FISHMAN RESEARCH TECHNOLOGY AND ANALYSIS

Local Codes on Exterior Envelope, Waterproofing, Sealants, and Facade Maintenance

Code research memo for a mid-century mid-rise multifamily building in a California city (Sample Tower, Client A)

Citations are to state housing law and to the city's housing, building, and existing-building codes as retrieved in a recent review.

SAMPLE PORTFOLIO DELIVERABLE. Names, places, amounts, dates, and other identifying details have been changed or generalized. This is not a document from a real client matter. It is not legal advice.

Bottom line

• The city does require owners to keep the building envelope weathertight. State housing law and the city's housing code treat deteriorated or ineffective waterproofing or weather protection of exterior walls, including broken windows or doors, as a substandard condition. The housing code also requires every building to be weather protected.

• The city has a facade-inspection ordinance for taller buildings of a stated construction type, implemented by an administrative bulletin. On the facts used for this sample (a mid-rise, non-wood mid-century apartment building), a building of this kind is in scope: a comprehensive report on a published cycle, a later supplemental report for taller buildings, and then a recurring comprehensive inspection. Exact due dates for any one building are omitted here because they would identify the matter.

• No section retrieved sets a sealant or caulk replacement interval, or a periodic concrete-sealing schedule. Sealants and caulking are named only in narrow provisions. In practice the sealant duty comes through "good repair," weather-protection, and unsafe-building language, and through the facade-inspection and repair cycle.

• A statewide elevated-elements inspection law is aimed at wood and wood-based assemblies and probably does not reach a building whose balconies and similar parts are not of that type. A separate city rule can still require a periodic inspection affidavit for balconies, guardrails, and similar parts of apartment buildings, including metal assemblies.

• The building department has cited weather-protection and related housing-code sections against the subject property for window and sliding-door leaks. On the data held for this review, it had not cited the facade-inspection chapter.

Which codes govern a building of this type

Several layers apply at once; none replaces the others.

• State Housing Law, which applies to apartment houses and defines a "substandard building," including general dilapidation and faulty weather protection. Local agencies enforce it and can order repair or abatement.

• The city's housing code, the operative maintenance code for existing residential buildings. Its substandard-building chapter mirrors the state list, and its weather-protection section points to the building code. Housing inspection staff enforce it.

• The California Building Code as amended by the city, and the city's existing-building code. The building code sets the standard for exterior walls and openings. The existing-building code supplies owner-responsibility and "inadequate maintenance" hooks, and it is also where the facade-inspection program lives.

• Civil Code habitability and rent-remedy sections are tenant-side overlays; they do not create a department inspection program.

Sections that bear on the envelope, by category

The following is a plain-language map of the rules retrieved, not a complete reprint.

Category	What the rules say, in brief
Exterior walls and envelope in good repair	General dilapidation or improper maintenance can make a building substandard. Broken, rotted, split, or buckled exterior wall or roof covering is listed as faulty weather protection. Owners are responsible for maintenance. Inadequate maintenance can be an unsafe condition.
Waterproofing and weather protection	Every building shall be weather protected. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken windows or doors, is a substandard condition under both state and local lists. Defective or missing protective coatings are also listed. Habitability law similarly requires effective waterproofing, including unbroken windows and doors.
Windows, weatherstripping, and related work	On repair or alteration of a window leading to an unheated area, the housing code can require weatherstripping to limit air infiltration. Whole-window replacement is generally a permitted alteration; see the companion energy-code memo.
Facade inspection	A local existing-building-code chapter, implemented by bulletin, requires periodic professional inspection of facades on taller buildings of covered construction types, with comprehensive and, for taller buildings, supplemental reports on a published cycle.
Balconies and elevated elements	A state law aimed at wood-based elevated elements probably does not reach this building if those parts are not wood-based. A city housing-code affidavit cycle can still apply to balconies and guardrails, including metal ones.

Application to the subject property

On the inspection records in the file, the department has used the weather-protection and related housing-code sections in connection with window and sliding-door leaks. That is consistent with the rules above: leaking windows can be cited as a weather-protection problem without any need for a special sealant schedule. Whether a facade-program report is on file, overdue, or not yet cited is a records check that should be updated, because due dates and filings change.

Code research, not a legal opinion or an inspection. Building identifiers, citation numbers, and exact program due dates have been omitted or generalized.