to Current Law**

Every three years the State of California adopts a new California Building Standards Code ("triennial CBSC"), which amends the California Mechanical Code and the other state codes that constitute the CBSC. The 2019 triennial CBSC will go into effect throughout the State on January 1, 2020. As in past triennial CBSC adoption cycles, San Francisco will repeal its existing Mechanical Code in its entirety and adopt a new Mechanical Code that applies San Francisco's existing local amendments to the new California Mechanical Code. Except for non-substantive or technical modifications required by amendments to the state code, there are no changes to the existing San Francisco Mechanical Code amendments being carried forward.

### **Background Information**

Local jurisdictions are required to enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local climate, geology, or topography. Local amendments may be made to a triennial CBSC and also throughout the intervening years. However, local amendments previously adopted are not automatically transferred to a new triennial CBSC. Rather, they must be re-enacted with the required findings of local climate, geologic, or topographical conditions, expressly made applicable to the new triennial CBSC, and with an operative date no earlier than the effective date of the new State Code.

1 [Plumbing Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

2  
3 **Ordinance repealing the 2016 Plumbing Code in its entirety and enacting a 2019**  
4 **Plumbing Code consisting of the 2019 California Plumbing Code as amended by San**  
5 **Francisco; adopting environmental findings and findings of local conditions under the**  
6 **California Health and Safety Code; providing an operative date of January 1, 2020; and**  
7 **directing the Clerk of the Board of Supervisors to forward the legislation to the**  
8 **California Building Standards Commission as required by State law.**

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

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

17 Section 1. Environmental Findings. The Planning Department has determined that the  
18 actions contemplated in this ordinance comply with the California Environmental Quality Act  
19 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with  
20 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
21 reference. The Board affirms this determination.

22 Section 2. General Findings.

23 (a) The California Building Standards Code is contained in Title 24 of the California  
24 Code of Regulations. It consists of 12 Parts, which are based upon model codes that are  
25 amended by the State agencies with jurisdiction over the subject matter. The California  
Plumbing Code is Part 5 of Title 24 of the California Code of Regulations.

1 (b) The State of California adopts a new California Building Standards Code every  
2 three years ("triennial CBSC") with supplemental amendments published in intervening years.  
3 The triennial CBSC goes into effect throughout the State of California 180 days after its  
4 publication by the California Building Standards Commission or at a later date established by  
5 the Commission. The 2019 triennial CBSC will go into effect on January 1, 2020.

6 (c) Local jurisdictions must enforce the California Building Standards Code but they  
7 may also enact more restrictive building standards that are reasonably necessary because of  
8 local climate, geologic, or topographical conditions. Local amendments may be made both to  
9 the triennial CBSC and to its individual Parts during the intervening years; however, local  
10 amendments previously adopted are not automatically applicable to a triennial CBSC. Rather,  
11 they must be re-enacted with the required findings of local climate, geologic, or topographical  
12 conditions, expressly made applicable to the new triennial CBSC, and with an operative date  
13 no earlier than the effective date of the triennial CBSC.

14 (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of  
15 Supervisors repeals the 2016 San Francisco Plumbing Code in its entirety, enacts the 2019  
16 San Francisco Plumbing Code, and re-enacts the existing local amendments to make them  
17 applicable to the 2019 California Plumbing Code.

18 (e) Pursuant to Charter Section D3.750-5, the Building Inspection Commission  
19 considered and approved San Francisco's amendments to the 2019 California Plumbing Code  
20 at a duly noticed public hearing that was held on July 17, 2019.

21  
22 Section 3. Findings regarding Local Conditions.

23 (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that  
24 before making any changes or modifications to the California Plumbing Code and any other  
25 applicable provisions published by the California Building Standards Commission, the

1 governing body must make an express finding that each such change or modification is  
2 reasonably necessary because of specified local conditions. The local amendments together  
3 with the required findings must be filed with the California Building Standards Commission  
4 before the local changes or modifications can go into effect.

5 (b) The City and County of San Francisco is unique among California communities  
6 with respect to local climate, geologic, topographical, and other conditions. A specific list of  
7 findings that support San Francisco's modifications to the 2019 California Plumbing Code,  
8 with a section-by-section correlation of each modification with a specific numbered finding, are  
9 contained in Exhibit A entitled "Standard Findings for San Francisco Building Standards Code  
10 Amendments."

11 (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,  
12 the Board of Supervisors finds and determines that the local conditions described in Exhibit A  
13 constitute a general summary of the most significant local conditions giving rise to the need  
14 for modification of the 2019 California Plumbing Code provisions published by the California  
15 Building Standards Commission. The Board of Supervisors further finds and determines that  
16 the proposed modifications are reasonably necessary based upon the local conditions set  
17 forth in Exhibit A.

18  
19 Section 4. Repeal of the 2016 San Francisco Plumbing Code and Enactment of the  
20 2019 San Francisco Plumbing Code.

21 (a) The 2016 San Francisco Plumbing Code is hereby repealed in its entirety. The  
22 San Francisco Plumbing Code being repealed was enacted on November 22, 2016, by  
23 Ordinance No. 231-16, with an operative date of January 1, 2017. It was amended by  
24 Ordinance Nos. 0096-18, 0065-19, and 0087-19. These ordinances are available on the  
25 Board of Supervisors' website.

1 (b) The 2019 San Francisco Plumbing Code is hereby enacted. It consists of the  
2 2019 California Plumbing Code and San Francisco's existing local amendments, which are re-  
3 enacted and expressly made applicable to the 2019 California Plumbing Code. Copies of the  
4 2019 California Plumbing Code and the stand-alone San Francisco amendments are declared  
5 to be part of Board File No. \_\_\_\_\_ and are incorporated into this ordinance by  
6 reference as though fully set forth. Existing San Francisco amendments that are being made  
7 applicable to the 2019 California Plumbing Code are shown in unformatted ("plain") text and  
8 may include bold and/or italicized formatting; new San Francisco amendments are underlined;  
9 and deleted San Francisco amendments are in strikeout text.

10  
11 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this  
12 ordinance shall be construed as abating any action now pending under or by virtue of any  
13 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance  
14 be construed as discontinuing, abating, modifying or altering any penalties accruing, or to  
15 accrue, or as waiving any right of the City under any such ordinance.

16  
17 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this  
18 ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the  
19 remaining portions of this ordinance. The Board of Supervisors hereby declares that it would  
20 have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this  
21 ordinance, irrespective of the fact that any one or more sections, subsections, sentences,  
22 clauses, or phrases be declared invalid.

23  
24 Section 7. Effective and Operative Dates. This ordinance shall become effective 30  
25 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor

1 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,  
2 or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall  
3 take effect and be in full force on and after either January 1, 2020 or its effective date if the  
4 effective date is later.

5  
6 Section 8. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the  
7 Board of Supervisors is hereby directed to transmit to to the California Building Standards  
8 Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit  
9 A attachment, and 3) the San Francisco amendments to the 2019 California Plumbing Code.

10  
11 APPROVED AS TO FORM:  
12 DENNIS J. HERRERA, City Attorney

13 By:

  
14 JUDITH A. BOYAJIAN  
15 Deputy City Attorney

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## **LEGISLATIVE DIGEST**

[Plumbing Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

**Ordinance repealing the 2016 Plumbing Code in its entirety and enacting a 2019 Plumbing Code consisting of the 2019 California Plumbing Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

### **Existing Law**

The Plumbing Code regulates the installation and maintenance of plumbing systems and fixtures, water heaters, water supply and distribution, sanitation and ventilation systems, drainage, fuel piping, and medical and gas vacuum systems. The current San Francisco Plumbing Code consists of the 2016 California Plumbing Code (which incorporates the 2015 Uniform Plumbing Code) and San Francisco's local amendments to the 2019 California Plumbing Code ("San Francisco Amendments").

### **Amendments to Current Law**

Every three years the State of California adopts a new California Building Standards Code ("triennial CBSC"), which amends the California Plumbing Code and the other state codes that constitute the CBSC. The 2019 triennial CBSC will go into effect throughout the State on January 1, 2020. As in past triennial CBSC adoption cycles, San Francisco will repeal its existing Plumbing Code in its entirety and adopt a new Plumbing Code that applies San Francisco's existing local amendments to the new California Plumbing Code. Except for non-substantive or technical modifications required by amendments to the state code, there are no changes to the existing San Francisco Plumbing Code amendments being carried forward.

### **Background Information**

Local jurisdictions are required to enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local climate, geology, or topography. Local amendments may be made to a triennial CBSC and also throughout the intervening years. However, local amendments previously adopted are not automatically transferred to a new triennial CBSC. Rather, they must be re-enacted with the required findings of local climate, geologic, or topographical conditions, expressly made applicable to the new triennial CBSC, and with an operative date no earlier than the effective date of the new State Code.

1 [Green Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

2  
3 **Ordinance repealing the 2016 Green Building Code in its entirety and enacting a 2019**  
4 **Green Building Code consisting of the 2019 California Green Building Standards Code**  
5 **as amended by San Francisco; adopting environmental findings and findings of local**  
6 **conditions under the California Health and Safety Code; providing for an operative date**  
7 **of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the**  
8 **legislation to the California Building Standards Commission as required by State law.**

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

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

17 Section 1. Environmental Findings. The Planning Department has determined that the  
18 actions contemplated in this ordinance comply with the California Environmental Quality Act  
19 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with  
20 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
21 reference. The Board affirms this determination.

22 Section 2. General Findings.

23 (a) The California Building Standards Code is contained in Title 24 of the California  
24 Code of Regulations. It consists of 12 Parts, which are based upon model codes that are  
25 amended by the State agencies with jurisdiction over the subject matter. The California Green  
Building Standards Code is Part 11 of Title 24 of the California Code of Regulations.

1 (b) The State of California adopts a new California Building Standards Code every  
2 three years ("triennial CBSC") with supplemental amendments published in intervening years.  
3 The triennial CBSC goes into effect throughout the State of California 180 days after its  
4 publication by the California Building Standards Commission or at a later date established by  
5 the Commission. The 2019 triennial CBSC will go into effect on January 1, 2020.

6 (c) Local jurisdictions must enforce the California Building Standards Code but they  
7 may also enact more restrictive building standards that are reasonably necessary because of  
8 local climate, geologic, or topographical conditions. Local amendments may be made both to  
9 a triennial CBSC and also to its individual Parts during the intervening years; however, local  
10 amendments previously adopted are not automatically applicable to a triennial CBSC. Rather,  
11 they must be re-enacted with the required findings of local climate, geologic, or topographical  
12 conditions, expressly made applicable to the new triennial CBSC, and with an operative date  
13 no earlier than the effective date of the new State Code.

14 (d) As in past triennial CBSC adoption cycles, by this ordinance the Board of  
15 Supervisors repeals the 2016 San Francisco Green Building Code in its entirety, enacts the  
16 2019 San Francisco Green Building Code, and re-enacts the existing local amendments to  
17 make them applicable to the 2019 California Green Building Standards Code.

18 (e) Pursuant to Charter Section D3.750-5, the Building Inspection Commission  
19 considered and approved San Francisco's amendments to the 2019 California Green Building  
20 Standards Code at a duly noticed public hearing that was held on July 17, 2019.

21  
22 Section 3. Findings regarding Local Conditions.

23 (a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that  
24 before making any changes or modifications to the California Green Building Code and any  
25 other applicable provisions published by the California Building Standards Commission, the

1 governing body must make an express finding that each such change or modification is  
2 reasonably necessary because of specified local conditions. The local amendments together  
3 with the required findings must be filed with the California Building Standards Commission  
4 before the local changes or modifications can go into effect.

5 (b) The City and County of San Francisco is unique among California communities  
6 with respect to local climate, geologic, topographical, and other conditions. A specific list of  
7 findings that support San Francisco's modifications to the 2019 California Green Building  
8 Standards Code, with a section-by-section correlation of each modification with a specific  
9 numbered finding, are contained in Exhibit A entitled "Standard Findings for San Francisco  
10 Building Standards Code Amendments."

11 (c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5,  
12 the Board of Supervisors finds and determines that the local conditions described in Exhibit A  
13 constitute a general summary of the most significant local conditions giving rise to the need  
14 for modification of the 2019 California Green Building Standards Code provisions published by  
15 the California Building Standards Commission. The Board of Supervisors further finds and  
16 determines that the proposed modifications are reasonably necessary based upon the local  
17 conditions set forth in Exhibit A.

18  
19 Section 4. Findings Required by California Public Resources Code and Title 24 of the  
20 California Code of Regulations.

21 (a) Public Resources Code Section 25402.1(h)(2) and Section 10-106 of the  
22 California Code of Regulations, Title 24, Part 1, Locally Adopted Energy Standards, authorize  
23 a local jurisdiction to adopt and enforce more restrictive local energy standards, provided that  
24 the local jurisdiction makes a determination that the local standards are cost effective and will  
25 save more energy than the current Statewide standards and provided further that the local

1 jurisdiction files an application for approval with the California Energy Commission together  
2 with documentation supporting the cost-effectiveness determination. Local energy standards  
3 may take effect only after the California Energy Commission has reviewed and formally  
4 approved them.

5 (b) Local energy standards previously adopted are not automatically applicable to a  
6 triennial CBSC. Rather, they must be re-enacted with a new cost-effectiveness study and  
7 determination based on the new State standards, and be re-approved by the California  
8 Energy Commission.

9 (c) Based upon the findings of a cost-effectiveness study performed on the more  
10 restrictive local standards contained in the City's proposed 2019 San Francisco Green  
11 Building Code, the Board of Supervisors hereby determines that these local energy standards  
12 are cost effective and will save more energy than the standards contained in the 2019  
13 California Green Building Standards Code. A copy of the cost-effectiveness study is on file  
14 with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ .  
15

16 Section 5. Repeal of 2016 San Francisco Green Building Code and Enactment of the  
17 2019 San Francisco Green Building Code.

18 (a) The 2016 San Francisco Green Building Code is hereby repealed in its entirety.  
19 The San Francisco Green Building Code being repealed was enacted on November 22, 2016,  
20 by Ordinance No. 229-16, with an operative date of January 1, 2017. It was amended by  
21 Ordinance No. 92-17. These ordinances are available on the Board of Supervisors' website.

22 (b) The 2019 San Francisco Green Building Code is hereby enacted. It consists of  
23 the 2019 California Green Building Standards Code and San Francisco's existing local  
24 amendments, which are re-enacted and expressly made applicable to the 2019 California  
25 Green Building Standards Code. Copies of the 2019 California Green Building Standards

1 Code and the stand-alone San Francisco amendments are declared to be part of Board File  
2 No. \_\_\_\_\_ and are incorporated into this ordinance by reference as though fully set forth.  
3 Existing San Francisco amendments that are being made applicable to the 2019 California  
4 Green Building Standards Code are shown in unformatted (“plain”) text and may include bold  
5 and/or italicized type; new San Francisco amendments are underlined; and deleted San  
6 Francisco amendments are in strikeout text.

7  
8 Section 6. Continuance of Actions Under Prior Code. Nothing contained in this  
9 ordinance shall be construed as abating any action now pending under or by virtue of any  
10 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance  
11 be construed as discontinuing, abating, modifying or altering any penalties accruing, or to  
12 accrue, or as waiving any right of the City under any such ordinance.


13  
14 Section 7. Severability. If any section, subsection, sentence, clause, or phrase of this  
15 ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the  
16 remaining portions of this ordinance. The Board of Supervisors hereby declares that it would  
17 have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this  
18 Ordinance, irrespective of the fact that any one or more sections, subsections, sentences,  
19 clauses, or phrases be declared invalid.

20  
21 Section 8. Effective and Operative Dates. This ordinance shall become effective 30  
22 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor  
23 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,  
24 or the Board of Supervisors overrides the Mayor’s veto of the ordinance. This ordinance shall  
25

1 take effect and be in full force on and after either January 1, 2020 or its effective date if the  
2 effective date is later.

3  
4 Section 9. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the  
5 Board of Supervisors is hereby directed to transmit to the California Building Standards  
6 Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit  
7 A attachment, and 3) the San Francisco modifications to the 2019 California Green Building  
8 Standards Code.

9  
10 APPROVED AS TO FORM:  
11 DENNIS J. HERRERA, City Attorney

12 By:   
13 ROBB KAPLA  
Deputy City Attorney

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## **LEGISLATIVE DIGEST**

[Green Building Code - Repeal of Existing 2016 Code and Enactment of 2019 Edition]

**Ordinance repealing the 2016 Green Building Code in its entirety and enacting a 2019 Green Building Code consisting of the 2019 California Green Building Standards Code as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2020; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission as required by State law.**

### Existing Law

The Green Building Code enhances the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact. The Code encourages sustainable construction practices in the categories of: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The current San Francisco Green Building Code consists of the 2016 California Green Building Standards Code and San Francisco's local amendments to the 2016 California Green Building Standards Code ("San Francisco Amendments").

### Amendments to Current Law

On January 1, 2020, a 2019 California Green Building Standards Code (also known as CalGreen) will go into effect throughout the State. The San Francisco Amendments to the 2016 California Code must be re-enacted and made applicable to the 2019 California Code. Therefore, as in past State Code adoption cycles, San Francisco will repeal its existing Green Building Code in its entirety and adopt a new Green Building Code consisting of the 2019 California Green Building Standards Code and San Francisco's local amendments to the 2016 California Green Building Standards Code ("San Francisco Amendments"). The San Francisco Amendments to the 2016 California Green Building Standards Code will be carried forward and made applicable to the 2019 California Green Building Standards Code with no or only minor technical changes.

The San Francisco Amendments are not integrated into the text of the California Codes but rather are separately printed in a stand-alone document. Therefore, the user must consult both texts in order to determine the complete code requirement. In the San Francisco Amendments, unchanged language from the 2019 California Green Building Standards Code is shaded gray, San Francisco's additions to the 2019 California Green Building Standards Code are shown in unshaded text, new (minor and technical) additions to San Francisco's amendments are underlined and deletions are shown with strikethrough.



Background Information

The State of California adopts a new California Building Standards Code every three years (the “triennial State Code”) with supplements published in intervening years. The triennial State Code goes into effect throughout the State 180 days after its publication by the California Building Standards Commission or at a later date established by the Commission. In the current triennial State Code adoption cycle, the California Building Standards Code will go into effect on January 1, 2017. The California Building Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several parts that are based upon model codes with amendments made by the State agencies with jurisdiction over the subject matter. The California Green Building Standards Code is Part 11 of Title 24 of the California Code of Regulations.

Local jurisdictions must enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local conditions caused by climate, geology, or topography. Local amendments may be made to a triennial State Code and also throughout the intervening years. However, local amendments previously adopted are not automatically applicable to a new triennial State Code. Rather, they must be re-enacted with the required findings of local conditions, expressly made applicable to the new triennial State Code, and with an operative date no earlier than the effective date of the new State Code.

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