

ORDINANCE NUMBER O- 21060 (NEW SERIES)

DATE OF FINAL PASSAGE MAR 19 2019

AN EMERGENCY ORDINANCE PURSUANT TO SAN DIEGO CHARTER SECTION 295, AMENDING CHAPTER 14, ARTICLE 5, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 145.0105, 145.0106, AND 145.0107; RETITLING CHAPTER 14, ARTICLE 5, DIVISION 36; AND AMENDING CHAPTER 14, ARTICLE 5 BY ADDING NEW DIVISION 38, TITLED "ADDITIONS AND MODIFICATIONS TO APPENDIX N OF THE CALIFORNIA BUILDING CODE," SECTIONS 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, AND 145.3806, RELATING TO THE ADOPTION OF APPENDIX N TO THE CALIFORNIA BUILDING CODE ADDRESSING EMERGENCY HOUSING.

WHEREAS, the California Department of Housing and Community Development (HCD) adopted Appendix N to the 2016 California Building Code (Appendix N) applicable to emergency housing and emergency housing facilities, which took effect in January 2018; and

WHEREAS, pursuant to California Government Code section 8698.4, on MAR 19, 2019, the City Council (Council) declared that a shelter crisis exists in the City of San Diego; and

WHEREAS, pursuant to California Government Code section 8698.4, the City may suspend provisions of any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws, provided the City has adopted local standards and procedures for emergency housing shelters consistent with ensuring public health and safety; and

WHEREAS, Appendix N and the adopted local modifications and additions to Appendix N will serve as local standards and procedures for the design, site development, and operation of emergency housing shelters pursuant to California Government Code section 8698.4; and

WHEREAS, because the City is experiencing a homelessness crisis, it is imperative that these amendments be adopted and become effective as soon as possible to facilitate the creation

of emergency housing shelters in the City and the relocation of the single women and family bridge shelter operated by Father Joe's Village, currently located on privately-owned property near the intersection of 14th and Commercial Streets in the Downtown community; and

WHEREAS, the Council finds that the lack of shelter for individuals experiencing homelessness poses a significant threat to the public health, safety, and welfare as further established in the Council's declaration of shelter crisis adopted with this emergency Ordinance; and

WHEREAS, the Council further finds that adopting Appendix N with modifications and additions for local standards, provided in this emergency Ordinance, is necessary and appropriate to address the threat to public health, safety, and welfare of homeless individuals living in the City without shelter and the general public; and

WHEREAS, the Council finds that there is an emergency necessitating immediate adoption of this Ordinance pursuant to San Diego Charter section 295;

WHEREAS, under Charter section 280(a)(3), this Ordinance is not subject to veto by the Mayor because it is an emergency ordinance; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 14, Article 5, Division 1 of the San Diego Municipal Code is amended by amending sections 145.0105, 145.0106, and 145.0107, to read as follows:

**§ 145.0105 Modifications to the California Building Code Adopted by the City of San Diego**

The following Sections or Subsections of the 2016 California Building Code are modified by the City of San Diego:

(a) through (f) [No change in text.]

- (g) Appendix N, Emergency Housing Section N103.2.1 Exception 1, N103.6 Lighting, Ventilation, and Heating, N106 General, Section N106.1.1 Tents, and Section N106.1.2 Membrane Structures.

**§ 145.0106 Additions to the California Building Code Adopted by the City of San Diego**

The following Sections and Subsections are added to the 2016 California Building Code by the City of San Diego:

(a) through (k) [No change in text.]

- (l) Appendix N, Emergency Housing, Subsection N103.2.1 Exception 2, Subsections N106.2 through N106.7, Section N111 Emergency Housing Lighting and Ventilation Requirements, Subsections N111.1 and N111.2, Section N112 Emergency Housing Fire and Life Safety Requirements, Subsections N112.1 through N112.13, and Section N113 Emergency Housing Alternatives and Modifications, Subsection N113.1.

**§ 145.0107 Adoption of Appendices to the California Building Code**

The following Appendix Chapters of the 2016 California Building Code are adopted by the City of San Diego:

(a) through (e) [No change in text.]

- (f) Appendix N, Emergency Housing.

Section 2. That Chapter 14, Article 5, Division 36 of the San Diego Municipal Code is amended by amending the title of Division 36, to read as follows:

**Division 36: Additions and Modifications to Appendix J of the  
California Building Code**

Section 3. That Chapter 14, Article 5 of the San Diego Municipal Code is amended by adding Division 38, titled “Additions and Modifications to Appendix N of the California Building Code”, sections 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, and 145.3806, to read as follows:

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

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

- (a) Appendix N 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, 2021, at which time this Division shall be automatically repealed.
- (c) The regulations in this Division and in Appendix N 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 N shall apply to emergency housing operated during a declaration of a shelter crisis. Other

than the requirements in Appendix N, 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.

**§ 145.3802 Local Modifications and Additions to Section N103 “Emergency Housing” of the California Building Code**

- (a) Section N103 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 N103.2.1 is numbered as Exception 1. Exception 2 is added to Section N103.2.1 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 N103.6 Heating is modified as follows:

N103.6 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.

**§ 145.3803 Local Modifications and Additions to Section N106 “Tents and Membrane Structures” of the California Building Code**

- (a) Section N106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

(b) Section N106.1 General is modified follows:

(1) Section N106.1.1 Tents is modified as follows:

N106.1.1 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 N106.1.2 Membrane Structures is added with modification as follows:

N106.1.2 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 N106.2 Membrane Structures In Use for More than 180 Days is added as follows:

N106.2 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 prior to initial occupancy 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 prior to initial occupancy. 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 N106.3 Means of Egress is added as follows:

N106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section N103.3.

- (e) Section N106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:

N106.4 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 N106.5 Flammable or Combustible Liquids is added as follows:

N106.5 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 N106.6 Fire Department Access is added as follows:

N106.6 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 N106.7 Water Supply is added as follows:

N106.7 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.

**§ 145.3804 Local Addition of Section N111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code**

(a) Section N111 Emergency Housing Lighting and Ventilation Requirements is added pursuant to Section 145.0106 of the Land Development Code.

(b) Section N111.1 Emergency Housing Lighting Requirements is added as follows:

N111.1 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 N111.2 Ventilation is added as follows:

N111.2 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.

**§ 145.3805 Local Addition of Section N112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code**

(a) Section N112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.

(b) Section N112.1 Fire Separation Distance is added as follows:

N112.1 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 N112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:

N112.2 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 N112.3 Means of Egress is added as follows:

N112.3 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 N112.4 Emergency Escape and Rescue is added as follows:

N112.4 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 N112.5 Smoke Alarms is added as follows:

N112.5 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 N112.6 Carbon Monoxide Alarms is added as follows:

N112.6 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 N112.7 Fire Alarm is added as follows:

N112.7 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 N112.8 Automatic Fire Sprinklers is added as follows:

N112.8 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 N112.9 Fire Extinguishers is added as follows:

N112.9 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 N112.10 Flammable or Combustible Liquids is added as follows:

N112.10 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 N112.11 Storage is added as follows:

N112.11 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 N112.12 Fire Department Access is added as follows:

N112.12 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 N112.13 Water Supply is added as follows:

N112.13 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, group of structures or *premises* used for emergency housing.

**§ 145.3806 Local Addition of Section N113 “Emergency Housing Alternatives and Modifications” to the California Building Code**

- (a) Section N113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section N113.1 Alternatives and Modifications is added as follows:

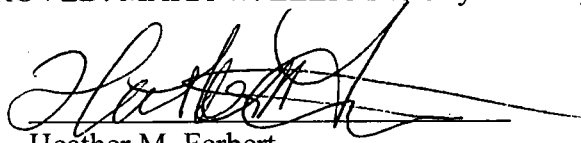
N113.1 Alternatives and Modifications. Alternatives and/or modifications that are reasonably equivalent to the requirements in Appendix N and this Division may be granted by the Building Official and Fire Code Official for individual buildings or structures used for emergency housing.

Section 4. That a full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 5. This Ordinance is declared to be an emergency measure required for the immediate preservation of the public peace, safety, health, and welfare pursuant to San Diego Charter section 295, and shall take effect immediately from the day of adoption by the affirmative vote of at least six members of the City Council.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Heather M. Ferbert  
Deputy City Attorney

HMF:nja

02/12/19

Or. Dept: Office of the Mayor

Doc. No.: 1934253

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAR 19 2019.

ELIZABETH S. MALAND  
City Clerk

By



Deputy City Clerk

**STRIKEOUT ORDINANCE**

**OLD LANGUAGE:** ~~Struck Out~~  
**NEW LANGUAGE:** Double Underline

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN EMERGENCY ORDINANCE PURSUANT TO SAN DIEGO CHARTER SECTION 295, AMENDING CHAPTER 14, ARTICLE 5, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 145.0105, 145.0106, AND 145.0107; RETITLING CHAPTER 14, ARTICLE 5, DIVISION 36; AND AMENDING CHAPTER 14, ARTICLE 5 BY ADDING NEW DIVISION 38, TITLED "ADDITIONS AND MODIFICATIONS TO APPENDIX N OF THE CALIFORNIA BUILDING CODE," SECTIONS 145.3801, 145.3802, 145.3803, 145.3804, 145.3805, AND 145.3806, RELATING TO THE ADOPTION OF APPENDIX N TO THE CALIFORNIA BUILDING CODE ADDRESSING EMERGENCY HOUSING.

**§ 145.0105 Modifications to the California Building Code Adopted by the City of San Diego**

The following Sections or Subsections of the 2016 California Building Code are modified by the City of San Diego:

(a) through (f) [No change in text.]

(g) Appendix N, Emergency Housing Section N103.2.1 Exception 1, N103.6 Lighting, Ventilation, and Heating, N106 General, Section N106.1.1 Tents, and Section N106.1.2 Membrane Structures.

**§ 145.0106 Additions to the California Building Code Adopted by the City of San Diego**

The following Sections and Subsections are added to the 2016 California Building Code by the City of San Diego:

(a) through (k) [No change in text.]

- (l) Appendix N, Emergency Housing, Subsection N103.2.1 Exception 2, Subsections N106.2 through N106.7, Section N111 Emergency Housing Lighting and Ventilation Requirements, Subsections N111.1 and N111.2, Section N112 Emergency Housing Fire and Life Safety Requirements, Subsections N112.1 through N112.13, and Section N113 Emergency Housing Alternatives and Modifications, Subsection N113.1.

**§ 145.0107 Adoption of Appendices to the California Building Code**

The following Appendix Chapters of the 2016 California Building Code are adopted by the City of San Diego:

- (a) through (e) [No change in text.]  
(f) Appendix N, Emergency Housing.

**Chapter 14: General Regulations**

**Article 5: Building Regulations**

**Division 36: Additions and Modifications to Appendix Chapters J of the California Building Code**

**Chapter 14: General Regulations**

**Article 5: Building Regulations**

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

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

- (a) Appendix N 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, 2021, at which time this Division shall be automatically repealed.
- (c) The regulations in this Division and in Appendix N 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 N shall apply to emergency housing operated during a declaration of a shelter crisis. Other than the requirements in Appendix N, 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.

**§ 145.3802 Local Modifications and Additions to Section N103 “Emergency Housing” of the California Building Code**

- (a) Section N103 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 N103.2.1 is numbered as Exception 1. Exception 2 is added to Section N103.2.1 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 N103.6 Heating is modified as follows:

N103.6 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.

**§ 145.3803 Local Modifications and Additions to Section N106 “Tents and Membrane Structures” of the California Building Code**

(a) Section N106 is adopted with modifications and additions pursuant to Sections 145.0105 and 145.0106 of the Land Development Code.

(b) Section N106.1 General is modified follows:

(1) Section N106.1.1 Tents is modified as follows:

N106.1.1 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 N106.1.2 Membrane Structures is added with modification as follows:

N106.1.2 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 N106.2 Membrane Structures In Use for More than 180 Days is added as follows:

N106.2 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 prior to initial occupancy 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 prior to initial occupancy. 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 N106.3 Means of Egress is added as follows:

N106.3 Means of Egress. Means of egress for membrane structures used as emergency housing shall be determined based on the occupant load specified in Section N103.3.

(e) Section N106.4 Storage of Flammable Materials Within Tents or Membrane Structures is added as follows:

N106.4 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 N106.5 Flammable or Combustible Liquids is added as follows:

N106.5 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 N106.6 Fire Department Access is added as follows:

N106.6 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 N106.7 Water Supply is added as follows:

N106.7 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.

**§ 145.3804 Local Addition of Section N111 “Emergency Housing Lighting and Ventilation Requirements” to the California Building Code**

(a) Section N111 Emergency Housing Lighting and Ventilation Requirements is added pursuant to Section 145.0106 of the Land Development Code.

(b) Section N111.1 Emergency Housing Lighting Requirements is added as follows:

N111.1 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 N111.2 Ventilation is added as follows:

N111.2 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.

**§ 145.3805 Local Addition of Section N112 “Emergency Housing Fire and Life Safety Requirements” to the California Building Code**

- (a) Section N112 Emergency Housing Fire and Life Safety Requirements is added pursuant to Section 145.0106 of the Land Development Code.

- (b) Section N112.1 Fire Separation Distance is added as follows:

N112.1 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 N112.2 Fire Separation Distance, Buildings on the Same Lot is added as follows:

N112.2 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 N112.3 Means of Egress is added as follows:

N112.3 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 N112.4 Emergency Escape and Rescue is added as follows:

N112.4 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 N112.5 Smoke Alarms is added as follows:

N112.5 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 N112.6 Carbon Monoxide Alarms is added as follows:

N112.6 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 N112.7 Fire Alarm is added as follows:

N112.7 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 N112.8 Automatic Fire Sprinklers is added as follows:

N112.8 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 N112.9 Fire Extinguishers is added as follows:



N112.9 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 N112.10 Flammable or Combustible Liquids is added as follows:

N112.10 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 N112.11 Storage is added as follows:

N112.11 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 N112.12 Fire Department Access is added as follows:

N112.12 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 N112.13 Water Supply is added as follows:

N112.13 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,  
group of structures or premises used for emergency housing.

**§ 145.3806** **Local Addition of Section N113 “Emergency Housing Alternatives and Modifications” to the California Building Code**

- (a) Section N113 Emergency Housing Alternatives and Modifications is added pursuant to Section 145.0106 of the Land Development Code.
- (b) Section N113.1 Alternatives and Modifications is added as follows:  
N113.1 Alternatives and Modifications. Alternatives and/or modifications that are reasonably equivalent to the requirements in Appendix N and this Division may be granted by the Building Official and Fire Code Official for individual buildings or structures used for emergency housing.

HMF:nja  
02/12/19  
Or. Dept: Office of the Mayor  
Doc. No.: 1929329

Passed by the Council of The City of San Diego on MAR 19 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 19 2019.

AUTHENTICATED BY:

(Seal)

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on MAR 19 2019, said ordinance being of the kind and character authorized for passage on its introduction by Section 275 of the Charter.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Connie Patterson Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>21060</u>