

1 [San Francisco Plumbing Code – Repealing and Replacing]

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3 Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and
4 replacing that code with a new 2010 San Francisco Plumbing Code that consists of the
5 2010 California Plumbing Code and San Francisco amendments thereto; adopting
6 findings of local conditions pursuant to California Health & Safety Code Section
7 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments
8 and findings to the State Building Standards Commission; making environmental
9 findings; and providing for an operative date of January 1, 2011.

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Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

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

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Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 101127 and is incorporated herein by reference.

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Section 2. General Findings.

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A. The State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. 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 various State agencies with

1 jurisdiction. The California Plumbing Code is Part 5 of Title 24 of the California Code of Regulations.
2 The 2010 California Plumbing Code, and it will go into effect throughout the State on January 1, 2011.

3 B. Local jurisdictions are required to enforce the California Plumbing Code. Local
4 jurisdictions may also enact more stringent standards than those contained in the California Plumbing
5 Code where more stringent standards are reasonably necessary because of local conditions caused
6 by climate, geology or topography.

7 C. As in past State code adoption cycles, in this Ordinance San Francisco repeals its
8 existing San Francisco Plumbing Code in its entirety and enacts a new 2010 San Francisco Plumbing
9 Code. The proposed 2010 San Francisco Plumbing Code consists of the 2010 California Plumbing
10 Code together with the San Francisco amendments thereto.

11 D. On August 18, 2010, at a duly noticed public hearing, the Building Inspection
12 Commission considered this legislation.

13 Section 3. Findings regarding Local Conditions.

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

20 B. The City and County of San Francisco is unique among California communities with
21 respect to local climatic, geological, topographical, and other conditions. A specific list of findings that
22 support San Francisco's modifications to the 2010 California Plumbing Code and a section-by-section
23 correlation of each modification with a specific numbered finding are contained in Exhibit A entitled
24 "Standard Findings for San Francisco Amendments."
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1 C. Pursuant to California Health & Safety Code Section 17958.7, the Board of
2 Supervisors finds and determines that the local conditions described in Exhibit A constitute a general
3 summary of the most significant local conditions giving rise to the need for modification of the 2010
4 California Plumbing Code provisions published by the State Building Standards Commission. The
5 Board of Supervisors further finds and determines that the proposed modifications are reasonably
6 necessary based on the local conditions set forth in Exhibit A.

7 Section 4. 2010 San Francisco Plumbing Code. The San Francisco Plumbing Code
8 establishes minimum requirements to safeguard public health, safety and general welfare through
9 regulating the installation and maintenance of plumbing systems and fixtures, water heaters, water
10 supply and distribution, sanitation and ventilation systems, drainage, and fuel piping, and medical gas
11 and vacuum systems. The 2007 San Francisco Plumbing Code is hereby repealed in its entirety and
12 replaced with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing
13 Code and the San Francisco amendments thereto. A copy of the 2010 California Plumbing Code as
14 modified by San Francisco is on file with the Clerk of the Board of Supervisors in File No. 101127 and
15 is hereby declared to be part of this Ordinance as if set forth fully therein. Additions to the 2010
16 California Plumbing Code are shown in bold type; deletions are shown with strikethrough.

17 Section 5. Continuance of Actions Under Prior Code. Nothing contained in this Ordinance shall
18 be construed as abating any action now pending under or by virtue of any ordinance of the City and
19 County of San Francisco hereby repealed, nor shall this Ordinance be construed as discontinuing,
20 abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City
21 under any ordinance in force at the time of passage of this Ordinance that establishes minimum
22 requirements to safeguard life or limb, health, property and public welfare by regulating the installation
23 and maintenance of plumbing systems and fixtures, water heaters, water supply and distribution,
24 sanitation and ventilation systems, drainage, and fuel piping, and medical gas and vacuum systems in
25 the City and County of San Francisco.

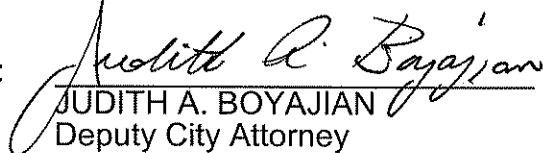
1 Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this
2 Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the
3 validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares
4 that it would have passed this Ordinance, and each section, subsection, sentence, clause, or
5 phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections,
6 sentences, clauses, or phrases be declared unconstitutional.

7 Section 7. Operative Date. This Ordinance shall take effect and be in full force on and
8 after either January 1, 2011 or its effective date if the effective date is later.

9 Section 8. Directions to Clerk. Upon final passage of this Ordinance, the Clerk of the
10 Board of Supervisors is hereby directed to transmit this Ordinance, the San Francisco
11 modifications to the 2010 Plumbing Code, and Exhibit A to the State Building Standards
12 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



City and County of San Francisco

Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 101127

Date Passed: November 02, 2010

Ordinance repealing the 2007 San Francisco Plumbing Code in its entirety and replacing that code with a new 2010 San Francisco Plumbing Code that consists of the 2010 California Plumbing Code and San Francisco amendments thereto; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board to forward San Francisco's amendments and findings to the State Building Standards Commission; making environmental findings; and providing for an operative date of January 1, 2011.

October 18, 2010 Land Use and Economic Development Committee - RECOMMENDED

October 26, 2010 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

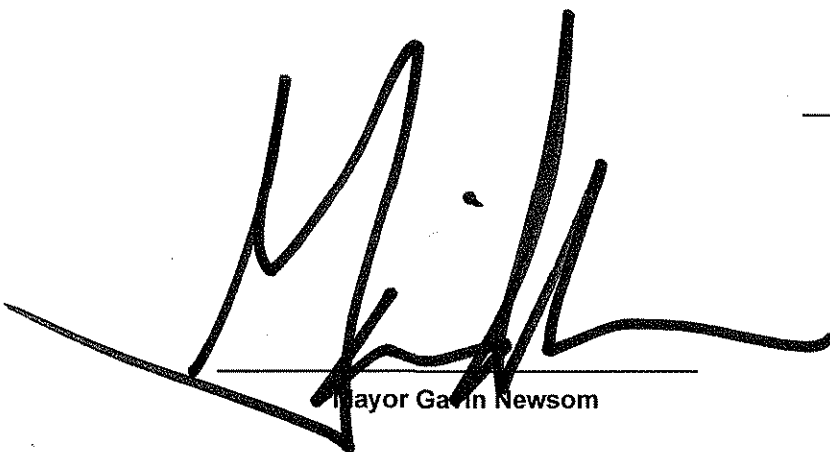
Excused: 1 - Alioto-Pier

November 02, 2010 Board of Supervisors - FINALLY PASSED


Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 101127

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/2/2010 by the Board of Supervisors of the City and County of San Francisco.



Mayor Gavin Newsom



Angela Calvillo
Clerk of the Board

November 5, 2010
Date Approved