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April 4, 2018

Honorable City Council
John Ferraro Council Chamber
Room 340 City Hall
City of Los Angeles

PROPOSED ORDINANCE AMENDING SECTION 91.8605 OF DIVISION 86, ARTICLE 1, CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE TO CLARIFY APPLICABILITY OF STANDARDS TO INCLUDE NEW AND EXISTING BUILDINGS OR STRUCTURES, ADD PROVISIONS TO FACILITATE THE ESTABLISHMENT OF TEMPORARY EMERGENCY SHELTERS, ADD PROVISIONS TO FURTHER ENSURE SAFETY OF OCCUPANTS WITHIN TEMPORARY EMERGENCY HOMELESS SHELTERS.

The Homeless and Poverty Committee motion filed February 9, 2018 directs the Los Angeles Department of Building and Safety (LADBS), the Los Angeles Fire Department (LAFD) and the Housing and Community Investment Department (HCID), to update the current minimum health and safety standards established to combat the current homeless crisis afflicting the City.

The original proposed ordinance has been reviewed by the California Department of Housing and Community Development with slight modifications recommended to better align the ordinance with Government Code Section 8698.3 and the Uniform Housing Code. The occupant load factor has been revised to allow 70 square feet per occupant for the first occupant within a homeless shelter and 50 square feet per occupant for each occupant thereafter. Lastly, a provision has been added for clarity to capture the delivery and/or catering of food where kitchens or cooking facilities are not proposed nor provided within a homeless shelter.

I respectfully request the revised ordinance to be forwarded to the City Council for its consideration at your earliest convenience.

Please direct any questions regarding the proposed ordinance to Eugene Barbeau at (213) 482-0409. Should you need my assistance, please contact me at (213) 482-6800.




Frank M. Bush
General Manager
Superintendent of Building

Attachment

SEC. 91.8605. EMERGENCY HOMELESS SHELTERS.

91.8605.1. Applicability of Standards. The provisions and standards set forth in Section [91.8605.2](#) shall be applicable to any emergency shelter for the homeless located in new or existing buildings or structures that are established pursuant to the declaration of a shelter crisis under Section [12.80](#) of the Los Angeles Municipal Code.

 **91.8605.2. General.** Notwithstanding any provisions of this Code to the contrary, the following requirements shall apply to emergency homeless shelters operated during a shelter crisis, as provided for in Government Code Section 8698, et seq. Other than the requirements set forth below, the facilities need not comply with the requirements of this Code for Group R occupancies unless otherwise specified in this Code:

1. The maximum occupant load allowed in these facilities shall be the number determined appropriate by the professional service provider operating the facility and be computed at a rate of 70 square feet for the first occupant and 50 square feet for each occupant thereafter. The Superintendent of Building, with concurrence with the Fire Department, may grant an increase of occupant load provided that an aisle, seating, furniture, and fixed equipment diagram, substantiating the increase in occupant load, be submitted and approved pursuant to Section 91.8605.3 of this Code. Such diagram shall be posted onsite for each level where occupant load increase is granted.

2. Fire Safety Requirements.

- A. Means of egress shall comply with Section 57.1001 through Section 57.1031 of [Article 7 of Chapter V](#) of the LAMC.
- B. Smoke alarms shall be provided in all sleeping areas and shall be installed in accordance with [Article 7 of Chapter V](#) of the LAMC and CBC Section 907.2.11.
- C. A fire alarm system capable of arousing occupants shall be installed in accordance with [Article 7 of Chapter V](#) of the LAMC and CBC Section 907.1.
- D. The use of any open flames and the possession or storage of any combustibles shall not be permitted.

EXCEPTION: The Superintendent of Building may approve the use of open flames and storage of combustibles in these buildings with concurrence of the Fire Department.

- E. Sleeping quarters shall be limited to the ground floor only.
- F. Automatic fire sprinklers shall be provided for new and existing buildings or structures as required per Article 7 of Chapter V of the LAMC and CBC Section 903.

- G. New shelter buildings or structures shall be located in accordance with the requirements of Table 602 of the CBC, based on the fire-resistance rating of the exterior walls for the proposed type of construction.
- H. Portable fire extinguishers shall be provided per Article 7, Chapter V of the LAMC and Title 19 of the California Code of Regulations.
- I. Tents and membrane structures shall comply with Section 57.3101 through 57.3104 of Article 7 of Chapter V of the LAMC, and California Code of Regulations, Title 19, Division 1, Chapter 2, Sections 303, 310, 312, 315, 316, 317, 319, 320, 321, 324, 325, 326, 332, 334, 335, 340, and 341. Tents and membrane structures shall be limited to one level located at the level of Fire Department vehicle access road or lane.
- J. All interior finishes shall comply with Sections 57.803 and 57.804 of Article 7 of Chapter V of the LAMC.
- K. Fire Department access to building and premises identification shall be in compliance with Sections 57.503, 57.504, and 57.505 of Article 7 of Chapter V of the LAMC.

3. Light, Heating, Ventilation and Sanitation.

- A. Exterior openings for natural light and ventilation shall be provided as required for Group R occupancy, CBC Sections 1203 and 1205; exterior openings for artificial lighting shall be provided per CBC section 1205.3; and exterior openings for mechanical ventilation shall be provided per the California Mechanical Code.
- B. All sleeping areas shall be provided with heating facilities capable of maintaining a room temperature of 70°F at a point eight feet above the floor.
- C. Every building shall be provided with at least one water closet and one bathing facility for every 15 occupants of each sex. Bathing facilities shall be provided with heating equipment that shall be capable of maintaining a temperature of 70 degrees F within such facilities. Lavatories shall be provided and maintained in or adjacent to the toilet facilities.
- D. Kitchen facilities, where provided, shall comply with applicable sections of Chapter IX of the LAMC and CBC Section 1208. Where kitchen or cooking facilities are not provided, all food shall be catered or delivered on site.
- E. All garbage, kitchen waste and rubbish shall be deposited in approved covered receptacles, which shall be emptied when filled and the contents shall be disposed of in a sanitary manner.

4. Structural Requirements.

- A. The structural design for the shelter shall comply with the provisions of this Code unless determined otherwise by the Superintendent of Building pursuant to Section 91.8605.3 of this Code. All structural design documents, where deemed necessary, shall be prepared and stamped by a licensed engineer or architect registered in the State of California.
- B. Shelters shall not be located in existing, substandard buildings subject to mandatory earthquake hazard reduction requirements such as:
 - Unreinforced masonry (URM) buildings,
 - Wood-frame with soft, weak or open-front walls,
 - Non-ductile concrete buildings

5. Additional Requirements.

- A. Operating procedures including a security plan and service requirements shall be developed by the professional service provider and shown to be consistent with the standards imposed by the Los Angeles Homeless Service Authority (LAHSA) service agreements. These procedures shall be designed to maintain order and safety within the Emergency Homeless Shelter.
- B. Emergency homeless shelters required to be accessible must be in compliance with Title 24 of the CBC, Chapters 11A and 11B and federal standards for accessibility, whichever is more stringent and/or the US Access Board Final Guidelines for Emergency Transportable Housing.

91.8605.3. Alternative compliance and/or slight modifications in individual cases, that are reasonably equivalent to the building ordinances of the city and regulations under Articles 1 through 8 of Chapter IX of the LAMC may be granted by the Department pursuant to Section 98.403.1(a)10 of the LAMC.