

Article 5: Building Regulations

Division 38: Additions and Modifications to Appendix O of the California Building Code

(“Additions and Modifications to Appendix N of the California Building Code” added 3-19-2019 by Emergency Ordinance O-21060 N.S.; effective 3-19-2019.)

(“Additions and Modifications to Appendix N of the California Building Code” added 4-15-2019 by O-21064 N.S.; effective 5-15-2019.)

(Retitled to “Additions and Modifications to Appendix O of the California Building Code” on 4-9-2020 by O-21181 N.S.; effective 5-9-2020.)

§ 145.3801 Local Modifications and Additions to Appendix P “Emergency Housing” of the California Building Code

- (a) Appendix P of the California Building Code is adopted by reference with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) The Emergency Housing regulations adopted in this Division are adopted pursuant to the authority in California Government Code Section 8698.4 and shall remain in effect until January 1, 2026, at which time this Division shall be automatically repealed.
- (c) The regulations in this Division and in Appendix P shall be applicable to emergency housing established pursuant to the declaration of a shelter crisis under California Government Code Section 8698.4 and located in new or existing buildings or structures owned, operated, or constructed by, for, or on behalf of, the City.
- (d) The regulations in this Division and in Appendix P shall apply to emergency housing operated during a declaration of a shelter crisis. Other than the requirements in Appendix P, as adopted with modifications and additions by this Division, the emergency housing need not comply with the requirements of the California Building Code for Group R occupancies.

(“Local Modifications and Additions to Appendix N ‘Emergency Housing’ of the California Building Code” added 3-19-2019 by Emergency Ordinance O-21060 N.S.; effective 3-19-2019.)

(“Local Modifications and Additions to Appendix N ‘Emergency Housing’ of the California Building Code” added 4-15-2019 by O-21064 N.S.; effective 5-15-2019.)

(Retitled to “Local Modifications and Additions to Appendix O ‘Emergency Housing’ of the California Building Code” and amended 4-9-2020 by O-21181 N.S.; effective 5-9-2020.)

(Retitled to “Local Modifications and Additions to Appendix P “Emergency Housing” of the California Building Code” and amended 5-8-2023 by O-21642 N.S.; effective 6-7-2023.)

§ 145.3802 Local Modifications and Additions to Section P103 “Emergency Housing” of the California Building Code

- (a) Section P103 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) The existing exception in Section P103.2.1 is numbered as Exception 1. Exception 2 is added to Section P103.2.1 as follows:
 - 2. Change in occupancy shall not mandate conformance with new construction requirements set forth in the California Building Standards Code, provided such change in occupancy meets the minimum fire and life safety requirements set forth in Section 145.3805 of the Land Development Code.
- (c) Section P103.6 Heating is modified as follows:

P103.6 Lighting, Ventilation, and Heating. All sleeping areas shall be provided with adequate lighting, ventilation, and heating as determined by the Building Official. When required, lighting and ventilation shall comply with Section 145.3804.

(“Local Modifications and Additions to Section N103 ‘Emergency Housing’ of the California Building Code” added 3-19-2019 by Emergency Ordinance O-21060 N.S.; effective 3-19-2019.)

(“Local Modifications and Additions to Section N103 ‘Emergency Housing’ of the California Building Code” added 4-15-2019 by O-21064 N.S.; effective 5-15-2019.)

(Retitled to “Local Modifications and Additions to Section O103 ‘Emergency Housing’ of the California Building Code” and amended 4-9-2020 by O-21181 N.S.; effective 5-9-2020.)

(Retitled to “Local Modifications and Additions to Section P103 “Emergency Housing” of the California Building Code” and amended 5-8-2023 by O-21642 N.S.; effective 6-7-2023.)

§ 145.3803 Local Modifications and Additions to Section P106 “Tents and Membrane Structures” of the California Building Code

- (a) Section P106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.
- (b) Section P106.1 General is modified as follows:

- (1) Section P106.1.1 Tents is modified as follows:

P106.1.1 Tents. Tents shall not be used to house occupants for more than 7 consecutive days unless such tents are maintained with tight wooden floors raised at least 4 inches (101.6 mm) above the ground level and are equipped with baseboards on all sides to a height of at least 6 inches (152.4 mm). Tents may be maintained with concrete slabs with the finished surface at least 4 inches (101.6 mm) above grade and equipped with curbs on all sides at least 6 inches (152.4 mm) high. A tent shall not be considered a suitable sleeping place when it is found necessary to provide heating facilities in order to maintain a minimum temperature of 50 degrees Fahrenheit (10 degrees Celsius) within such tent during the period of occupancy.

- (2) Section P106.1.2 Membrane Structures is added with modification as follows:

P106.1.2 Membrane Structures. Membrane structures installed and/or assembled in accordance with Chapter 31 of the California Building Code and the California Fire Code may be permitted to be used as emergency housing and emergency housing facilities.

- (c) Section P106.2 Membrane Structures In Use for More than 180 Days is added as follows:

P106.2 Membrane Structures In Use for More Than 180 Days. Membrane structures in use for a period of more than 180 calendar days shall comply with the California Fire Code and with the following:

- (1) The membrane structure shall be inspected by a California registered design professional at least once every 180 calendar days from the date of final inspection to ensure that the membrane structure continues to perform as designed and initially erected. The registered design professional shall certify in writing that the membrane structure continues to be in compliance with the applicable regulations of the California Fire Code and California Building Code in effect on the date of final inspection. Inspection records shall be kept and shall be made available for verification by the Fire Code Official and the Building Official.
- (2) The Fire Code Official shall inspect the membrane structure at least once every month from the date of final inspection prior to initial occupancy and verify compliance with the approved operations plan and the conditions of approval in effect at the time of final inspection and prior to initial occupancy.

- (d) Section P106.3 Means of Egress is added as follows:

P106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section P103.3.

- (e) Section P106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:

P106.4 Storage of Flammable Materials Within Tents or Membrane Structures. Flammable materials, including the possessions of occupants and users stored in tents and membrane structures shall not obstruct required aisle widths between beds or other furnishings. The quantity of stored flammable materials within a membrane structure not protected with an automatic fire sprinkler system, or within tents, shall be subject to the approval of the Fire Code Official.

- (f) Section P106.5 Flammable or Combustible Liquids is added as follows:

P106.5 Flammable or Combustible Liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted inside a tent or membrane structure except for intact cigarette lighters. The use of any type of open flame inside a tent or membrane structure is prohibited unless each separate use is approved by the Fire Code Official.

- (g) Section P106.6 Fire Department Access is added as follows:

P106.6 Fire Department Access. Fire Department access to tents or membrane structures used for emergency housing shall be in compliance with Section 503, Section 504, and Appendix D of the California Fire Code and approved by the Fire Code Official.

- (h) Section P106.7 Water Supply is added as follows:

P106.7 Water Supply. An approved fire protection water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Code Official, shall be provided for each tent or membrane structure, group of structures, or premises used for emergency housing.

(“Local Modifications and Additions to Section N106 ‘Tents and Membrane Structures’ of the California Building Code” added 3-19-2019 by Emergency Ordinance O-21060 N.S.; effective 3-19-2019.)

(“Local Modifications and Additions to Section N106 ‘Tents and Membrane Structures’ of the California Building Code” added 4-15-2019 by O-21064 N.S.; effective 5-15-2019.)

(Retitled to “Local Modifications and Additions to Section O106 ‘Tents and Membrane Structures’ of the California Building Code” and amended 4-9-2020 by O-21181 N.S.; effective 5-9-2020.)

(Retitled to “Local Modifications and Additions to Section P106 “Tents and Membrane Structures” of the California Building Code” and amended 5-8-2023 by O-21642 N.S.; effective 6-7-2023.)

§ 145.3804 Local Addition of Section P111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code

- (a) Section P111 Emergency Housing Lighting and Ventilation Requirements is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section P111.1 Emergency Housing Lighting Requirements is added as follows:

P111.1 Emergency Housing Lighting Requirements. Buildings or structures used for emergency housing shall either be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2 of the California Building Code or shall be provided with artificial light in accordance with Section 1205.3 of the California Building Code.

- (c) Section P111.2 Ventilation is added as follows:

P111.2 Ventilation. Buildings or structures used for emergency housing shall either be provided with natural ventilation in accordance with Section 1203.5 of the California Building Code or mechanical ventilation in accordance with the California Mechanical Code.

(“Local Addition of Section N111 ‘Emergency Housing Lighting and Ventilation Requirements’ to the California Building Code” added 3-19-2019 by Emergency Ordinance O-21060 N.S.; effective 3-19-2019.)

(“Local Addition of Section N111 ‘Emergency Housing Lighting and Ventilation Requirements’ to the California Building Code” added 4-15-2019 by O-21064 N.S.; effective 5-15-2019.)

(Retitled to “Local Addition of Section O111 ‘Emergency Housing Lighting and Ventilation Requirements’ to the California Building Code” and amended 4-9-2020 by O-21181 N.S.; effective 5-9-2020.)

(Retitled to “Local Addition of Section P111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code” and amended 5-8-2023 by O-21642 N.S.; effective 6-7-2023.)

§ 145.3805 Local Addition of Section P112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code

- (a) Section P112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section P112.1 Fire Separation Distance is added as follows:

P112.1 Fire Separation Distance. Buildings or structures used for emergency housing, including sleeping cabins, shall be constructed and located on a lot in compliance with the regulations in Chapters 6 and 7 of the California Building Code, based on their fire separation distance. During a declared shelter crisis, the fire separation distances are permitted to be measured to the existing buildings on the adjacent parcels rather than to the interior lot lines, provided the open spaces within the fire separation distance remain clear and unobstructed for the duration of the declared shelter crisis.

- (c) Section P112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:

P112.2 Fire Separation Distance, Buildings on the Same Lot. Buildings or structures used for emergency housing, including sleeping cabins, shall be separated from each other and from other buildings on the same lot as set forth in Section 705.3 of the California Building Code.

- (d) Section P112.3 Means of Egress is added as follows:

P112.3 Means of egress. Buildings or structures used for emergency housing shall be provided with means of egress in compliance with Chapter 10 of the California Building Code.

- (e) Section P112.4 Emergency Escape and Rescue is added as follows:

P112.4 Emergency Escape and Rescue. Each area of a building or structure used for sleeping accommodations in emergency housing shall contain an emergency escape and rescue opening in accordance with Section 1030 of the California Building Code.

- (f) Section P112.5 Smoke Alarms is added as follows:

P112.5 Smoke Alarms. Buildings or structures with sleeping accommodations used for emergency housing shall be equipped with single station smoke alarms installed in accordance with the requirements of Section 907.2.11 and Section 1103.8.3 of the California Fire Code.

- (g) Section P112.6 Carbon Monoxide Alarms is added as follows:

P112.6 Carbon Monoxide Alarms. Buildings or structures with sleeping accommodations used for emergency housing and equipped with fuel-burning appliances shall be provided with carbon monoxide detection in accordance with Section 915 of the California Fire Code and the California Building Code.

- (h) Section P112.7 Fire Alarm is added as follows:

P112.7 Fire Alarm. A manual fire alarm system capable of arousing sleeping occupants designed and constructed in compliance with Section 907.2.10.1 of the California Fire Code and the California Building Code shall be installed in buildings, structures, or groups of buildings or structures, used for emergency housing and having a *gross floor area* of more than 2,500 square feet or having the capacity for more than 49 sleeping occupants.

Exception: Individual buildings or structures in a group of buildings or structures with sufficient separation distances to allow each building or structure to function independently in case of a fire shall have their own individual fire alarm systems, as approved by the Fire Code Official.

- (i) Section P112.8 Automatic Fire Sprinklers is added as follows:

P112.8 Automatic Fire Sprinklers. Fire sprinklers shall be provided for new and existing buildings or structures used for emergency housing that provide sleeping accommodations, as required by Section 903.3 of the California Fire Code and the California Building Code.

- (j) Section P112.9 Fire Extinguishers is added as follows:

P112.9 Fire Extinguishers. Portable fire extinguishers shall be provided in accordance with Section 906.1 of the California Fire Code and the California Building Code.

- (k) Section P 112.10 Flammable or Combustible Liquids is added as follows:

P112.10 Flammable or Combustible Liquids. The possession or storage of any flammable or combustible liquids or gases shall not be permitted except for intact cigarette lighters. The use of any type of open flame indoors is prohibited unless each separate use is approved by the Fire Code Official.

- (l) Section P112.11 Storage is added as follows:

P112.11 Storage. Flammable materials, including the possessions of occupants, users, and staff, shall not obstruct required aisle widths between beds or other furnishings and shall not be stored in attics, under-floor spaces, or within other concealed spaces of buildings or structures with sleeping accommodations used for emergency housing.

- (m) Section P112.12 Fire Department Access is added as follows:

P112.12 Fire Department Access. Fire Department access to buildings and *premises* used for emergency housing shall be in compliance with Section 503, Section 504, and Appendix D of the California Fire Code, and approved by the Fire Code Official.

- (n) Section P112.13 Water Supply is added as follows:

P112.13 Water Supply. An approved fire protection water supply complying with Section 507 of the California Fire Code, or as approved by the Fire Code Official, shall be provided for each building or structure.

(*“Local Addition of Section N112 ‘Emergency Housing Fire and Life Safety Requirements’ to the California Building Code” added 3-19-2019 by Emergency Ordinance O-21060 N.S.; effective 3-19-2019.*)

(*“Local Addition of Section N112 ‘Emergency Housing Fire and Life Safety Requirements’ to the California Building Code” added 4-15-2019 by O-21064 N.S.; effective 5-15-2019.*)

(*Retitled to “Local Addition of Section O112 ‘Emergency Housing Fire and Life Safety Requirements’ to the California Building Code” and amended 4-9-2020 by O-21181 N.S.; effective 5-9-2020.*)

(*Retitled to “Local Addition of Section P112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code” and amended 5-8-2023 by O-21642 N.S.; effective 6-7-2023.*)

§ 145.3806 Local Addition of Section P113 “Emergency Housing Alternatives and Modifications” to the California Building Code

- (a) Section P113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section P113.1 Alternatives and Modifications is added as follows:

P113.1 Alternatives and Modifications. Alternatives and/or modifications that are reasonably equivalent to the requirements in Appendix O and this Division may be granted by the Building Official and Fire Code Official for individual buildings or structures used for emergency housing.

(“Local Addition of Section N113 ‘Emergency Housing Alternatives and Modifications’ to the California Building Code” added 3-19-2019 by Emergency Ordinance O-21060 N.S.; effective 3-19-2019.)

(“Local Addition of Section N113 ‘Emergency Housing Alternatives and Modifications’ to the California Building Code” added 4-15-2019 by O-21064 N.S.; effective 5-15-2019.)

(Retitled to “Local Addition of Section O113 ‘Emergency Housing Alternatives and Modifications’ to the California Building Code” and amended 4-9-2020 by O-21181 N.S.; effective 5-9-2020.)

(Retitled to “Local Addition of Section P113 “Emergency Housing Alternatives and Modifications” to the California Building Code” and amended 5-8-2023 by O-21642 N.S.; effective 6-7-2023.)