

89.108.2.1.2 Housing Accessibility. Application-Covered multifamily dwelling units as defined in Chapter 11A of the California Code of Regulations, Title 24, Part 2, also known as the California Building Code (CBC) including, but not limited to, lodging houses, dormitories, time-shares, condominiums, shelters for homeless persons, congregate residences, apartment houses, dwellings, employee housing, factory-built housing and other types of dwellings containing sleeping accommodations with or without common toilet or cooking facilities.

Sections of this code identified in the Matrix Adoption Table by the abbreviation "HCD 1/AC" require specific accommodations for persons with physical disabilities, as defined in CBC Chapter 11A. The application of such provisions shall be in conjunction with other requirements of this code and apply only to Group R Occupancies which are newly-constructed covered multifamily dwellings as defined in CBC Chapter 11A. "HCD 1/AC" applications include, but are not limited to, the following:

- (1) All newly-constructed covered multifamily dwellings as defined in CBC Chapter 11A.
- (2) New common use areas as defined in CBC Chapter 11A serving existing covered multifamily dwellings.
- (3) Additions to existing buildings, where the addition alone meets the definition of a covered multifamily dwelling as defined in CBC Chapter 11A.
- (4) Common use areas serving covered multifamily dwellings.

HCD 1A/C building standards generally do not apply to public use areas or public accommodations such as hotels and motels. Public use areas, public accommodations, and housing which is publicly funded as defined in Chapter 2, Chapter 11A, and Chapter 11B of the CBC, are subject to the Division of the State Architect (DSA/AC) and are referenced in Section 109.1.

89.108.2.1.3 Permanent Buildings in Mobilehome Parks and Special Occupancy Parks. Application - Permanent buildings, and permanent accessory buildings or structures, constructed within mobilehome parks and special occupancy parks that are under the control and ownership of the park operator. Sections of this code which pertain to applications listed in this Section are identified in the Matrix Adoption Table using the abbreviation "HCD 2".

89.108.3 LOCAL ENFORCING AGENCY

89.108.3.1 Duties and Powers. The building department of every city, county or city and county shall enforce all the provisions of law, this code, and the other rules and regulations promulgated by the Department of Housing and Community Development pertaining to the installation, erection, construction, reconstruction, relocation, enlargement, conversion, alteration, repair, removal, demolition, or arrangement of apartment houses, hotels, motels, lodging houses and dwellings, including accessory buildings, facilities, and uses thereto.

The provisions regulating the erection and construction of dwellings and appurtenant structures shall not apply to existing structures as to which construction is commenced or approved prior to the effective date of these regulations. Requirements relating to use, maintenance and occupancy shall apply to all dwellings and appurtenant structures approved for construction or constructed before or after the effective date of this code.

For additional information regarding the use and occupancy of existing buildings and appurtenant structures, see California Code of Regulations, Title 25, Division 1, Chapter 1, Subsection 1, Article 1, commencing with Section 1.

89.108.3.2 Laws, Rules, and Regulations. Other than the building standards contained in this code, and notwithstanding other provisions of law, the statutory authority and location of the laws, rules, and regulations to be enforced by local enforcing agencies are listed by statute in Sections 89.108.3.2.1 through 89.108.3.2.5 below:

89.108.3.2.1 State Housing Law. Refer to the State Housing Law, California Health and Safety Code, Division 13, Part 1.5 commencing with Section 17910, and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 1, commencing with Section 1, for the erection, construction, reconstruction, relocation, enlargement, conversion, alteration, repair, removal, demolition, or arrangement of apartment houses, hotels, motels, lodging houses and dwellings, including accessory buildings, facilities, and uses thereto.

89.108.3.2.2 Mobilehome Parks Act. Refer to the Mobilehome Parks Act, California Health and Safety Code, Division 13, Part 2.1, commencing with Section 18200 and California Code of Regulations, Title 25, Division 1, Chapter 2, commencing with Section 1000 for mobilehome park administrative and enforcement authority, permits, plans, fees, violations, inspections and penalties both within and outside mobilehome parks.

Exception: Mobilehome parks where the Department of Housing and Community Development is the enforcing agency.