

LEGISLATIVE DIGEST

[Fire Code - Repealing, Replacing, and Amending]

Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 San Francisco Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward the legislation and associated materials to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

Existing Law

The San Francisco Fire Code is designed to regulate and govern the safeguarding of life and property from fire and explosions hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; and to provide for the issuance of permits, inspections, and other Fire Department services, and the assessment and collection of fees for those permits, inspections, and services. The 2010 San Francisco Fire Code incorporates by reference the 2010 California Fire Code (Title 24, California Code of Regulations, Part 9) and those portions of the 2009 International Fire Code not promulgated by the California Building Standards Commission, with local amendments adopted by San Francisco.

Amendments to Current Law

The 2013 San Francisco Fire Code incorporates by reference the 2013 California Fire Code (Title 24, California Code of Regulations, Part 9), including appendices adopted by the State. In addition, except as expressly deleted, modified, or amended, the 2013 San Francisco Fire Code incorporates by reference those portions of the 2012 International Fire Code that were not adopted by the California Building Standards Commission in the California Fire Code. The 2013 San Francisco Fire Code also includes local amendments specific to San Francisco.

The 2010 San Francisco Fire Code is repealed in its entirety. The San Francisco Fire Code being repealed in its entirety consists of Ordinance 277-10 (2010 Fire Code), as amended by Ordinance 238-11 (License Fees), Ordinance 169-12 (Service, Permit, and Plan Review Fees), and Ordinance 116-13 (Fire Apparatus Access Roads), and Section 5 of this ordinance (local standards for high-rise buildings and tunnels) if it is enacted.

This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. The operative date of section 4 of this ordinance shall be January 1, 2014, consistent with the operative date of the 2013 California Fire Code.

Most of the proposed amendments to the 2013 San Francisco Fire Code are designed to mirror the 2013 California Fire Code, which will become operative January 1, 2014.

Section 113 (service, permit, and plan review fees) is amended to increase the overall fees.

Section 9053.4 (standpipe requirements) is amended due to technical specifications.

Section 503 (fire apparatus access roads) is amended to clarify that an unobstructed sidewalk that does not exceed six inches in height will not constitute a per se obstruction of fire apparatus access road. This amendment does not affect the authority of the fire code official under state law. A department may not act pursuant to this section in contradiction to the determination of the fire code official.

Section 511.2 (local standards for high-rise buildings and tunnels) is amended to allow an exception to the air replenishment system requirement. All buildings that are covered by this section but that are equipped with a fire service access elevator pursuant to California Building Code section 3007 are no longer required to install an air replenishment system.

An amendment to the 2010 San Francisco Fire Code is proposed to section 511.2 (local standards for high-rise buildings and tunnels) that mirrors the exception proposed for the 2013 San Francisco Fire Code, except the effective date will take effect 30 days after enactment.

Background Information

Generally, the State of California adopts a new California Fire Code every three years, with the new code going into effect 180 days after publication. The 2013 California Fire Code will go into effect on January 1, 2014.

Local jurisdictions are required to enforce the California Fire Code. In addition, local jurisdictions may enact more restrictive building standards than those set in the California Fire Code, where those more restrictive standards are reasonably necessary because of local conditions caused by climate, geology, or topography. The Board of Supervisors must make

express findings regarding the local conditions to support the more restrictive building standards. Local amendments to building standards are not effective until the required findings are adopted and sent to the California Building Standards Commission.

As in past code cycles, San Francisco will repeal its existing Fire Code and enact a new Fire Code. The San Francisco amendments are not integrated into the text of the California Fire Code, but rather, are separately printed. Therefore, the user must consult both the California Fire Code and the San Francisco Fire Code to determine the complete code requirements.