

1 [San Francisco Electrical Code - Repealing and Replacing]

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3 **Ordinance repealing the 2007 San Francisco Electrical Code in its entirety and**
4 **replacing that code with a new 2010 San Francisco Electrical Code that consists of the**
5 **2010 California Electrical Code and San Francisco amendments thereto; adopting**
6 **findings of local conditions pursuant to California Health and Safety Code Section**
7 **17958.7, and directing the Clerk of the Board to forward San Francisco's amendments**
8 **and findings to the State Building Standards Commission; making environmental**
9 **findings; and providing for an operative date of January 1, 2011.**

10 Note: Additions are *single-underline italics Times New Roman*;
11 deletions are *strikethrough italics Times New Roman*.
12 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. Environmental Findings. The Planning Department has determined that the actions
15 contemplated in this Ordinance are in compliance with the California Environmental Quality Act
16 (California Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk
17 of the Board of Supervisors in File No. 100952 and is incorporated herein by reference.

18 Section 2. General Findings.

19 A. The State of California adopts a new California Building Standards Code every three
20 years that goes into effect throughout the State 180 days after publication. The California Building
21 Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several
22 parts that are based upon model codes with amendments made by various State agencies with
23 jurisdiction. The California Electrical Code is Part 3 of Title 24 of the California Code of Regulations.
24 The 2010 California Electrical Code will go into effect throughout the State on January 1, 2011.

1 B. Local jurisdictions are required to enforce the California Electrical Code. Local
2 jurisdictions may also enact more stringent standards than those contained in the California Electrical
3 Code where more stringent standards are reasonably necessary because of local conditions caused
4 by climate, geology or topography.

5 C. As in past State code adoption cycles, in this Ordinance San Francisco repeals its
6 existing San Francisco Electrical Code in its entirety and enacts a new 2010 San Francisco Electrical
7 Code. The proposed 2010 San Francisco Electrical Code consists of the 2010 California Electrical
8 Code together with the San Francisco amendments thereto.

9 D. On August 18, 2010, at a duly noticed public hearing, the Building Inspection
10 Commission considered this legislation.

11 Section 3. Findings regarding Local Conditions.

12 A. California Health & Safety Code Section 17958.7 provides that before making any
13 changes or modifications to the California Electrical Code and any other applicable provisions
14 published by the State Building Standards Commission, the governing body must make an express
15 finding that each such change or modification is reasonably necessary because of specified local
16 conditions, and the findings must be filed with the State Building Standards Commission before the
17 local changes or modifications can go into effect.

18 B. The City and County of San Francisco is unique among California communities with
19 respect to local climatic, geological, topographical, and other conditions. A specific list of findings that
20 support San Francisco's modifications to the 2010 California Electrical Code and a section-by-section
21 correlation of each modification with a specific numbered finding are contained in Exhibit A entitled
22 "Standard Findings for San Francisco Amendments."

23 C. Pursuant to California Health & Safety Code Section 17958.7, the Board of Supervisors
24 finds and determines that the local conditions described in Exhibit A constitute a general summary of
25 the most significant local conditions giving rise to the need for modification of the 2010 California

1 Electrical Code provisions published by the State Building Standards Commission. The Board of
2 Supervisors further finds and determines that the proposed modifications are reasonably necessary
3 based on the local conditions set forth in Exhibit A.

4 Section 4. 2010 San Francisco Electrical Code. The San Francisco Electrical Code regulates
5 equipment, wiring, and systems of electrical installations. The 2007 San Francisco Electrical Code is
6 hereby repealed in its entirety and replaced with a new 2010 San Francisco Electrical Code that
7 consists of the 2010 California Electrical Code and the San Francisco amendments thereto. A copy of
8 the 2010 California Electrical Code as modified by San Francisco is on file with the Clerk of the Board
9 of Supervisors in File No. 100952 and is hereby declared to be part of this Ordinance as if set forth
10 fully therein. Additions to the 2010 California Electrical Code are shown in bold type; deletions are
11 shown with strikethrough.

12 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this Ordinance shall
13 be construed as abating any action now pending under or by virtue of any ordinance of the City and
14 County of San Francisco hereby repealed, nor shall this Ordinance be construed as discontinuing,
15 abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City
16 under any ordinance in force at the time of passage of this Ordinance that safeguards persons and
17 property from hazards arising from the use of electricity.

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

1 Section 7. Operative Date. This Ordinance shall take effect and be in full force on and after
2 either January 1, 2011 or its effective date if the effective date is later.

3 Section 8. Upon final passage of this Ordinance, the Clerk of the Board of Supervisors is
4 hereby directed to transmit this Ordinance, the San Francisco modifications to the 2010 Electrical
5 Code, and Exhibit A to the State Building Standards Commission pursuant to the applicable provisions
6 of State law.

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

10 By: _____
11 JUDITH A. BOYAJIAN
12 Deputy City Attorney