

LEGISLATIVE DIGEST

[Building Code - Construction That Causes Temporary Suspension of Water or Utility Service or Excessive Noise]

Ordinance amending the Building Code to prohibit construction projects in buildings with any residential rental units, where the project would require the suspension of water or utility service to residential tenants, without the property owner providing alternative sources of water and power or reaching agreement with tenants, and to require installation of temporary insulation to mitigate noise and disruption to impacted residential tenants; adopting findings of local conditions under the California Health and Safety Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

This ordinance imposes requirements that are very similar to the requirements contained in Emergency Ordinance No. 154-20. Emergency Ordinance No. 154-20 was approved and took effect on August 28, 2020, expired on October 27, 2020, was reenacted on March 12, 2021, and expired on May 12, 2021.

Amendments to Current Law

This ordinance prohibits construction activities that suspend water or electricity service in buildings with residential rental units exceeding two hours unless an alternative source is provided. This ordinance also requires advance notice to tenants of a disruption in utility service or construction involving noise levels over specified limits, including the name and contact information of a person who can respond to tenant concerns. The Department of Building Inspection may authorize the construction to continue without the advance notice if a pause in construction would create an imminent safety hazard. Property owners are exempt from the requirements of the ordinance to provide alternative water or electricity service if the owner and all impacted residential tenants agree to different terms. Buildings with 100% affordable units are also exempt.

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