Ordinance repealing the 2016 Building Code in its entirety and enacting a 2019 Building Code consisting of the 2019 California Building Code and the 2019 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, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law.

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

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply 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. 190959 and is incorporated herein by reference. The Board affirms this determination.

Section 2. General Findings.
(a) The California Building Standards Code is contained in Title 24 of the California Code of Regulations. It consists of 12 Parts, which are based upon model codes that are amended by the State agencies with jurisdiction over the subject matter. The California

(b) The State of California adopts a new California Building Standards Code every three years ("triennial CBSC") with supplemental amendments published in intervening years. The triennial CBSC goes into effect throughout the State of California 180 days after its publication by the California Building Standards Commission or at a later date established by the Commission. The 2019 triennial CBSC will go into effect on January 1, 2020.

(c) 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 climate, geologic, or topographical conditions. Local amendments may be made both to a triennial CBSC and also to its individual Parts during the intervening years; however, local amendments previously adopted are not automatically applicable to a triennial CBSC. Rather, they must be re-enacted with the required findings of local climate, geologic, or topographical conditions, expressly made applicable to the new triennial CBSC, and with an operative date no earlier than the effective date of the new State Code.

(d) As in past triennial CBSC adoption cycles, by this ordinance the Board of Supervisors repeals the 2016 San Francisco Building Code in its entirety, enacts the 2019 San Francisco Building Code, and re-enacts the existing local amendments to make them applicable to the 2019 California Building and Residential Codes.

(e) Pursuant to Charter Section D3.750-5, the Building Inspection Commission considered and approved San Francisco's amendments to the 2019 California Building Code at a duly noticed public hearing that was held on July 17, 2019.

Section 3. Findings regarding Local Conditions.
(a) California Health and Safety Code Sections 17958.7 and 18941.5 provide that before making any changes or modifications to the California Building Code and any other applicable provisions published by the California Building Standards Commission, the governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions. The local amendments together with the required findings must be filed with the California Building Standards Commission before the local changes or modifications can go into effect.

(b) The City and County of San Francisco is unique among California communities with respect to local climate, geologic, topographical, and other conditions. A specific list of findings that support San Francisco's modifications to the 2019 California Building Code and the 2019 California Residential Code, with a section-by-section correlation of each modification with a specific numbered finding, are contained in Exhibit A entitled "Standard Findings for San Francisco Building Standards Code Amendments."

(c) Pursuant to California Health and Safety Code Sections 17958.7 and 18941.5, the Board of Supervisors finds and determines that the local conditions described in Exhibit A constitute a general summary of the most significant local conditions giving rise to the need for modification of the 2019 California Building Code and 2019 California Residential Code provisions published by the California Building Standards Commission. The Board of Supervisors further finds and determines that the proposed modifications are reasonably necessary based upon the local conditions set forth in Exhibit A.


(a) The 2016 San Francisco Building Code is hereby repealed in its entirety. The San Francisco Building Code being repealed was enacted on November 22, 2016, by
Ordinance Nos. 225-16 and 226-16, with an operative date of January 1, 2017. It was amended by Ordinance Nos. 53-17, 131-17, 200-17, 233-17, 36-18, 102-18, 121-18, 245-18, 267-18, 301-18, 3-19, 52-19, 60-19, 62-19, 65-19, and 207-19. These ordinances are available on the Board of Supervisors' website.

(b) The 2019 San Francisco Building Code is hereby enacted. It consists of (1) the 2019 California Building Code, (2) the 2019 California Residential Code, and (3) San Francisco’s existing local amendments to those 2019 California Codes, which are re-enacted and expressly made applicable to said codes. Copies of the 2019 California Building Code, the 2019 California Residential Code, and the stand-alone San Francisco amendments to those 2019 California Codes are declared to be part of Board File No. 190959 and are incorporated into this ordinance by reference as though fully set forth. Existing San Francisco amendments that are being made applicable to those 2019 California Codes are shown in unformatted (“plain”) text and may include bold and/or italicized type; new San Francisco amendments are underlined; and deleted San Francisco amendments are in strikeout text.

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

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

Section 7. Effective and Operative Dates. 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. This ordinance shall take effect and be in full force on and after either January 1, 2020 or its effective date if the effective date is later.

Section 8. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit to the California Building Standards Commission pursuant to the applicable provisions of State law 1) this ordinance, 2) the Exhibit A attachment, and 3) the San Francisco modifications to the 2019 California Building Code and the 2019 California Residential Code.

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

By: ROBB KAPLA
Deputy City Attorney
Ordinance repealing the 2016 Building Code in its entirety and enacting a 2019 Building Code consisting of the 2019 California Building Code and the 2019 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, 2020; and directing the Clerk of the Board to forward the legislation to the California Building Standards Commission as required by State law.

October 28, 2019 Land Use and Transportation Committee - RECOMMENDED

November 05, 2019 Board of Supervisors - PASSED ON FIRST READING
   Ayes: 10 - Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton
         and Yee
   Excused: 1 - Brown

November 12, 2019 Board of Supervisors - FINALLY PASSED
   Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani,
         Walton and Yee

File No. 190959

I hereby certify that the foregoing Ordinance was FINALLY PASSED on
11/12/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved