

LEGISLATIVE DIGEST

[Building Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

Ordinance repealing the 2013 Building Code in its entirety and enacting a 2016 Building Code consisting of the 2016 California Building Code and the 2016 California Residential Code, as amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2017; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law.

Existing Law

The Building Code regulates and controls the design, construction, quality of materials, use and occupancy, location, maintenance and demolition of all buildings and structures, and quarrying, grading, excavation and filling of land. The current San Francisco Building Code consists of the 2013 California Building Code (which incorporates the 2012 International Building Code), the 2013 California Residential Code (which incorporates the 2012 International Residential Code), and San Francisco's local amendments to those California Codes ("San Francisco Amendments"). Chapter 36 of the San Francisco Building Code serves as a directory of where the provisions of the California Residential Code may be found in the San Francisco Building Code.

Amendments to Current Law

On January 1, 2017, a 2016 California Building Code and 2016 California Residential Code ("California Codes") will go into effect throughout the State. The San Francisco Amendments to the 2013 editions of these California Codes must be re-enacted and made applicable to the 2016 California Codes. Therefore, as in past State Code adoption cycles, San Francisco will repeal its existing Building Code in its entirety and adopt a new Building Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco. The San Francisco Amendments to the 2013 California Codes will be carried forward and made applicable to the 2016 California Codes with no or only minor technical changes.

The San Francisco Amendments are not integrated into the text of the California Codes but rather are separately printed in a stand-alone document. Therefore, the user must consult both texts in order to determine the complete code requirement. In the San Francisco Amendments, additions to the 2016 California Codes are shown in bold type; deletions are shown with strikethrough.

Background Information

The State of California adopts a new California Building Standards Code every three years (the “triennial State Code”) with supplements published in intervening years. The triennial State Code goes into effect throughout the State 180 days after its publication by the California Building Standards Commission or at a later date established by the Commission. In the current triennial State Code adoption cycle, the California Building Standards Code will go into effect on January 1, 2017. The California Building Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several parts that are based upon model codes with amendments made by the State agencies with jurisdiction over the subject matter. The California Building Code is Part 2 of Title 24 of the California Code of Regulations; the California Residential Code is Part 2.5.

Local jurisdictions must enforce the California Building Standards Code but they may also enact more restrictive building standards that are reasonably necessary because of local conditions caused by climate, geology, or topography. Local amendments may be made to a triennial State Code and also throughout the intervening years. However, local amendments previously adopted are not automatically applicable to a new triennial State Code. Rather, they must be re-enacted with the required findings of local conditions, expressly made applicable to the new triennial State Code, and with an operative date no earlier than the effective date of the new State Code.

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