

1 [San Francisco Building Code.]  
2

3 **Ordinance repealing the San Francisco Building Code in its entirety and replacing that**  
4 **code with a new 2007 San Francisco Building Code consisting of the 2007 California**  
5 **Building Code, which is based upon the 2006 International Building Code, together with**  
6 **the San Francisco amendments; adopting findings of local conditions pursuant to**  
7 **California Health and Safety Code Section 17958.7 and directing the Clerk of the Board**  
8 **to forward San Francisco's amendments and findings to the California Building**  
9 **Standards Commission; and making environmental findings.**

10  
11 Note: This material is entirely new.

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

13 Section 1. Environmental Findings. The Planning Department has determined that the  
14 actions contemplated in this Ordinance are in compliance with the California Environmental  
15 Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is  
16 on file with the Clerk of the Board of Supervisors in File No. 071274 and is incorporated herein  
17 by reference.  
18

19 Section 2. Findings. Generally, the State of California adopts a new California Building  
20 Code every three years, with the new code going into effect throughout the State 180 days  
21 after publication. The California Building Code is Part 2 of Title 24 of the California Code of  
22 Regulations. The California Building Standards Commission recently published the 2007  
23 California Building Code. That Code will go into effect on January 1, 2008.  
24  
25

1 Local jurisdictions are required to enforce the California Building Code. In addition,  
2 local jurisdictions may enact more restrictive standards than those contained in the California  
3 Building Code where those more restrictive standards are reasonably necessary because of  
4 local conditions caused by climate, geology or topography. Both State and local law allow  
5 local amendments in the interim between code adoption cycles. For San Francisco to modify  
6 State requirements, the Board of Supervisors must make express findings regarding the local  
7 conditions that support each deviation from State law. Local amendments are not effective  
8 until the required findings are adopted and sent to the California Building Standards  
9 Commission.  
10

11 As in past State code adoption cycles, San Francisco will repeal its existing San  
12 Francisco Building Code in its entirety and enact a new 2007 San Francisco Building Code.  
13 The proposed 2007 San Francisco Building Code consists of the 2007 California Building  
14 Code, which is based upon the 2006 International Building Code, together with the San  
15 Francisco amendments.  
16

17 Section 3. Findings regarding Local Conditions and Directions to Clerk. California  
18 Health and Safety Code Section 17958.7 provides that before making any changes or  
19 modifications to the California Building Code and any other applicable provisions published by  
20 the California Building Standards Commission, the governing body must make an express  
21 finding that each such change or modification is reasonably necessary because of specified  
22 local conditions, and the findings must be filed with the California Building Standards  
23 Commission before the local changes or modifications can become effective.  
24  
25

1 The City and County of San Francisco is unique among California communities with  
2 respect to local climatic, geological, topographical and other conditions. A specific list of  
3 findings that support San Francisco's modifications to the 2007 California Building Code and a  
4 section-by-section correlation of each modification with a specific numbered finding are  
5 contained in Exhibit A entitled "Standard Findings for San Francisco Building Code  
6 Amendments."

7  
8 Pursuant to the applicable California Health and Safety Code Sections, the Board of  
9 Supervisors finds and determines that the local conditions described in Exhibit A constitute a  
10 general summary of the most significant local conditions giving rise to the need for  
11 modification of the 2007 California Building Code provisions published by the California  
12 Building Standards Commission. Further, the Board of Supervisors finds and determines that,  
13 as set forth in Exhibit A, the proposed modifications are reasonably necessary based on these  
14 local conditions.

15  
16 Upon final passage of this ordinance, the Clerk of the Board of Supervisors is hereby  
17 directed to transmit this ordinance, the San Francisco modifications to the 2007 California  
18 Building Code, and Exhibit A to the California Building Standards Commission pursuant to the  
19 applicable provisions of California law.

20 Section 4. 2007 San Francisco Building Code. The San Francisco Building Code  
21 provides minimum standards to safeguard life or limb, health, property and public welfare by  
22 regulating and controlling the design, construction, quality of materials, use and occupancy,  
23 location, maintenance, and demolition of all buildings and structures, and quarrying, grading,  
24

1 excavation and filling of land in the City and County of San Francisco. The San Francisco  
2 Building Code is hereby repealed in its entirety and replaced with a new 2007 San Francisco  
3 Building Code. The 2007 San Francisco Building Code consists of the 2007 California  
4 Building Code, which is based upon the 2006 International Building Code, together with the  
5 San Francisco amendments.

6 A copy of the 2007 California Building Code as modified by San Francisco is on file  
7 with the Clerk of the Board of Supervisors in File No. 071274 and is hereby declared to be a  
8 part of this ordinance as if set forth fully herein. Additions to the 2007 California Building  
9 Code are shown in bold type; amendments and deletions are shown with underlining and  
10 strikethrough.  
11

12 Section 5. Nothing contained in this ordinance shall be construed as abating any  
13 action now pending under or by virtue of any ordinance of the City herein repealed; or as  
14 discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as  
15 waiving any right of the City under any ordinance in force at the time of passage of this  
16 ordinance providing minimum standards to safeguard life or limb, health, property and public  
17 welfare by regulating and controlling the design, construction, quality of materials, use and  
18 occupancy, location, maintenance, and demolition of all buildings and structures, and  
19 quarrying, grading, excavation and filling of land in the City and County of San Francisco.  
20

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

1 have passed this ordinance, and each section, subsection, sentence, clause or phrase of this  
2 ordinance, irrespective of the fact that any one or more sections, subsections, sentences,  
3 clauses or phrases be declared unconstitutional.

4 Section 7. This ordinance shall take effect and be in full force from and after the later  
5 of its effective date or January 1, 2008.

6  
7 APPROVED AS TO FORM:  
8 DENNIS J. HERRERA, City Attorney

9 By: \_\_\_\_\_  
10 JUDITH A. BOYAJIAN  
11 Deputy City Attorney

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25