

1 [Housing Code - Operational Elevators]

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3 **Ordinance amending the Housing Code to require R-1 and R-2 occupancy group**
4 **buildings to maintain at least one existing elevator for residents' use; and affirming the**
5 **Planning Department's determination under the California Environmental Quality Act.**

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

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

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13 Section 1. Findings.

14 (a) The Planning Department has determined that the actions contemplated in this
15 ordinance comply with the California Environmental Quality Act (California Public Resources
16 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
17 Supervisors in File No. 240807 and is incorporated herein by reference. The Board affirms
18 this determination.

19 (b) On September 18, 2024, the Building Inspection Commission considered this
20 ordinance at a duly noticed public hearing pursuant to Charter Section 4.121 and Building
21 Code Section 104A.2.11.1.1.

22 (c) No local findings are required under California Health and Safety Code
23 Section 17958.7 because the amendments to the Building Code contained in this ordinance
24 do not regulate materials or manner of construction or repair, and instead relate in their
25

1 entirety to administrative procedures for implementing the code, which are expressly excluded
2 from the definition of a “building standard” by California Health and Safety Code Section
3 18909(c).

4 (d) The Board of Supervisors recognizes that the lack of a functioning elevator can
5 create an extreme hardship for residents, especially those who are seniors or persons with
6 disabilities, and elevator maintenance can require prolonged repair timelines resulting from
7 manufacturing of individual parts and shortages in labor supply, among other reasons. The
8 code enforcement process that ensures compliance with San Francisco’s Housing Code
9 recognizes when good faith abatement efforts are ongoing, and allows for appropriate
10 timelines on abatement efforts. The code enforcement process should apply to violations of
11 this ordinance in a similar manner, and encourage an elevator’s return to operable status
12 without needless delays.

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14 Section 2. Chapter 7 of the Housing Code is hereby amended by revising Section 713,
15 to read as follows:

16 **SEC. 713. ELEVATORS.**

17 In all R-1 and R-2 Occupancies,;

18 (a) Buildings with ~~building~~ heights exceeding 50 feet, which are required to have an
19 operable elevator per the Fire Code, ~~said buildings~~ shall have at least one operating elevator
20 for the residential occupants’ use.

21 (b) Buildings that have an existing elevator, regardless of the height of the building, shall
22 maintain at least one operable elevator for residential occupants’ use.

23 ~~(c) Notwithstanding subsections (a) and (b), the requirement to have an operable~~
24 ~~elevator for residential occupants’ use is suspended when there is no operable elevator in the~~
25 ~~Building that may be safely accessed and used by residential occupants because the Building~~

1 ~~or its elevator is actively undergoing repair, modification, or maintenance pursuant to a valid~~
2 ~~building permit, work plan approved by an entity with jurisdiction over the work in question, or~~
3 ~~contract with a certified elevator repair company for the prompt repair, modification, upgrades,~~
4 ~~or improvements to the elevator system beyond regular maintenance and servicing.~~

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6 Section 3. Effective Date. This ordinance shall become effective 30 days after
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
8 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
9 of Supervisors overrides the Mayor’s veto of the ordinance.

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11 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
12 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
13 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
14 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
15 additions, and Board amendment deletions in accordance with the “Note” that appears under
16 the official title of the ordinance.

17 APPROVED AS TO FORM:
18 DAVID CHIU, City Attorney

19 By: /s/ Robb Kapla
20 ROBB KAPLA
21 Deputy City Attorney

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