

1 [Building Code - Residential Building Requirements]

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3 **Ordinance incorporating the provisions of the 2013 California Residential Code into**
4 **various chapters of the Building Code with local amendments, and adding Chapter 36**
5 **to serve as a directory of where such provisions may be found in the Building Code;**
6 **adopting environmental findings and findings of local conditions under the California**
7 **Health and Safety Code; providing for an operative date of January 1, 2014; and**
8 **directing the Clerk of the Board to forward the legislation to the State Building**
9 **Standards Commission as required by State law.**

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

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

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17 Section 1. Environmental Findings. The Planning Department has determined that the
18 actions contemplated in this ordinance comply with the California Environmental Quality Act
19 (California Public Resources Code Sections 21000 et seq.). Said determination is on file with
20 the Clerk of the Board of Supervisors in File No. _____ and is incorporated
21 herein by reference.

22 Section 2. General Findings.

23 A. The State of California adopts a new California Building Standards Code every
24 three years that goes into effect throughout the State 180 days after publication. The
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1 California Building Standards Code is contained in Title 24 of the California Code of
2 Regulations, and consists of several parts that are based upon model codes with
3 amendments made by various State agencies. The California Residential Code is Part 2.5 of
4 Title 24 of the California Code of Regulations. The 2013 California Residential Code will go
5 into effect throughout California on January 1, 2014.

6 B. Local jurisdictions are required to enforce the California Residential Code but
7 they may also enact more stringent standards when reasonably necessary because of local
8 conditions caused by climate, geology or topography.

9 C. San Francisco's residential building standards are contained in the San
10 Francisco Building Code. In this ordinance, San Francisco incorporates the provisions of the
11 2013 California Residential Code into various chapters of the San Francisco Building Code
12 with local amendments, and adds Chapter 36 to serve as a directory of where such provisions
13 may be found in the San Francisco Building Code.

14 D. On August 21, 2013, at a duly noticed public hearing, the Building Inspection
15 Commission considered this legislation.

16 Section 3. Findings regarding Local Conditions.

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

23 B. The City and County of San Francisco is unique among California communities
24 with respect to local climatic, geological, topographical, and other conditions. A specific list of
25 findings that support San Francisco's modifications to the 2013 California Residential Code

1 and a section-by-section correlation of each modification with a specific numbered finding are
2 contained in Exhibit A entitled "Standard Findings for San Francisco Amendments" to the
3 ordinance enacting the San Francisco Building Code, on file with the Clerk of the Board of
4 Supervisors in File No. 130836, which is hereby declared to be part of this ordinance as if set
5 forth fully therein.

6 C. Pursuant to California Health and Safety Code Section 17958.7, the Board of
7 Supervisors finds and determines that the local conditions described in Exhibit A to the
8 ordinance enacting the 2013 San Francisco Building Code constitute a general summary of
9 the most significant local conditions giving rise to the need for modification of the 2013
10 California Residential Code provisions published by the State Building Standards
11 Commission. The Board of Supervisors further finds and determines that the proposed
12 modifications are reasonably necessary based upon the local conditions set forth in said
13 Exhibit A.

14 Section 4. The provisions of the 2013 California Residential Code as amended by San
15 Francisco are hereby incorporated into various chapters of the San Francisco Building Code
16 and Chapter 36 is added to serve as a directory of where such provisions may be found in the
17 San Francisco Building Code.

18 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this
19 ordinance shall be construed as abating any action now pending under or by virtue of any
20 ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance
21 be construed as discontinuing, abating, modifying or altering any penalties accruing, or to
22 accrue, or as waiving any right of the City under any such ordinance.

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

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

4 Section 7. Effective and Operative Dates. This ordinance shall become effective 30
5 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
6 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
7 or the Board of Supervisors overrides the Mayor’s veto of the ordinance. This ordinance shall
8 take effect and be in full force on and after either January 1, 2014 or its effective date if the
9 effective date is later.

10 Section 8. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the
11 Board of Supervisors is hereby directed to transmit this ordinance to the State Building
12 Standards Commission pursuant to the applicable provisions of State law.

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14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By: _____
17 JUDITH A. BOYAJIAN
18 Deputy City Attorney

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