BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

January 23, 2014

Angela Calvillo, Clerk of the Board
City Hall
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm 224
San Francisco, CA 94102-4689

RE: Ordinance #254-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

November 19, 2013

SENT CERTIFIED MAIL (Return Receipt Requested)

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendment

To Whom It May Concern:

Pursuant to California Health & Safety Code Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco on November 5, 2013 and approved by the Mayor on November 14, 2013:

- **Ordinance No. 254-13 (File No. 130836)** – Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

If you have any questions or require additional information, please call (415) 554-4442 or email andrea.ausberry@sfgov.org.

Sincerely,

Angela Calvillo, Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

130836 **[Building Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]**

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

10/29/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/5/2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/14/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

November 19, 2013
Date

Angela Calvillo
Clerk of the Board

FILE NO. 130836 ORDINANCE NO. 254-13

[Building Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130836 and is incorporated herein by reference.

Section 2. General Findings.

A. The State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. The California Building Standards Code is contained in Title 24 of the California Code of Regulations, and

consists of several parts that are based upon model codes with amendments made by various State agencies. The California Building Code is Part 2 of Title 24 of the California Code of Regulations. The 2013 California Building Code will go into effect throughout California on January 1, 2014.

B. Local jurisdictions are required to enforce the California Building Code but they may also enact more stringent standards when reasonably necessary because of local conditions caused by climate, geology or topography.

C. As in past State code adoption cycles, in this ordinance San Francisco repeals its existing Building Code in its entirety and enacts a new Building Code consisting of the new model code, as amended by the California Building Code, and as further amended by San Francisco.

D. On August 21, 2013, at a duly noticed public hearing, the Building Inspection Commission considered this legislation.

Section 3. Findings regarding Local Conditions.

A. California Health & Safety Code Section 17958.7 provides that before making any changes or modifications to the California Building Code and any other applicable provisions published by the State Building Standards Commission, the governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions, and the findings must be filed with the State Building Standards Commission before the local changes or modifications can go into effect.

B. The City and County of San Francisco is unique among California communities with respect to local climatic, geological, topographical, and other conditions. A specific list of findings that support San Francisco's modifications to the 2013 California Building Code and a section-by-section correlation of each modification with a specific numbered finding are contained in Exhibit A entitled "Standard Findings for San Francisco Amendments," on file with

the Clerk of the Board of Supervisors in File No. 130836, which is hereby declared to be part of this ordinance as if set forth fully therein.

C. Pursuant to California Health and Safety Code Section 17958.7, the Board of Supervisors finds and determines that the local conditions described in Exhibit A constitute a general summary of the most significant local conditions giving rise to the need for modification of the 2013 California Building Code provisions published by the State Building Standards Commission. The Board of Supervisors further finds and determines that the proposed modifications are reasonably necessary based upon the local conditions set forth in Exhibit A. The findings in Exhibit A also include findings related to modification of provisions of the 2013 California Residential Code, which are contained in the San Francisco Building Code.

Section 4. The 2010 San Francisco Building Code is hereby repealed in its entirety. The San Francisco Building Code being repealed was enacted by Ordinances 275-10 and 276-10. It was amended by Ordinances 38-10, 63-12, 235-12, 16-13, 45-13, 66-13, and 155-13. These ordinances are available on the website of the Board of Supervisors.

Section 5. The 2013 San Francisco Building Code is hereby enacted. The Building Code being enacted consists of the new model code, as amended by the 2013 California Building Code, and as further amended by the San Francisco amendments. It also includes San Francisco's amendments to the 2013 California Residential Code as described in a separate companion ordinance. A copy of the new model code, as amended by the 2013 California Building Code, together with the San Francisco amendments, is on file with the Clerk of the Board of Supervisors in File No. 130836 all of which is hereby declared to be part of this ordinance as if set forth fully therein. Additions to the 2013 California Building Code are shown in bold underlined type; deletions are shown with strikethrough.

Section 6. Continuance of Actions Under Prior Code. Nothing contained in this ordinance shall be construed as abating any action now pending under or by virtue of any

ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance be construed as discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City under any such ordinance.

Section 7. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 8. Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall take effect and be in full force on and after either January 1, 2014 or its effective date if the effective date is later.

Section 9. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit this ordinance with the Exhibit A attachment and the San Francisco modifications to the 2013 California Building Code to the State Building Standards Commission pursuant to the applicable provisions of State law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130836 **Date Passed:** November 05, 2013

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law.

October 21, 2013 Land Use and Economic Development Committee - RECOMMENDED

October 29, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 05, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130836

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/5/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/14/2013
Date Approved

EXHIBIT A

STANDARD FINDINGS FOR SAN FRANCISCO BUILDING STANDARDS CODE AMENDMENTS:

1. Certain buildings/occupancies in San Francisco are at increased risk for earthquake-induced failure and consequent fire due to local hazardous microzones, slide areas, and local liquefaction hazards. (Geology)

2. Certain buildings/occupancies in San Francisco are at increased risk of fire due to high density of buildings on very small lots, with many buildings built up to the property lines. (Topography)

3. Topography of San Francisco has let to development of a high density of buildings on small lots, necessitating special provisions for exiting, fire separation, or fire-resistive construction. (Topography)

4. Many buildings are built on steep hills and narrow streets, requiring special safety consideration. (Topography)

5. Additional fire, structural and other protection is required due to high building density and crowded occupancy. (Topography)

6. San Francisco has narrow, crowded sidewalks due to building and population density and unusual topography. (Topography)

7. All rain water in San Francisco drains to the building drains and sewer; unusual geology, occasional extremely high local rainfall amounts, and the configuration of the City as a peninsula restrict the installation of separate storm water and sewer systems. (Topography, Climate, Geology)

8. Moist, corrosive atmosphere of salt-laden fog in San Francisco necessitates additional requirements. (Climate)

9. Not a building standard; no local findings required.

10. Soil conditions in this region induce adverse reactions with some materials, leading to premature failures and subsequent unsanitary conditions. (Climate)

11. The region is subject to fluctuating rainfall due to changes in climatic conditions. (Climate)

12. San Francisco is a peninsula surrounded on three sides by water at sea level;

mitigation of climate change impacts, including sea level rise, is critical to the long term protection of the local built environment and local infrastructure. (Topography)

13. Climate and potential climate change impacts San Francisco's water resources, including reservoirs and distribution facilities. (Climate)

14. Organic material in San Francisco's waste breaks down into methane gas which is a significant contributor to climate change. (Climate)

15. San Francisco is topographically constrained and its built environment occupies most available land, requiring minimization of debris and solid waste. (Topography)

16. Prevailing winds, coastal mountain ranges, and periodic seasonal high temperatures contribute to photochemical reactions that produce smog and ozone; limiting the emission of smog's chemical precursors - volatile organic chemicals and oxides of nitrogen - is necessary to health and safety. (Climate, Topography)

17. The aquifers underlying San Francisco are small relative to local population, necessitating ongoing water imports and special provisions to ensure efficient use of water in local buildings. (Geology)

2013 San Francisco Building Code Findings Including Building and Residential Standards

Chapter 1A

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103A.3.2	9	106A.1.6	9	107A.13.5	9
103A.3.3	9	106A.1.6.1	9	107A.13.6	9
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103A.4.3	9	106A.1.9.3	9	107A.13.10	9
103A.4.4	9	106A.1.10	9	107A.13.11	9
103A.4.5	9	106A.1.10.1	9	107A.13.12	9
103A.4.5.1	9	106A.1.10.2	9	107A.13.13	9
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103A.4.7	9	106A.1.13	9	108A.1	9
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104A.2	9	106A.3.1.1	9	108A.3.1	9
104A.2.1	9	106A.3.1.2	9	108A.3.2	9
104A.2.2	9	106A.3.2	9	108A.4	9
104A.2.3	9	106A.3.2.1	9	108A.5	9
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104A.2.5	9	106A.3.2.2.1	9	108A.5.2	9
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104A.2.7.1	9	106A.3.2.4	9	108A.5.5	9
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104A.3.1	9	106A.3.2.5.3	9	108A.8	9
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104A.6.1	9	106A.3.2.6.5	9	109A.6	9
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104A.6.3	9	106A.3.2.6.7	9	109A.8	9
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CHAPTER 3
NO S.F. AMENDMENTS

CHAPTER 4

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CHAPTER 5
NO S.F. AMENDMENTS

CHAPTER 6
NO S.F. AMENDMENTS

CHAPTER 7

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CHAPTER 7A
NO S.F. AMENDMENTS

CHAPTER 8
NO S.F. AMENDMENTS

CHAPTER 9

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CHAPTER 10A

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CHAPTER 11
[RESERVED]

CHAPTER 11A
NO S.F. AMENDMENTS

CHAPTER 11B
NO S.F. AMENDMENTS

CHAPTER 11C
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PROPOSED SAN FRANCISCO BUILDING CODE AMENDMENTS 2013 Edition

Chapter 1
SCOPE AND ADMINISTRATION

Division I
CALIFORNIA ADMINISTRATION

No San Francisco Building Code Amendments.

Division II
SCOPE AND ADMINISTRATION

See Chapter 1A for the Administration provisions of the San Francisco Building Code.

Chapter 1A
SAN FRANCISCO ADMINISTRATION

The City and County of San Francisco adopts the following Chapter 1A for the purpose of administration of the ~~2010~~ 2013 San Francisco Building Code. Certain specific administrative and general code provisions as adopted by various state agencies may be found in Chapter 1, Divisions I and II of this code.

SECTION 101A – TITLE, SCOPE AND GENERAL

101A.1 Title. These regulations shall be known as the "~~2010~~ 2013 San Francisco Building Code," may be cited as such and will be referred to herein as "this code." The ~~2010~~ 2013 San Francisco Building Code amends the ~~2010~~ 2013 California Building Code and the ~~2010~~ 2013 California Residential Code which is Part 2 & 2.5 respectively of the 12 parts of the official compilation and publication of the adoption amendment and repeal of the building regulations to the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The California Building Code and California Residential Code incorporates by adoption the ~~2009~~ 2012

International Building Code and ~~2009~~ 2012 International Residential Code respectively of the International Code Council with necessary California amendments.

101A.2 Purpose. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation, and safety to life and property from fire and other hazards attributed to the built environment; to regulate and control the demolition of all buildings and structures, and the quarrying, grading, excavation, and filling of land; and to provide safety to fire fighters and emergency responders during emergency operations.
The further purpose of this code is to ensure that barrier-free design is incorporated in all buildings,
facilities, site work and other developments to which this code applies and to ensure that they are accessible to and usable by persons with disabilities.

101A.3 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

101A.3.1 Non-state-regulated buildings, structures and applications. Except as modified by local ordinance pursuant to Section ~~101.8~~ 1.1.8, the following standards in the California Code of Regulations, Title 24, Parts 2, 2.5, 3, 4, 5, 6, 9, 10, and 11 shall apply to all occupancies and applications not regulated by a state agency.

101A.4 Effective Date of this code.

101A.4.1 Only those standards approved by the California Building Standards Commission and code amendments, additions or deletions adopted by the City and County of San Francisco that are effective at the time an application for building permit is deemed acceptable for building plan review by the Department of Building Inspection shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see History Notes page of this code.

101A.4.2 Appendices. Provisions contained in the appendices of this code shall not apply unless specifically adopted by a state agency or adopted by a local enforcing agency in compliance with Health and Safety Code Section ~~18938(b)~~ 18901 et. Seq. for Building Standards Law, Health and Safety Code Section 17950 for State Housing Law and Health and Safety Code Section 13869.7 for Fire Protection Districts.

101A.5 Validity. If any chapter section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.

101A.6 Reference Documents. The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code.

When this code does not specifically cover any subject relating to building design and construction, recognized architectural or engineering practices shall be employed. The National

Fire Codes and Fire Protection Handbook of the National Fire Protection Association are permitted to be used as authoritative guides in determining recognized fire-prevention engineering practices. In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern.

101A.7 Order of Precedence.

101A.7.1 Specific provisions. Where a specific provision varies from a general provision, the specific provision shall apply.

101A.7.2 Conflicts. When the requirements of this code conflict with the requirements of any other part of the California Building Standards Code, Title 24, any provision contained elsewhere in the San Francisco Municipal Code, or any regulation or requirement adopted by the Public Utilities Commission or other City agency under its Charter authority, the most restrictive requirement shall prevail.

101A.7.3 Fire Codes. Nothing in these building standards shall diminish the requirements of the state fire marshal.

Sections 101A.8 – 101A.19 are reserved

101A.20 Central Permit Bureau. A Central Permit Bureau is hereby established in the Department of Building Inspection. The Central Permit Bureau shall process applications for permits required in Section 106A.1 of this code and for certain other permits required by ordinance or regulation for other departments and bureaus of the City and County of San Francisco. Permit processing procedures are detailed in an Administrative Bulletin issued by the Building Official in cooperation with other departments and bureaus. The Central Permit Bureau shall arrange for the review of permit applications, the issuance of permits and the collection of fees as fixed by law.

The fees collected by the Central Permit Bureau shall be credited to the account of the department or bureau authorized by ordinance or Charter to approve such permits. The Controller, in conjunction with the Central Permit Bureau and the concerned departments and bureaus, shall analyze the cost to the City and County of San Francisco of regulation and inspection required by each such class of permit and shall propose the rates to be fixed therefor by ordinance, which shall not be less than the cost to the City and County of San Francisco of such regulation and inspection.

101A.21 Safety assessment placards. This section establishes standard placards to be used to indicate the condition of a building or structure after a natural or human-created disaster. A description of the placards to be used is set forth in this Section. The Building Official and their authorized representatives are authorized to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment. A safety assessment is a visual, nondestructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

101A.21.1 Application of provisions. The provisions of this section are applicable to all buildings and structures of all occupancies regulated by the City and County of San Francisco.

101A.21.2 Description of placards. The Department of Building Inspection shall use the form of standard placards that the Applied Technology Council has recommended and revises from time to time. The actual placards shall be in a form that the Building Official approves. In addition, the

ordinance number, the name of the department, its address, and phone number shall be permanently affixed to each placard. In addition, each placard shall include the following language or its equivalent as determined by the Building Official: Any unauthorized removal, alteration, or covering of this placard shall be considered a violation of the San Francisco Building Code and the responsible person(s) shall be subject to applicable penalties set forth in the code. A general description of the placards is as follows:

1. INSPECTED – LAWFUL OCCUPANCY PERMITTED. This placard is to be posted on any building or structure where no apparent structural hazard has been found. This placard is not intended to mean that there is no damage to the building or structure.

2. RESTRICTED USE. This placard is to be posted on each building or structure that is damaged to such an extent that restrictions on continued occupancy are required. The person or persons authorized to post this placard will note in general terms the type of damage encountered and will note with specificity any restrictions on continued occupancy.

3. UNSAFE – DO NOT ENTER OR OCCUPY. This placard is to be posted on each building or structure that is damaged to such an extent that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the Building Official of Building Inspection or his or her authorized representative. Authorized safety assessment individuals or teams may enter these buildings at any time. This placard is not to be used or considered to be a demolition order. The person or persons authorized to post this placard will note in general terms the type of damage encountered.

101A.21.3 Removal or alteration prohibited. Once it has been attached to a building or structure, a placard is not to be removed, altered, or covered except by an authorized representative of the Department or upon written notification from the Department. Any unauthorized removal, alteration, or covering of a placard shall be considered a violation of this code and the responsible person(s) shall be subject to the penalties set forth herein.

SECTION 102A – UNSAFE BUILDINGS, STRUCTURES OR PROPERTY

All buildings, structures, property, or parts thereof, regulated by this code that are structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or are otherwise dangerous to human life, safety or health of the occupants or the occupants of adjacent properties or the public by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, or by reason of occupancy or use in violation of law or ordinance, or were erected, moved, altered, constructed or maintained in violation of law or ordinance are, for the purpose of this chapter, unsafe.

Whenever the Building Official determines by inspection that property or properties either improved or unimproved are unstable because of landslide, subsidence or inundation or that such occurrences are deemed imminent as described above, the Building Official shall give written notice to the owner or owners that said property or properties are unsafe. The notice shall specify the conditions creating the unsafe classification.

All such unsafe buildings, structures, property, or portions thereof, are hereby declared to be public nuisances and shall be vacated, repaired, altered or demolished as hereinafter provided.

102A.1 Fire Hazard. No person, including but not limited to the state and its political subdivisions, operating any occupancy subject to these regulations shall permit any fire hazard, as defined in this section, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency.

Note: "Fire hazard" as used in these regulations means any condition, arrangement or act which will increase, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire; or which may obstruct, delay or hinder, or may become the cause of obstruction, delay or hindrance to the prevention, suppression or extinguishment of fire.

102A.2 Authority to Enforce. Subject to other provisions of law, for administration, enforcement, actions, proceedings, abatement, violations and penalties in structures subject to State Housing Law, refer to Health and Safety Code Sections 17910 through 17995.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1.

102A.2.1 Mobilehome parks and special occupancy parks. Subject to other provisions of law, for administrative, enforcement, actions, proceedings, abatement, inspections and penalties applicable to the Mobilehome Parks Act, refer to California Health and Safety Code, commencing with Section 18200 and California Code of Regulations, Title 25, Division 1, Chapter 2.

102A.2.2 Employee Housing. Subject to other provisions of law, for administrative, enforcement, actions, proceedings, violations and penalties applicable to the Employee Housing Act, refer to Safety Code, Sections 17000 through 17062.5 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 3.

102A.3 Inspections and Complaints. The Building Official is hereby authorized to inspect or cause the inspection of any building, structure or property for the purpose of determining whether or not it is unsafe in any of the following circumstances:

1. Whenever the Building Official, with reasonable discretion, determines that such inspection is necessary or desirable.

2. Whenever any person files with the Building Official a complaint from which there is, in the Building Official's opinion, probable cause to believe that the building, structure or property or any portion thereof, is unsafe.

3. Whenever an agency or department of the City and County of San Francisco transmits to the Building Official a written report from which there is, in the opinion of the Building Official, probable cause to believe that the building, structure or property, or any portion thereof, is unsafe.

Upon the completion of any such inspection and the finding by the Building Official of any condition which renders the building, structure or property unsafe, the Building Official shall, within ~~10~~ 15 days thereafter, serve a written notice of violation upon the building owner which shall contain specific allegations, setting forth each condition the Building Official has found which renders the building, structure or property unsafe. The Building Official shall, within three days of mailing of such notice of violation, post a copy thereof in a conspicuous place in or upon such building, structure or property and make available a copy of the notice of violation to each tenant thereof. Such notice shall also set forth the penalties for violation prescribed in Section 103A of this code. In addition to the civil penalties prescribed in Section 103A, the Department's cost of preparation for and appearance at the hearing required by Section 102A.4, and all prior and subsequent attendant and administrative costs, shall be assessed upon the property owner monthly, after failure to comply with a written notice of violation that has been served upon the property owner. Said violations will not be deemed legally abated until the property owner makes full payment of the assessment of costs to the Department of Building Inspection. See Section 110A, Table 1A-D – Standard Hourly Rates and Table 1A-K – Penalties, Hearings, Code Enforcement

Assessments – for the applicable rate. Failure to pay the assessment of costs shall result in tax lien proceedings against the property per Section 102A.18.

If the unsafe conditions observed on the property have not been corrected within the time period provided, the matter shall be set for hearing within ~~30~~ 60 days ~~of the serving of such~~ from the compliance date specified on the notice of violation, if not substantial progress in abating the Code violations has commenced. ~~and notice of such hearing shall be given as hereinafter provided. The applicant may waive the hearing before the Building Official and request the matter go directly for hearing by the Abatement Appeals Board.~~

102A.4 Notice of Hearing.

102A.4.1 General. Notice of hearing shall be given upon a form prescribed by the Building Official. It shall set forth the street address sufficient for identification of the property or premises upon which the building or structure is located. It shall contain or be attached to a copy of the notice of violation which includes a list of code violations. It shall state the date, hour and place of the hearing and shall order all interested parties who desire to be heard in the matter to appear before the Building Official to show cause why the property, building or structure, or portion thereof, should not be ordered repaired, altered, vacated and repaired or altered, or vacated and demolished.

One copy of the notice of hearing and notice of violation, including the list of code violations, shall be posted in a conspicuous place upon the building or property. The notice shall also include a conspicuous warning which sets forth the penalties for violation prescribed in Section 103A of this code.

One copy of the notice of hearing and notice of violation, including the list of code violations, shall be served upon each of the following:

1. **The person, if any, in real or apparent charge and control of the premises involved.**
2. **The owner of record.**
3. **The holder of any mortgage, deed of trust, lien or encumbrance of record.**
4. **The owner or holder of any lease of record.**
5. **The record holder of any other estate or interest in the building, structure or property, or the land upon which it is located.**

102A.4.2 Method of service. The notice of hearing shall be served upon all persons entitled thereto, either personally or by certified or registered mail. Service by certified or registered mail shall be effective on the date of mailing if the certified or registered letter is mailed, postage prepaid, return receipt requested, to each such person as their address appears on the last annual tax roll of the county or at the address to which the most recent real property tax bill for said building, structure or property was mailed by the Tax Collector. If no such address appears on the annual tax roll of the county or the records of the Tax Collector, then a copy of the notice shall be addressed to such person at the address of the building, structure or property involved in the proceedings. The failure of any owner or other person to receive such notice shall not affect in any manner the validity of any proceedings taken hereunder.

102A.4.3 Proof of service. The person serving notice as provided herein shall file an affidavit or declaration thereof under penalty of perjury, certifying to the time and manner in which such notice was given. Such person shall also file therewith any receipt card of such notice by certified or registered mail. The notice shall be posted and served at least 10 days prior to the date set for the hearing.

102A.5 Hearing. The public hearing shall be held at the time and place designated in the notice of hearing. For good cause shown, a hearing may be continued by the Building Official, except

that any such continuance shall not exceed 30 days and there shall be only one such continuance allowed. Subject to procedures prescribed by the Building Official for the orderly conduct of the hearing, all persons having an interest in the building, structure or property or having knowledge of facts material to the allegations of the notice of violation including the list of code violations, may present evidence for consideration by the Building Official.

The Building Official may designate a deputy who may act in place of the Building Official as the hearing officer. The deputy shall have the same authority as the Building Official to hear and decide the case and to make any order hereinafter provided for.

102A.6 Decision. The Building Official, after a full and fair consideration of the evidence and testimony received at the hearing, shall render within 30 days following the conclusion of such hearing, a decision in writing either dismissing the proceedings, or, if finding that the building, structure or property, or portion thereof, is unsafe, ordering that it be repaired, altered, vacated and altered or repaired, or vacated and demolished.

102A.7 Contents of Order. The order shall contain a statement of the particulars which render the building, structure, or property unsafe and shall contain a statement of work required to be done and the time requirements for the execution of the order.

102A.7.1 Address. The order shall set forth the street address of the building or structure, sufficient for identification.

102A.7.2 Time. The order shall specify the time within which the premises or portion thereof shall be vacated, if ordered. The order shall further specify a reasonable time, not to exceed 360 days from permit issuance, within which the work shall be completed.

102A.7.3 Extension for completion. The time for completion may be extended by the Building Official for good cause shown, except that such extension shall not exceed 360 days. Such extension shall be in writing upon the request of the owner and shall be limited to the minimum time necessary for completion. Only one such extension may be allowed.

102A.8 Posting and Service of Order. A copy of the order shall be posted in a conspicuous place upon the building, structure or property and shall be served in the manner above prescribed in the case of the notice of hearing, upon all persons to whom the notice of hearing is required to be served, and a copy shall be recorded in the Assessor-Recorder's Office.

102A.9 Compliance, Rescinding Order. When the property, building or structure or portion thereof that was determined to be unsafe, has been found to comply with requirements of the Building Official as to rehabilitation, alteration, repair or demolition, the Building Official shall issue and record in the Assessor-Recorder's Office an order rescinding the original order.

102A.10 Appeal of Order. Any person may appeal from an order of the Building Official made pursuant to the provisions of Section 102A.7 and shall, at the hearing provided for in Section 102A.5 and in said order, be apprised of the right of appeal to the Abatement Appeals Board, provided that the appeal is made in writing and filed with the Secretary of the Abatement Appeals Board within 15 days after such order is posted and served. The 15-day limitation shall not apply when any type of a moratorium authorized in this section is sought. Where construction materials, methods, types of construction, or compliance with the time limits set forth in Table No. 16B-A are the bases, in whole or in part, of the Building Official's finding that an unreinforced masonry building, or portion thereof, is unsafe, the Abatement Appeals Board shall refer these matters to the Board of Examiners established in Section 105A.1 of

this code. Where construction materials, methods, and types of construction are the bases, in whole or in part, of the Building Official's finding that the building, or structure, or portion thereof, is unsafe, the Abatement Appeals Board shall refer these matters to the Board of Examiners for its examination and determination with respect to such materials, methods, and types of construction.

The Board of Examiners shall approve or disapprove such materials, methods, and types of construction, and may attach conditions to its approval, and shall forward a copy of its report to the Abatement Appeals Board. The Abatement Appeals Board shall include in its decision the findings of the Board of Examiners.

102A.11 Violation – Penalties for Disregarding Order.

102A.11.1 Failure to comply. The owner of any building, structure, or property or portion thereof determined by the Building Official to be unsafe who has failed to comply with any order shall be guilty of a misdemeanor as set forth in Section 103A.

102A.11.2 Failure to vacate. The occupant or lessee in possession who fails to comply with the order to vacate said building or portion thereof in accordance with any order given as provided for hereinabove shall be guilty of a misdemeanor as set forth in Section 103A.

102A.11.3 Removal of notice. Any person who removes any notice or order posted as required in this section shall be guilty of a misdemeanor as set forth in Section 103A.

102A.12 Costs of Abatement by the City and County of San Francisco. Whenever the Building Official, pursuant to authority conferred by this code, causes a building, structure, or property, or portion thereof, to be barricaded, secured, repaired or altered, demolished, or have other actions taken by the Department or its contractor to remedy an unsafe condition, the cost thereof shall be paid from the Repair and Demolition Fund and assessed against said property.

102A.13 Repair and Demolition Fund. A special revolving fund, to be known as the Repair and Demolition Fund, may be used for the purpose of defraying the costs and expenses (including Department administrative costs) which may be incurred by the Building Official in carrying out the actions described in Section 102A.12.

The Board of Supervisors may, by transfer or by appropriation, establish or increase the special revolving fund with such sums as it may deem necessary in order to expedite the performance of the work of securing, repairing, altering or demolition. The Repair and Demolition Fund shall be replenished with all funds collected under the proceedings hereinafter provided for, either upon voluntary payments or as the result of the sale of the property after delinquency, or otherwise. Balances remaining in the Repair and Demolition Fund at the close of any fiscal year shall be carried forward in such fund.

102A.14 Failure to Comply with Order. Whenever an order to repair, alter, vacate and alter or repair, or vacate and demolish any building, structure or property, or portion thereof, has not been complied with within the time set by the Building Official, or within such additional time as the Building Official may for good cause extend, or within the time fixed by the Abatement Appeals Board, the Building Official shall have the power, in addition to any other remedy provided herein or by law or any other ordinance, to:

1. Cause the building, structure, property, or portion thereof, to be vacated, barricaded, or otherwise secured against use or occupancy pending the correction of all conditions ordered to be corrected, or pending demolition; or

2. Cause the building, structure, property, or portion thereof, to be dismantled or demolished and the site cleared by such means as the Building Official shall deem advisable; or

3. Cause the building, structure, property, or portion thereof, to be repaired or altered, so as to render it safe and in compliance with applicable laws and ordinances, by such means as the Building Official shall deem advisable.

Any work done pursuant to the authority herein shall be performed in accordance with the limitations as to repair expenditure as contained in Section 102A.16 and with the established practices applicable to the Department.

102A.15 Forfeiture of Owner's Right to Do Work. Whenever, pursuant to Section 102A.14, the Building Official intends to cause to be done any of the work described therein, the Building Official shall provide notice in the manner set forth in Section 102A.4, of the Building Official's intention to do such work, and shall specify a date certain upon which the Building Official shall solicit bids to accomplish the necessary work, which shall be not sooner than 10 days from the date such notice is given. From and after said date certain the owner and every other person having charge or control over said building, structure or property shall be deemed to have forfeited all right to do such work and is thereafter prohibited from doing any such work except as the Building Official may allow.

102A.16 Serious and Imminent Hazards – Emergency Orders. Notwithstanding any other provisions of this chapter, whenever, in the judgment of the Building Official, it appears from an inspection or notice of violation that there exists in, on, or near any building, structure, property, or portion thereof, any condition constituting an imminent and substantial hazard to the life, health or safety of the occupants or other persons, or to such building, structure, or property requiring prompt action to correct said condition, the Building Official shall have the power to issue an order in writing detailing the serious and imminent hazard conditions and requiring:

1. That the building, structure, property, or portion thereof, be vacated and thereafter be kept vacant until the Building Official gives written permission that the same may be reoccupied, without giving the notice and holding the hearing prescribed in Sections 102A.4 through 102A.6, whenever, by reason of serious and imminent danger, prompt vacating of the premises, building, structure or property, or a portion thereof, appears necessary in the judgment of the Building Official;

2. That the building, structure, property, or a portion thereof, be barricaded, boarded up, or otherwise secured against entry, occupancy or use by all persons, except as permitted by said order;

3. That the building, structure, property, or a portion thereof, be demolished or that serious and imminent hazard conditions be repaired, altered, corrected or eliminated in accordance with the particulars set forth in the order.

The order shall contain time frames required for compliance with the order and shall set forth the street address of the building or structure and a description of the building, structure, or property sufficient for identification.

In such cases of serious and imminent hazard, the order may be issued by the Building Official without giving the notice and holding the hearing specified in Sections 102A.4 through 102A.6. A copy of said order shall be posted in a conspicuous place upon the building, structure, or property, a copy shall be served in the manner prescribed in Section 102A.4, and a copy shall be recorded in the Assessor-Recorder's Office.

The Building Official shall have the further power under this section to cause or compel the work required under the order to be undertaken by such means as the Building Official may deem advisable if the owner and all other persons having an interest in the building, structure, or property have failed, for a period of not more than 48 hours after the posting and service of the order, to comply with the order.

Whenever the Building Official orders that repairs or alterations be made pursuant to this Section, the authority of the Building Official to repair or alter, or cause repairs or alterations to be made to comply with the order, shall be limited to repairs or alterations whose cost does not exceed 50 percent of the value, as defined by the Assessor, of the building, structure, property, or portion thereof.

102A.17 Assessment of Costs. The Building Official shall take action to have the costs of all work done or caused to be done pursuant to the provisions of Section 102A.14 or Section 102A.16 assessed against the parcel or parcels of land upon which said building, structure, property or portion thereof is situated. Such costs shall include, in addition to the cost of barricading, securing, repairing, or demolishing the building and the clearing of the site, the cost to the City and County of San Francisco of administration and supervision of such work. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable rates.

102A.18 Report of Costs, Notice of Hearing on Confirmation.

102A.18.1 Preparation of delinquency report. If any penalty or assessment imposed pursuant to Section 102A is not received within the required time period, the Building Official shall initiate proceedings to make the penalty or assessment, plus accrued interest, a special assessment lien against the real property which is the subject of the penalty or assessment. The Building Official shall prepare a delinquency report for the Board of Supervisors. For each delinquent account, the report shall contain the owner's name, the amount due, including interest, and a description of the real property. The report shall also indicate which of the delinquent accounts should be exempted from the lien procedure because of the small amounts involved, or because another debt collection procedure is more appropriate. The descriptions of the parcels shall be those used for the same parcels on the Recorder/Assessor's Office records for the current year.

102A.18.2 Notice. Five days prior to forwarding the delinquency report to the Board of Supervisors, the Building Official shall serve copies of the report in the manner prescribed in Section 102A.4 and shall post the report at the subject properties. Upon receipt of the report, the Board of Supervisors shall fix a time, date and place for hearing the report and any protests or objections thereto, and shall mail notice of the hearing not less than ten days prior to the date of hearing to each owner of real property described in the report.

102A.19 Hearing and confirmation of report for special assessment of costs.

102A.19.1 Hearing and confirmation. The Board of Supervisors shall hold a hearing on the report along with protests or objections by the representatives of the real property liable to be assessed for such delinquent accounts. The Board of Supervisors may make such revisions, corrections, or modifications of the report as it may deem just, after which, by motion or resolution, the report shall be confirmed. The Board of Supervisor's decision on the report and on all protests or objections thereto shall be final and conclusive and shall constitute confirmation of the report; provided, however, that any delinquent account may be removed from the report by payment in full at any time prior to confirmation of the report. The Clerk of the Board of Supervisors shall cause the confirmed report to be verified in form sufficient to meet recording requirements.

102A.19.2 Collection of assessment. Upon confirmation of the report by the Board of Supervisors, the delinquent charges contained therein shall constitute a special assessment against the property identified in the report. Each such assessment shall be subordinate to all existing special liens previously imposed upon such property and shall be paramount to all other liens except those for State, County and municipal taxes with which it shall be in parity. The lien shall

continue until the assessment and all interest due and payable thereon are paid. All laws applicable to the levy, collection and enforcement of municipal taxes shall be applicable to said special assessment.

102A.19.3 Recordation charges. The Clerk of the Board of Supervisors shall cause the confirmed and verified report to be recorded in the Assessor- Recorder's Office within 10 days of its confirmation. The special assessment lien on each parcel or property described in said report shall include additional charges for administrative expenses. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for Lien Recordation charges.

102A.19.4 Filing with Controller and Tax Collector; Distribution of proceeds. After the report is recorded, the Clerk of the Board of Supervisors shall file a certified copy with the Controller and Tax Collector, whereupon it shall be the duty of said officers to add the amount of said special assessment to the next regular bill for taxes levied against said parcel or parcels, and thereafter said amount shall be collected at the same time and in the same manner as ordinary taxes are collected for the City and County of San Francisco, and shall be subject to the same penalties and the same procedures for foreclosure and sale in case of delinquency as is provided for property taxes.

102A.19.5 Release of lien, recording fee. Upon payment to the Tax Collector of the special assessment, the Tax Collector shall cause a release lien to be recorded with the Assessor-Recorder's Office, and from the sum collected pursuant to Section 102A.19.3 above, shall pay to the Assessor-Recorder's Office the required recording fee.

102A.20 Continuance of gas and electricity. In the event that electricity or gas service to a building, structure, property, or portion thereof is about to be discontinued by the utility company for nonpayment of bills, the Building Official, through the issuance of an Emergency Order, may order that the utility company continue said service to protect the life, health and safety of the occupants. Said order shall be issued pursuant to the provisions of Section 102A.16 of this code and shall remain in force for six months, unless otherwise specified by the Building Official.

The funds for the continuance of said services shall be provided from the Repair and Demolition Fund. Said costs and administrative costs incurred by the City and County of San Francisco shall be assessed against the parcel or parcels of land upon which said building, structure or property is situated. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable rate.

If payment is not received from the property owner within the required time period, a Report of Costs pursuant to Section 102A.18 shall be prepared for all such costs. Submittal, confirmation, recordation and collection of the special assessment shall follow the procedures provided in Section 102A.19.

The provisions of Section 102A.20 shall only apply to buildings, structures, property, or portions thereof for which the owner, and not the tenant, is responsible for payment of said utility bills.

SECTION 103A – VIOLATIONS

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure, property, or portions thereof or cause or permit the same to be done in violation of this code.

Any person, the owner or the owner's authorized agent, who violates, disobeys, omits, neglects, or refuses to comply with, or resists or opposes the execution of any of the provisions of this code, shall be liable for a civil penalty, not to exceed $500 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco by the City Attorney in any court of competent jurisdiction. Any penalty assessed and recovered in an action brought pursuant to this paragraph shall be paid to the City Treasurer and credited to the Department's Special Fund.

Any person, the owner or the owner's authorized agent, who violates, disobeys, omits, neglects, or refuses to comply with, or who resists or opposes the execution of any of the provisions of this code, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment, unless otherwise provided in this code, and shall be deemed guilty of a separate offense for every day such violation, disobedience, omission, neglect or refusal shall continue. Any person who shall do any
work in violation of any of the provisions of this code, and any person having charge of such work who shall permit it to be done, shall be liable to the penalty provided.

It shall be unlawful for any person to interfere with the posting of any notice provided for in this code, or to tear down or mutilate any such notice posted by the Department.

103A.1 Pursuant to Health and Safety Code Section 13112, any person who violates any order, rule or regulation of the state fire marshal is guilty of a misdemeanor punishable by a fine of not less than $100.00 or more than $500.00, or by imprisonment for not less than six months, or by both. A person is guilty of a separate offense each day during which he or she commits, continues or permits a violation of any provision of, or any order, rule or regulation of, the state fire marshal as contained in this code.

Any inspection authority who, in the exercise of his or her authority as a deputy state fire marshal, causes any legal complaints to be filed or any arrest to be made shall notify the state fire marshal immediately following such action.

103A.2 Actions and proceedings. Subject to other provisions of law, California Code of Regulations, Title 25, Division 1, Chapter 1 commencing with Section 1 and Health and Safety Code, Sections 17980 through 17995.5 address punishments, penalties and fines for violations of building standards in structures subject to the State Housing Law.

103A.2.1 Actions and proceedings. Subject to other provisions of law, California Code of Regulations, Title 25, Division 1, Chapter 2 commencing with Section 1000 and Health and Safety Code, Section 18700 addresses punishments, penalties and fines for violations of building standards subject to the Mobilehome Parks Act.

103A.2.2 Actions and proceedings. Subject to other provisions of law, California Code of Regulations, Title 25, Division 1, Chapter 1 commencing with Section 600 and Health and Safety Code, Sections 17060 through 17062.5 address punishments, penalties and fines for violations of building standards subject to the Employee Housing Act.

103A.3 Restrictions of unlawful residential demolition replacement.

103A.3.1 Demolition without permit. Whenever the demolition of any building or structure containing one or more residential units takes place without the issuance of a demolition permit as required by this code, the site on which the unlawful demolition occurred shall be subject to the following restriction: For five years from the date of the unlawful demolition, no permit authorizing

the construction or alteration of any building or structure for that site shall be issued, except for a permit for the construction or alteration of a building or structure with the same number of residential units, with the same proportion of residential to nonresidential units, and with the same or fewer square feet as the building or structure that was unlawfully demolished.

103A.3.2 Definitions. For the purposes of this section, the following definitions shall apply:

DEMOLITION means the total tearing down or destruction of a building containing one or more residential units, or any alteration which destroys or removes, as those terms are defined by the Building Official of the Department of Building Inspection, principal portions of an existing structure containing one or more residential units.

PRINCIPAL PORTION means that construction which determines the shape and size of the building envelope (such as the exterior walls, roof and interior bearing elements), or that construction which alters two-thirds or more of the interior elements (such as walls, partitions, floors or ceilings).

RESIDENTIAL UNIT means any dwelling unit, as defined in this code, or any guest room, as defined in the San Francisco Housing Code, other than the following:

1. Any guest room in a building classified as a residential hotel pursuant to the Residential Hotel Unit Conversion and Demolition Ordinance

2. Any residential unit in a building where the demolition or alteration is required to comply with
this code, the Housing Code or the City Planning Code.

103A.3.3 Hearing. The Building Official shall hold a hearing within a reasonable period of time after discovering that an unlawful demolition may have taken place. The Building Official shall cause notice to be given to the owners of the affected property, and to the owners and occupants of property on the same block as the affected property's site and across the street from the site for one block (that is, on lots which abut the same street as that which abuts the site to the nearest intersections on either side of the site), using the names and addresses of the owners as shown on the last assessment rolls of the City and County of San Francisco. For corner lots, notice shall be provided to the owners and occupants of property on the same block as the affected property's site and for one block along both streets which the lot abuts (that is, on lots which abut the two streets which the site abuts to the nearest intersection on either side of the site) and, in addition, to the other corner lots at the intersection where the site is located. Notice may be given either by personal service or any mail, not less than 30 days before the scheduled date of the hearing. Immediately after giving such notice, the Building Official shall cause a copy of the notice, printed on a card of not less than 8 inches by 10 inches (203.2 mm × 254 mm), to be posted in a conspicuous place on the affected property. The notice shall specify the date and nature of the hearing and that the following issues will be determined at the hearing: whether an unlawful demolition has taken place as described in Sections 103A.3.1 and 103A.3.2, and, if so, the number of residential units that existed on the site, the proportion of residential to nonresidential units that existed on the site and the total square feet of the building or structure that existed on the site. Upon determination that an unlawful demolition has taken place, the Building Official shall promptly record a notice in the official records of the Recorder of the City and County of San Francisco; the recorded notice shall state that the property is subject to the restrictions set forth in Section 103A.3.1 of this code.

Upon determination that an unlawful demolition has taken place, the Building Official shall assess the owner all costs incurred by the City and County of San Francisco in detecting violations of this section and conducting the Building Official's hearing by sending a notice of payment due to the property owner at the address shown on the City's last assessment rolls. The notice shall list the costs incurred by the City in detecting violations of the ordinance and conducting the Building Official's hearing, advise the owner that he or she is liable for these costs and advise the owner that payment to the City is due within 60 days of the mailing date of the

notice. The notice shall also advise that, if payment of the costs is not received within 30 days of the due date, a lien may be imposed on the property pursuant to the report and confirmation procedure set forth in Sections 102A.18 and 102A.19 of this code.

103A.3.4 Civil penalties. Any agent, contractor or other person acting on behalf of the owner of a building or structure containing one or more residential units who causes or permits the demolition of the building or structure with the knowledge that a demolition permit has not been issued as required by this code shall be subject to a civil penalty of $5,000. Any owner who causes or permits the demolition of his or her building or structure containing one or more residential units with the knowledge that no demolition permit has been issued as required by this code shall be subject to a civil penalty of $1,000.

103A.3.5 Penalties nonexclusive. The penalties set forth in this section are not exclusive, but are in addition to any other penalties set forth in this code.

103A.4. Vacant or abandoned buildings – Annual registration; registration fee; maintenance and security requirements.

103A.4.1. Definition. A building shall be defined as a vacant or abandoned if it (1) is unoccupied and unsecured; or (2) is unoccupied and secured by boarding or other similar means; or (3) is unoccupied and unsafe as defined in Section 102A of this Code; or (4) is unoccupied and has multiple code violations; or (5) has been unoccupied for over 30 days. A building which is partially unoccupied and has been cited for blight under Chapter 80 of the San Francisco Administrative Code, shall also be deemed a vacant or abandoned building that is subject to this Section.

For purposes of this Section 103A.4. a building shall not be considered vacant or abandoned if:

(1) There is a valid building permit for repair, rehabilitation, or construction of a building on the parcel and the owner completes the repair, rehabilitation, or construction within one year from the date the initial permit was issued; or

(2) The building complies with all codes, does not contribute to blight as defined in Chapter 80 of the San Francisco Administrative Code, is ready for occupancy, and is actively being offered for sale, lease, or rent.

103A.4.2. Property owner's obligation to register a vacant or abandoned building. The owner of a building defined as vacant or abandoned under Section 103A.4.1 shall register that building with the Department 30 days after it has become vacant or abandoned on a form provided by the Department. The form shall describe the methods by which the owner has secured the property against unauthorized entry, declare any future plans for the property, state whether or not there is fire and liability insurance coverage, and provide such other information as the Department may require. A registration fee shall be paid at the time of registration and annually thereafter. See Section 110A, Table 1A-J for applicable fee.

103A.4.3. Notice. Whenever the Director has probable cause to believe, based upon an inspection, complaint, or report from another agency of the City and County of San Francisco or other governmental agency, that a building is vacant or abandoned and it has not been registered as required by this Section 103A.4, the Director shall serve the owner of record, as shown on the Assessor's Records, or authorized agent with a written notice requiring the owner to register the building with the Department as vacant or abandoned and pay the registration fee within the period of time specified in the notice, which shall be no greater than 30 days.

103A.4.4. Sign posting. The owner of record of the vacant or abandoned building is required to post a sign at the front of the building, in a conspicuous location protected from the weather, that provides the current name, address, and phone number of the owner of record and authorized agent if different from the owner. If a notice of default or foreclosure has been recorded for the property, the lender's name, address, and telephone number must also be provided. The sign shall be no smaller than 8-1/2 inches by 11 inches.

103A.4.5. Maintenance and security requirements. The following maintenance and security requirements shall apply to a vacant or abandoned building. The Director has the discretion to modify these requirements in the case of a partially vacant building, and to modify or waive some or all of these requirements in the case of a building that has been damaged by fire, a natural disaster, or other calamity.

103A.4.5.1 Maintenance of property – exterior. The property owner shall actively maintain and monitor the exterior of the building and the grounds so that they remain in continuing compliance with all applicable codes and regulations, and do not contribute to and are not likely to contribute to blight as defined in Chapter 80 of the Administrative Code. Active maintenance and monitoring shall include, but not be limited to:

(1) Maintenance of landscaping and plant materials in good condition;

(2) Regular removal of all exterior trash, debris, and graffiti;

(3) Maintenance of the exterior of the building in a good condition that is structurally safe and preserves the physical integrity of the structure, including but not limited to paint and finishes, foundation, roof, chimneys, flues, gutters, downspouts, scuppers, flashing, skylights, windows, exterior stairs and decks;

(4) Prevention of criminal activity on the premises and trespass by unauthorized persons; and

(5) Turning off all utilities that are not necessary for the upkeep and maintenance of the building.

103A.4.5.2. Maintenance of property – interior. The property owner shall preserve the interior of the building from damage by the elements or plumbing leaks, and keep it free from accumulation of garbage and other debris, and from infestation by rodents, insects, or other pests.

103A.4.5.3. Security. The building shall be secured against unauthorized entry. The methods of security shall be as approved by the Director, who shall take into consideration whether the property has been cited for nuisance activities or criminal conduct by another department of the City and County of San Francisco or other government agency.

103A.4.6. Insurance. The owner of record shall maintain whatever fire and liability insurance coverage the Director determines is necessary. Any insurance policy shall require notice to the Department in the event of cancellation of insurance or a reduction in coverage.

103A.4.7. Violation a public nuisance; enforcement. A property in violation of the provisions of this section is deemed to be a public nuisance and subject to enforcement by the Department and penalties under Section 102A and 103A of this Code or under other applicable sections of the San Francisco Municipal Code.

SECTION 104A – ORGANIZATION AND ENFORCEMENT

104A.1 Enforcement agency. The Department of Building Inspection shall be the administering and enforcing agency under this code.

104A.2 Powers and duties of Building Official.

104A.2.1 General. The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the Building Official shall have the powers of a law enforcement officer.
Pursuant to Health and Safety Code Section 13108, upon the written request of the chief fire official of any city, county or fire-protection district, the State Fire Marshal may authorize such chief fire official and his or her authorized representatives, in their geographical area of responsibility, to make fire- prevention inspections of state-owned or state- occupied buildings, other than state institutions, for the purpose of enforcing the regulations relating to fire and panic safety adopted by the State Fire Marshal pursuant to this section and building standards relating to fire and panic safety published in the California Building Standards Code. Authorization from the State Fire Marshal shall be limited to those fire departments or fire districts which maintain a fire-prevention bureau staffed by paid personnel.
Pursuant to Health and Safety Code Section 13108, any requirement or order made by any chief fire official who is authorized by the State Fire Marshal to make fire-prevention inspections of state-owned or state occupied buildings, other than state institutions, may be appealed to the State Fire Marshal. The State Fire Marshal shall, upon receiving an appeal and subject to the provisions of Chapter 5 (commencing with Section 18945) of Part 2, 5 of Division 13 of the Health and Safety Code, determine if the requirement or order made is reasonably consistent with the fire and panic safety regulations adopted by the Office of the State Fire Marshal and building standards relating to fire and panic safety published in the California Building Code.
The Building Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code. Such rules and regulations, commonly referred to as Code Rulings and Administrative Bulletins supplemental to this code shall not take effect until approved by the Building Inspection Commission and signed by the Building Official except in unusual circumstances where the Building Official has determined that there is an immediate need to protect the public health and safety. When the Building Official finds that such circumstances exist, the Building Official may order immediate enforcement of a particular rule or regulation. The Building Official shall arrange for a subscription service to such rules and regulations, the entire cost of which is to be borne by the subscribers.
NOTE: "Code Rulings" and "Administrative Bulletins" may be found in the Department's Rules and Regulations printed at the back of this code.

104A.2.2 Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

104A.2.3 Right of entry. When it is necessary to make an inspection to enforce the provisions of this code or other codes or ordinances, or when the Building Official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to or in violation of this code or other codes or ordinances that makes the building or premises unsafe, dangerous or hazardous, the Building Official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code or other codes or ordinances, provided that if such

building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

104A.2.4 Stop orders. Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

104A.2.5 Occupancy violations. Whenever any building, structure, property or portion thereof regulated by this code is being used contrary to the provisions of this code or the code in effect at the time the use was commenced, the Building Official may order such use discontinued and the building, structure, property or portion thereof, vacated by notice served on any person involved in said use or causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official after receipt of such notice to make the building, structure, property or portion thereof, comply with the requirements of this code; provided, however, that in the event of an unsafe building, structure or property the provisions of Section 102A shall apply.

104A.2.6 Liability. The Building Official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction. This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

104A.2.7 Modifications. When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modifications are in conformance with the intent and purpose of this code and that such modifications does not lessen any fire-protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

104A.2.7.1 Local equivalencies. Due to unique topographical conditions in the City and County of San Francisco, including but not limited to the City's built environment and historic pattern of development, equivalencies to certain code requirements have been developed by the Department and are approved on an individual basis if specific conditions are met. Wherever in this code a reference to Local Equivalency is made, details of the equivalency to the specific code requirement may be found in the Department's Rules and Regulations printed at the back of this code.

104A.2.8 Alternate materials, design, and methods of construction. The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

104A.2.8.1 Alternate for materials, design, tests and methods of construction. Subject to other provisions of law, alterations, repairs, replacements, occupancy, use and maintenance provisions, and moved buildings are referenced in the State Housing Law, Health and Safety Code, Sections 17912, 17920.3, 17922 (c), 17922.3, 17958.8 and 17958.9 and California Code of Regulations, Title 25, Chapter 1 commencing with Section 1. Health and Safety Code Sections 17958.8 and 17958.9 are repeated here to provide clarity and read as follows:

Section 17958.8. Local ordinances or regulations governing alterations and repair of existing buildings shall permit the replacement, retention, and extension of original materials and the use of original methods of construction for any building or accessory structure subject to this part, including a hotel, lodging house, motel, apartment house, or dwelling, or portions thereof, as long as the ~~hotel, lodging house, motel, apartment house, or dwelling, or portions thereof, or building or structure accessory thereto, complies with the provisions published in the California Building Standards Code~~ portion of the building and structure subject to the replacement, retention, or extension of original materials and the use of original methods of construction complies with the building code provisions governing that portion of the building or accessory structure at the time of construction, and the other rules and regulations of the department or alternative local standards governing that portion at the time of its construction and adopted pursuant to Section 13143.2 and the building or accessory structure does not become or continue to be a substandard building.

Section 17958.9. Local ordinances or regulations governing the moving of apartment houses and dwellings shall, after July 1, 1978, permit the retention of existing materials and methods of construction so long as the apartment house or dwelling complies with the building standards for foundation applicable to new construction, and does not become or continue to be a substandard building.

104A.2.8.2 Reserved

104A.2.8.3 Approval and evaluation of materials or systems, methods and types of construction, fabricators, and testing or plan review agencies. General. This section is applicable to evaluations conducted and to approvals granted by the Department, for use in San Francisco, for alternate materials not covered in this code; for plant fabrications of building components which normally require special inspection; for testing or plan review agencies; for evaluation of materials, product methods and types of construction.

Any approval shall be void if, after approval, the design or nature of the device or material, the method of construction, the quality control program, or the capabilities of the agency, are found

to deviate in any way from that represented to the Department or the conditions of approval, without first obtaining written authorization from the Building Official.

Any approval may be suspended or revoked if the Building Official finds the approved device or material, method of construction, or quality control program does not meet the requirements of Sections 104A.2.8 or 1701 to such an extent that the approval should not have been granted. See Section 110A, Table 1A-J – Product Approvals – for applicable fees. The fees specified are application fees and are not refundable regardless of whether the action taken is an approval or a denial or whether a subsequent request for hearing by the Board of Examiners is filed, except for the case where an application was filed at the request or on the advice of the Department for situations which subsequently are determined to not require an approval.

Each approval shall become null and void unless renewed within the specified period.

104A.2.9 Tests. Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction

Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

104A.2.10 Cooperation of other officials and officers. The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

104A.2.11 Code revisions. The Building Official shall transmit to the Building Inspection Commission, at intervals not exceeding three years, recommendations for changes to this code, based on studies of the following:

1. Requests of the Board of Examiners for modifications from the code, and for approvals of alternate materials, alternate designs and methods of construction.
2. Code changes recommended by the Board of Examiners.
3. Code changes recommended by the Code Advisory Committee or other bodies subordinate to the Building Inspection Commission.
4. Results obtained and problems encountered in legal actions taken to correct code violations.
5. Changes or improvements in materials, methods of construction or design, and changes proposed by interested persons.
6. Investigations of fire and structural damage to buildings, and of determination of unsatisfactory building performance.
7. Periodic changes to the California Building Code and other State regulations which may affect this code.
8. Administrative Bulletins and Code Rulings currently in effect.
9. Violations of the code found on inspections or investigations.

104A.3 Service of notices.

104A.3.1 Notices sent. Whenever a notice is required to be given under this code, unless different provisions are otherwise specifically made, such notice may be given either by personal delivery to the person to be notified or by deposit in the United States mail in a sealed envelope, postage prepaid, addressed to the person to be notified at such

person's last known business or residence address. Service by mail shall be deemed to be have been completed at the time of deposit in the United States mail.

104A.3.2 Proof of notice. Proof of giving any notice may be made by the certificate of any officer or employee of the City and County of San Francisco or by affidavit of any person over the age of eighteen years, which shows service in conformity with the San Francisco Municipal Code or other provisions or law applicable to the subject matter concerned.

104A.4 Code enforcement and rehabilitation fund.

104A.4.1 Establishment. There is hereby established in the Treasury of the City and County of San Francisco a special fund to be known and designated as the Code Enforcement and Rehabilitation Fund, into which shall be deposited all funds allocated by the State Controller from the Local Agency Code Enforcement and Rehabilitation Fund.

104A.4.2 Use of funds. The Code Enforcement and Rehabilitation Fund shall be used exclusively to defray costs incurred in the enforcement of local code provisions mandated by State law.

104A.5 Building Inspection Fund. All fees collected pursuant to this code shall be deposited into the Building Inspection Fund established by the City Controller pursuant to Section 10.117-78 of the San Francisco Administrative Code. This fund shall be used by the Department, subject to the approval of the Building Inspection Commission, to defray costs incurred for, but not limited to, personnel, supplies, and equipment used in evaluating the applications, maintaining files and records, and for disseminating information, reviewing plans and making inspections to determine compliance with the conditions of approvals. Any charges established by the Building Official or the Building Inspection Commission for copies of approvals, publications or other Department records shall be deposited into this fund.

104A.6 Multiple Languages in Notices (Added 10-21-2002 by Ord. No. 214.02)

104A.6.1 Definitions. For the purposes of this section, the following definitions shall apply:

DEDICATED TELEPHONE NUMBER means a telephone number for a recorded message in a language of limited English proficient residents. The recorded message shall advise callers as to what information they should leave on the message machine so that the Department may return the call with information about the notice in the requested language.

LANGUAGE OF LIMITED ENGLISH PROFICIENT RESIDENTS means each of the two languages other than English spoken most commonly by San Francisco residents of English proficiency as determined by the Planning Department based on its annual review of United States census and other data as required by San Francisco Administrative Code Section 91.2(j).

104A.6.2 Applicability of multiple language requirement. The requirements of Section 104A.6.3 shall apply to the following notices:

1. **Notices required by Section 103A.3.3 that are mailed or personally served.**
2. **Notices required by Section 106A.3.2.2.1.**
3. **Notices required by Section 106A.3.2.3.**
4. **Notices required by Section 106A.4.6, Subsection 2.**
5. **Notices required by Section 106A.4.6, Subsection 3.**
6. **Notices required by Section ~~3408.3.2.~~ 3426.3.2.**
7. **Any other notices required by the Building Code to be mailed or personally served to property owners or occupants adjacent to or near a property for which Building Department development approval is sought.**

104A.6.3 Multiple language statement in notices. The Building Department shall prepare a cover sheet as specified below and include it with each notice of the type listed in Section 104A.6.2 that is mailed or personally served. For posted notices listed in Section 104A.6.2, the Department shall post
the cover sheet next to the posted notice. The cover sheet shall contain the following statement, printed in each language of limited English proficient residents and, to the extent available Department resources allow, such other languages that the Department determines desirable, with the name of the language in which the statement is made, the time period for a decision on the matter and the dedicated telephone number for the language of the statement inserted in the appropriate blank spaces:
"The attached notice is provided under the Building Code. It concerns property located at the address shown on the attached notice. A hearing may occur, a right to request review may expire or a development approval may become final unless appealed within [insert days until a hearing or deadline for requesting review or appealing a decision]. To obtain information about this notice in [insert name of language] please call [insert dedicated telephone number]. Please be advised that the Building Department will require at least one business day to respond to any call. Provision of information in [insert name of language] is provided as a service by the Building Department and does not grant any additional rights or extend any time limits provided by applicable law."

The Department shall maintain a dedicated telephone number for each language of limited English proficient residents. The Department shall place a return telephone call by the end of the following business day to each person who leaves a message concerning a neighborhood notice at a dedicated telephone number and, when the caller is reached, provide information to the caller about the notice in the language spoken by the caller.

SECTION 105A – BOARDS, COMMISSIONS AND COMMITTEES

105A.1 Board of Examiners.

105A.1.1 Establishment. There is hereby created a Board of Examiners who are qualified by experience and training to pass upon matters pertaining to building design and construction. The functions of the Board of Examiners shall be:

105A.1.1.1 To determine whether specific new materials, new methods and types of construction comply with the standards of safety established by this code, and to recommend the approval or disapproval of such new materials, new methods and types of construction.

105A.1.1.2 To determine whether variances from the requirements of this code should be approved for specific cases where new materials, new methods and types of construction are not involved, and where the enforcement of compliance therewith would result in unreasonable hardship.

105A.1.1.3 To recommend to the Building Official reasonable interpretations of the provisions of this code.

105A.1.1.4 To hear appeals from any Abatement Order of the Building Official involving construction methods, assemblies or materials or where safety is involved.
A copy of the findings of the Board of Examiners shall be forwarded to the Abatement Appeals Board.

Matters involving compliance with Chapters 16B and 16C and other related structural provisions of this code regulating the strengthening of unreinforced masonry bearing wall buildings shall be heard by the Board of Examiners as provided in Section 105A.1.

105A.1.2 Definition. The term "standard of safety," as used in this section, shall mean the general degree of safety conforming to the provisions of this code as required to safeguard life or limb, health and public welfare.

105A.1.3 Intent. It is the intent of this section that new materials, new methods and types of construction which do not comply with the standards of safety established by this code shall in no event be approved; but that the requirements of this code, other than those involving such standards of safety, may be modified or waived under the circumstances set forth in this section.

105A.1.4 Membership. The Board of Examiners shall consist of ~~10~~ 13 members, which shall include one plumbing member and one electrical member, who shall serve only when cases related to plumbing or electrical code issues are being considered, and one high-rise sprinkler member who shall serve only when cases related to high-rise sprinkler issues are being considered, and three seismic improvement members who shall serve only when cases related to Chapter 34B seismic retrofit issues are being considered. All members are to be appointed by the Building Inspection Commission and shall serve at the Building Inspection Commission's pleasure for a three-year term or until a successor is appointed. The present members shall be continued in office until the expiration of their terms.

In the event a vacancy occurs during the term of office of any member of the Board of Examiners, a new appointment shall be made in a manner similar to that described herein for new members. The membership shall consist of:

1. **A registered structural engineer.**
2. **A registered mechanical engineer.**
3. **A registered electrical engineer.**
4. **A registered fire protection engineer.**
5. **A licensed general contractor.**
6. **A licensed architect.**
7. **A building trades representative.**
8. **As the plumbing member, a licensed plumbing contractor.**
9. **As the electrical member, a licensed electrical contractor.**
10. **As a high-rise sprinkler member, one building owner representative.**
11. **As a Seismic Improvement member, one tenant also a licensed or registered architect, civil or structural engineer.**
12. **As a Seismic Improvement member, one property owner also a licensed or registered architect, civil or structural engineer.**
13. **As a Seismic Improvement member, one registered structural engineer specializing in seismic improvement.**

The terms "registered" and "licensed" shall be understood to mean by the State of California. The Building Inspection Commission shall make such appointments after giving careful consideration to nominations made by technical associations and general contractor organizations including the Consulting Engineers Association of California, the Structural Engineers Association of Northern California, the San Francisco District of the Associated General Contractors of California, the Plumbing and Mechanical Cooling Contractors of San Francisco, the San Francisco Electrical Contractors Association, the San Francisco Chapter of the American Institute of Architects, and the San Francisco Building Trades Council. Each member of the Board of Examiners shall receive compensation of $125 per meeting attended.

The following shall constitute ex officio members of the Board of Examiners, without vote and without compensation: The Building Official, who shall act as Secretary of the Board of Examiners, and the Fire Marshal.

In the event a member cannot attend meetings of the Board of Examiners for a period of three or more consecutive meetings due to illness, work away from San Francisco, or any other valid reason, the Building Inspection Commission may appoint an alternate member representing the same profession or trade as the absent member and meeting the same registration or licensing requirements as the absent member. The appointment of such alternate need not require solicitation of nominees from the respective organizations. The alternate shall serve on the Board of Examiners until the return of the absent member or until the expiration of the absent member's term, whichever comes first. The compensation indicated in section 4 above shall be paid the alternate member for each meetings attended. The alternate member shall, during the time of service on the Board of Examiners, have all the rights, duties, and privileges of a duly appointed member of the Board of Examiners.

105A.1.5 Board of Examiners's authority with respect to applications for approval of materials, methods and types of construction. Where application has been made to the Building Official to approve new materials, new methods and types of construction which the applicant believes meet the standards of safety set by this code, and where the approval of such application has been denied by the Building Official, the Board of Examiners shall have authority, at the request of the applicant, to determine whether such materials, methods and types of construction comply therewith.

105A.1.5.1 The Board of Examiners shall adopt rules and specifications for examining and testing proposed materials and methods of construction. A copy of such rules and specifications shall be furnished to the applicant.

105A.1.5.2 The applicant shall cause to be made, at the applicant's expense, all reasonable tests and examinations required by the Board of Examiners to substantiate the applicant's claims that any proposed new materials, new methods and types of construction comply with the standards of safety established by this code.

105A.1.5.3 The Board of Examiners shall have power to call upon such experts as it deems necessary to consider and report upon the technical matters concerning such application. The engagement of the services of such experts shall be with the consent of and at the expense of the applicant, and the Board of Examiners shall have power to require security for the payment of such expense. Such expense shall be in addition to the required filing fees as set forth in Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments. Any official or employee of the City and County of San Francisco called upon by the Board of Examiners shall serve without compensation beyond their normal salary.

105A.1.5.4 The Board of Examiners shall certify the results of examinations and tests, together with its recommendation on the application, to the Building Official. If the Board of Examiners recommends approval, the Building Official shall thereupon approve the materials or methods of construction. The Board of Examiners shall have power to attach such conditions to its recommendations as it deems necessary in the interest of public safety, and the Building Official's approval shall be granted subject to such conditions.

105A.1.6 Board of Examiners' authority with respect to applications for variances from code requirements. Where new materials, new methods and types of construction are not involved, the

Board of Examiners shall have authority to consider the application for a permit, the approval of which would require a variance from the provisions of this code.
If the Board of Examiners finds that such variance will not result in a condition less safe and less desirable from the viewpoint of public welfare than would result from the enforcement of compliance with such provisions, it shall recommend to the Building Official the approval of such permit. Upon receipt of such recommendation, the Building Official shall approve such permit. The Board of Examiners may attach to such recommendations any conditions which public safety and welfare may require, and the Building Official in approving such permit shall incorporate such conditions therein.

105A.1.7 Application for consideration by Board of Examiners. All applications to the Board of Examiners shall be made in writing and shall be filed with the Secretary of the Board of Examiners. The Board of Examiners shall act upon each application without unreasonable or unnecessary delay. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable fee.

105A.1.8 Procedure. The Board of Examiners shall establish reasonable rules and regulations for its own procedures not inconsistent with the provisions of this code and the Charter of the City and County of San Francisco. The Board of Examiners, by a majority vote, shall choose its officers, which shall consist of the President and Vice-President.

105A.1.9 Meetings. Meetings of the Board of Examiners shall be held at the call of the Secretary of the Board of Examiners and at such times and places as the Board of Examiners may determine. All meetings of the Board of Examiners shall be public meetings.

105A.1.10 Quorum. Four members of the Board of Examiners shall constitute a quorum, and action of the Board of Examiners shall require the affirmative votes of not less than three members. No member of the Board of Examiners shall pass upon any question in which the member, or any corporation in which the member is a shareholder or holds an interest.

105A.1.11 Decisions by resolution. Every decision and recommendation of the Board of Examiners shall be by resolution filed with the Building Official. A copy shall be mailed to the applicant. A copy shall also be sent to other interested bureaus or departments charged with the enforcement of this code. The Board of Examiners shall arrange for a subscription service to its agenda and decisions, the entire cost of which shall be borne by the subscribers.

105A.1.12 Record of meetings. The Board of Examiners shall maintain a tape recording of each meeting. Upon request, these tape recordings shall be made available for duplication by independent agencies with proper security afforded as determined by the Building Official. All costs of duplication shall be borne by the party requesting duplication.

105A.2 Abatement Appeals Board.

105A.2.1 Establishment. There is hereby established an Abatement Appeals Board, consisting of the seven members of the Building Inspection Commission, to pass upon matters pertaining to housing, building and construction.

105A.2.2 Membership. Members of the Abatement Appeals Board shall be the Building Inspection Commission who are appointed and serve for the terms as prescribed by the Charter of the City and County of San Francisco. The Building Official or designee shall act as Secretary to the Abatement Appeals Board.

105A.2.3 Powers. Except for cases involving disabled access, which shall be heard by the Access Appeals Commission, the Abatement Appeals Board shall have the power to hear and decide appeals from Orders of Abatement after public hearing by the Building Official of Building Inspection, and to hear ~~direct~~ appeals –regarding- the issuance of a final bill for assessment of costs imposed pursuant to Section 102A upon a showing of substantial error by the Department. Appeals for assessment of cost must be filed by the property owner in writing with the Secretary of the Abatement Appeals Board within 15 days of the mailing of the assessment of cost notice. See Section 110A, Table 1A-D-Standard Hourly Rates, and Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable fees. The Abatement Appeals Board may uphold, modify or reverse such orders, provided that the public health, safety and public welfare are secured most nearly in accordance with the intent and purpose of this code and the San Francisco Housing Code.

105A.2.4 Procedure. The Abatement Appeals Board shall establish reasonable rules and regulations for its own procedures consistent with the provision of this code and the Charter of the City and County of San Francisco. The Abatement Appeals Board, by majority vote, shall choose its officers which shall consist of the President and Vice-President.

105A.2.5 Quorum. Four members of the Abatement Appeals Board shall constitute a quorum. Any action of the Abatement Appeals Board shall require the concurrence of four members. No member of the Abatement Appeals Board shall pass upon any case in which the member, or any corporation in which the member is a shareholder, or holds an interest.

105A.2.6 Hearings. All hearings of the Abatement Appeals Board shall be public hearings. Within 10 days after the filing of an appeal, the Abatement Appeals Board shall fix the time and place for a hearing, which shall not be more than 30 days after the date of filing. The notice of the hearing of such appeal shall be posted in a conspicuous place upon the property that is the subject of the appeal and shall be served upon the appellant and transmitted to the Building Official of Building Inspection at least 10 days prior to the date set for the hearing. Once an appeal is filed, the order of the Building Official shall be stayed until a decision is rendered.

For good cause shown, one continuance of a hearing may be granted by the Abatement Appeals Board; such continuance shall not exceed 60 days.

105A.2.7 Rehearing. The Abatement Appeals Board may rehear an appeal upon which a decision has been rendered, provided a request for a rehearing has been made in writing within 10 days of the date of issuance of the decision.

105A.2.8 Findings and decisions. The Abatement Appeals Board shall issue its findings and decisions no later than 10 days after the conclusion of the hearing. Such findings and decisions shall within five days thereafter be posted in a conspicuous place upon the property that is the subject of the appeal, served on the appellant, and transmitted to the Building Official.

105A.2.8.1. Failure of appellant to appear. In the event the appellant fails to appear at the hearing or if the Abatement Appeals Board fails to issue its findings and decisions within the time set forth above, or denies the appeal, the order of the Building Official shall be immediately effective from the date the order was issued; however the time that the matter was under appeal shall not be counted toward the time set in the order for compliance.

EXCEPTION: Except in cases of lack of quorum, failure of the Abatement Appeals Board to meet any of the time periods specified herein shall result in the Building Official's order taking effect immediately.

105A.2.8.2 Life-safety hazards. In any appeal of a decision where the Abatement Appeals Board finds that there exists in, on, or near any building, structure or property, any condition constituting a serious and imminent hazard to the life, health, or safety of any person, structure, or property, any decision of the Abatement Appeals Board modifying the order of the Building Official shall provide for immediate protection of the public, and that work to correct each such hazard commence within 30 days and be completed within 90 days after service of such decision. With respect to violations which are not found by the Abatement Appeals Board to constitute a serious and imminent hazard, any decision of the Abatement Appeals Board modifying the order of the Building Official shall provide that the work to repair such violations commence within 60 days and be completed within a reasonable time, not to exceed 18 months.

105A.2.8.3 Moratorium – financial hardship. In any case of extreme financial hardship, the Abatement Appeals Board may grant a moratorium to correct conditions which are not serious and imminent hazards. Such a moratorium shall be granted only to an owner occupant of a single- or two-family dwelling where all such serious and imminent hazards, as found by the Building Official, have been corrected. The decision of the Abatement Appeals Board in any case in which a moratorium is granted shall contain the duration of the moratorium and the conditions for its termination. A copy of the decision granting a moratorium shall be recorded in the Assessor-Recorder's Office.

105A.2.8.4 Moratorium – displacement. Notwithstanding the provisions of this code and the San Francisco Housing Code, the Abatement Appeals Board, upon the written appeal of any person, may grant a moratorium from enforcement of an order of the Building Official made pursuant to Section 102A in order to prevent displacement of low and moderate income persons from affordable housing, if the Board finds that:

1. The Building Official's order from which the appeal is taken was issued after April 1, 1986; and

2. The property is a Group R, Division 1 building as defined in this code; and

3. The building was constructed prior to January 1, 1956; and

4. The condition does not constitute a serious and imminent hazard or a life hazard as defined in Section 213 of this code; and

5. The condition does not violate the Fire Code or any code other than this code and the San Francisco Housing Code; and

6. The condition does not affect adequate egress from the building; and

7. The condition does not endanger the life, limb, health, property, safety, or welfare of the public or the occupants of the building; and

8. Fifty percent or more of the households living in the building are paying annual rent equal to or less than 30 percent of the annual rent of low and moderate income as determined in Section 104A.4 of the Building Code; and

9. The abatement of the condition will have a reasonable probability of resulting in the displacement of occupants who are of low and moderate income as defined above.

105A.2.8.5 Findings. The Board shall serve the Building Official, the property owner, and the person requesting the moratorium if other than the property owner, by sending a copy of its findings and decision by certified mail to such persons at their last known address. A copy of the findings and the decision granting a moratorium shall be recorded in the Assessor-Recorder's Office.

105A.2.8.6 Term of moratorium. The maximum term of the moratorium shall be 10 years from the date that the Board's findings and decision are served on the Building Official. At any time

during the term of a moratorium under this section, any person may request that the Abatement Appeals Board extend the moratorium for one or more five-year periods by filing a written request with the Secretary of the Board. The Board shall hold a hearing on the request and shall issue separate findings and decisions regarding each request for an extension. The findings must address the nine criteria listed in this section. Any request for an extension of the moratorium shall be subject to the notice and hearing procedures of this section.

105A.2.8.7 Rescission of moratorium. At any time during the term of a moratorium, any person, including the Building Official, may request that the Abatement Appeals Board rescind the moratorium by filing a written request with the Board. The Board shall hold a hearing on the request and issue separate findings and decisions regarding each such request for a rescission. Any request for a rescission of the moratorium shall be subject to the notice and hearing procedures of this section.

105A.2.8.8 Violations listed. The moratorium shall apply only to those code violations expressly listed therein. All other violations which exist and are not so listed in the findings and decisions granting the moratorium shall be abated in accordance with Section 102A.

105A.2.8.9 Duration. Once the Board's order granting a moratorium is issued, the building is no longer considered a nuisance or a substandard building for the duration of the moratorium with respect to those code violations expressly listed in the Board's findings and decisions.

105A.2.9 Failure to comply. Upon the failure of any owner to comply with the order of the Building Official or the Abatement Appeals Board, the matter shall be referred within five days to the City Attorney's Office for appropriate legal action.

105A.2.10 Compensation. The members of the Abatement Appeals Board shall serve without compensation.

105A.3 Access Appeals Commission.

105A.3.1 Establishment; composition; purpose. Pursuant to the provisions of Section 19957.5 of the Health and Safety Code of the State of California, there is hereby established an Appeals Board to be known as the Access Appeals Commission composed of five members to hear written appeals brought by any person regarding action taken by the Department in the enforcement of the requirements of Part 5.5 (commencing with Section 19955), Division 13 of the Health and Safety Code of the State of California, including the exceptions contained in Section 19957 thereof, as well as action taken by the Department in the enforcement of the disabled access and adaptability provisions of this code.

105A.3.2 Appointments; qualifications; terms; vacancies; compensation. Members of the Access Appeals Commission shall be qualified and appointed as follows:

1. Two members of the Access Appeals Commission shall be persons with a physical disability, two members shall be experienced in construction, and one member shall be a public member. All shall be appointed by the Building Inspection Commission and serve at its pleasure. The terms shall be staggered and the term of each member shall be four years. Members shall continue in office until the expiration of his or her term and until his or her successor is appointed and qualified.

2. Upon a vacancy occurring in the membership of the Access Appeals Commission and upon the expiration in the term of office of any member, a successor shall be appointed by the Building Inspection Commission. When a vacancy occurs for any reason other than the expiration

of a term of office, the appointee to fill such vacancy shall hold office for the unexpired term of his or her predecessor. The members of the Access Appeals Commission shall be reimbursed at $125 per meeting attended. The Building Official or his or her designated representative shall act as Secretary of the Access Appeals Commission, without vote and without additional compensation. The Department shall provide necessary staff service to the Access Appeals Commission.

105A.3.3 Powers and duties; finality. The Access Appeals Commission shall conduct hearings on written appeals made under Section 105A.3.4 hereof. In hearing such appeals, the Access Appeals Commission may approve or disapprove the Department's interpretations of Part 5.5, Division 13 of the Health and Safety Code of the State of California and of the disability access and adaptability requirements of this code and actions taken by the Department to enforce said requirements and abate violations. All such approvals or disapprovals shall be final and conclusive as to the Department, in the absence of fraud or prejudicial abuse of discretion. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable fee.

105A.3.4 Form of appeal – action on. All appeals to the Access Appeals Commission shall be made in writing and shall be filed with the Secretary of the Access Appeals Commission. The Access Appeals Commission shall act upon each appeal without unreasonable or unnecessary delay.

105A.3.4.1 Rehearings. The Access Appeals Commission may rehear an appeal upon which a decision has been rendered upon motion of a member of the Access Appeals Commission and upon the affirmative vote of at least three of its members, provided that a request for a rehearing has been made in writing within 10 days of the date of the decision. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable fee.

105A.3.5 Procedure. The Access Appeals Commission shall establish reasonable rules and regulations for its own procedure not inconsistent with the provisions of this code and the Charter of the City and County of San Francisco. The Access Appeals Commission, by a majority vote, shall choose its officers, other than the Secretary.

105A.3.6 Meetings. Meetings of the Access Appeals Commission shall be at such times as the Access Appeals Commission may determine. All meetings of the Access Appeals Commission shall be public meetings.

105A.3.7 Agenda and record. The Access Appeals Commission shall arrange for the maintenance of a record of its agenda, actions and recommendations which shall be available to the public upon request for the cost of reproduction.

105A.3.8 Decisions by resolution. Every decision and recommendation of the Access Appeals Commission shall be by resolution, which shall be retained as part of the Access Appeals Commission's official records. A copy shall be mailed to the appellant.

105A.3.9 Waiver of fee. An exemption from paying the Access Appeals Commission Filing Fees specified in Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – may be granted upon the appellant's filing with the Department a declaration of indigency under penalty of perjury. The declaration shall be made on a form provided by the Department and shall be accompanied by such documentary proof as the Building Official shall require.

105A.3.10 Notice to Mayor's Office of Disability. Materials for each matter to be decided by the Commission shall be sent to the Mayor's Office of Disability, together with a copy of the meeting

agenda, at the same time and in the same manner as the materials and agenda are provided to members of the Commission.

105A.4 Code Advisory Committee.

105A.4.1 Establishment. There is hereby created a Code Advisory Committee consisting of seventeen members who are qualified by experience and training to pass upon matters pertaining to the development and improvement of the content of this code and the San Francisco Housing Codes and their related rules and regulations as well as provisions of other parts of the Municipal Code that the Building Official and the Building Inspection Commission determines have an impact on construction permits.

105A.4.2 Functions. Its functions shall be:

1. To review recommendations for code changes made by the Building Official the Building Inspection Commission pursuant to Section 104A.2.11.
2. To develop, review and recommend code changes to the Building Official and the Building Inspection Commission.
3. To review rules and regulations promulgated by the Building Official and the Building Inspection Commission pursuant to Section 104A.2.1.
4. To recommend to the Building Official and the Building Inspection Commission, within 30 days after the effective date of a new edition of a code, which existing Section 104A.2 rules and regulations should remain in effect, be modified or be canceled.

105A.4.3 Membership. The Code Advisory Committee shall consist of 17 members appointed by the Building Inspection Commission to serve at the Building Inspection Commission's pleasure for a three-year term or until a successor is appointed and qualified.

105A.4.3.1 Members. In the event that a vacancy occurs during the term of office of any member of the Code Advisory Committee, a new member shall be appointed in a manner similar to that described herein for new members. The membership shall consist of:

1. A licensed architect whose practice is primarily in the area of major commercial and institutional projects of Type I and II construction.
2. A licensed architect whose practice is primarily in the area of smaller commercial and residential projects of Type III and V construction.
3. A registered civil engineer whose practice is primarily in the area of major commercial and institutional projects of Type I and II construction and who has the authority to use the title "Structural Engineer."
4. A registered civil engineer whose practice is primarily in the area of smaller commercial and residential projects of Type III and V construction.
5. A registered mechanical engineer or licensed mechanical contractor.
6. A registered fire protection engineer who practices in the area of fire protection.
7. A registered electrical engineer or licensed electrical contractor.
8. A representative of a licensed general contractor whose work is primarily in the area of major commercial and institutional projects of Type I and II construction.
9. A representative of a licensed general contractor whose work is primarily in the area of alterations, remodeling or restoration.
10. A representative of a licensed general contractor whose work is primarily the construction of single- and multifamily residential construction for its own account.
11. A commercial property owner or a person practicing in the area of property management.

12. A representative of the general business community.

13. A person qualified in the area of historical preservation.

14. A person, preferably with a disability, who is knowledgeable about disability access regulations.

15. Three at-large members who may, but need not, possess technical skills or knowledge.

The terms "registered and "licensed" shall be understood to mean registered or licensed by the State of California.

The Building Inspection Commission shall make appointments after giving careful consideration to nominations made by technical associations and other organizations, including the San Francisco Chapter of the American Institute of Architects, the Structural Engineers Association of Northern California, the Society of Fire Protection Engineers, the San Francisco District of the Associated General Contractors of California, American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., Sheet Metal and Air Conditioning Contractors National Association, San Francisco Bay Area Chapter of the National Association of the Remodeling Industry, National Electrical Contractors Association, the Residential Builders Association of San Francisco, Inc., the San Francisco Chapter of the Building Owners and Managers Association of California, the San Francisco Chamber of Commerce and the Foundation for San Francisco's Architectural Heritage.

The following shall constitute ex officio members of the Code Advisory Committee without vote: The Building Official of the Department, who shall act as Secretary of the Code Advisory Committee, and the Fire Marshal.

105A.4.4 Procedure. The Code Advisory Committee shall establish reasonable rules for its own procedures not inconsistent with the provisions of this code and the Charter of the City and County of San Francisco. The Code Advisory Committee, by a majority vote, shall choose its officers, which shall consist of the Chairperson and the Vice- Chairperson.

105A.4.4.1 Quorum. A majority of the voting members of the Code Advisory Committee shall constitute a quorum. Any action taken by the Code Advisory Committee shall require an affirmative vote of not less than a majority of the Code Advisory Committee members present and voting. No member of the Code Advisory Committee shall pass upon any question in which the member, the firm that employs the member or any corporation in which the member is a shareholder, holds a financial interest.

105A.4.4.2 Meetings. Meetings of the Code Advisory Committee shall be scheduled at a regular place and time but not less than once monthly. The exact time and place shall be established by the Code Advisory Committee in its rules and regulations of procedure. All meetings of the Code Advisory Committee shall be open to the public.

105A.4.4.3 Agenda and record. The Code Advisory Committee shall arrange for the maintenance of a record of its agenda, actions and recommendations which shall be available to the public upon request for the cost of reproduction.

105A.5 Reserved.

105A.6 Structural Advisory Committee.

105A.6.1 Establishment. There is hereby created a three-member Structural Advisory Committee, to advise the Building Official on matters pertaining to the design and construction of buildings with special features or special design procedures. Upon request by the Building Official,

the engineer of record for such a project shall demonstrate to the Structural Advisory Committee how the structural concepts, designs, details, erection methods and quality control will produce a structure that would meet the intent of Section 101A.2.

105A.6.2 Members. For consideration of each building with such special features, the Structural Advisory Committee shall consist of members who are knowledgeable in the structural engineering and construction issues presented by those special features. Members shall be selected from a list of qualified engineers submitted by the Structural Engineers Association of Northern California and approved by the Building Official. One member shall be selected by the Building Official, one member shall be selected by the owner, and the third member shall be selected jointly. Compensation of the Structural Advisory Committee members shall be by the owner. However, when the project for which Committee review is required is located in the Edgehill Mountain Slope Protection Area, as defined by Building Code Section 106A.4.1.2 or the Northwest Mt. Sutro Slope Protection Area as defined by Building Code Section 106A.4.1.3 or is subject to Committee review pursuant to the Slope Protection Act, Building Code Section 106A.4.1.4.5, (a) the Committee shall consist of a structural engineer, a geologist and a geotechnical engineer; (b) the Committee shall consult with an architect, who shall be a voting member of the Committee; (c) the selection of the Committee members shall be as follows: one member shall be selected jointly by the Building Official and the Director of Public Works, one member shall be selected solely by the Building Official and one member shall be selected by the Building Official and the owner from recommendations made by interested persons, including but not limited to residents of the neighborhood surrounding the project location; and (d) to the extent feasible, the Committee members should be selected from a list submitted by the Structural Engineers Association of Northern California.

105A.6.3 Report. The Structural Advisory Committee shall submit to the Building Official a written report which shall include professional opinions concerning, but not limited to, the following:

1. The validity and appropriateness of the structural design concepts and criteria.

2. An evaluation of the structural design of the building or structure to determine its capability to perform satisfactorily beyond the elastic stresses stipulated by the code, with sufficient redundancy to accommodate overloads or failures of specific structural components.

3. The constructability of proposed structural details and erection methods.

4. The sufficiency of the proposed inspection, testing and monitoring to be provided during prior to and during construction.

105A.7 Reserved

105A.8. Appellate authority of the Building Inspection Commission. The appellate authority of the Building Inspection Commission is as set forth in Section D3.750-4 of the San Francisco Charter, as implemented by Chapter 77 of the San Francisco Administrative Code.

SECTION 106A – PERMITS

106A.1 Permits required. Except as specified in Section 106A.2, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the Building Official.
When considering an application for a permit for development of "dwellings" as defined in Chapter 87 of the San Francisco Administrative Code, the Department of Building Inspection shall

comply with that chapter which requires, among other things, that the Department of Building Inspection not base any decision regarding the development of "dwellings" in which "protected class" members are likely to reside on information which may be discriminatory to any member of a "protected class" (as all such terms are defined in Chapter 87 of the San Francisco Administrative Code).

106A.1.1 Separate permits required. Where buildings or structures are constructed on top of a base structure, and such structures are likely to have their own addresses or functional identities, separate permits shall be required for the base structure and for each of the top buildings or structures.

106A.1.2 Permit and fees for grading, excavation, or filling of land. The valuation for the permit shall be based on the volume of material to be handled, and on a cost schedule posted in the Department. The permit issuance and plan review fees shall be the same as those for new construction. See Section 110A, Table 1A-A – Building Permit Fees, and Table 1A-B – Other Building Permit and Plan Review Fees. See Chapter 33 and Appendix ~~Chapter 33~~ J for general grading provisions.

106A.1.3 Permits and fees for subsidewalk space. A building permit shall be obtained for construction of subsidewalk space. The fee for said permit shall be the fee set for building permits. See Section 110A, Table 1A-F – Specialty Permit Fees – for applicable fees.
Permits for the use of subsidewalk space, except for subsurface space used to connect a building, structure or property with the San Francisco Bay Area Rapid Transit district facilities, shall be granted after approval by the Building Official and the City Engineer. Permission for the use of subsurface space to connect with the San Francisco Bay Area Rapid Transit District facilities, shall be granted only as set forth in Section 106A.1.3.1. The City may reserve any part of the subsidewalk space for its own use or the use of the public. The Board of Supervisors reserves the right to suspend or annul the privilege of maintaining such subsidewalk space or to exact a license or rental for the use thereof. The granting of a permit to use the subsidewalk space shall carry with it the right to excavate the space and to build the necessary retaining walls. If the street in front of the building is paved, a deposit will be required of the subsidewalk space. See Section 110A, Table 1A-F – Specialty Permit Fees – for required deposit. The deposit will be refunded to the permittee upon the endorsement of the permit issued therefor and a certificate from the Department of Public Works, Bureau of Engineering, certifying to the satisfactory condition of such roadway at the end of two years after the time the pavement was restored. Should the permittee fail to restore any pavement, the Director of the Department of Public Works may, after 10 days' notice in writing posted on the building, restore the pavement and deduct the cost of such restoration from the deposit. In lieu of the deposit required herein, a bond in the amount of the deposit may be accepted in the manner set forth in Article 8 of the San Francisco Public Works Code.
No permit shall hereafter be issued by any officer, board or commission of San Francisco to make use of the subsidewalk space within the street lines of Market Street between Steuart Street and Castro Street, except a permit may be granted for the use as subsidewalk space for the following:

1. The space lying contiguous to the property line and extending along a line parallel thereto and up to 22 feet distant therefrom wherever such space is located in Market Street between Steuart Street and Van Ness Avenue.

2. The space lying contiguous to the property line and extending along a line parallel thereto and up to 10 feet distant there from wherever such space is located in Market Street between Van Ness Avenue and Castro Street.

Due consideration shall be given to the needs and requirements for the use of subsidewalk space by public utilities.
The remainder of the subsidewalk space is hereby expressly reserved for public use.

106A.1.3.1 Subsurface connection to San Francisco Bay Area Rapid Transit District facilities. Permission to use subsurface space to connect any building or structure or premises with the San Francisco Bay Area Rapid Transit District facilities shall be first obtained from the Board of Supervisors of San Francisco by resolution, prior to filing a permit to construct the connection. The Board of Supervisors reserves the right to suspend or annul the permission to use any subsurface space to connect any building, structure or premises with the San Francisco Bay Area Rapid Transit District facilities or to exact a license or rental for the use thereof. Upon the Board of Supervisors passing a resolution approving the connection, an application for a building permit to construct the connection shall be filed with the Department. The application, together with plans and specifications, shall be referred for approval to the Planning Department, the Department of Public Works, Bureau of Engineering, and any other department having jurisdiction. If approved, the approvals shall be endorsed in writing on the application by the respective departments and bureaus. The Department shall issue a building permit when the application has been approved by the Building Official, and upon payment of all required permit fees. In addition to the building permit and plan checking fees, the deposit required in Section 106A.1.3 shall also be paid to the Department and refunded as set forth in Section 106A.1.3, provided that all work under the building permit has been satisfactorily completed.

106A.1.4 Permits and fees for moving buildings.

106A.1.4.1 General. The applicant for a permit for moving a building shall pay a permit fee for documentation and inspection of the moving work. See Section 110A, Table 1A-F – Specialty Permit Fees – for applicable fee. A permit and plan review fee for work required at the building's new site shall be per Section 110A, Table 1A-A – Building Permit Fees, and Table 1A-B – Building Permit Application and Plan Review Fees.

106A.1.4.2 Permit application for new site. Before a permit may be issued for moving a building, a building permit must be obtained for the necessary alterations and additions to the building on the new site. The application for the alterations at the new site is to be accompanied by complete plans showing floor plans, elevations, plot plan, and such other information as contained in Section 106A.3.3 as may be required by the Building Official.

106A.1.5 Permit and fees for demolition of buildings. A permit shall be required for demolishing any structure. See Section 110A, Table 1A-F – Specialty Permit Fees – and Section 110, Table 1A-L – Public Information – for applicable fees. See Section 3303 for general requirements.

106A.1.6 Permits and fees for chimneys, flues. A flue permit shall be required to erect, construct, alter or repair any chimney or flue except when it is a Type 1 grease hood or is constructed of masonry. A separate flue permit shall be required for each flue or chimney. Grease and masonry flues and chimneys shall require building permits per Section 106A. See Section 110A, Table 1A-F – Specialty Permit Fees – for applicable fees.

106A.1.6.1 Permits for boiler flues. A boiler flue permit shall be required to:

1. Install, alter, or replace any boiler flue or section thereof;
2. Install any approved type heat reclaimer or other approved type device within a boiler gas flue.

106A.1.7 Permits and fees for temporary buildings or structures. A permit is required for the construction and erection of temporary reviewing stands, bleachers, grandstands and other miscellaneous structures. The Building Official may require that any temporary building or

structure be inspected by a registered civil engineer and found to be in compliance with all provisions of this code before it is permitted to be used by the public. See Section 110A, Table 1A-F – Specialty Permit Fees – for applicable fee.

106A.1.8 Garage door permits and fees. A garage door permit shall be required for the installation of such doors in existing buildings. See Section 110A, Table 1A-F – Specialty Permit Fees – for applicable fee.
The provisions of this section shall not apply where structural alterations are made, or are required in connection with the installation of garage doors. This section also shall not apply to the alteration, repair, or replacement of garage doors in public garages. In all these cases, the permit and fee requirements of Sections 106A, 107A and 110A shall apply.

106A.1.9 Permits and fees for signs.

106A.1.9.1 General. A sign regulated under Chapter 31 shall not be erected or altered until a sign permit has been obtained for such work. Application for a permit shall be made at the Department on supplied forms. Where signs are illuminated by electric lighting, a separate permit shall be obtained as required in the Electrical Code. Replacement of copy on the face of a sign, without affecting the structural members or the attachment to a building, structure, or the ground, shall not require a sign permit.

106A.1.9.2 Permit fees. Permit fees for signs shall be based upon job valuation. See Section 110A, Table 1A-A – Building Permit Fees – for applicable fees.

106A.1.9.3 Plan review fees for signs. See Section 110A, Table 1A-A – Building Permit Fees – for applicable fee.

106A.1.10 Permit and fees for residential elevators and lifts.

106A.1.10.1 General. An elevator or lift regulated under Chapter 30 shall not be installed or altered until a building permit has been obtained for such work.

106A.1.10.2 Fees. The permit fees and plan review fees shall be those required in Section 110A, Tables 1A-A and 1A-B. The valuation shall be based on the total installation, including those portions, if any, which are regulated by the State.

106A.1.10.3 Exemption. Elevators regulated by the State of California are exempt from permits and the provisions of this code. However, the elevator shafts and enclosures, and any structural alterations or strengthening work to accommodate the installation, shall comply with the permit and other requirements of this code.

106A.1.11 Permit and fees for boilers. A separate building permit shall be required for a new boiler installation or replacement except where a building permit has been issued which included such work, the fee for which shall be the minimum fee per Section 110A, Table 1A-A – Building Permit Fees. In addition, a permit to operate the boiler is required and shall be charged a fee based on the schedule in Section 110A, Table 1A-M – Boiler Fees. The fee for renewal of a permit to operate shall be based on the same schedule. Such fee shall be paid whether or not a permit to operate is issued. All fees shall be paid at the time of application for permits. Any additional fees billed will be increased to twice the billed amount when payment is not received by the Department within 30 days of billing. Failure to pay required fees will result in cancellation of the issued permit to operate. See Chapter 10 of the Mechanical Code for boiler requirements.

106A.1.12 Permit and fees for change in occupancy or use. Whenever a change in occupancy or use is made, a building permit shall be required to legalize the changed use or occupancy. The fee shall be the minimum fee required for filing for a permit and must be secured prior to the change of occupancy.
In the event any alteration work is required, the alteration permit shall be considered sufficient for this requirement and no additional permit will be required or additional fee required for the change in use or occupancy except as set forth in Section 109A.8.

106A.1.13 Permits and fees for construction of an impervious surface in a front yard setback.
1. General. It shall be unlawful for any person, firm or corporation to commence or proceed with the construction of an impervious surface in a front yard setback area, other than a driveway as defined in the Planning Code Section ~~136(a)~~ 136(c) (30), unless a permit is first obtained. See Section 110A, Table 1A-F – Specialty Permit Fees – for applicable fee.
2. Referral to Planning Department. The Department shall refer all applications for a permit pursuant to this section to the Planning Department for a determination regarding the proposed construction's compliance with Sections 132(g) and ~~136(a)~~ 136(c) (30) of the Planning Code. The Department may not issue the permit unless Planning determines the proposed construction to be compliant.
3. Penalty for violation. Any person, firm or corporation violating the provisions of this Section shall be guilty of an infraction. Every violation determined to be an infraction is punishable by (1) a fine not exceeding $100 for a first violation, (2) a fine not exceeding $200 for a second violation within one year, and (3) a fine not exceeding $500 for a third violation within one year.

106A.2 Work exempt from permit. Exemptions from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. A building permit shall not be required for the following:
1. One-story detached accessory buildings or structures used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 100 square feet (9.29 m^2).
2. Fences not over 6 feet (1829 mm) high located at the rear and side lot lines at the rear of the property, and all fences not over 3 feet (914.4 m) in height.
3. Amusement devices not on fixed foundations.
4. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) high.
5. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2.1.
7. Platforms, sidewalks, walks and driveways when not part of an exit, and not more than 30 inches (762 mm) above grade and not over any basement or story below and which, for residential buildings required to be accessible to persons with disabilities, are not part of a required accessible route.
8. Painting, papering and similar finish work.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Minor repairs to existing interior plaster or wallboard, except when part of a fire-resistive assembly.

11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18 927 L).

12. State-owned buildings under the jurisdiction of the state fire marshal. Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

13. Reroofing without the installation, repair or removal of roof sheathing, if the total surface area of the roof reroofed in any 12-month period does not exceed 25 percent of the entire surface area of the roof.

14. Surface mounting of readily removable materials on interior walls.

15. Work performed on structures owned and occupied by the Federal or State government. This exemption shall not apply to privately operated structures erected on government-owned land, or to privately owned land or structures leased to the Federal or State government, or to structures owned and operated by State educational institutions unless such structures are owned and used exclusively for educational purposes or other uses related to the institution's educational purposes, such as student cafeterias or dormitories.

16. Installations or replacement of floor coverings in areas other than bathrooms and toilet rooms not requiring the removal of existing required flooring.

17. Repair and replacement of glazing in conformity with this code, and provided wire glass shall be replaced in kind.

18. Replacement of doors, except garage doors, in all occupancies, provided they are not part of fire- resistive assemblies required by this code.

19. Work performed on structures owned or leased by the City and County of San Francisco where the construction or modification of said structure is financed in whole or in part by the issuance of lease revenue bonds prior to July 1, 1989.

20. See Section 3107.1.1 for exempt signs.

21. See Section J103.2 for grading permit exemptions.

22. See Section 106A.1.10.3 for Elevators regulated by the state exemption.

106A.3.1 Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

3. For new buildings or structures, indicate the use or occupancy of all parts of the building or structure for which the proposed work is intended. For alteration work, indicate the proposed use or occupancy and the most current legal use or occupancy of all portions of the building or structure affected by or relevant to the proposed work.

4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 106A.3.2.

5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.

6. Be signed by the owner, or the owner's authorized agent, who may be required to submit evidence to indicate such authority. Such agent shall be responsible for advising the owner of all conditions attached to the application by the various approving agencies.

7. Give such other data and information as may be required by the building official.

8. Include, when available, the name, address and telephone number of the owner or contractor. When applicable, State and City license numbers shall be indicated.

9. Contain an agreement by the owner of the premises to hold harmless the City and County of San Francisco and its officials and employees from all costs, liability and damages resulting, whether directly or indirectly, from use or occupancy of the sidewalk, street or subsidewalk space, or from anything in connection with the work included in the permit. The agreement shall run with the land and be binding on all of the owner's successors in title.

106A.3.1.1 Application processing. The application, plans, specifications and other information submitted shall be referred for such review and approval as is required under applicable ordinances and laws. Each such reviewing bureau, department or agency shall indicate in a manner determined by the Building Official its approval, approval with conditions, or disapproval.

106A.3.1.2 Transfer of application. Applications are transferable with payment of additional fees when the new owner submits a letter to the Department agreeing to all conditions of approval, stipulations and agreements contained on the application, per Table 1A-D.

106A.3.2 Submittal documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents for a permit. When such plans are not prepared by an architect, land surveyor, or an engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect, land surveyor, or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by State law. Materials submitted by a licensed architect, land surveyor, or engineer must be signed and sealed with an original signature on the first sheet of each set of documents, and facsimile stamps plus the required registration seal of the architect, land surveyor, or engineer on the balance of the sheets.
Two complete sets of plans and specifications and three copies of the soil investigation report (when required) shall be submitted. Additional complete sets of plans and specifications may be required for special permit processing services that may be offered by the City and County of San Francisco.

EXCEPTIONS:

1. The requirements for plans or specifications may be waived by the Building Official, provided that the nature and extent of the proposed construction can be clearly described in writing, and such a description is filed with the application.

2. In addition to all other requirements of Section 106A.3.2, the following requirements shall apply to: (a) applications for construction of new buildings or structures, and to alterations that involve a substantial increase in the building envelope of an existing building or structure, within the Edgehill Mountain Slope Protection Area, created by Building Code Section 106A.4.1.2, and within the Northwest Mt. Sutro Slope Protection Area, created by Section 106A.4.1.3 and (b) application for construction on property subject to the Slope Protection Act created by Building Code Section 106A.4.1.4:
The Building Official may not waive the requirements for submittal documents set forth in Section 106A.3.2.
Submittal documents shall substantiate that the building or structure will comply with applicable codes and regulations.
Submittal documents shall include (1) plans prepared by a State-licensed architect, land surveyor, or engineer and (2) a construction/staging plan establishing that the proposed construction will not compromise the health, safety or welfare of neighboring property owners. Submittal documents shall demonstrate to the satisfaction of the Building Official, based on consultation with and written communications from appropriate City officials, including the Director of the Department of Public Works, that there is sufficient infrastructure (including utilities and streets) to support the proposed residential development and that the proposed emergency vehicle access routes comply

with the standards in use by the Fire Department or similar agency in effect at the time the application is submitted.

106A.3.2.1 Incomplete applications. The Department will not process an application which is not completely or properly filled out pursuant to the requirements of this section. When the submittal documents do not contain the information required by this the application shall not be accepted.

106A.3.2.2 Demolition. An application for a permit to demolish a building or structure shall not be deemed complete until (a) the applicant declares under penalty of perjury that every party who has a recorded interest in the property that is the subject of the application has been notified of the filing of the application. See Section 110A, Table 1A-L – Public Information – for fee to defray the cost of maintaining records of such declarations and other attendant costs and (b) the Department receives written notice from the Department of Environment that the Department of the Environment has approved the applicant's waste diversion plan in accordance with Chapter 14 of the Environment Code.

106A.3.2.2.1 Demolition application and notification. Upon receipt of an application which would authorize the tearing down or demolition of a building or structure, the Department shall mail written notice to the owners of properties at least 300 feet (91.44 m) in every direction from the edge of the property on which the proposed demolition work will take place, as shown on the last annual tax roll, and shall provide notice to each residential tenant of the property that is the subject of the application and of the property immediately adjacent to such property. Said notice shall include the street address of the proposed work and the name and address of the property owner and, if known, of the contractor.

106A.3.2.2.2 Notice to interested parties. Any of the following organizations or groups may request notification of the receipt by the Department of an application for a demolition permit and of the issuance thereof:

1. **Architectural or historic preservation or housing conservation groups.**
2. **Recycling companies.**

Such request shall be in writing to the Department, on forms furnished by the Department. The organization or group shall specify the area(s) of the City and County of San Francisco for which notification is requested, and the Building Official shall establish the boundaries of such areas for purposes of such notification. Requests shall be made annually, within 30 days after July 1 of each year. See Section 110A, Table 1A-L – Public Information – for fees. Fees may be prorated by the Department for any requests which are received at other times during the year.

106A.3.2.3 Substantial alterations – Notification, sign posting and affidavits. In addition to any other requirements for notice set forth in this code, the following shall apply:
Any person filing an application to substantially alter, as that term is defined by the Building Official, an apartment house or residential hotel (as defined in Section 41.4(p) of the San Francisco Administrative Code) that contains five or more dwelling units shall post a sign at least 15 inches by 15 inches (381 mm × 381 mm) in a conspicuous common area of the apartment house or residential hotel for at least 15 days with the following information: notice that the application has been made, the nature of the work to be performed, the means of obtaining information from the Department, and the procedure for appealing the issuance of building permits. In occupied residential unreinforced masonry buildings, required signs shall also include specified information provided by the Building Official. The applicant shall thereafter submit an affidavit signed under penalty of perjury stating that the sign has been posted as required by this section. See Section 110A, Table 1A-L – Public Information – for fee to defray the cost of maintaining records of said affidavits. The Building Official shall not approve the application until this affidavit is submitted. If there is reason

to believe that the sign was not posted as required, the Building Official shall investigate the matter, shall provide the applicant an opportunity to respond to any complaint of noncompliance, shall determine whether the requirements of this section have been substantially met, and shall cancel an application or revoke the permit if it is determined they have not been substantially met.

106A.3.2.4 Hazardous Substances ~~wastes~~.

106A.3.2.4.1 Soil and/or groundwater sampling and analysis required. Applicants for any building or grading permit which involves the disturbance of at least 50 cubic yards (38.23 m^3) of soil shall comply with the requirements for soil and/or groundwater sampling and analysis of Article 22A of the ~~Public~~ Health Code, unless such property is subject to Health Code 22A.9 when any part of the work will occur ~~either~~

(a) bayward of the 1851 high-tide line as indicated on the Map of the City and County of San Francisco (adopted June 27, 1986) (see Figure 1A-1) which is maintained for public distribution by the Building Official~~;~~;

(b) ~~or~~ in any area of the City designated by the Director of Public Health under Article 22A of the Health Code;

(c) on any lot within the City either presently or previously zoned for industrial use as defined in Article 22A of the Health Code;

(d) on any lot within the City either presently or previously permitted for industrial use;

(e) on any lot within the City within 150 feet of any of the elevated portions of the following highways: U.S. Highway 101, Interstate 80, Interstate 280;

(f) on any lot in the City known or suspected by the Department of Public Health to contain hazardous substances in the soil and/or groundwater, using the definition of hazardous substance contained in Article 22A of the Health Code, or;

(g) on any lot of the City known or suspected by the Department of Public Health to contain or to be within 100 feet of an underground storage tank. ~~in any area of the City and County of San Francisco where the Director of Public Health has reason to believe that the soils may contain hazardous wastes.~~

Note: Figure 1A-1 is included at the end of this chapter.

106A.3.2.4.2 Permit approval.

(a) Except as provided in subsection (b), ~~no~~No building permit application subject to the requirements of this Section shall be considered acceptable for review and approved until the Department receives written notification from the Director of Public Health that the applicant has complied with all applicable provisions of Article 22A of the ~~Public~~ Health Code that can be completed without a permit, or that the requirements have been waived.

~~Exception:~~

(b) Subsection (a) does not apply to the following extent:

(1~~.~~) The Building Official may consider an application acceptable for review and issue a site permit pursuant to Section 106A.3.4.2 prior to the time an applicant complies with this Section.

(2~~.~~) The Building Official may consider an application acceptable for review and issue ~~Site~~ site permit addenda and other permit(s) ~~may be issued~~ to undertake soil sampling or mitigation measures to comply with this section.

106A.3.2.4.3 No time limits. For the purposes of completing the requirements of this Section, the time limitations set forth in Section 106A.3.7 of the San Francisco Building Code do not apply.

106A.3.2.4.4 Permit notification and warning.

(a) The Building Department shall provide information to all permit applicants of Bay Area Air Quality Management District and California Air Resources Board regulations, as well as San Francisco Health Code Article 22B and Building Code requirements regarding construction dust control to mitigate potential adverse public health effects from dust in general, and from naturally occurring asbestos that may be released during construction activities.

(b) All building permits and grading permits issued by the ~~Department of~~ Building Department ~~Inspection~~ under this Section 106A.3.2.4 shall bear ~~notice of the above requirements and of the owner's responsibility for identifying and mitigating hazardous wastes~~ the following printed warning:~~.~~

WARNING

Under San Francisco Building Code Section 106A.3.2.4.2, certain building permits may be issued only after the permittee analyzes the soil and/or groundwater for the presence of hazardous substances and, where applicable, the Department of Public Health has approved the permittee's site mitigation plan. In issuing this permit, neither the City nor any of its officers or employees make any representation that the soil and/or groundwater on or about the site is free from the presence of hazardous substances. Nor does the City's implementation of this process relieve any person from their duties and responsibilities relating to hazardous substance contamination under state and federal law. Neither subsurface soil analysis under Building Code Section 106A.3.2.4.2 nor the issuance of this permit is intended to alter extinguish, or transfer these responsibilities.

106A.3.2.5 Hunters Point Shipyard.

106A.3.2.5.1 Compliance required. Applicants for any building or grading permit for Hunters Point Shipyard ~~Parcel A~~, which involves ~~the~~ subsurface disturbance ~~of at least 50 cubic yards (38.23m3)~~ of soil or the extraction or management of groundwater, except where such permit is for purposes of environmental characterization, and except, in the case of property determined by the applicable ROD to be suitable for unrestricted residential use, where such permit involves subsurface disturbance of less than 50 cubic yards (38.23m3) of soil, shall comply with the requirements of Article 31 of the Health Code. Hunters Point Shipyard ~~Parcel A~~ is that area of the City and County of San Francisco shown on ~~Figure 1-2,~~ Article 31 Map-Figure 1, which is maintained for public distribution by the Building Official. A copy of said Figure is on file with the Clerk of the Board of Supervisors in File No. 100577.

106A.3.2.5.2 Permit approval. No building permit application subject to the requirements of this section shall be deemed to be complete until the Department receives written notification from the Director of Public Health that the applicant has complied with all applicable provisions of Article 31 of the Health Code. Approvals or conditions imposed in writing by the Department of Public Health shall become conditions of the permit issued by the Department, and violation of such approvals or conditions shall be deemed a violation of the permit.

EXCEPTION:

1. The Building Official may issue a site permit pursuant to Section 106A.3.4.2 prior to the time an applicant complies with this section.

2. Site permit addenda and other permit(s) may be issued to excavate soil or undertake soil sampling or implement other requirements of Article 31 of the Health Code.

106A.3.2.5.3 No time limits. For the purposes of completing the requirements of this section, the time limitations set forth in Section 106A.3.7 of the San Francisco Building Code do not apply.

106A.3.2.5.4 Permit notification. All building permits and grading permits issued by the Department of Building Inspection shall bear notice of the above requirements and of the permittee's responsibility to comply.

106A.3.2.6 Construction dust control.

106A.3.2.6.1 Dust control required. All applicants for a building, demolition, excavation, grading, foundation, or other permit required by this Code to construct a new building, to demolish a building, to substantially alter or to add to an existing building shall comply with the requirements for dust control and, in addition, for projects over a half acre the applicant will be required to submit a Dust Control Plan for approval by the San Francisco Health Department as set forth in Article 22B of the San Francisco Health Code.

106A.3.2.6.2 Permit approval. For projects of over one half acre in size, no building or other permit application subject to the requirements of this section shall be approved until the Department of Building Inspection receives either

(a) written notification from the Director of Public Health that the applicant either has a site- specific dust control plan for the project approved by the Director of Public Health or the Director of Public Health has waived the requirement or

(b) the applicant qualifies as an interior only tenant improvement project that will not produce exterior visible dust and therefore is exempt from complying with Article 22B of the San Francisco Health Code.

EXCEPTION: The Director may issue a site permit pursuant to Section 106A.3.4.2 prior to the time an applicant complies with this section.

106A.3.2.6.3 General dust control requirements.

(a) All site preparation work, demolition or construction activities within the City and County of San Francisco that have the potential to create dust or will expose or disturb more than 10 cubic yards or 500 square feet of soil shall comply with the requirements of this Section whether or not the activity requires a permit from the Department of Building Inspection.

(b) For projects over one half acre in size, the project sponsor shall designate a person or persons who will be responsible for monitoring compliance with dust control requirements. The designated person or persons shall be on the site or available by telephone or other means during all times that site preparation, demolition or construction activities may be in progress, including holidays and weekends. The name and telephone number where such person or persons may be reached at all times shall be provided to the Director and to the Director of Public Health prior to commencement of work on the project.

(c) The project sponsor and the contractor responsible for construction activities at the project site shall use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director.

(1) Water all active construction areas sufficiently to prevent dust from becoming airborne. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water must be used if required by Article 21, Section 1100 et seq. of the San Francisco Public Works Code. If not required, reclaimed water should be used whenever possible.

(2) Provide as much water as necessary to control dust (without creating run-off) in any area of land clearing, earth movement, excavation, drillings, and other dust-generating activity.

(3) During excavation and dirt-moving activities, wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday.

(4) Cover any inactive (no disturbance for more than seven days) stockpiles greater than ten cubic yards or 500 square feet of excavated materials, backfill material, import material, gravel, sand, road base, and soil with a 10 mil (0.01 inch) polyethylene plastic or equivalent tarp and brace it down or use other equivalent soil stabilization techniques.

(5) Use dust enclosures, curtains, and dust collectors as necessary to control dust in the excavation area.

106A.3.2.6.4 Large projects. If the project is over one half acre in size and the project does not qualify for an interior only tenant improvement project exemption or the Department of Public Health has not issued a waiver for a site-specific dust control plan for the project; construction, demolition, excavation, grading, foundation work, or other permitted activities may not commence until the owner or the owner's agent has submitted to the Department a copy of the Director of Public Health's written approval of the dust control plan. All site preparation and construction activities on the job site shall comply with the general requirements for dust control and the site-specific dust control plan approved by the Director of Public Health. The failure to comply with all provisions of the approved site-specific dust control plan shall be considered a violation of this Code.

106A.3.2.6.5 Waiver of requirements for compliance for small sites; rescission of waiver. For sites less than a half acre in size:

(a) The Director may waive these requirements if the applicant demonstrates to the Director's satisfaction that the proposed site preparation, demolition or construction activities are unlikely to result in any visible windblown dust.

(b) If at any time, contrary to the applicant's assertions, the construction activities produce visible windblown dust, the Director may issue a written order rescinding the waiver. A copy of the rescission order shall be personally served on the owner of the property at the address on file with the Department of Building Inspection and posted on the job site.

(c) If the Director orders rescission of the waiver, the owner of the property and the contractor or other persons responsible for construction activities at the site shall comply immediately with the above dust control requirements.

106A.3.2.6.6 Permit notification. All building, demolition, excavation, grading, foundation, or other permit subject to this section issued by the Department of Building Inspection shall bear notice of the above requirements and of the owner's responsibility to control construction dust on the site.

106A.3.2.6.7 Violations. Upon receipt of complaints, the Director is authorized to administer and enforce all provisions of this Section and may enforce the provisions of this Section by any lawful means available for such purpose, including taking actions authorized pursuant to Section 103 of this Code.

106A.3.2.6.8 Fees. The Department shall determine and recommend to the Board of Supervisors the amount of fee that is required to compensate the Department for the costs of enforcing these dust control requirements.

106A.3.3 Information on plans and specifications. Plans and specifications shall be drawn to scale on substantial paper of a size not less than 11-inch by 17-inch (279.4 mm × 431.8 mm) and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Specific plans and information required shall include any of the following that is appropriate for the work being proposed:

1. The Assessor's block and lot number on the first sheet or page of each set of plans and other submittal documents.

2. A dimensioned plot plan showing sidewalk widths, street widths, lot lines, locations of proposed or existing buildings or structures on the property, and full widths, heights and

setbacks of buildings on adjacent properties where their locations or heights affect the code requirements of the subject building or structure. Locations of parking or loading spaces and of aboveground hydrants and utility poles shall also be shown. The Building Official may require the owner to have the lot surveyed and staked by a registered land surveyor or registered civil engineer so that the proper location of the building on the lot may be determined. A copy of this survey shall be filed with the application for the permit.

3. All existing and future finished grades for new buildings or structures and additions to existing buildings or structures, including official curb and street grades.

4. Complete dimensioned exterior elevations showing types of wall materials, locations and sizes of wall openings, roof heights and setbacks from property lines. The existing and future exterior grade profiles on each side of the building extending to any adjoining buildings, structures or properties which might be affected by this work shown on the elevations unless a topographic map prepared by a licensed surveyor is submitted.

5. Dimensioned architectural floor plan for each floor, basement and roof unless the floor plans are identical. The scale shall be not less than 1/8 inch (3.175 mm) to 1 foot (304.8 mm) unless otherwise permitted by the Building Official. The floor plan shall show the gross area of each use area on each floor, and the total area of each floor. Structural, mechanical and other detailed information shall not be superimposed unless the resultant floor plans are clearly legible and understandable.

6. For alteration work, all existing partitions and construction that are to be removed or altered and all that are to remain unchanged.

7. Identification on the architectural floor plans of the use or occupancy classifications of all new and existing areas of the building.

8. Cross-sections as necessary, including information on location and depth of footings of adjacent buildings or structures which might be affected by this work.

9. Information regarding all architectural and structural materials to be installed in the building.

10. Details of all fire-resistive assemblies and elements, and provisions for maintaining the integrity of fire-resistive assemblies or elements where penetrated.

11. Information regarding the installation, location and support of building utilities, including plumbing systems, and electrical equipment, wiring and systems.

12. Structural plans and calculations detailing all components of the vertical load carrying system, including joists, beams, girders, columns, bearing walls and locations and depths of footings. Connection details and cross-sections to show how the loads are transferred and carried from the roof to the foundation. Live load clearly designated on the plan for each use area.

13. Structural plans and calculations detailing all elements of the lateral force resisting system, including horizontal and vertical diaphragms, connections and details that completely identify the lateral force load path from the roof to the foundation.

14. Special inspection and structural observation program required by Sections 106A.3.5, 1704 and 1709.

15. Geotechnical report when work involves significant grading, excavation or fill, or uses special foundations; or when the site is included in the State of California Seismic Hazard Zones Map, Special Soils Map or other area identified by the Building Official. See Appendix J, for additional grading permit requirements.

16. Hydraulic design drawings and calculations for sprinkler systems and standpipes.

17. Information on plans demonstrating compliance with energy conservation requirements.

18. Information on plans demonstrating compliance with applicable sound transmission requirements.

19. Information on plans demonstrating compliance with applicable disabled access requirements.

20. Information on plans demonstrating compliance with water conservation and reclamation requirements.

21. Landscaping and irrigation plans, when required by the Planning Department, Department of Public Works or other agencies.

22. Photographs when required by the Planning Department or other agencies.

23. For a building that is an unsafe structure as defined in Section 102A, sufficient information to show how all unsafe conditions will be corrected.

24. All other information necessary for determining compliance with applicable codes and regulations.

106A.3.4 Architect or engineer of record.

106A.3.4.1 General. When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.
The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, included deferred submittal items, for compatibility with the design of the building.

106A.3.4.2 Site permit. A site permit may be issued for the construction or major alteration, as that term is defined by the Building Official, of a building or structure upon approval of preliminary drawings and before the entire working drawings and specifications of the building or structure have been completed and submitted for approval.
Such preliminary drawings and specifications shall clearly indicate the nature, character and extent of the work proposed. The application procedure shall comply with Sections 106A.1 through 106A.4 except for the completeness of plans. The permit issuance fees and plan review fees shall be as set forth in Section 110A, Table 1A-A – Building Permit Fees, and Table 1A-B – Other Building Permit and Plan Review Fees, and shall be calculated on the basis of the total valuation of the work. No construction work shall be done under the site permit. Construction may proceed after the appropriate addenda have been issued. In no case shall construction exceed the scope of the issued addenda.
Site Permit must be issued prior to submittal of 1st addendum.
Plans for construction may be divided and submitted in accordance with an addenda schedule submitted on the site permit drawings or on the first addendum drawings. See Section 110A, Table 1A-B – Other Building Permit and Plan Review Fees – for applicable fee.
The holder of such permit and addenda shall proceed with approved addenda work at the permittee's own risk, without assurance that approvals for the remaining addenda or for the entire building or structure will be granted.
Each addendum must be approved and issued before work shown on that addendum may commence. The time allowed for review, approval and issuance of all addenda is governed by the maximum time allowed per Section 106A.4.4 and Table B – Maximum Time Allowed to Complete All Work Authorized by Building Permit. The extension times may be applied upon payment of fee per Section 110A, Table 1A-J – Miscellaneous Fees. If all required addenda are not approved and issued by the maximum time allowed, the site permit, all previously approved addenda, and all remaining addenda shall be deemed to be canceled. When a site permit has been canceled, an alteration work application shall be required to resume processing. The provisions of Section 107A.3.3 shall apply to such alteration work application.

106A.3.5 Inspection and observation program. When special inspection is required under Chapter 17, the architect or engineer of record shall prepare an inspection program that shall be submitted to the building official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work that require special inspection and the name or names of the individuals or firms who are to perform the special inspections, and indicate the duties of the special inspectors.

The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work.

When structural observation is required under Chapter 17, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

106A.3.6 Permit facilitator. Any permit applicant may use the services of a Permit Facilitator. The Permit Facilitator shall be under the jurisdiction of the Building Official. The duties of the Permit Facilitator include distributing permit application submittals to various review disciplines, departments or agencies; and providing the project sponsor with a single point of contact regarding permit application status, procedures or requirements. The fee for such service shall be per Table 1A-B – Other Building Permit and Plan Review Fees – and shall be paid upon filing of a permit application.

106A.3.7 Application expiration. The Building Official may hold in abeyance or reject any application, plans, or specifications filed which in the Building Official's opinion, do not provide the necessary information in a clear and concise manner as required in Section 106A.3.3, and shall cancel such an application upon the expiration of the time period set forth per Table A.

[i]At the time the application has been deemed acceptable for building plan review by the Department of Building Inspection, any corrections, additional information, plans or documents that are necessary to complete the processing by the Department of Building Inspection shall be submitted and approved within the following time limitations:

TABLE A – APPLICATION EXPIRATION

Valuation	Time Limitation	Extension Limitation
$1.00 to $1 million	360 calendar days	360 calendar days
Over $1 million	720 calendar days	720 calendar days

[ii]The time limitation shall apply until the application has been approved and permit is issued. A one-time extension per Table A may be granted by the Building Official at any point during the approval process, upon written request by the applicant and payment of fee. Additional extensions may be granted by the Building Official prior to extension expiration upon written request from the applicant and payment of fee. See Section 110A, Table 1A-J – Miscellaneous Fees – for applicable fee. In the event an extension of time extends the life of an application beyond the effective date of the adoption of a new code, the Building Official may require that all or part of the application be subject to the provisions of the new code and payment of an additional plan review fee per Table 1A-A – Building Permit Fees. In the event the application has not been approved and issued within 60 days before the end of the stated time period in Table A, the Department shall notify the applicant that the application will be canceled in 60 days unless the application is extended. An

application which exceeds the stated or extended time period after such notice shall be deemed canceled without further action by the Department.
EXCEPTIONS:

1. For applications resulting from enforcement actions initiated by the Building Official to abate code violations, the above time limits shall be reduced to 30 days and 10 days, respectively. The Building Official may grant an extension for hardship or procedural error. Upon cancellation, such cases shall be referred to the City Attorney for legal action.

2. The above time limits shall not apply to applications which are subject to the work without permit investigation fee per Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments. Such applications shall be canceled only through specific action by the Building Official.

[iii] **3. The above time limits shall be suspended whenever an application is returned to the Planning Department for review due to a design change that the Building Code(s) requires.**
[Amended 2-5-2013 by Ord. No. 16-13, effective 3-7-2013]

[iv] **106A.3.8 Disapproval of application. Any application that does not meet the requirements of this code or any other laws, ordinances or regulations enforced by any interested departments or agencies shall be disapproved by the Building Official or upon request by the applicant. If such a request is not made by the applicant to disapprove an application, the Building Official shall notify the applicant that the application will be disapproved in 60 days and the application revoked.**
[Amended 2-5-2013 by Ord. No. 16-13, effective 3-7-2013]

[v] **106A.3.8.1 Withdrawal of application. Applications filed for permits may be withdrawn by the owner, provided that no part of the work proposed on the application has been performed. All applicable fees must be paid before an application can be withdrawn.**
[Amended 2-5-2013 by Ord. No. 16-13, effective 3-7-2013]

106A.4 Permits issuance.

106A.4.1 Issuance. The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may/shall be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in Section 107A have been paid, the building official shall issue a permit therefor to the applicant.
[vi] **When the building official issues the permit where plans are required, the building official shall stamp each page of the plans and the first page of the specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorizations from the building official, and all work regulated by this code shall be done in accordance with the approved plans.**
The building official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.
[Amended 2-5-2013 by Ord. No. 16-13, effective 3-7-2013]

106A.4.1.1 Transfer of permit. Permits are transferable without payment of fees per Table 1A-D when the new owner submits a letter to the Department agreeing to all conditions of approval, stipulations and agreements contained on the approved application.

106A.4.1.2 Edgehill Mountain Slope Protection Area.

106A.4.1.2.1 Creation. There is hereby created the Edgehill Mountain Slope Protection Area, which is generally bounded by Garcia Avenue, Vasquez Avenue, Kensington Way and Ulloa Street and traversed by Edgehill Way. The Edgehill Mountain Slope Protection Area is comprised of the following Assessor's Block Numbers: 2875, 2876, 2923, 2933, 2934, 2935, 2936A and 2936B. Heightened review of certain permit applications, as provided in this section, shall be made in this area.

106A.4.1.2.2 Purpose. Because landslides, earth movement, ground shaking and subsidence are likely to occur on or near the Edgehill Mountain Slope Protection Area, causing severe damage and destruction to public and private improvements, the Board of Supervisors finds that the public health, safety and welfare is best protected if the Building Official of Building Inspection causes permit applications within the Edgehill Mountain Slope Protection Area for either (1) construction of new buildings or structures or (2) alterations that involve a substantial increase in the envelope of an existing building or structure, to be peer reviewed for structural integrity and effect on hillside stability. The requirements herein for projects in the Edgehill Mountain Slope Protection Area are in addition to all other applicable laws and regulations, including any and all requirements for environmental review under the California Environmental Quality Act; compliance with the requirements contained herein does not excuse a project sponsor from compliance with any other applicable laws and regulations.

106A.4.1.2.3 Mandatory review by Structural Advisory Committee and other city officials. All permit applications submitted to the Central Permit Bureau for construction of new buildings or structures or alterations that involve a substantial increase in the envelope of an existing building or structure (as determined by the Building Official) within the Edgehill Mountain Slope Protection Area shall be submitted to and reviewed by the Structural Advisory Committee, as defined by Building Code Section 105A.6. No permits for such properties located within the Edgehill Mountain Slope Protection Area shall be issued unless and until the Building Official has consulted with and received a written communication from representatives of the Department of Planning, Department of Public Works and Fire Department, each of whom has made a visit to the site for which the project is proposed, and the Building Official has received a written report from the Structural Advisory Committee concerning the safety and integrity of the proposed design and construction. As part of its review, the Structural Advisory Committee shall consider the effect that construction activity related to the proposed project will have on the safety and stability of the Edgehill Mountain Slope Protection Area.

106A.4.1.2.4 Mandatory denial by Building Official. In the event that the Structural Advisory Committee determines that there is a reasonable likelihood that the proposed design and construction would result in unsafe conditions or would increase the likelihood of hillside instability, and such unsafe conditions or instability cannot be mitigated to the satisfaction of the Structural Advisory Committee, the Building Official shall deny the permit. The Building Official's decision to deny the permit is appealable only to the Board of Appeals.

106A.4.1.3 Northwest Mt. Sutro Slope Protection Area.

106A.4.1.3.1 Creation. There is hereby created the Northwest Mt. Sutro Slope Protection Area, which is generally bounded on the east by Crestmont Drive and its undeveloped northern extension, on the south along Oak Park to its intersection with Christopher Boulevard, west to Warren Drive, north along Warren Drive to the 6th Avenue and Kirkham Street intersection, and Kirkham Street in an easterly direction to its end at the undeveloped extension of Crestmont Drive. The Northwest Mt. Sutro Slope Protection Area is comprised of the following Assessor's Block Numbers: 1850, 1851, 2635, 2636, 2638, 2674, 2675, 2676, 2677, and 2686. Heightened review of certain permit applications, as provided in this section, shall be made in this area.

106A.4.1.3.2 Purpose. Because landslides, earth movement, ground shaking and subsidence are likely to occur on or near the Northwest Mt. Sutro Slope Protection Area, causing severe damage and destruction to public and private improvements, the Board of Supervisors finds that the public health, safety and welfare is best protected if the Building Official of Building Inspection causes permit applications within the Northwest Mt. Sutro Slope Protection Area for either (1) construction of new buildings or structures or (2) alterations that involve a substantial increase in the envelope of an existing building or structure, to be peer reviewed for structural integrity and effect on hillside stability. The requirements herein for projects in the Northwest Mt. Sutro Slope Protection Area are in addition to all other applicable laws and regulations, including any and all requirements for environmental review under the California Environmental Quality Act; compliance with the requirements contained herein does not excuse a project sponsor from compliance with any other applicable laws and regulations.

106A.4.1.3.3 Mandatory review by Structural Advisory Committee and other city officials. All permit applications submitted to the Central Permit Bureau for construction of new buildings or structures or alterations that involve a substantial increase in the envelope of an existing building or structure (as determined by the Building Official) within the Northwest Mt. Sutro Slope Protection Area shall be submitted to and reviewed by the Structural Advisory Committee, as defined by Building Code Section 105A.6. No permits for such properties located within the Northwest Mt. Sutro Slope Protection Area shall be issued unless and until the Building Official has consulted with and received a written communication from representatives of the Department of Planning, Department of Public Works and Fire Department, each of whom has made a visit to the site for which the project is proposed, and the Building Official has received a written report from the Structural Advisory Committee concerning the safety and integrity of the proposed design and construction. As part of its review, the Structural Advisory Committee shall consider the effect that construction activity related to the proposed project will have on the safety and stability of the Northwest Mt. Sutro Slope Protection Area.

106A.4.1.3.4 Mandatory denial by Building Official. In the event that the Structural Advisory Committee determines that there is a reasonable likelihood that the proposed design and construction would result in unsafe conditions or would increase the likelihood of hillside instability, and such unsafe conditions or instability cannot be mitigated to the satisfaction of the Structural Advisory Committee, the Building Official shall deny the permit. The Building Official's decision to deny the permit is appealable only to the Board of Appeals.

106A.4.1.4 The Slope Protection Act. This Section of the San Francisco Building Code shall be known as the Slope Protection Act.

106A.4.1.4.1 Creation. The Slope Protection Act shall apply to all property within San Francisco that falls within certain mapped areas of the City, except those properties already subject to the Edgehill Mountain Slope Protection Area or the Northwest Mt. Sutro Slope Protection Area. For

purposes of this Section "property" shall mean a legal lot of record. Heightened review of certain permit applications, as provided in this section, shall be given to all property subject to this Act.

106A.4.1.4.2 Purpose. Because landslides, earth movement, ground shaking and subsidence are likely to occur on or near steeply sloped properties and within other defined areas causing severe damage and destruction to public and private improvements, the Board of Supervisors finds that the public health, safety and welfare is best protected if the Building Official causes permit applications for the construction of new buildings or structures and certain other construction work on property subject to the Slope Protection Act to undergo additional review for structural integrity and effect on slope stability. The requirements for projects subject to the Slope Protection Act are in addition to all other applicable laws and regulations, including any and all requirements for environmental review under the California Environmental Quality Act; compliance with the requirements contained herein does not excuse a project sponsor from compliance with any other applicable laws and regulations.

106A.4.1.4.3 Scope. Properties are subject to these requirements where any portion of the property lies within the areas of "Earthquake-Induced Landslide" in the Seismic Hazard Zone Map, released by California Department of Conservation, Division of Mines and Geology, dated November 17, 2000, or amendments thereto; or within the "Landslide Hazard Areas" mapped as "Landslide Locations" in Figure 4 of the San Francisco Seismic Safety Investigation report prepared by URS/John A. Blume & Associates, Engineers, June 1974, or any successor map thereto.
Proposed construction work that is subject to these requirements includes the construction of new buildings or structures having over 1000 square feet of new projected roof area and horizontal or vertical additions having over 1000 square feet of new projected roof area. In addition, these requirements shall apply to the following activity or activities, if, in the opinion of the Director, the proposed work may have a substantial impact on the slope stability of any property: shoring, underpinning, excavation or retaining wall work; grading, including excavation or fill, of over fifty (50) cubic yards of earth materials; or any other construction activity.

106A.4.1.4.4 Mandatory submittal of reports and geotechnical engineering review. All permit applications submitted to the Department of Building Inspection for construction subject to the Slope Protection Act shall include report(s) prepared and signed by both a licensed geologist and a licensed geotechnical engineer identifying areas of potential slope instability, defining potential risks of development due to geological and geotechnical factors, and drawing conclusions and making recommendations regarding the proposed development. These reports shall undergo design review by a licensed geotechnical engineer. Such design review shall verify that appropriate geological and geotechnical issues have been considered and that appropriate slope instability mitigation strategies, including drainage plans if required, have been proposed.

106A.4.1.4.5 Structural Advisory Committee and mandatory denial by Building Official. After reviewing all submitted information pursuant to Section 106A.4.1.4.4, the Director, in his or her sole discretion, may require that the permit application be subject to review by a Structural Advisory Committee, as defined by Building Code Section 105A.6. When subject to such Structural Advisory Committee review, no permits shall be issued unless and until the Building Official has consulted with and received a written communication from representatives of the Department of Planning, Department of Public Works and Fire Department, each of whom has made a visit to the site for which the project is proposed, and the Building Official has received a written report from the Structural Advisory Committee concerning the safety and integrity of the proposed design and construction. As part of its review, the Structural Advisory Committee shall consider the effect that construction activity related to the proposed project will have on the safety

and stability of the property subject to the Slope Protection Act and properties within the vicinity of such property.
In the event that the Building Official establishes a Structural Advisory Committee, and such Committee determines that there is a reasonable likelihood that the proposed design and construction would result in unsafe conditions or would increase the likelihood of hillside instability, and such unsafe conditions or instability cannot be mitigated to the satisfaction of the Committee, the Building Official shall deny the permit. The Building Official's decision to deny the permit is appealable only to the Board of Appeals.

106A.4.1.4.6 - Regulations to implement the Slope Protection Act. The Building Official is hereby authorized to adopt rules, regulations, administrative bulletins, or other written guidelines to assist the Department in implementing this Section, including, but not limited to, requirements for applicants to demonstrate that a project site is not subject to the Slope Protection Act.

106A.4.2 Retention of approved construction documents. One set of approved construction documents shall be provided to the party obtaining the permit. The owner shall be responsible for keeping these documents on the building site at all times and making them available for inspection and use by the inspector during such construction until final inspection has been made; failure to do so shall result in stoppage of work. The approved construction documents shall not be changed, modified or altered without authorization from the Building Official; all work shall be done in accordance with these documents.
One set of approved construction documents for all building permits shall be retained by the Department in reproducible form as public records.

106A.4.3 Validity of permit. The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other applicable laws and regulations. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or other applicable laws and regulations.

106A.4.4 Permit expiration. Every permit issued by the Building Official under the provisions of this code, unless an extension of time has been specifically approved by the Building Official, shall expire by limitation and become null and void when the time allowed in Table B is reached, or when any of the following circumstances is applicable:

1. For Building Official-initiated code compliance permits, the work shall start within 30 days from the date of such permit.

2. If the building or work authorized is suspended or abandoned at any time after the work has started, for a period as follows:

2.1. Thirty days for Building Official- initiated code compliance permits.

2.2. One-hundred-eighty days for all other permits.

3. An extension of time from the stated periods may be permitted for good reason, provided such requests for an extension are submitted to the Building Official in writing prior to the end of the time period accompanied by payment of a fee. Unless approved by the Building Official, no more than one extension of time may be granted.

3.1. For all other permits, see Table B – Maximum Time Allowed to Complete All Work Authorized by Building Permit. The maximum time allowed for Building Official-initiated code compliance permits shall be 12 months for all permits exceeding $25,000 total valuation.

[vii] **4. A demolition permit shall expire 180 days after issuance. Only one extension of time of 180 days shall be granted upon written request to the Building Official, accompanied by payment of a fee. If there is a permit for a replacement structure, the demolition permit shall expire concurrently with the permit for that replacement structure.**

5. The Building Official may administratively authorize the processing of applications involving compliance actions initiated by the Department, in a manner other than set forth in this code, so as to effect said compliance most expeditiously; provided, however, that due process is assured all applicants. In this regard, the Building Official may reduce the time periods set forth in this section as they apply to a second application and permit required by the Building Official to effect full compliance with this code and other applicable laws and regulations if by doing so code compliance would be more expeditiously accomplished.

EXCEPTION: In order to avoid repetitive filings and processing of applications to effect code compliance, the Building Official is hereby authorized to establish alternate procedures and extensions of time from cancellation pursuant to Section 106A.4.1 and from expiration pursuant to this section; provided, however, that the Building Official, in establishing alternate procedures and extension of time, shall proceed as expeditiously as possible toward abatement of the violations. When a permit is issued but delayed due to actions before the Board of Appeals or other City agencies, or cases in any court of competent jurisdiction, or is under review by a State or regional regulatory body, the time allowable shall be computed from the date of the final action of the agency or court of jurisdiction.

TABLE B – MAXIMUM TIME ALLOWED TO COMPLETE ALL WORK AUTHORIZED BY BUILDING PERMIT

Valuation	Time Allowed (1)	Extension Limitation
$1.00 to $100,000	360 days	360 days
$100,001 to $2,499,999	1,080 days	[viii] **720 days**
$2,500,000 and above	1,440 days	[ix] **720 days**

NOTES:

(1) For site permits with a valuation of $2,500,000 or more, the time allowed to complete work authorized by the building permit may be increased by 50 percent. For site permits with a valuation less than $2,500,000, use Table B.

[Amended 2-5-2013 by Ord. No. 16-13, effective 3-7-2013]

106A.4.4.1 Commencement of work on permit expired due to work not started. Before work can be commenced on an expired permit on which no work was performed, a new application shall be filed and a new permit shall be obtained. If not more than one year has elapsed since the

expiration of the original permit, the applicant is eligible for reduced fee on the new permit. See Section 110A- Table 1A-B — Commencement of Work Not Started. All other applicable fees in Section 110A - Table 1A-A or any other table in this code, shall be collected in the full amount. To qualify for the reduced fees, the original approved plans and specifications in the possession of the owner shall be submitted with the new application, together with a notarized certification that there are no changes made on those plans and specifications.
In the event a refund has been granted upon the request of the applicant prior to the commencement of the work, the provisions of this section shall not apply and a new permit shall be applied for and all fees will be required to be paid.

106A.4.4.2 Recommencement of work on permit expired due to work not completed. An alteration permit shall be secured for the work not completed. See Section 110A, Table 1A-F — Specialty Permit Fees — for applicable fee to defray cost of certifying site conditions. The permit fee shall be based upon the valuation of the uncompleted work. When the permit is for completing the work as shown on the original approved plans, no additional plan review fee shall be required.

106A.4.5 Suspension or revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of any of the provisions of this code.
Any permit issued for which less than the correct permit and plan checking fees were paid shall be considered an invalid permit and shall be suspended until the complete bill of fees has been paid. Failure to pay the correct fees shall be sufficient grounds for denial of a temporary permit of occupancy or a permit of occupancy.

106A.4.6 Notice of permit issuance. Within 24 hours after the issuance of a building permit authorizing the types of work described below, notice of such issuance shall be given in the manner set forth below.
1. For permits to demolish or erect a building or structure, or to move a structure to a new site, the permittee shall obtain from the Department a sign containing the following information: permit number; filing date; address and phone number of the agency to contact for information regarding permit issuance; the date of permit issuance; address and phone of agency to contact to appeal issuance of permit; name, address and phone number of permittee.
For unreinforced masonry buildings, additional information shall be provided, as required by the Building Official.
See Section 110A, Table 1A-L – Public Information – for applicable fee.
The permittee shall cause the sign to be erected on the site of the property to which the application applies.
Location of sign. The sign shall be clearly visible to passing motorists and passing pedestrians. In the case of moved buildings, the sign shall be posted at the site onto which the building is to be moved. The minimum dimensions shall be 30 inches by 30 inches (762 mm × 762 mm), unless the permit relates to a vacant site or a vacant building, in which case the Building Official may require a sign up to 8 feet (2.438 m) wide and 4 feet (1.219 m) high upon a determination that the larger sign will provide better public notice. If a larger sign is required, the permittee shall provide it, and it shall contain the information set forth above. The sign required herein shall be installed as follows: The bottom edge of the sign shall be at least 6 feet (1.829 m) above grade; the face of the sign shall be parallel to the main street frontage and shall be located 5 feet (1.524 m) or less from the street property line; the sign shall be attached to one or more posts substantially embedded into the ground in order to withstand wind or other load factors, or may be attached to an existing front building wall. The background color of the sign shall be white, and the color of the text shall be black; the letter size of the first line shall be a minimum of 8 inches (203.2 mm) high; the size and

style of the text shall be such that the message is clear and legible from a distance of 10 feet (3.048 m) to a viewer with normal vision.

Duration of sign posting. The permittee shall cause the sign to be erected within 24 hours after a permit is issued. The sign shall remain posted until either the conclusion of the hearing on the permit before the Board of Appeals or the time for filing such appeal has lapsed without an appeal being filed. Work under a demolition permit shall not begin until 15 days after the date on which the permit is issued.

Revocation for noncompliance. The Building Official shall, after providing the permittee an opportunity to respond to any complaint of noncompliance, revoke any permit where the applicant has not substantially complied with the provisions of this section or Section 106A.3.2.3 requiring notice of permit application and issuance.

The requirements contained in this code relating to notice are not intended to give any right to any person to challenge in any administrative or judicial proceeding any action for which notice is given if such person would not otherwise have the legal right to do so.

2. For a permit which would authorize a structural addition to an existing building, the Department shall mail written notice to the owners of properties immediately adjacent to the subject building as shown on the current tax roll. See Section 110A, Table 1A-L – Public Information – for applicable fee.

3. For a permit which would authorize the demolition or moving of a building or structure, written notice shall be mailed to the owners of properties within 300 feet (91.44 m) in every direction from the edge of the property on which the proposed demolition work will take place, or from which the building will be moved. Owners notified shall be as shown on the last annual tax roll. Notice to interested organizations or groups shall be made as provided in Section 106A.4 of this code.

4. For changes in occupancy per this code, notice shall be provided as specified in ~~Part III,~~ Section 6 of the San Francisco ~~Municipal~~ Business and Tax Regulations Code. See Section 110A,Table 1A-L – Public Information – for applicable fee.

106A.4.7 Additional work, permit required. When an approved permit has been issued, a separate permit for alteration work shall be required for any change in work or additional work as set forth hereafter. The fees for such additional work shall be as set forth in Section 110A, fee tables, based on the difference in the valuation between the changed work and that of the original permit. The valuation shall be not less than $1. Situations which require a separate permit include the following:

1. Construction differing from the approved construction documents sufficiently to require revised plans or additional plans to be submitted to the Department for approval, including changes in partition layout that impact other code requirements, changes in framing directions, spans, and locations of concentrated loads, and changes in types of materials used. See Section 110A, Table 1A-F – Specialty Permit Fees – for the assessment for this type of additional work.

2. Changes proposed to any building or structure which alter the exterior dimensions more than 6 inches (152.4 mm) either in vertical or horizontal dimension, alter the visual appearance through changes in exterior wall materials or windows, change the number of residential dwelling units or decrease the amount of off-street parking provided.

3. Value of additional work or of changes exceeding 10 percent of the valuation of the approved permit work or $50,000 whichever is the lesser amount.

4. A change in occupancy or use, as defined in this code.

5. A change in the construction type of any portion of the building.

6. An unusual condition requiring a permit procedure to protect the interest of the public.

A separate alteration permit shall not be required where the change or additional work is required by the Board of Appeals as a condition of approving an appealed permit; however, revised plans

and plan review fees, including back check fees, shall be required for any such change or additional work. The Board of Appeals may require, as a condition of approval, that revised plans be submitted to the Board for review.

106A.4.8 Replacement of approved construction documents. When the permit holder's set of approved construction documents is not available as required by Section 106A.4.2, a duplicate set of documents shall be submitted to the Department along with a notarized certification that such documents are identical to the approved construction documents except for notations by City agencies. The Department shall then copy such notations from its retained set to the duplicate set and shall stamp the duplicate set APPROVED.
See Section 110A, Table 1A-L – Public Information – for applicable fee.

106A.4.9 Preapplication plan review or inspection. When a party wishes to discuss specific design issues or submit preliminary designs for review and comment by the Department prior to formal application for a permit, a request for preapplication plan review must be submitted in writing to the Building Official. See Section 110A, Table 1A-B – Other Building Permit and Plan Review Fees – for applicable fees. Payment of the minimum fee must be submitted with the letter of request. In cases where on-site discussion with a field inspector is desired, the same request requirements apply. See Section 110A, Table 1A-G – Inspections, Surveys and Reports – for applicable fee.

106A.4.10 Review of mechanical plans. When an application for a permit contains a mechanical component (separate from or in addition to energy conservation design) sufficient in scope or complexity to require review by a mechanical specialist, a fee for this service shall be assessed and is payable before issuance of the permit. See Section 110A, Table 1A-B – Other Building Permit and Plan Review Fees – for applicable fee.

106A.4.11 Review of electrical plans. When an application for a permit contains an electrical component (separate from or in addition to energy conservation design) sufficient in scope or complexity to require review by an electrical specialist, a fee for this service shall be assessed and is payable before issuance of the permit. See Section 110A, Table 1A-B – Other Building Permit and Plan Review Fees – for applicable fee.

106A.4.12 Review of plumbing plans. When an application for a permit contains a plumbing component sufficient in scope or complexity to require review by a plumbing plan reviewer, a fee for this service shall be assessed and is payable before issuance of the permit. See Section 110A, Table 1A-B – Other Building Permit and Plan Review Fees – for applicable fee.

106A.4.13 Premium plan review. At the request of the applicant and upon payment of an additional fee per Table 1A-B – Other Building Permit Application and Plan Review Fees, building permit applications shall be reviewed by the Department of Building Inspection within a guaranteed plan review time set by the Building Official. This building plan review time will be less than normal turnaround times and will be developed on a case-by-case basis depending on the scope of work and the quality of completeness of the submittal documents. At or before the due date of the guaranteed building plan review time, a thorough set of plan review comments and/or corrections will be sent to the applicant for response. Premium Plan Review does not guarantee plan review times during the recheck process, nor building permit approval and issuance. If the Department fails to complete its plan review within the guaranteed plan review time, the additional fee paid shall be refunded to the applicant upon written request by the applicant. This service is offered for plan review by the Department of Building Inspection only and does not commit any other City agencies or departments to the turnaround times.

SECTION 107A – FEES

107A.1 General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

107A.1.2 Exemption from fees. The fees provided for in this chapter shall not apply to permits issued to perform work on buildings which are owned and occupied by the Federal or State governments. The San Francisco Housing Authority shall be exempt from all permit fees in this chapter except State mandated fees and record retention fees. Permits required under this code for buildings and sites owned or leased by the City and County of San Francisco shall be subject to all fees set forth in this chapter.

107A.2 Permit issuance fees. The minimum permit fee per Section 110A, Table 1A-A – Building Permit Fees – shall be paid at the time an application for a building permit is issued. The New Construction Permit Fee Schedule applies to new buildings or structures. The Alteration Permit Fee Schedule applies to alterations, repairs, additions or other work on an existing building or structure, or to the modification of the scope of an approved permit as required by Section 106A.4.7.
The determination of value or valuation under any of the provisions of this code shall be made by the Building Official. The value to be used in computing the permit issuance and plan review fees shall be the final valuation upon completion of all construction work for which the permit is issued, as well as all finish work, painting, roofing, mechanical, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and all other permanently installed equipment and construction, even though other permits to perform such work may be required.
The valuation shall be calculated at the time of permit issuance according to a cost schedule posted in the office of the Department or by actual construction cost, whichever is greater. The valuation shall be recalculated at the time of any addenda and/or revision issuance. Any additional fees due resulting from the recalculation of valuation shall be paid prior to addenda and/or revision issuance. The cost schedule shall be adjusted annually based on construction cost data reported by Marshall and Swift, Valuation Engineers. Contractor overhead and profit shall be reflected in the schedule. The Building Inspection Commission is authorized to waive the annual cost schedule adjustment if it determines that increasing the fees will exceed the cost of providing the services for which the fees are paid.

107A.3 Plan review fees.
(a) When submittal documents are required by Section 106A.3.2, a plan review fee shall be paid at the time of filing an application for a permit for which plans are required pursuant to Section 106A.3.2. Said plan review fee shall be based on the valuation determined by Section 107A.1. See Section 110A, Table 1A-A – Building Permit Fees – for applicable fee.
The plan review fees specified in this section are separate fees from the permit issuance fees specified in Section 107A.2 and are in addition to the permit fees.
When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106A.3.4.2, an additional plan review fee shall be charged as shown in Section 110A, Table 1A-B – Other Building Permit and Plan Review Fees.
(b) If a project involves voluntary seismic retrofit upgrades to soft-story, wood-frame buildings, as defined by the Building Official, the applicant for said project shall be exempt from the proportionate share of plan review fees specified under this Chapter that is related to such retrofit work, provided all permit conditions and timelines are met.

107A.3.1 Reduced plan review fee. A reduced plan review fee shall be collected for reviewing submittal documents identical to those filed within one year of the original approved construction documents for which the full plan review fee was paid. For this purpose, plans may be considered identical when they contain only such minor differences as exterior finishes, or if they are identical but opposite hand. See Section 110A, Table 1A-B – Other Building Permit and Plan Review Fees – for the second and each subsequent set of identical submittal documents within the stated time period. To obtain this reduction, the applicant shall submit a copy of the original approved construction documents for which the full plan review fee was paid.
When the submittal documents are substantially changed from those that were previously approved, an additional full plan review fee shall be charged. See Section 110A, Table 1A-B – Other Building Permit and Plan Review Fees – for applicable fee.

107A.3.2 Tenant improvement work. An application for tenant improvement work shall state at the time of filing whether the permit is to include the partition and other improvement work for the entire building. If this work is not to be included, the valuation shall be reduced accordingly. The installation of such work shall then require permits for alteration work, the fees for which shall be in accordance with Section 110A, Table 1A-A – Building Permit Fees.

107A.3.3 Improvement work. When the application is for first-time improvement work in a new building and the valuation of such work was included in the valuation of the original building permit, the valuation for each alteration permit for part or all of such work shall be shown as $500, and the permit fee shall be collected accordingly.

107A.3.4 Site permit and addenda fees. The permit fee for projects submitted under the site permit and addenda process shall be based on Section 110A, Table 1A-A – Building Permit Fees and additional fees as stated in Table 1A-B – Other Building Permit and Plan Review Fees. Twenty-five percent of the plan review fee shall be paid at the time of site permit application submittal, and shall be credited toward the final plan review fee payment at the time of the first construction addendum submittal as determined by the Building Official. One hundred percent of the permit issuance fee shall be paid at the time of the first construction addendum issuance as determined by the Building Official.

107A.4 Expiration of plan review. (See Section 106A.3.7.)

107A.5 Investigation Fees: Work Without a Permit. Whenever any work, for which a permit is required under the provisions of this code, has been started without a permit and where no specific additional fees are imposed as penalties as provided in this chapter, a special investigation shall be made before a permit may be issued for such work. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable fee. Where only a portion of the work has been commenced without a permit, the investigation fee shall be based upon the portion of the work done without a permit. The cost of any penalty for any work done, in conjunction with the investigation fee, shall be borne by the owner.

The owner or owner's agent may appeal the amount of the investigation fee if they can provide just cause, such as unfamiliarity with this code or demonstrable negligence on the part of one of their employees.

~~EXCEPTION: For non-residential uses~~ The Building Official may reduce the investigation fee to two times the amount of the permit fee as called for in Section 110A, Table 1A-A – Building Permit Fees – of this code for work that was constructed prior to the current building ownership, provided that substantiating documentation is provided.

Where the Building Official rules against the applicant, appeals of such investigation fee shall be filed with the Board of Appeals in the manner provided in Part III of the San Francisco Municipal Code. Such filing shall be subject to the fees and rules of the Board of Appeals. The Board of Appeals, in re-viewing the appeal of the investigation fee assessed for doing work without a permit, may reduce the amount of said fee, but in no case shall such reduced investigation fee be less than two times the amount of the permit fee as called for in Section 110A, Table 1A-A – Building Permit Fees – of this code.

107A.6 Fee refunds. When no work has been done and the project has been abandoned or the permit expired per Section 106A.4.4, by limitation, a portion of the building issuance fee paid shall be refunded upon written request of the owner when such request is made within six months of permit expiration. See Section 110A, Table 1A-R – Refunds – for applicable refund.

107A.6.1 Plan review fees. When an application is withdrawn, the plan review fee paid may be partially refunded upon written request in the case no site inspection had been made by Department personnel, and plan review had not started within any division of the Department. See Section 110A,Table 1A-R – Refunds – for applicable refund. For other cases, the amount of refund, if any, shall be determined by the Building Official, based on the amount of permit processing work already completed on the application at the time it was withdrawn. Requests for refunds must be made within 30 days of withdrawal by the applicant to the Building Official.

107A.6.2 Fees in error. If the Building Official determines that an error has been made in the assessment of fees, a refund for the portion determined to be in error may be made upon written request by the applicant. See Section 110A, Table 1A-R – Refunds – for applicable refund.

107A.7 Strong Motion Instrumentation Program fee. Pursuant to the provisions of Section 2705 of the Public Resources Code of the State of California, a fee shall be assessed for all building permits except demolitions. See Section 110A, Table 1A-F – Specialty Permit Fees – for applicable fee. All such fees collected shall be handled in accordance with the provisions of Section 2706 of said Public Resources Code.

107A.7.1 Strong Motion Revolving Fund. That portion of the strong motion instrumentation fee retained by the Department as provided for in Section 2705 of the Public Resources Code of the State of California shall be deposited into a special Strong Motion Revolving Fund established by the City Controller. Funds from this revolving fund shall be used, subject to the approval of the Building Official and the Building Inspection Commission, to defray personnel and equipment costs incurred in carrying out the State mandate. The Strong Motion Revolving Fund shall continue from year to year, and shall not be included in the Cash Reserve Fund.

107A.7.2 California Building Standards Commission administration fee. Pursuant to the provisions of California Health and Safety Code Sections 18930.5, 18931.6, 18931.7 and 18938.39 relating to building materials, cities and counties are required to assess a fee for all building permits. See Section 110A, Table 1A-J for applicable fee. All such fees shall be handled in accordance with the provisions of Section 18931.7 of said Health and Safety Code.

107A.7.2A California Building Standards Commission Fund. That portion of the fee assessed pursuant to Section 107A.7.2 relating to building materials that is retained by the Department of Building Inspection shall be deposited into the California Building Standards Commission Fund established by the City Controller. Funds from this category 2 fund shall be used, subject to the approval of the Building Official and the Building Inspection Commission, for administrative costs

and code enforcement education, including but not limited to, certification in the voluntary construction inspector certification program. The California Building Standards Commission Fund shall continue from year to year and shall not be included in the Cash Reserve Fund.

107A.7.3 Technology surcharge on permits. A technology surcharge is hereby established on the cost of permit applications that the Department of Building Inspection processes for all departments and bureaus of the City and County of San Francisco. The surcharge proceeds are to be used solely for the implementation and maintenance of the City-wide Permit and Project Tracking System. The funds shall continue from year to year and shall not be included in the Cash Reserve Fund. See Section 110A, Table 1A-J for the applicable surcharge.

107A.8 Delinquent fees/dishonored checks. Permits will not be issued to any person having outstanding or delinquent balances or dishonored checks on file with the Department of Building Inspection.

107A.9 Survey. A building survey may be requested when a building inspector's assistance is desired to establish code compliance of existing or proposed construction. See Section 110A, Table 1A-G – Inspections, Surveys and Reports – for applicable fees.

107A.10 Building numbers and fees. Every person shall obtain an official street number assignment at the time the person files a permit application or establishes a new parcel and shall place the numbers so assigned on the building in such a position that the number is easily visible to approaching emergency vehicles. The numerals shall not be less than 4 inches (101.6 mm) in height with a minimum stroke width of 1/2 inch (12.7mm) [Reference CRC R319.1] and shall be a contrasting color to the background. All numbers must be made of substantial and permanent material and must be so affixed as not to be easily effaced or removed. Any additional or changed numbers assigned to a building shall be subject to the provisions of this section. See Section 110A, Table 1A-J – Miscellaneous Fees – for applicable fee.

107A.11 Fees for reproduction of reports, records and documents for the public.

107A.11.1 General. In order to provide for the cost of reproducing inspection reports, records, documents and other material in the Department files for the public, including but not limited to records on microfilm, a fee shall be required, payable in advance. Fees shall be chargeable to all persons, as well as City departments; when such reproduction is in response to subpoenas of records, the attorney requesting such records shall pay the fees. All fees collected shall be deposited into the Building Inspection Fund.

107A.11.2 Reproduction fees. The fees shall be determined based upon the number of pages, type of record, size of microfilm reproduced and the number of copies required. All costs of reproduction shall require the pickup of said reproduced material at the office of the Department unless costs of delivery are provided. The Building Official may make any other rules or regulations necessary to provide for the reproduction of material consistent with the intent of this section. See Section 110A, Table 1A-L – Electrostatic Reproduction – for applicable fees.

107A.12 Fees for services and regulatory functions of the Department. Fees for all services and regulatory functions of the Department as established in various chapters of the San Francisco Municipal Code shall be imposed pursuant to Section 110A et seq.

107A.13 Development impact and in-lieu fees.

107A.13.1 Definitions. (a) The following definitions shall govern interpretation of this Section:

(1) "City" shall mean the City and County of San Francisco.

(2) "Department" shall mean the Department of Building Inspection.

(3) "Development fee" shall mean either a development impact fee or an in-lieu fee. It shall not include a fee for service or any time and material charges charged for reviewing or processing permit applications.

(4) "Development impact fee" shall mean a fee imposed on a development project as a condition of approval by the various departments and agencies of the City and levies against development projects by the San Francisco Unified School District under Section 17620 of the California Education Code and other provisions of State law to mitigate the impacts of increased demand for public services. facilities or housing caused by the development project that may or may not be an impact fee governed by the California Mitigation Fee Act (California Government Code Section 66000 et seq.)

(5) "Development impact requirement" shall mean a requirement to provide physical improvements, facilities or below market rate housing units imposed on a development project as a condition of approval to mitigate the impacts of increased demand for public services, facilities or housing caused by the development project that may or may not be governed by the California Mitigation Fee Act (California Government Code Section 66000 et seq.).

(6) "Development project" shall mean a project that is subject to a development impact or in-lieu fee or development impact requirement.

(7) "First certificate of occupancy" shall mean either a temporary certificate of occupancy or a Certificate of Final Completion and Occupancy as defined in San Francisco Building Code Section 109A, whichever is issued first.

(8) "First construction document" shall mean the first building permit issued for a development project or, in the case of a site permit, the first building permit addendum issued or other document that authorizes construction of the development project. Construction document shall not include permits or addenda for demolition, grading, shoring, pile driving, or site preparation work.

(9) "In-lieu fee" is a fee paid by the project sponsor in lieu of complying with a City requirement that is not a development impact fee within the meaning of the Mitigation Fee Act.

(10) "Neighborhood Infrastructure Seed Fund" shall mean the fund or funds established by the Controller's Office for the purpose of collecting the 20 percent pre-paid portion of the development fees intended to fund pre-development work on any neighborhood infrastructure project funded by any of the six neighborhood infrastructure impact development fees listed in Subsection 107A.13.13.1. In addition, third-party grant monies or loans may also be deposited into this fund for the purpose of funding pre-development or capital expenses to accelerate the construction start times of any neighborhood infrastructure project funded by any of the six neighborhood infrastructure impact development fees listed in Subsection 107A.13.13.1.

(11) "Project sponsor" or "sponsor" shall mean an applicant seeking approval for construction of a development project subject to this Section, such applicant's successor and assigns, and/or any entity which controls or is under common control with such applicant.

(12) "Unit" shall mean the Department's Development Fee Collection Unit.

107A.13.2 Collection by Department. The Department shall be responsible for collecting all development impact and in-lieu fees, including (a) fees levied by the San Francisco Unified School District if the District authorizes collection by the Department, and (b) fees levied by the San Francisco Public Utilities Commission, if the Commission's General Manager authorizes collection by the Department, deferral of payment of any development fee, and/or resolution of any development fee dispute or appeal in accordance with this Section 107A.13.

107A.13.3 Timing of development fee payments and satisfaction of development impact requirements.

(a) All development impact or in-lieu fees owed for a development project shall be paid by the protect sponsor prior to issuance of the first construction document; provided, however, that the project sponsor may elect to defer payment of said fees under Section 107A.13.3.1.

(b) Any development impact requirement shall be completed prior to issuance of the first certificate of occupancy for the development project.

107A.13.3.1 Fee deferral program; development fee deferral surcharge. A project sponsor may elect to defer payment of any development impact or in-lieu fee collected by the Department to a due date prior to issuance by the Department of the first certificate of occupancy; provided, however, that the project sponsor shall pay 15 percent of the total amount of the development fees owed prior to issuance of the first construction document. If a project is subject to one of the six neighborhood infrastructure impact development fees listed in Subsection 107A.13.3. 1.1, the project sponsor shall pay 20 percent of the total amount of the development fees owed prior to issuance of the first construction document. These pre-paid funds shall be deposited as provided in Subsection 107A.13.3.1. 1 below. A project sponsor that received project approval prior to July 1, 2010 and has not yet paid a development impact or in-lieu fee may elect to defer payment under the provisions of this Section notwithstanding a condition of approval that required the fee to be paid prior to issuance of a building or site permit.

~~*** Editor's note – As numbered by Ordinance 276-10, approved 11-5-2010. Numbering of this section, and/or numbering of following sections, will be corrected by future legislation if needed.**~~

This option to defer payment may be exercised by (1) submitting a deferral request to the Department on a form provided by the Department prior to issuance of the first construction document, and (2) agreeing to pay a Development Fee Deferral Surcharge. This deferral option shall not be available to a project sponsor who paid the fee prior to the operative date of July 1, 2010; the project sponsor's reapplication for a building or site permit after expiration of the original permit and refund of the development fees paid shall not authorize the project sponsor to elect the deferral option. The deferral option shall expire on July 1, 2013 unless the Board of Supervisors extends it.

[Amended 12-7-2010 by Ord. No. 308-10, effective 1-6-2011]

107A.13.3.1.1. Deposit of pre-paid portion of deferred development fees. If a development project is not subject to one of the six neighborhood infrastructure impact fees listed below, the pre-paid portion of the development fees shall be deposited into the appropriate fee account. If there is more than one fee account, the pre-paid portion of the fees shall be apportioned equally.

If a development project is subject to one of the six neighborhood infrastructure impact development fees listed below, the entire 20 percent development fee pre-payment shall be deposited in the appropriate neighborhood infrastructure impact fee account. These pre-paid funds shall be dedicated solely to replenishing the Neighborhood Infrastructure Seed Fund for that specific neighborhood infrastructure impact fee account. In no event shall a neighborhood infrastructure impact fee specific to one Area Plan be mixed with neighborhood infrastructure impact fees specific to a different Area Plan. If the 20 percent development fee pre-payment exceeds the total amount owed for the neighborhood infrastructure impact fee account, the remaining pre-paid portion of the 20 percent development fee pre-payment shall be apportioned equally among the remaining applicable development fees.

The neighborhood infrastructure development fees subject to the 20 percent pre-payment provision of this Subsection 107A.13.3.1.1 are as follows: (1) the Rincon Hill Community Infrastructure Impact Fee, as set forth in Planning Code Section 418.3(b)(1); (2) the Visitacion Valley Community Facilities and Infrastructure Fee, as set forth in Planning Code Section 420.3(b); (3) the Market and

Octavia Community Infrastructure Fee, as set forth in Planning Code Section 421.3(b); (4) the Balboa Park Community iInfrastructure Impact Fee, as set forth in Planning Code Section 422.3(b); (5) the Eastern Neighborhoods Infrastructure Impact Fee, as set forth in Planning Code Section 423.3(b); and (6) the Van Ness and Market Neighborhood Infrastructure Impact Fee, as set forth in Planning Code Section 424.3(b)(ii).

107A.13.3.2 Payment of development fees; payment and calculation of Development Fee Deferral Surcharge. Except for any pre-paid fees, all deferred development fees remaining unpaid shall be paid in full prior to issuance of the first certificate of occupancy at the end of the deferral period. The Development Fee Deferral Surcharge shall be paid when the deferred fees are paid and shall accrue at the Development Fee Deferral Surcharge Rate.
The Development Fee Deferral Surcharge Rate shall be calculated monthly by the Unit as a blended interest rate comprised of 50% of the Treasurer's yield on a standard two-year investment and 50% of the latest updated Monthly Earned Income Yield Rate for the City and County of San Francisco's Pooled Funds, as posted on the San Francisco Treasurer's website and 50% of the Annual Infrastructure Construction Cost Inflation Estimate published by the Office of the City Administrator's Capital Planning Group and approved by the City's Capital Planning Committee consistent with its obligations under Section 409(b) of the San Francisco Planning Code. The annual Infrastructure Construction Cost Inflation Estimate shall be updated by the Office of the City Administrator's Capital Planning Group on an annual basis, in consultation with the Capital Planning Committee, with the goal of establishing a reasonable estimate of construction cost inflation for the next calendar year for a mix of public infrastructure and facilities in San Francisco. The Capital Planning Group may rely on past construction cost inflation data, market trends, and a variety of national, state and local commercial and institutional construction cost inflation indices in developing their annual estimates for San Francisco. Commencing on the effective date of this ordinance, the Unit shall publish the Development Fee Deferral Surcharge on the Department of Building Inspection website at or near the beginning of each month. The accrual of any deferred development fees begins on the first day that a project sponsor elects to defer development fees, but never later than immediately after issuance of the first construction document. The Development Fee Collection Unit shall calculate the final Development Fee Deferral Surcharge for individual projects by multiplying the total development fees otherwise due prior to issuance of the construction document by the Development Fee Deferral Surcharge Rate by the actual day count of the entire Development Fee Deferral Period, which shall be the number of days between the project sponsor's election to defer to final payment of the deferred development fees. The Development Fee Deferral Surcharge shall be apportioned among all development fee funds according to the ratio of each development fee as a percentage of the total development fees owed on the specific project.
[Amended 12-7-2010 by Ord. No. 308-10, effective 1-6-2011]

107A.13.4 Development Fee Collection Unit. There shall be a Development Fee Collection Unit established within the Department. The Unit's duties include: (1) receiving and organizing information from various City agencies concerning the amount of development fees owed or specific development impact requirements imposed under various sections of the San Francisco Municipal Code or other legal authority, (2) working with the project sponsor and relevant agencies to resolve any disputes or questions concerning the development fees or development impact requirements applied to specific development projects, (3) ensuring that the first construction document, or first certificate of occupancy if the project sponsor elects to defer payment, is not issued prior to payment of all development fees that are due and owing, (4) confirming with the Planning Department that any outstanding development impact requirements are satisfied prior to issuance of the first certificate of occupancy for projects subject to such requirements, (5) generating Project Development Fee Reports, (6) processing any development fee

refunds, (7) publishing and updating the Citywide Development Fee Register, (8) initiating lien proceedings to collect any unpaid development impact or in-lieu fees, and (9) performing such other duties as the Building Official requires. The fee for the Department's services shall be as provided in Section 107A.13.14.

107A.13.5 Citywide Development Fee Register. The Unit shall publish a Citywide Development Fee Register that lists all current San Francisco development impact and in-lieu fees. The Unit shall update the Register whenever a development impact or in-lieu fee is newly enacted, rescinded or amended. The Unit shall make the Register available to the public upon request, including but not limited to posting it on the Department's website.

107A.13.6 Required City Agency or Department Notice to Development Fee Collection Unit. Prior to issuance of any building or site permit for a project, any department or agency responsible for calculating a development fee collected by the Unit or imposing a development impact requirement shall send written or electronic notification to the Development Fee Collection Unit that (i) identifies the development project, (ii) lists which specific development fees and/or development impact requirements are applicable and the legal authorization for their application. (iii) specifies the amount of the development fee or fees that the department or agency calculates is owed to the City or that the project sponsor has elected to satisfy a development impact requirement through the direct provision of public benefits, and (iv) lists the name and contact information for the staff person at each agency or department responsible for calculating the development fee or monitoring the development impact requirement.

107A.13.7 Project Development Fee Report. Prior to the issuance of the building or site permit for a development project that owes a development fee or fees or is subject to development impact requirements, and at any time thereafter, the Development Fee Collection Unit shall prepare and provide to the project sponsor, or any member of the public upon request, a Project Development Fee Report. The Report shall: (i) identify the development project, (ii) list which specific development fees and/or development impact requirements are applicable and the legal authorization for their application, (iii) specify the amount of the development fee or fees that the department or agency calculates is owed or that the project sponsor has elected to satisfy a development impact requirement through the direct provision of physical improvements, (iv) list the name and contact information for the staff person at each agency or department responsible for calculating the development fee or monitoring the development impact requirement, and (v) state whether the development fee or fees are due and payable prior to issuance of the first construction document or whether the project sponsor has requested deferral under Section 107A.13.3.1, and note the status of payment. A copy of the Project Development Fee Report shall always be made available to the project sponsor immediately prior to issuance of the site or building permit for a development project subject to any development fee or fees to provide adequate notice of the proposed development fee or fees. The Development Fee Collection Unit shall not issue a Final Development Fee Report and the respective site or building permit for a development project until it has received written confirmation from the First Source Hiring Administration (FHSA) that the project sponsor has executed a first source hiring agreement(s) with the FHSA consistent with Administrative Code Section 83.11.

107A.13.8 Failure to give notice of a development fee owed or development impact requirement. The failure of the Unit or a fee-assessing department or agency to give any notice of a development fee owed or development impact requirement shall not relieve the project sponsor of the obligation to pay the development fee when it is due. The procedure set forth in this Section is not intended to preclude enforcement of the development fee or development impact requirements pursuant to any

other section of this Code, the Planning Code or other parts of the Municipal Code or under the laws of the State of California.

107A.13.9 Development fee dispute resolution; appeal to Board of Appeals.

107A.13.9.1 Procedure for resolution by Development Fee Collection Unit. If a dispute or question arises concerning the accuracy of the final Project Development Fee Report, including the mathematical calculation of any development fee listed thereon, the Development Fee Collection Unit shall attempt to resolve it in consultation with the department or agency affected by the disputed fee and the project sponsor. A person protesting the accuracy of the Report must submit the issue or issues in writing to the Unit with a copy to the department or agency whose development fee is in dispute. Any public notice of the issuance of the building or site permit shall notify the public of the right to request a copy of the Project Development Fee Report and of/he right of appeal to the Board of Appeals under Section 107A.13.9.2.

107A.13.9.2 Appeal to Board of Appeals.

(a) If the Development Fee Collection Unit is unable to resolve the dispute or question, the project sponsor or a member of the public may appeal the Project Development Fee Report to the Board of Appeals within 15 days of the issuance of the building or site permit under Article 8 et seq. of the San Francisco Business & Tax Regulations Code.

(b) In cases where a project sponsor is not using the site permit process and is required to pay a development fee or fees prior to issuance of the development project's building permit, and chooses not to defer payment under Section 107A.13.3.1, the sponsor may pay a disputed fee under protest and file an appeal within 15 days of the issuance of the permit.

(c) In order to appeal to the Board of Appeals under this Section, a project sponsor appellant must first have attempted to resolve the dispute or question by following the procedure in Section 107A.13.9.1. Evidence of this prior attempt must be submitted to the Board of Appeals in order for the Board to accept the appeal. Members of the public may file an appeal under this Section without providing such evidence.

(d) Promptly after an appeal has been filed, the Board of Appeals shall notify the department or agency whose development fee or development impact requirement is at issue of the fact that an appeal has been filed and the date scheduled for hearing. A representative of the Department of Building Inspection and of the department or agency whose development fee or development impact requirement is in dispute must be present at the appeal hearing.

(e) In hearing any appeal of the Project Development Fee Report, the Board's jurisdiction is strictly limited to determining whether the mathematical calculation of the development fee or the scope of a development impact requirement is accurate and resolving any technical disputes over the use, occupancy, floor area, unit count and mix, or other objective criteria that calculation of the challenged development fee or development impact requirement is based upon.

(f) If a decision by the Board of Appeals requires a refund of all or any portion of the disputed development fee, the refund shall be processed promptly by the Development Fee Collection Unit under Section 107A.13.11. If a decision requires a new determination regarding the scope of a development impact requirement, such new determination shall be made by the relevant City agency or department prior to issuance of the first certificate of occupancy. Where the Board determines that an additional amount of the fee or fees is due and owing, the additional amount shall be paid prior to issuance of the first certificate of occupancy for the development project.

107A.13.10 Violation of this section deemed a violation of the Building Code. In addition to the lien proceedings authorized Section 107A.13.145, a violation of this Section 107A.13 shall be deemed a

violation of the Building Code and subject to the provisions of Section 103A and any investigation or other fees authorized under other sections of this Code to compensate the Department for the cost of abating violations.

107A.13.11 Development fee refunds. Upon notification by the property owner or project sponsor and confirmation by the applicable department or agency that a fee refund is due, the Unit shall process the refund. The fee for processing the refund shall be as set forth in Table 1A-D – Other Building Permit and Plan Review Fees.

107A.13.12 Development fee information a public record. Any notice of development fees due or development impact requirements imposed sent to the Development Collection Unit by any fee-assessing departments and agencies, the Project Development Fee Report issued by the Unit, and any development fee refunds or development impact requirement revisions made are a matter of public record.

107A.13.13 Administrative fee. The fee for services provided by the Department under this Section

107A.13 sShall be the Standard Hourly Rate for Administration set forth in Table 1A-D of this Code. The administrative fee is payable within 30 days[2] of the Department's notice that payment is due.

107A.13.14 Administrative procedures. The Building Official is empowered to adopt such administrative procedures as he or she deems necessary to implement this Section. Such administrative procedures shall be generally consistent with the procedural requirements set forth in this Section 107A.

107A.13.15 Wrongful issuance of first construction document or certificate of occupancy; assessment lien; notice. In addition to any other remedy established in this Code or under other authority under the laws of the State of California, if DBI inadvertently or mistakenly issues the first construction document or first certificate of occupancy, whichever applies, for a development project that has not paid a development fee that is due and owing and payment has not been received within 30 days following notice that payment is due, or, in the case where a sponsor has elected to satisfy a development impact requirement through direct provision of physical improvements and where non- compliance with any such requirement is not corrected within 30 days following notice, the Department shall initiate proceedings in accordance with Article XX of Chapter 10 of the San Francisco Administrative Code to make the entire unpaid balance of the fee that is due, including interest at the rate of one and one-half percent per month or fraction thereof on the amount of unpaid fee, a lien against all parcels used for the development project. The penalty fee provisions of this section shall also apply to projects that have elected to provide physical improvements in lieu of paying a development fee, as if they had elected to pay the relevant development fee.
The Department shall send all notices required by Article XX to the owner or owners of the property and to the project sponsor if different from the owner. The Department shall also prepare a preliminary report, and notify the owner and sponsor of a hearing by the Board of Supervisors to confirm such report at least ten days before the date of the hearing. The report shall contain the owner and sponsor's names, a description of the development project, a description of the parcels of real property to be encumbered as set forth in the Assessor's Map Books for the current year, a description of the alleged violation of this Section, and shall fix a time, date, and place for hearing.

The Department shall mail this report to the sponsor and each owner of record of the parcels of real property subject to the lien.
Any notice required to be given to an owner or sponsor shall be sufficiently given or served upon the owner or sponsor for all purposes in this Section if personally served upon the owner or sponsor or if deposited, postage prepaid, in post office letterbox addressed to the owner or sponsor at the official address of the owner or sponsor maintained by the Tax Collector for the mailing of tax bills or, if no such address is available, to the sponsor at the address of the development project, and to the applicant for the site or building permit at the address on the permit application.
Except for the release of the lien recording fee authorized by Administrative Code Section 10.237, all sums collected by the Tax Collector under this Section shall be held in trust by the Treasurer and deposited in the City's appropriate fee account.

SECTION 108A – INSPECTIONS

108A.1 General. All construction or work for which a permit is required shall be subject to inspection by the building official, and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection by special inspectors as specified in Section 1701. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.
It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
In the absence of evidence as to the proper location of the lot on which a building is to be erected, for which a building permit has been or may be issued, the Building Official may require the owner to have the lot surveyed and staked by a registered land surveyor, or registered civil engineer, so that the proper location of the building on the lot may be determined. A copy of this survey shall be filed with the application for the permit.

108A.2 Inspection record card. Any work requiring a permit shall not begin until the permit holder or the permit holder's agent posts an inspection record "Job Card," on the site. This card shall be issued at the time of permit issuance by the Department. The card must be posted in a conspicuous, readily accessible location to allow inspectors to make necessary entries; it must remain on the job site until a final inspection of all work stated in that permit has been completed. After final inspection, the card may be removed and retained as part of the building owner's record.

108A.3 Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.
It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspections of such work.

108A.3.1 Off-hour inspections. Those desiring inspections outside normal business hours (7:30 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays) may avail themselves of this

service by prior arrangement and prepayment. See Section 110A, Table 1A-G – Inspections, Surveys and Reports – for applicable fee.

108A.3.2 Permits by other departments. Those applying for permits issued by other City departments which require an inspection, certification or report by the Department as a condition of issuance of said permits shall apply to the Department for said inspection, certification or report and pay a fee at the Department of Building Inspection. See Section 110A, Table 1A-G – Inspections, Surveys and Reports – for applicable fee.

108A.4 Approval required. No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. Such approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the inspections required in Section 108A.5. Any portions which do not comply with the provisions of this code and with the approved construction documents shall be corrected, and no such portion shall be covered or concealed until approved.

108A.5. Required inspections.

108A.5.1 General. The structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official. Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved.

108A.5.2 Foundation inspection. Inspection shall be made after excavations for footings is complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job site; however, where concrete is ready mixed in accordance with approved nationally recognized standards, the concrete need not be on the job site. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

108A.5.3 Concrete slab or under-floor inspection. Inspection shall be made after all in-slab or under- floor reinforcing steel building service equipment, conduit, piping accessories and other ancillary equipment items are installed, before any concrete is placed or floor sheathing installed, including the subfloor.

108A.5.4 Reinforcing steel. Inspection shall be made when reinforcing steel is in place in walls, floor and roof framing and other concrete members, and before any concrete is poured or placed. All reinforcing steel shall be visible for inspection.

108A.5.5 Structural steel. Inspection shall be made when structural steel framework, or any structural steel member of a building, is in place and before being covered or concealed in any manner.

108A.5.6 Frame inspection. Inspection shall be made after the roof, roof deck or sheathing, all framing, fire blocking and bracing are in place and all conduits, plumbing pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, and heating wires, conduits, plumbing pipes and ducts are approved.

108A.5.7 Lath or gypsum board inspection. Inspection shall be made after all lathing and gypsum board, interior and exterior, are in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

108A.5.8 Fire-rated suspended ceilings. Inspection shall be made after the installation of the hangers, lighting fixtures and air diffusers, the protective fixture boxes and main suspended ceiling members and before the ceiling is installed.

108A.5.9 Final inspection. A final inspection shall be made when the construction work has been completed, and the structure is ready for occupancy, but before it is occupied. There shall be a final inspection and approval on all buildings and structures when completed and ready for occupancy or use after plumbing, electrical and special inspection, and any other applicable approvals have been obtained. See Section 109A for certificate of occupancy requirements.

An exclusive electrical or plumbing final approval shall not be given or posted unless it is ascertained by the Building Official that no building permit is required.

108A.6 Special inspections. For special inspections, see Chapter 17.

108A.7 Other inspections. In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

108A.7.1 Concealed work. Whenever any work for which called inspections are required is covered or concealed without inspection, or whenever work is performed and concealed without a permit, and in cases where it is necessary to determine if the building or parts thereof are considered unsafe due to any of the conditions as set forth in Section 102A, the Building Official may require that such work be exposed for examination. The work of exposing or recovering or reconstructing such portions of the building or structure shall not entail expense to the City and County of San Francisco or any of its officials or employees, but shall be at the expense of the owner.

108A.8 Reinspection. A reinspection fee shall be assessed for each inspection or reinspection made necessary by any of the following conditions:

1. When such portion of work for which inspection is called is not complete.
2. When corrections called for are not made.
3. When the inspection record "Job Card" is not properly posted on the work site.
4. When the approved plans are not readily available to the inspector.
5. For failure to provide access on the date for which inspection is requested.
6. For deviating from plans requiring the approval of the Building Official.

The first reinspection for failure to comply with requirements shall not be assessed a reinspection fee. All subsequent reinspections on a job for the same or subsequent errors or omissions shall be charged a reinspection fee.

Subsequent to inspector determination of reinspection fee requirements, no required or requested inspections shall be made nor shall the job be given a Certificate of Final Completion and Occupancy or final approval until the required fees are paid at the Central Permit Bureau. See Section 110A, Table 1A-G – Inspections, Surveys and Reports – for applicable fee.

SECTION 109A – CERTIFICATE OF OCCUPANCY; AMENDED CERTIFICATE OF OCCUPANCY FOR EXISTING BUILDING

109A.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of final completion and occupancy or an amended certificate of final completion and occupancy therefor as provided herein, or otherwise has been approved for use by the Department of Building Inspection.
Issuance of a certificate of final completion and occupancy or an amended certificate of final completion and occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. It shall be the duty of the Police Department, when called upon by the Building Official, to enforce this provision.

109A.2 Change in occupancy or use. Changes in the character or use of a building shall not be made except as specified in Section 3408 of this code. A certificate of final completion and occupancy shall be required for changes in use or occupancy as set forth in Section 3408, except for Group R-1 and R-2
Occupancies; Group R-1 and R-2 occupancies shall be subject to the requirements of Sections 109A.7 and 109A.8.

109A.3 Certificate issued. The Building Official shall issue certificates of final completion And Occupancy for buildings or structures erected or enlarged; for each change in occupancy classification in any building, structure or portion thereof; and for buildings or structures seismically upgraded in accordance with the provisions of this code. An Amended certificate of final completion and occupancy shall be issued for an existing building where there is an increase in the number of legal dwelling units resulting in a change of occupancy. The amended certificate of occupancy shall indicate the date the first certificate of occupancy and any subsequent certificates of occupancy for the building or structure were issued. If there is no original certificate of occupancy, the amended certificate of occupancy shall refer to the date of initial construction on file in the records of the Department. The provisions of this section shall not be available for use in RH-1 or RH-1(D) zoning districts, nor shall it apply to any residential dwelling that is inconsistent with existing law.
EXCEPTION: For Group R-1 and R-2 Occupancies, see Sections 109A.7 and 109A.8.

109A.4 Temporary certificate. Temporary certificates of occupancy may be issued if the Building Official finds that no substantial hazard will result from occupancy of any building, or portion thereof, before the same is completed and satisfactory evidence is submitted that the work could not have been completed prior to occupancy. The request for such temporary certificate shall be in writing, and no occupancy of the building shall be made until such certificate is issued. Such temporary certificate shall be valid for a period not to exceed 12 months, unless an extension of time is approved by the Building Official. See Section 110A, Table 1A-G – Inspections, Surveys and Reports – for applicable fee.

109A.5 Posting. No requirements.

109A.6 Revocation. The building official may, in writing, suspend or revoke a certificate of occupancy or an amended certificate of occupancy issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

109A.7 Certificate or amended certificate of final completion and occupancy, Group R-1 and R-2 occupancy. Before the Department may issue a certificate of final completion and occupancy for a newly-erected building or structure, an amended certificate of final completion and occupancy for an existing building pursuant to Section 109A.3, or Apartment House / Hotel License, a written report of compliance with applicable codes, standards and regulations and any conditions of approval to the building, structure or property shall be obtained from those agencies having jurisdiction. An amended certificate of final completion and occupancy issued for changes to an existing building shall indicate the date the first certificate of occupancy and any subsequent certificates of occupancy for the building or structure were issued. If there is no original certificate of occupancy, the amended certificate of occupancy shall refer to the date of initial construction on file in the records of the Department.

Where any permit for the building, structure or property was appealed to the Board of Appeals and the Board imposed conditions on appeal, the Department may not issue a certificate of final completion and occupancy, an amended certificate of final completion and occupancy, or apartment house / hotel license until it determines that the conditions have been met. A copy of the certificate of final completion and occupancy or amended certificate of final completion and occupancy shall be forwarded to the Board of Appeals.

109A.8 Group R-1 and R-2 occupancy, apartment house / hotel license. A license shall be required for every Group R-1 and R-2 occupancy structure. The license shall be obtained by paying the necessary fees as set forth in Section 110A, Table 1A-P – apartment house and hotel license fees.

The apartment house / hotel license is not transferable, and a new license must be applied for by the new owner within 30 days of change of ownership.

The apartment house / hotel license shall not be construed as authority to violate, cancel, alter or set aside any of the provisions or requirements of any laws or ordinances of the City and County of San Francisco, nor shall such issuance thereafter prevent requiring corrections of errors or of violations of any applicable law or ordinance of the City and County of San Francisco.

SECTION 110A – SCHEDULE OF FEE TABLES.

SCHEDULE OF FEE TABLES:

- **1A-A Building Permit Fees**
- **1A-B Other Building Permit and Plan Review Fees**
- **1A-C Plumbing/Mechanical Permit Issuance and Inspection Fees**
- **1A-D Standard Hourly Rates**
- **1A-E Electrical Permit Issuance and Inspection Fee Schedule**
- **1A-F Specialty Permit Fees**
  1. **Bleachers Permit Fee Table**
  2. **Chimney and Flue Permits**
  3. **Demolition Permit Fee Table**
  4. **Extra Permit Work**
  5. **Garage Door Permits**
  6. **Grading Permits**
  7. **House Moving Permit Fee**
  8. **Recommencement of Work Not Completed**
  9. **Reroofing Permits**
  10. **Strong Motion Instrumentation Program Fee**
  11. **Subsidewalk Construction**
  12. **Construction of Impervious Surface in Front Yard Setback Area**
- **1A-G Inspections, Surveys and Reports**

1. Standard Inspection Fee
2. Off-Hours Inspection
3. Pre-Application Inspection
4. Reinspection Fee
5. Report of Residential Records (3R)
6. Survey of Nonresidential Buildings
7. Survey of Residential Buildings for any Purpose or Condominium Conversion
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1A-H Sign Permit Fees
1A-I Reserved
1A-J Miscellaneous Fees
1. Building Numbers
2. Extension of Time: Application Cancellation and Permit Expiration
3. Product Approvals

1A-K Penalties, Hearings, Code Enforcement Assessments
1. Abatement Appeals Board Hearing, Filing Fee
2. Board of Examiners Filing Fees
3. Building Official's Abatement Orders
4. Emergency Order
5. Exceeding the Scope of the Approved Permit
6. Access Appeals Commission Filing Fee
7. Lien Recordation Charges
8. Work without Permit: Investigation Fee; Penalty
9. Building Commission Hearing Fees
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1A-L Public Information
1. Public Notification and Record Keeping Fees
2. Demolition
3. Notices
4. Reproduction and Dissemination of Public Information
5. Replacement of Approved Plans/Specifications
6. Records Retention Fee

1A-M Boiler Fees
1A-N Energy Conservation
1A-O Reserved
1A-P Apartment House and Hotel License Fees
1A-Q Hotel Conversion Ordinance Fees
1A-R Refunds
1A-S Unreinforced Masonry Building Retrofit

SECTION 110A – SCHEDULE OF FEE TABLES

TABLE 1A-A – BUILDING PERMIT FEES

	NEW CONSTRUCTION [1]		ALTERATIONS [1, 2]		NO PLANS [1, 2]
TOTAL VALUATION	PLAN REVIEW FEE	PERMIT ISSUANCE FEE	PLAN REVIEW FEE	PERMIT ISSUANCE FEE	PERMIT ISSUANCE FEE
$1.00	$141.17 for the first	$60.50 for the	$155.75 for the	$66.75 for the first	$180.00 for the

to $2,000.00	$500.00 plus $5.83 for each additional $100.00 or fraction thereof, to and including $2,000.00	first $500.00 plus $2.50 for each additional $100.00 or fraction thereof, to and including $2,000.00	first $500.00 plus $3.15 for each additional $100.00 or fraction thereof, to and including $2,000.00	$500.00 plus $1.35 for each additional $100.00 or fraction thereof, to and including $2,000.00	first $500.00 plus $4.00 for each additional $100.00 or fraction thereof, to and including $2,000.00
$2,001.00 to $50,000.00	$228.62 for the first $2,000.00 plus $14.00 for each additional $1,000.00 or fraction thereof, to and including $50,000.00	$98.00 for the first $2,000.00 plus $6.00 for each additional $1,000.00 or fraction thereof, to and including $50,000.00	$203.00 for the first $2,000.00 plus $19.11 for each additional $1,000.00 or fraction thereof, to and including $50,000.00	$87.00 for the first $2,000.00 plus $8.19 for each additional $1,000.00 or fraction thereof, to and including $50,000.00	$240.00 for the first $2,000.00 plus $5.83 for each additional $1,000.00 or fraction thereof, to and including $50,000.00
$50,001.00 to $200,000.00	$900.62 for the first $50,000.00 plus $9.33 for each additional $1000.00 or fraction thereof, to and including $200,000.00	$386.00 for the first $50,000.00 plus $4.00 for each additional $1000.00 or fraction thereof, to and including $200,000.00	$1,120.28 for the first $50,000.00 plus $11.43 for each additional $1000.00 or fraction thereof, to and including $200,000.00	$480.12 for the first $50,000.00 plus $4.90 for each additional $1000.00 or fraction thereof, to and including $200,000.00	$519.84 for the first $50,000.00 plus $2.86 for each additional $1000.00 or fraction thereof, to and including $200,000.00
$200,001.00 to $500,000.00	$2,300.12 for the first $200,000.00 plus $6.53 for each additional $1000.00 or fraction thereof, to and including $500,000.00	$986.00 for the first $200,000.00 plus $2.80 for each additional $1000.00 or fraction thereof, to and including $500,000.00	$2,834.78 for the first $200,000.00 plus $9.33 for each additional $1000.00 or fraction thereof, to and including $500,000.00	$1,215.12 for the first $200,000.00 plus $4.00 for each additional $1000.00 or fraction thereof, to and including $500,000.00	[x] Plans Required for Submittal
$500,001.00 to $1,000,000.00	$4,259.12 for the first $500,000.00 plus $5.83 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00	$1,826.00 for the first $500,000.00 plus $2.50 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00	$5,633.78 for the first $500,000.00 plus $6.42 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00	$2,415.12 for the first $500,000.00 plus $2.75 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00	Plans Required for Submittal
$1,000,001.00 to $5,000,000.00	$7,174.12 for the first $1,000,000.00 plus $5.13 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00	$3,076.00 for the first $1,000,000.00 plus $2.20 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00	$8,843.78 for the first $1,000,000.00 plus $5.83 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00	$3,790.12 for the first $1,000,000.00 plus $2.50 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00	Plans Required for Submittal
$5,000,001.00 and up	$27,694.12 for the first $5,000,000.00 plus $4.90 for each additional $1,000.00 or fraction hereof	$11,876.00 for the first $5,000,000.00 plus $2.10 for each additional $1,000.00 or fraction thereof	$32,163.78 for the first $5,000,000.00 plus $5.48 for each additional $1,000.00 or fraction thereof	$13,790.12 for the first $5,000,000.00 plus $2.35 for each additional $1,000.00 or fraction thereof	Plans Required for Submittal

NOTES:

1. These permit fees do not include other fees that may be required by other Departments: Public Works, Planning,

Fire, Public Health, etc., nor do they include plumbing, electrical or mechanical permit fees unless so stated in the other fee tables.

2. A surcharge of $5.00 shall be added to those alteration permits sought for buildings classified as R3 (one/two-family dwelling) and E3 (licensed day care) that were constructed prior to 1979 to implement the interior lead safe work practices provisions of Section 3407 et seq. of this code.

[Amended 2-5-2013 by Ord. No. 16-3, effective 3-7-2013]

Table 1A-B. Revise as follows:

TABLE 1A-B – OTHER BUILDING PERMIT AND PLAN REVIEW FEES

1.	Plan Review Fees Not Covered in Table 1A-A:	Plan Review Hourly Rate - Minimum One Hour
2.	Back Check Fee:	Plan Review Hourly Rate - Minimum One Hour
3.	Commencement of work not started:	See SFBC Section 106A.4.4.1 Note: Compliance with additional codes is required.
	a. Building, Plumbing, Mechanical, or Electric Permit Fee:	75% of current fee
	b. Plan Review Fee:	100% of current fee
4.	Permit Facilitator Fee:	Plan Review Hourly Rate Hourly - Minimum Three Hours See SFBC Section 106A.3.6
5.	Pre-application Plan Review Fee:	Plan Review Hourly Rate - Minimum Two Hours Per Employee
6.	Reduced Plan Review Fee:	50% of the Plan Review Fee
7.	Sign Plan Review Fee:	See Table 1A-A – Building Permit Fees
8.	Site Permit Fee:	25% of Plan Review Fee based on Table 1A-A. Minimum fee $500.00
9.	Premium Plan Review Fee – Submitted application:	50% of Plan Review Fee plus $1,000.00
10.	Premium Plan Review Fee – Over the counter building plan review by appointment:	50% of Plan Review Fee plus $400.00
11.	Other Services:	Hourly Rates per Table 1A-D

NOTES:

1. See Table 1A-D-Standard Hourly Rates.
2. "Back check" is defined as: (1) that time spent reviewing applicant-initiated revisions to plans that do not affect the valuation, scope or size of the project; or (2) any additional plan review performed on required corrections to plans beyond the standard review process, as determined by the Building Official. Plan review required for applicant-initiated revisions effecting valuation, scope, or size or project may be assessed a new plan review fee in addition to the initial plan review fee as determined by the Building Official.

TABLE 1A-C – PLUMBING/MECHANICAL PERMIT ISSUANCE AND INSPECTION FEES

A. Permit applicants shall show a complete itemization of the proposed scope of work and select the appropriate fee category.

B. A separate permit is required for each structure, condominium unit, existing apartment unit, high-rise office floor, suite, or tenant space.

C. Standard hourly issuance/inspection rates will apply for installations not covered by the fee categories below.

D. Fees shall be paid in full prior to approval for occupancy, job card signature, gas tags, or final signoff, as applicable.

E. See Table 1A-R for refund policy.

1. Permit Issuance Fees by Category:

CATEGORY 1P	**Single Residential Unit – water service, sewer replacement, single plumbing fixture installation, shower pan installation, or kitchen or bathroom remodels**	**$160.00**
CATEGORY 1M	**Single Residential Unit – mechanical gas appliance (furnace, hydronic heat, heat pump)**	**$150.00**
CATEGORY 2PA	**Plumbing installation for residential construction with 6 or less dwelling units or guest rooms; without underground plumbing installation (includes water, gas, waste, and vent)**	**$275.00**
CATEGORY 2PB	**Plumbing installation for residential construction with 6 dwelling units or guest rooms or less; with underground plumbing installation (includes water, gas, waste, and vent)**	**$400.00**
CATEGORY 2M	**Mechanical gas appliances for residential construction with 6 dwelling units or guest rooms or less**	**$240.00**
CATEGORY 3PA	**7 – 12 Dwelling Units**	**$575.00**
CATEGORY 3PB	**13 – 36 Dwelling Units**	**$1,150.00**
CATEGORY 3PC	**Over 36 Dwelling Units**	**$4,800.00**
CATEGORY 3MA	**7 – 12 Dwelling Units**	**$575.00**
CATEGORY 3MB	**13 – 36 Dwelling Units**	**$1,150.00**
CATEGORY 3MC	**Over 36 Dwelling Units**	**$4,800.00**
CATEGORY 4PA	**Fire sprinklers – one and two family dwelling units**	**$150.00**
CATEGORY 4PB	**Fire sprinklers – 3 or more dwelling units or guest rooms, commercial and office – per floor**	**$250.00**
CATEGORY 5P/5M	**Office, mercantile & retail buildings: New or Tenant Improvements; heating/cooling equipment to piping connected thereto – per tenant or per floor, whichever is less**	**$325.00**
CATEGORY 6PA	**Restaurants (new and remodel) fee includes 5 or less drainage and or gas outlets – no fees required for public or private restroom**	**$311.00**
CATEGORY 6PB	**Restaurants (new and remodel) fee includes 6 or**	**$880.00**

	more drainage and/or gas outlets – no fees required for public or private restroom	
CATEGORY 8	New boiler installations over 200 kbtu	$275.00
CATEGORY 9P/M	Surveys	$300.00
CATEGORY 10P/M	Condominium conversions	$365.00
BOILER	(Permit to operate – PTO)	$52.00 each
MAINTENANCE PROGRAM	See Table 1A-M – Boiler Fees for additional boiler- related fees.	
2.	Standard inspection fees	Hourly
	Reinspection or additional inspection per SFBC Section 108A.8	inspection rate

A permit may include more than one category, and each category will be charged separately.

TABLE 1A-D – STANDARD HOURLY RATES

1.	Plan Review	$187.00 per hour.
2.	Inspection	$170.00 per hour, $180.00 per hour for OSHPD inspection
3.	Administration	$104.00 per hour , with a minimum charge of $52.00 for 30 minutes or less

TABLE 1A-E – ELECTRICAL PERMIT ISSUANCE AND INSPECTION FEE SCHEDULE

A. Permit applicants are required to itemize the proposed scope of work and select the appropriate category and fee amount.

B. Separate permits are required for each structure, condominium unit, existing dwelling unit (except in R3 occupancies), common area, commercial office floor or individual tenant space.

C. Standard hourly permit issuance and inspection rates shall apply for installations not covered by this fee schedule.

D. Fees shall be paid in full prior to obtaining: occupancy approval, job card signature, permission to energize, or final signoff, as applicable.

E. For the purpose of fee calculation: appliances and utilization equipment each count as one outlet or device in addition to receptacles, switches, and light outlets.

See Table 1A-R for refund policy.

See Table 1A-J for permit extensions.

Category 1	
General Wiring: Residential Buildings up to 10,000 sq. ft.	
Up to 10 outlets and/or devices	$160.00
11 to 20 outlets and/or devices	$240.00
Up to 40 outlets and/or devices, includes up to 200 Amp service upgrade	$300.00
* More than 40 outlets and/or devices	$420.00
* Buildings of 5,000 to 10,000 sq. ft.	$600.00

Category 2

General Wiring: Nonresidential Buildings & Residential Buildings over 10,000 sq. ft.

Up to 5 outlets and/or devices	$240.00
6 to 20 outlets and/or devices	$360.00
* Areas up to 2,500 sq. ft.	$480.00
* 2,501 to 5,000 sq. ft.	$720.00
* 5,001 to 10,000 sq. ft.	$1,200.00
* 10,001 to 30,000 sq. ft.	$2,400.00
* 30,001 to 50,000 sq. ft.	$4,800.00
* 50.001 to 100,000 sq. ft.	$7,200.00
* 100,001 to 500,000 sq. ft	$14,400.00
* 500,001 to 1,000,000 sq. ft.	$32,400.00
* More than 1,000,000 sq. ft.	$64,800.00

* Includes Category 3 & 4 installations in new buildings or major remodel work

Category 3
Service Distribution and Utilization Equipment,
Includes: Generators, UPS, Transformers and Fire Pumps
(Use Category 3 for installations separate from the scope of work in Categories 1 or 2)

225 amps rating or less	$240.00
250 to 500 amps	$360.00
600 to 1000 amps	$480.00
1,200 to 2,000 amps	$720.00
More than 2,000 amps	$960.00
600 volts or more	$960.00
150 kva or less	$240.00
151 kva or more	$360.00
Fire Pump installations	$480.00

Category 4
Installations of Fire Warning and Controlled Devices
(Use Category 4 for installations separate from the scope of work in Categories 1 or 2)

Up to 2,500 sq. ft.	$240.00
2,501 to 5,000 sq. ft.	$360.00
5,001 to 10,000 sq. ft.	$720.00
10,001 to 30,000 sq. ft.	$1,200.00
30,001 to 50,000 sq. ft.	$2,400.00
50,001 to 100,000 sq. ft.	$4,800.00
100,001 to 500,000 sq. ft.	$7,200.00
500,001 to 1,000,000 sq. ft.	$16,200.00
More than 1,000,000 sq. ft.	$32,400.00

Fire Warning and Controlled Devices (Retrofit Systems)

Buildings of not more than 6 dwelling units	$360.00
Buildings of not more than 12 dwelling units	$480.00
Buildings with more than 12 dwelling units and non-residential occupancy	
Building up to 3 floors	$720.00
4 – 9 floors	$1,440.00

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10 – 20 floors	$2,400.00
21 – 30 floors	$4,800.00
More than 30 floors	$7,200.00
Category 5	
Miscellaneous Installations	
Remodel / Upgrade of Existing Hotel Guest / SRO Rooms	
Up to 6 rooms	$300.00
Each additional group of 3 rooms	$150.00
Data, Communications, and Wireless Systems	
10 cables or less	Exempt
11 to 500 cables	$170.00
Each additional group of 100 cables	$25.00
Security Systems, 10 components or less	$170.00
Each additional group of 10 components	$10.00
Includes installations and devices that interface with life safety systems; excludes installations in R3 Occupancies	
Office Workstations, 5 or less	$170.00
Each additional group of 10 workstations	$50.00
Temporary Exhibition Wiring, 1 to 100 booths (1 inspection)	$240.00
Each additional group of 10 booths	$25.00
Exterior Electrical Sign	$170.00
Interior Electrical Sign	$170.00
Each Additional Sign, at the same address	$40.00
Garage Door Operator (Requiring receptacle installation)	$170.00
Quarterly Permits	$375.00
Maximum five outlets in any one location	
Survey, per hour or fraction thereof	$170.00
Survey, Research, and Report preparation, per hour or fraction thereof	$300.00
Witness Testing: life safety, fire warning, emergency, and energy management systems	
Hourly Rate	$170.00
Additional hourly rate	$170.00
Off-hour inspections: (two hour minimum)	$340.00
Additional off-hourly rate	$255.00
Energy Management, HVAC Controls, and Low-Voltage Wiring Systems	

1 – 10 floors (3 inspections)	$480.00
Each additional floor	$50.00
Solar Photovoltaic Systems	
10 KW rating or less	$170.00
Each additional 10 KW rating	$100.00
Standard Hourly Inspection Rate	See Table 1A-D

TABLE 1A-F – SPECIALTY PERMIT FEES

1.	Bleachers Permit Fee:	See Table 1A-A for New Construction Fees
2.	Chimney and Flue Permit Fee:	See Table 1A-A for New Construction Fees
3.	Demolition Permit Fee:	See Table 1A-A for New Construction Fees
4.	Extra Permit Work: (exceeding scope)	2 times the standard fees for work remaining to be done or not covered in original permit scope
5.	Garage Door Permit Fee: Each garage door in an existing building	$160.00
6.	Grading Permit Fee:	See Table 1A-A for New Construction Fees
7.	House Moving Permit Fee:	Standard Hourly Inspection Rate - Minimum 3 Hours
8.	Recommencement of Work Not Completed:	Standard Inspection Fee per Table 1A-G; See also Table 1A-B – Commencement of Work Not Started
9.	Reroofing Permit Fee:	$160.00 for Single-Family homes and duplexes $240.00 for all others
10.	Strong Motion Instrumentation Program Fee:	
	Group R Occupancies of 3 stories or less, except hotels and motels	0.00013 times the valuation
	Hotels and motels, all buildings greater than 3 stories, all occupancies other than Group R	0.00024 times the valuation
	Minimum fee	$1.60
11.	Subsidewalk Construction Permit Fee: Construction	See Table 1A-A for New Construction Fees
12.	Construction of impervious surface in the required front and setback area	$160.00

TABLE 1A-G – INSPECTIONS, SURVEYS AND REPORTS

1.	Standard Hourly Rate	See Table 1A-D
2.	Off-hours inspection	Standard Hourly Inspection Rate - Minimum Two Hours plus permit fee
3.	Pre-application inspection	Standard Hourly Inspection Rate - Minimum Two Hours
4.	Re-inspection fee	Standard Hourly Inspection Rate
[xi]5.	Report of residential records (3R)	$160.00
6.	Survey of nonresidential buildings:	Standard Hourly Inspection Rate - Minimum Two Hours
7.	Survey of residential buildings for any purpose or Condo Conversions:	
	Single unit	$1,750.00
	Two to four units	$2,300.00
	Five + units	$2,300.00 plus Standard Hourly Inspection Rate
	Hotels:	
	Includes 10 guestrooms	$1,750.00
[xii]	11 + guestrooms	$2,300.00 plus $42.50 per guestroom over 11
8.	Temporary Certificate of Occupancy	Standard Hourly Inspection Rate - Minimum Two Hours

[Amended 2-5-2013 by Ord. No. 16-3, effective 3-7-2013]

TABLE 1A-H – SIGN PERMIT FEES

Nonelectric and electric sign permit fee – See Table 1A-A for New Construction Fees
NOTE: See also Table 1A-E for required Electrical Sign Permits and Inspections

TABLE 1A-I – RESERVED

TABLE 1A-J – MISCELLANEOUS FEES

1.	Central Permit Bureau Processing Fee for Miscellaneous Permits from other disciplines	Standard Administration Hourly Rate - Minimum One-Half Hour
2.	Building numbers (each entrance)	$104.00 NEW ADDRESSES [xiii]$210.00 CHANGE OF EXISTING ADDRESS OR LOT NUMBER
3.	Extension of time: application cancellation and permit expiration:	
	Each application extension (in plan review)	$160.00 plus 20% of All Plan Review Fees
	Each permit extension	$160.00 plus 10% of All Permit Issuance Fees
4.	Product approvals:	
	General approval - initial or reinstatement	Standard Hourly Plan Review Rate - Minimum Three Hours
	General approval - modification or revision	Standard Hourly Plan Review Rate - Minimum Three Hours

	General approval - biannual renewal	Standard Hourly Plan Review Rate - Minimum Three Hours
5.	Technology surcharge on the cost of permit applications processed by the Department of Building Inspection for all departments and bureaus of the City and County of San Francisco	2% of permit cost
6.	California Building Standards Commission Fee	Pursuant to the provisions of California Health and Safety Code Sections 18930.5, 18931.6, 18931.7 and 18938.39
7.	Vacant building - Initial and annual registration fee	Standard Inspection Hourly Rate - Minimum Four and One-Half Hours

[Amended 2-5-2013 by Ord. No. 16-3, effective 3-7-2013]

TABLE 1A-K – PENALTIES, HEARINGS, CODE ENFORCEMENT ASSESSMENTS

1.	Abatement Appeals Board hearing, filing fee	$170.00 per case
2.	Board of Examiners filing fees:	
	Each appeal for variance from interpretation of code requirements	Standard Hourly Plan Review Rate - Minimum Two Hours
	Each appeal for approval of substitute materials or methods of construction	Standard Hourly Plan Review Rate - Minimum Four Hours
[xiv]3.	Building Official's abatement order hearing	Standard Hourly Plan Review Rate - Minimum Two Hours
4.	Emergency order	Standard Hourly Plan Review Rate - Minimum Two Hours
5.	Exceeding the scope of the approved permit	2 times the issuance fee
6.	Access Appeals Commission:	
	Filing fee	Standard Hourly Plan Review Rate - Minimum Two Hours per appeal
	Request for a rehearing	Standard Hourly Plan Review Rate - Minimum Two Hours
7.	Lien recordation charges	$187.00 or 10 percent of the amount of the unpaid balance, including interest, whichever is greater
8.	Work without permit: investigation fee: Building, Electrical, Plumbing or Mechanical Code violations	9 times the Permit Issuance Fee plus the original permit fee
9.	Building Inspection Commission hearing fees:	
	Notice of appeal	Standard Hourly Plan Review Rate - Minimum Four Hours
	Request for jurisdiction	Standard Hourly Plan Review Rate - Minimum Four Hours
	Request for rehearing	Standard Hourly Plan Review Rate - Minimum Two Hours
10.	Additional hearings required by Code	Standard Hourly Plan Review Rate -

11.	Violation monitoring fee (in-house)	Minimum Four Hours Standard Administration Hourly Rate – Minimum One-Half Hour Monthly

[Amended 2-5-2013 by Ord. No. 16-3, effective 3-7-2013]

TABLE 1A-L – PUBLIC INFORMATION

1.	Public notification and record keeping fees:	
	Structural addition notice	Standard Administration Hourly Rate - Minimum One-Half Hour
	Affidavit record maintenance	$15.00
	Posting of notices (change of use)	Standard Administration Hourly Rate - Minimum One-Half Hour
	Requesting notice of permit issuance (each address) per year	Standard Administration Hourly Rate - Minimum One-Half Hour
	30-inch by 30-inch (762 mm by 762 mm) sign	$15.00
2.	Demolition:	
	Notice of application and permit issuance by area/interested parties:	
	1 area (1 area = 2 blocks)	[xv]$104.00 per annum per each area
3.	Notices:	
	300-foot (91.44 m) notification letters	Standard Administration Hourly Rate - Minimum One and One-Half Hour
	Residential tenants notification	Standard Administration Hourly Rate - Minimum One-Half Hour
4.	Reproduction and dissemination of public information:	
	Certification of copies:	
	1 to 10 pages	$15.00
	Each additional 10 pages or fraction thereof	$3.50
	Electrostatic reproduction:	
	Each page photocopy	$0.10
	35 mm duplicards from microfilm rolls (Diazo card)	[xvi]$3.50
	Hard copy prints:	
	8 1/2 inch by 11 inch copy from microfilm roll	$0.10
	11 inch by 17 inch copy of plans	$0.10
	8 1/2 inch by 11 inch copy from aperture cards or from electronic copies of building records (scanned or computer generated)	$0.10
5.	Replacement of approved construction documents:	
[xvii]	Each sheet of plans (Larger than 11 × 17)	ACTUAL COST CHARGED BY VENDOR
6.	Records Retention Fee	

xviii	Each page of plans per page of plans	$3.00
xix	Each page of supporting documentation (e.g., soil reports, structural calculations, acoustical reports, energy calculations, etc.) per page of documentation	$0.10

[Amended 2-5-2013 by Ord. No. 16-3, effective 3-7-2013]

TABLE 1A-M – BOILER FEES

Permit to install or replace	See Table 1A-C - Category 8
Permit to operate (certificate issued)	Standard Administration Hourly Rate - Minimum One-Half Hour
Renew permit to operate (certificate issued)	Standard Administration Hourly Rate - Minimum One-Half Hour
Replacement of issued permit to operate	Standard Administration Hourly Rate - Minimum One-Half Hour
Connection to utility company provided steam (includes permit to operate)	Standard Administration Hourly Rate - Minimum One-Half Hour
Boiler Maintenance Program	$52.00

Renewal required:

1. Low-pressure boilers every 12 months. (See definition of low-pressure boilers in Chapter 2.)
2. Water heaters when alteration or replacement permits are issued.

TABLE 1A-N – ENERGY CONSERVATION

	INITIAL INSPECTION	COMPLIANCE INSPECTION
Single-family dwellings and two-family dwellings	$170.00	$85.00
Apartment houses and residential hotels:		
Up to 20 rooms	$255.00	$127.50
Each additional 10 rooms or portion thereof	$85.00	$52.00
Energy reports and certificates:		$52.00
Filing fee for appeals:		$104.00
Certification of qualified energy inspector:		$200.00

TABLE 1A-O – RESERVED

TABLE 1A-P – RESIDENTIAL CODE ENFORCEMENT AND LICENSE FEES

1.	One- and Two-family dwelling unit fees:	$52.00 per rental unit
2.	Apartment house license fees:	
	Apartment houses of 3 to 12 units	$326.00 per annum
	Apartment houses of 13 to 30 units	$488.00 per annum
	Apartment houses of more than 30 units	$488.00 and $55.00 for each additional 10

		units or portion thereof
3.	**Hotel license fees:**	
	Hotels of 6 to 29 rooms	**$256.00 per annum**
	Hotels of 30 to 59 rooms	**$470.00 per annum**
	Hotels of 60 to 149 rooms	**$584.00 per annum**
	Hotels of 150 to 200 rooms	**$660.00 per annum**
	Hotels of more than 200 rooms	**$660.00 and $55.00 for each additional 25 rooms or portion thereof**

TABLE 1A-Q – HOTEL CONVERSION ORDINANCE FEES

	Annual unit usage report	**$104.00**
1.	**Appeal of initial or annual status determination:**	**Standard Inspection Hourly Rate pursuant to Section 110A of this code shall apply for Department Inspector's work on such request plus fees for Hearing Officer**
2.	**Challenge to claims of exemption:**	
	Usage report	**$52.00**
	Claim of exemption based on low-income housing	**$340.00**
	Claim of exemption based on partially completed conversion	**$510.00**
3.	**Complaint of unlawful conversion**	**$52.00**
	Determination by Department of Real Estate and cost of independent appraisals	**Actual costs**
4.	**Initial unit usage report**	**$340.00**
5.	**Permit to convert**	**$510.00**
6.	**Request for hearing to exceed 25% tourist season rental limit:**	
	Inspection staff review - standard hourly inspection fee	**Standard Inspection Hourly Rate**
	Statement of exemption - Hearing Officer fee	**$340.00**
7.	**Unsuccessful challenge:**	
	Usage report:	
	Inspection staff review - standard hourly inspection fee	**Standard Inspection Hourly Rate**
	Statement of exemption - Hearing Officer fee	**$340.00**
	Request for winter rental:	
	Standard hourly inspection fee	**Standard Inspection Hourly Rate**

TABLE 1A-R – REFUNDS

Partial or complete refunds of only those fees contained herein will be given, provided the applicant meets the refund requirements of the applicable section of this code. No other fees are refundable, except as follows:

1. Application or Permit Issuance Fee:

Building, plumbing, electrical or mechanical permit issuance fee	**Amount paid less $160.00 or actual costs, whichever is greater. No refunds given after work started.**
Plan Review Fees (each)	**Amount determined by the Building Official less $160.00 No Refund due after application deemed acceptable for Department of Building Inspection Plan Review**
2. Miscellaneous Fees:	**Amount paid less $52.00 No refunds less than $52.00**

If the Building Official determines that an error has been made in the assessment of fees, a refund for the portion determined to be in error may be made upon written request by the applicant.

TABLE 1A-S – UNREINFORCED MASONRY BEARING WALL BUILDING RETROFIT

Review of Inventory Form (Section 1604B.2.1)	**Standard Plan Review Hourly Rate - Minimum Two Hours**
Review of the summary of the engineering report (Section 1604B.2.3)	**Standard Plan Review Hourly Rate - Minimum Two Hours**
Board of Examiners filing fees (Section 105A7.4):	
Each appeal for a variance from or interpretation of code requirements	**Standard Plan Review Hourly Rate - Minimum Two Hours**
Each appeal for the approval of substitute materials or methods of design or construction (Section 105A.7.3)	**Standard Plan Review Hourly Rate - Minimum Four Hours**

FIGURE 1A-I
1851 HIGH-TIDE LINE MAP

To view Figure 1A-I in PDF, please click HERE

Chapter 2
DEFINITIONS

SECTION 202 – DEFINITIONS

202 Add this definition as follows:

KITCHEN. That portion in a residential dwelling unit that is a room or area used for cooking, food storage and preparation and washing dishes, including associated counter tops and cabinets, refrigerator, stove, ovens and floor area.

202 Revise this definition as follows:

STORY, FIRST. **For Large family day care, the first story shall be the floor used for residential occupancy nearest to the street level which provides primary access to the building.** ~~[DSA-AC] See Chapter 11B, Section 1102B.~~

202 Revise the first sentence of the following two definitions under STANDPIPE SYSTEM:

STANDPIPE SYSTEM, CLASSES OF. Standpipe classes are as follows:

Class I system. A system providing ~~2 ½ inch (64mm)~~ **3" (76.2 mm)** hose connections to supply water for use by fire departments and those trained in handling heavy fire streams.

Class III system. A system providing 1-1/2-inch (38 mm) hose stations to supply water for use by building occupants and ~~2 ½ inch (64mm)~~ **3" (76.2 mm)** hose connections to supply a larger volume of water for use by fire departments and those trained in handling heavy fire streams.

Chapter 3
USE AND OCCUPANCY CLASSIFICATION

No San Francisco Building Code Amendments.

Chapter 4
SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

SECTION 406 – MOTOR-VEHICLE-RELATED OCCUPANCIES

406.3.3 Add the following third paragraph at the end of the section:

406.3.3 Garages and Carports

Ventilation shall be provided as follows: Natural ventilation shall be required, and such space shall be provided with ventilation outlets in the walls or exterior doors. The total net area of such ventilation outlets shall be 200 square inches (0.129 m^2) for a space up to 1,000 square feet (92.903 m^2) in area and shall be increased 30 square inches (0.0194 m^2) for each additional 200 square feet (18.58 m^2) of floor area up to maximum floor area of 3,000 square feet (278.709 m^2).

SECTION 425 – SPECIAL PROVISIONS FOR LICENSED 24-HOUR CARE FACILITIES IN A GROUP R-2.1, R-3.1, R-4

425.3 Add the following section:

425.3.5 For detached one- and two-family dwellings, and townhouses not more than three stories above grade plane in height with a separate means of egress, buildings housing protective social-care homes or in occupancies housing inmates who are not restrained need not be of one-hour fire-resistive construction when not more than two stories in height. In no case shall individual floor areas exceed 3,000 square feet (279 m^2). The fire-resistive protection of the exterior walls shall not be less than one hour where such walls are located within 5 feet (1524 nn) of the property line. Openings within such walls are not permitted. Openings within non-rated walls need not be protected. [CRC R325.3.2]

446 Add the following section:

SECTION 446 – FENCES

446.1 Fences. Fences on any property containing a Group R Occupancy shall not be higher than 10 feet (3.048 mm). Fences located less than 10 feet (3.048 mm) from any public sidewalk shall not be higher than 10 feet (3.048 mm) unless they are of open-type materials such as chain link fabric. Fence height shall be measured from the level of general existing adjacent ground of the general area prior to the improvement of the properties. A fence or railing placed on top of the retaining wall shall be measured from the top of the wall.

Fences constructed wholly or in part of barbed wire are prohibited, except when permitted with the express written permission of the Building Official, and the Fire Department in the following situations:

1. On top of a fence more than 7 feet (2.134 m) high, protecting a dangerous or hazardous area.
2. Within a private area, enclosed by a seven- foot-high (2.134 m) fence, such that entry to the area is limited by the outer, nonbarbed fence.
3. In special instances for localized protection, and in areas within or atop a building to isolate dangerous conditions.

Chapter 5
GENERAL BUILDING HEIGHTS AND AREAS

No San Francisco Building Code Amendments

Chapter 6
TYPES OF CONSTRUCTION

No San Francisco Building Code Amendments

Chapter 7
FIRE AND SMOKE PROTECTION FEATURES

SECTION 707 – FIRE BARRIERS

707.1 Add a second paragraph to this section as follows:

Information technology rooms shall be in accordance with the Fire Code and Electrical Code. See Administrative Bulletin AB-060.

Chapter 7A [SFM]
MATERIALS AND CONSTRUCTION METHODS FOR EXTERIOR WILDFIRE EXPOSURE

No San Francisco Building Code Amendments

Chapter 8
INTERIOR FINISHES

No San Francisco Building Code Amendments

Chapter 9
FIRE PROTECTION SYSTEMS

SECTION 901 – GENERAL

901.4 Add a second paragraph as follows:

Notwithstanding any other provisions of the California Building Code or other codes or regulations, Fire Department connections shall have 3-inch (76.2 mm) National Standard hose threads.

SECTION 903 – AUTOMATIC SPRINKLER SYSTEMS

903.2.8 Add exception 5 as follows:

5. An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses, one- and two- family dwellings not more than three stories above grade plane that do not have an automatic residential fire sprinkler system installed. [CRC 1.1.3, R313.1, R313.2]

Table 903.2.11.6 Add a new line to the end of the Table as follows:

TABLE 903.2.11.6
ADDITIONAL REQUIRED SUPPRESSION SYSTEMS

SECTION	SUBJECT
3202.3.4	**Pedestrian Walkways over Public Streets**

SECTION 905 – STANDPIPE SYSTEMS

905.3.4 Revise this section as follows:

905.3.4 Stages. Stages greater than 1,000 square feet in area (93 m^2) shall be equipped with a Class III wet standpipe system with 1-1/2-inch and ~~2 ½ inch (64 mm)~~ **3-inch (38 mm and 76.2 mm)** hose connections on each side of the stage.

SECTION 907 – FIRE ALARM AND DETECTION SYSTEMS

907.2.9.1 Revise Item 3 as follows:

3. The building contains more than ~~16~~ **6** dwelling units or sleeping units.

907.2.9.1 Revise Item 4 as follows:

4. Congregate living facilities or congregate residences **three or more stories in height or having an occupant load of 11 or more.**

907.2.9.5 Add the following section:

907.2.9.5 Automatic smoke detection system. An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.6 shall be installed throughout all interior corridors serving sleeping units.

Exceptions:

1. An automatic smoke detection system is not required in buildings that do not have interior corridors serving sleeping units and where each sleeping unit has a means of egress door opening directly to an exit or to an exterior exit access that leads directly to an exit.

2. An automatic smoke detection system is not required in buildings when all of the following conditions are met:

2.1. The building is equipped throughout with a supervised automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.

2.2. The notification devices will activate upon sprinkler water flow; and

2.3. At least one manual fire alarm box is installed in an approved location.

907.2.11.6 Add a second paragraph as follows:

Group R-3 congregate living facilities having an occupant load of 6 or more shall be provided with a manual fire alarm system.

SECTION 912 – FIRE DEPARTMENT CONNECTIONS

912 Add the following section:

912.6 Number of connections required. Sprinkler systems requiring a 4-inch (101.6 mm) or larger water service shall have two or more inlet connections as necessary to meet hydraulic demand.

Chapter 10
MEANS OF EGRESS

SECTION 1008 – DOORS, GATES AND TURNSTILES

1008.1.2 Revise item 4 as follows:

4. **Other than the main egress door at the primary entry,** doors within or serving a single dwelling unit in Groups R-2 and R-3.

SECTION 1009 – STAIRWAYS

1009.7.5 Modify the first sentence of the first paragraph as follows:

For all occupancies except R-3 one and two family dwellings and townhouses the radius of curvature at the leading edge of the tread shall be not greater than 9/16 inch (14.3 mm).

1009.7.5 Add a second paragraph as follows:

For R-3 one and two family dwellings and townhouses, the radius of curvature at the nosing shall be no greater than 9/16 inch (14mm). A nosing not less than 3/4 inch (19 mm) but not more than 1-1/4 inches (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than 3/8 inch (9.5 mm) between two stories, including the nosing at the level of floors and landings. Beveling of nosings shall not exceed 1/2 inch (12.7 mm). Risers shall be vertical or sloped under the tread above from the underside of the nosing above at an angle not more than 30 degrees (.051 rad) from the vertical. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4-inch diameter (102 mm) sphere.

Exception: A nosing is not required where the tread depth is a minimum of 11 inches (279 mm). [CRC R311.7.5.37]

1009 Add new sections as follows:

1009.18 Stairs or ladders used only to attend equipment or window wells are exempt from the requirements of this chapter.

1009.19 Stairways that replace existing stairways in residential occupancies and which complied with the code in effect at the time they were constructed, and which have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy, may be reconstructed in the same configuration and construction as the existing stairways.

SECTION 1010 – RAMPS

1010.3 Add second exception as follows:

Exception 2: For R-3 one and two family dwellings and townhouses, where it is technically infeasible to comply because of site constraints, ramps may have a maximum slope of one unit vertical in eight horizontal (12.5 percent). [CRC R311.8.1]

SECTION 1011 – EXIT SIGNS

1011.1 Add the following sentence after the exceptions:

Doorways or other openings leading to a fire escape, except within individual dwelling units, shall be provided with a sign reading "FIRE ESCAPE" in letters not less than 6 inches (152 mm) high, in high contrast with the background.

SECTION 1013 – GUARDS

1013.4 Revise exception 1 as follows:

1. **For occupancies other than R-3 and Townhouses,** from a height of 36 inches (914 mm) to 42 inches (1067 mm), guards shall not have openings which allow passage of a sphere 4 3/8 inches (111 mm) in diameter.

SECTION 1014 – EXIT ACCESS

1014.2 Add item 5 as follows:

5. [Reference CRC R311.1] For one- and two- family dwellings and townhouses, means of egress is allowed to pass through rooms and intervening spaces except garages.

1014.4 Add a section as follows:

1014.4 [Reference CRC R311.4] Vertical egress. For habitable levels or basements in R-3 occupancies or townhouses that are located more than one story above or more than one story below an egress door, the maximum travel distance from any occupied point to a stairway or ramp that provides egress from such habitable level or basement shall not exceed 50 feet (15240 mm).

Add chapter as follows:

Chapter 10A
SECURITY REQUIREMENTS

SECTION 1001A – SCOPE

1001A.1 General. This chapter shall apply to all Group R, Division 1 and R, Division 2 Occupancies.

1001A.2 Apartment houses. Apartment houses (Group R, Division 1 and R, Division 2 Occupancies) and buildings containing more than two residential condominium units shall meet the security requirements of this chapter.

1001A.3 Hotels and motels. Hotels and motels shall comply with the security requirements of this chapter. For the purpose of this chapter, any building open to the public and offering accommodations to transient persons for compensation shall be considered as a hotel or motel.

SECTION 1002A – DEFINITIONS

For the purpose of this chapter, certain terms are defined as follows:

AUXILIARY LOCKING DEVICE is a secondary locking system added to the primary locking system to provide additional security.

BURGLARY-RESISTANT GLAZING MATERIALS are materials which are defined in ANSI/UL Standard 972.

DEADBOLT is a lock bolt which must be actuated by a key, a knob or thumb-turn and when projected becomes locked against return by end pressure, and does not have spring action, as a latch bolt does. A SINGLE CYLINDER DEADBOLT is a deadbolt lock which is activated from the outside by a key and from the inside by a knob, thumb-turn lever or similar mechanism. A DOUBLE CYLINDER DEADBOLT is a deadbolt which can only be activated by a key from both interior and exterior.

DEADLATCH or DEADLOCKING LATCH BOLT is a spring-actuated latch bolt having a beveled end and an incorporated plunger which, when depressed, automatically locks the projected latch bolt against return by end pressure.

PRIMARY LOCKING DEVICE is the single locking system on a door or window unit whose function is to prevent unauthorized intrusion.

WINDOW LOCKING DEVICE is part of a window assembly which is intended to prevent movement of the movable sash, and may be the sash lock or sash operator.

SECTION 1003A – GENERAL REQUIREMENTS FOR SECURITY

1003A.1 Clearances. The clearance between the door and the frame and between meeting edges of doors swinging in pairs shall not exceed 1/8 inch (3.2 mm). The clearance between the door and the floor with either flush or raised sill shall be not more than 3/4 inch (19.1 mm).

1003A.2 Door assemblies. Excluding main entry doors, all exterior swinging doors, and swinging interior and exterior entry doors, including assemblies and related hardware, which are directly accessible from the ground level or by stairs or by ramp, or from roof areas, or parking lot, or garage areas, shall meet the requirements of Grade 20 of ANSI/ASTM F476, Standard Test Methods for Security of Swinging Door Assemblies.

All such doors shall be self-closing continuously locked, and openable from the interior with no special effort or knowledge or key. Where electrically operated locks are used, they must be self-latching and locking and shall have manual release capability from the interior requiring no special effort or knowledge or key.

1003A.2.1 Main entrance. All main entry doors, including electrically operated main entry doors, shall be provided with a primary locking device. "Main entry doors" shall be defined as exterior doors leading directly into the lobby, registration areas or employee entrances.

1003A.2.2 Viewer. Each door shall be provided with a minimum 135-degree viewer which does not have sighting capability when viewed from the outside. Mounting height shall not exceed 58 inches (1473 mm).

1003A.3 Fire-rated door assemblies. Fire-rated door assemblies shall meet the requirements of Grade 20, ANSI/ASTM F476.

1003A.4 Glazing. All glazing within 40 inches (1016 mm) of any locking mechanism of exterior and interior dwelling unit doors shall be of safety glass or burglar-resistant glazing. This requirement shall not exempt the swinging door assembly standards of Grade 20 of ANSI/ASTM F476.

1003A.5 Metal gates. Metal gates shall conform to the following:

1. Latch bolt protected by a security plate.
2. Hinges, bolts, screws shall be nonremovable.
3. Areas within 40 inches (1016 mm) of latch mechanism protected by mesh screen or approved equal.
4. Interior release mechanism protected with cover.

5. For electrically operated locks, see Section 1003A.2.

1003A.6 Sliding glass doors. Sliding glass door assemblies shall be so designed that the door cannot be lifted from the track when the door is in a locked position.

In addition to the primary locking device, all sliding glass doors shall have an auxiliary locking device permanently mounted and not accessible from the exterior of the building but easily accessible from the interior.

1003A.7 Sliding glass windows. Sliding glass window assemblies shall be so designed that the moving panel cannot be lifted from the track while in a closed position.

1003A.8 Parking areas. Parking space numbering shall not correspond to the guest room or dwelling unit number.

Exterior parking areas and access thereto shall be provided with a minimum of 1/2 foot-candle (5.38 lx) of light on the parking surface when the area is unoccupied. Lighting devices shall be protected by weather- and vandalism-resistant covers.

SECTION 1004A – SPECIAL HOTEL AND MOTEL SECURITY REQUIREMENTS

1004A.1 Entry doors to guest rooms.

EXCEPTION: Residential care facilities licensed by the State of California under Title 22 of the California Code of Regulations shall not be required to comply with the requirements of this subsection.

Locks shall be a combination of minimum 1/2-inch (12.7 mm) throw deadlatch with a minimum 1-inch (25.4 mm) deadbolt.

All locks shall be capable of locking out all keys, except the emergency keys for guest privacy while inside the room, and so constructed that both deadlatch and deadbolt are retracted simultaneously by a single knob or lever.

1004A.2 Communicating door between guest rooms. Communicating doors between guest rooms if not required to be fire-rated shall meet the requirements of Grade 20 of ANSI/ASTM F476 and be of minimum 1-3/8-inch (35 mm) bonded wood core or approved equal.

1004A.3 Roof openings. All skylights leading directly to guest rooms, offices and enclosed commercial space shall be provided with burglary- resistant glazing as defined in Section 1002A.

1004A.4 Message and key box – front desk. The message and room key location at the front desk shall not be visible from public view so as to determine an unoccupied room.

SECTION 1005A – SPECIAL APARTMENT HOUSE AND CONDOMINIUM SECURITY REQUIREMENTS

1005A.1 Voice communications. A two-way voice communication system shall be provided between the common entry door and all interior dwelling units. All systems shall provide direct communication.

1005A.2 Lighting. Lighting shall be a minimum of 1/2 foot-candle (5.38 lx) of light on the ground surface from the street to the entry door. Lighting devices shall be protected by weather- and vandalism-resistant covers.

1005A.3 Master keying. Exterior and main entrance door locks shall not be on any master key system.

1005A.4 Entry doors. Entry doors and door assemblies shall comply with the following:

1005A.4.1 Locks shall be combination 1/2-inch (12.7 mm) throw deadlatch with a minimum 1-inch (25.4 mm) throw deadbolt, and so constructed that both the deadlatch and deadbolt retract simultaneously by knob or lever. The deadbolt shall have the ability to be thrown from the exterior.

1005A.5 Exit doors. All exit doors from corridors to exit stairways and from interior stairwells and interior fire escapes shall meet the requirements of Grade 20 of ANSI/ASTM F476 and be continuously locked from the outside.

Locking devices shall be self-latching or self- locking and shall be openable from the interior with no special effort or knowledge or key. [See Section 1003.3.1.8.]

1005A.6 Glazed openings. Glazed openings accessible from the ground level, by stairs, ramps, parking lots or garage areas, shall be with approved safety glass or burglar-resistant glazing as defined in Section 1002A. Protective iron grill work may only be installed where it does not interfere with the required means of egress.

1005A.7 Roof openings. All skylights leading directly to interior corridors, stairwells, dwelling units and utility rooms shall be provided with burglary-resistant glazing as defined in Section 1002A.

1005A.8 Garage doors. All doors of the sectional overhead, one-piece overhead, swing or sliding types used on the exterior of a building shall conform to the following standards:

1005A.8.1 Panels of wood doors shall be at least 5/16-inch (7.94 mm) thick, except sectional overhead doors may have panels 1/4-inch (6.35 mm) thick.

1005A.8.2 Aluminum doors shall be constructed of at least 0.025-inch (0.635 mm) thick sheet aluminum, riveted, welded or bolted to framing members at least 12 inches (305 mm) on center.

1005A.8.3 Steel doors shall be constructed of at least 0.023-inch (0.584 mm) thick galvanized steel, riveted, welded or bolted to framing members at least 12 inches (305 mm) on center.

1005A.8.4 Fiberglass sectional doors shall be constructed of formed fiberglass panels of density of at least 5 1/2 oz. per square foot (1678 g/m^2), pressure sealed to aluminum framing members.

1005A.8.5 Overhead doors shall be made lockable by either:

For doors 16 feet (4877 mm) wide or less, a slide bolt - minimum diameter 3/8-inch (9.5 mm) minimum projection 1-1/2 inches (38 mm) - locking into the door jamb, capable of utilizing a padlock with a minimum 9/32-inch (7.14 mm) shackle. For doors over 16 feet (4877 mm) wide, except sectional doors, two slide bolt locks shall be required. Slide bolt assemblies shall be attached to the door with bolts which are nonremovable from the exterior.

Electrical operator with automatic locking capability, either inherently in the mechanism or as an added feature.

By at least one single-bar lock mounted in the end stile, with locking bar or bolt extending into the receiving guide a minimum of 1 inch (25.4 mm), and with minimum five-pin tumble operation. For doors over 16 feet (4877 mm) wide, except sectional doors, two single-bar locks shall be required.

Center locking-handle devices will require actuating straps to be enclosed by rigid conduits securely fastened to the door.

1005A.8.6 Swinging garage doors shall be lockable by a cylinder deadbolt.

1005A.8.7 Doors operated by electrical means shall be provided with manual release capability from the interior, requiring no special effort or knowledge or key.

1005A.8.8 Manually operated chain-driven garage doors shall require approval of the Authority Having Jurisdiction.

Chapter 11
RESERVED

No San Francisco Building Code Amendments

Chapter 11A
HOUSING ACCESSIBILITY

No San Francisco Building Code Amendments

Chapter 11B
ACCESSIBILITY TO PUBLIC BUILDINGS, PUBLIC ACCOMMODATIONS,

COMMERCIAL BUILDINGS AND PUBLICLY FUNDED HOUSING

No San Francisco Building Code Amendments

Chapter 11C
STANDARDS FOR CARD READERS AT GASOLINE FUEL-DISPENSING FACILITIES

Chapter 12
INTERIOR ENVIRONMENT

SECTION 1203 – VENTILATION

1203.4 Add a second paragraph as follows:

In other than high-rise buildings, public corridors, public hallways and other public spaces having openings into adjoining dwelling units, guest rooms, or congregate residences within R-1 and R-2 Occupancies, shall be provided with natural ventilation by means of openable exterior openings with an area of not less than 1/25 of the floor area of such rooms or spaces with a minimum of 4 square feet (0.37 m^2).

1203.4 Add a third paragraph as follows:

In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such system shall be capable of providing two air changes per hour in public corridors, public hallways and other public spaces having openings into adjoining dwelling units, guest rooms, or congregate residences with R-2 occupancies, with a minimum of 7-1/2 cubic feet per minute (3-1/2 L/s) of outside air per occupant during such time as the building is occupied.

1203.5 Add a second paragraph as follows:

Newly constructed buildings containing ten or more dwelling units located within the Potential Roadway Exposure Zone and having a PM 2.5 concentration at the proposed building site greater than 0.2 ug/m3 attributable to Local Roadway Traffic Sources, pursuant to Article 38 of the San Francisco Health Code shall have ventilation systems designed and constructed to remove >80% of ambient PM 2.5 from habitable areas of dwelling units.

SECTION 1205 – LIGHTING

1205.1 Add an exception after the first paragraph:

Exception: Habitable rooms (excluding kitchens, home offices and media rooms) within a dwelling unit or congregate residence shall be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2.

1205.2.2 Add the following paragraphs after the Exceptions:

The depth of all structural projections, including balconies, decks, porches, rooms or roofs, shall not exceed 9 feet (2.134 m) when extending over exterior wall openings that provide required natural light or natural ventilation for spaces intended for human occupancy.

The height of a balcony, deck or porch shall not be less than 7 feet (2.134 m) measured from the floor to the lowest projection above.

1205.4 Revise this section as follows:

1205.4 Stairway illumination. Stairways within dwelling units and exterior stairways serving a dwelling unit shall have an illumination level on tread runs **and landings** of not less than 1 foot-candle (11 lux). Stairs in other occupancies shall be governed by Chapter 10.
Exception: An artificial light source is not required at the top and bottom landing, provided an artificial light source is located directly over each stairway section.

xxSECTION 1208

1208.4 Revise paragraph 1 this section and add paragraphs 5 and 6 of this section as follows:

1208.4. Efficiency dwelling units. Efficiency dwelling units shall comply with the following:

1. The unit shall **be occupied by no more than two persons and** have a living room of not less than 150 square feet of floor area. **An additional 100 square feet (9.3 m^2) of floor area shall be provided for each occupant of such unit in excess of two.**
2. The unit shall be provided with a separate closet.
3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
5. The total area of the unit shall be no less than 220 square feet, which area shall be measured from the inside perimeter of the exterior walls of the unit and shall include closets, bathrooms, kitchen, living, and sleeping areas.
6. Subsections 1 - 5 apply only to new construction of a structure or building. For purposes of the preceding sentence, new construction shall mean the creation of an entirely new structure or building and shall not apply to improvement, renovation, rehabilitation, or any other change to an existing structure or building. Existing buildings or structures are subject only to Subsections 1 - 4 except that for purposes of Subsection 1 the unit shall have a living room of not less than 220 square feet (20.4 m^2) of floor area for up to two occupants.

[Amended 12-4-2012 by Ord. No. 235-12, effective 1-3-2013]

Chapter 13
RESOURCE CONSERVATION (ENERGY EFFICIENCY)

No San Francisco Building Code Amendments

Add the following chapter as follows:

Chapter 13A
COMMERCIAL WATER CONSERVATION

SECTION 1301A – TITLE

This chapter shall be known as the "Commercial Water Conservation Ordinance."

SECTION 1302A – INTENT

It is the intent of this chapter to conserve existing water supplies by managing the overall demand for water in commercial buildings, including tourist hotels and motels, by requiring the installation of water conservation devices in commercial buildings upon the occurrence of specific events and in any event no later than January 1, 2017.

SECTION 1303A – DEFINITIONS

For the purpose of this chapter, certain terms are defined as follows:

ACCESSIBLE means there is sufficient space in which to install the specified water and energy conservation measure without significant alteration to the structure. For ducts, plenums or pipes, "accessible" shall mean all ductwork, plenums or pipes located in mechanical rooms, on roofs and around all air handling units. In addition, pipes located above movable ceiling panels shall be considered accessible, but not ducts or plenums.

ACCESSIBLE ATTIC SPACE means a space between a ceiling joist and roof rafter where the vertical clear height from the top of the bottom chord of the truss or ceiling joist to the underside of the roof sheeting at the roof ridge is greater than 18 inches (957 mm).

BUILDING OCCUPANCY means OCCUPANCY as defined in Chapter 3 of this code and shall also, where practicable, include the primary business activity of the property as classified by Standard Industrial Classification (SIC).

BUILDING TYPE means the type of building construction, as defined in Chapter 6 of this code, and shall take into consideration whether the building is a high-rise building as defined by Section 403 of this code.

COMMERCIAL BUILDING means any privately owned building except those residential buildings and portions of mixed residential- commercial buildings that are subject to the energy or water conservation requirements of Chapter 12 or Chapter 12A of the San Francisco Housing Code (Residential Energy Conservation Ordinance and Residential Water Conservation Ordinance).

COST-EFFECTIVE means having a simple economic payback that does not exceed four years or the expected life of an energy conservation measure, whichever is shorter.

ESTABLISHED CONTRACTOR'S COST means the contractor's fee, including labor and material, plus the engineer's fee to do the required work, provided that the engineer's fees do not exceed the schedule of fees provided by the Building Official.

PERMIT APPLICANT means the person listed on the building permit application as the owner or lessee of the building.

QUALIFIED INSPECTOR means an inspector defined in Section 1314A, who is authorized to perform a water conservation inspection.

QUALIFIED PROFESSIONAL means a person regularly engaged in the field of making repairs, adjustments and inspection of energy-using equipment contained in HVAC, lighting or service hot water systems.

SERVICE HOT WATER means the supply of hot water for domestic or commercial purposes other than comfort heating.

SIMPLE ECONOMIC PAYBACK means the time needed to recover a conservation investment on the basis of expected energy savings at current energy costs. Simple economic payback is expressed in years, and is calculated by dividing the established contractor's cost of a conservation measure by the estimated dollar savings in the first year. Available tax credits, incentives and future energy costs are not considered in the calculation.

WATER CONSERVATION INSPECTION means inspection of a commercial building for compliance with the requirements of this chapter.

SECTION 1304A – RULES AND GUIDELINES

1304A.1 Adopt rules. The Building Official, in cooperation with the General Manager of the Public Utilities Commission and other advisors as the Building Official may deem appropriate, shall adopt reasonable rules and guidelines implementing the provisions and intent of this chapter and shall make them available to the public along with the informational brochure described in Section 1307A. The Building Official, in cooperation with the General Manager of the Public Utilities Commission, may amend these rules and guidelines from time to time after considering public input.

1304A.2 Inspection procedures. The Building Official shall include coverage of this chapter's requirements in the Water Inspection Procedures established by the Department.

SECTION 1305A – CIVIL REMEDIES

1305A.1 Abatement. A commercial building shall constitute a nuisance under the terms of Section 102A of this code when the installation of a water conservation measure in a commercial building is required pursuant to this chapter and the water conservation measure has not been installed.

The nuisance shall be abated by civil action pursuant to procedures set forth in Section 102A of this code for unsafe buildings; provided, however, that in no event shall any violation constitute a misdemeanor.

SECTION 1306A – REQUIREMENTS

1306A.1 Building additions. For building additions where the sum of concurrent building permits by the same permit applicant would increase the floor area of the space in a building by more than ten percent, the permit applicant shall obtain a valid water conservation inspection and

shall comply with the applicable water conservation measures required by this chapter as a condition for issuance of a Certificate of Final Completion and Occupancy by the Department upon completion of the addition.

1306A.1.1 Scope. This subsection shall apply to the entire building.

1306A.2 Building alterations and improvements.

1306A.2.1 For alterations or improvements where the total construction cost estimated in the building permit is greater than $150,000, as a condition for issuance of a Certificate of Final Completion and Occupancy, or final permit sign off, by the Department upon completion of the alterations or improvements, the permit applicant shall obtain a valid water conservation inspection and shall install the applicable water conservation devices required by this chapter that serve the specific area of alteration or improvement.

1306A.2.2 Notwithstanding Section 1306A.2.1, for any alterations or improvements to a room containing any of the water conservation devices identified in Section 1313A, as a condition for issuance of a Certificate of Final Completion and Occupancy or final permit sign off by the Department upon completion of the alterations or improvements, the permit applicant shall install the applicable water conservation devices required by this chapter in that room.

1306A.3 On or before January 1, 2017, all commercial buildings shall be in compliance with this chapter, and the owner or the owner's authorized representative shall cause a water conservation inspection to be completed, and shall have a certificate of compliance on file with the Department for the entire building, or the entire portion of the mixed residential and commercial building that is subject to the required water compliance measures identified in Section 1313A.

SECTION 1307A – INFORMATIONAL BROCHURE

1307A.1 The Department shall make available to the public an informational brochure specifying the water conservation requirements.

SECTION 1308A – POSTPONEMENTS OF REQUIREMENTS

1308A.1 Postponement for demolition. The duty of an owner or permit applicant to comply with inspection and water conservation requirements applicable to any portion of a building subject to this chapter shall be postponed for one year from the date of issuance of a demolition permit for said building. If the building is demolished and a certificate of completion is issued by the Department before the end of the one-year postponement, the requirements of this chapter shall not apply. If the building is not demolished after the expiration of one year, the provisions of this chapter shall apply, subject to appeal, even though the demolition permit is still in effect or a new demolition permit has been issued.

SECTION 1309A – EARLY COMPLIANCE WITH WATER CONSERVATION MEASURES

1309A.1 Early compliance. To encourage early compliance with the requirements of this chapter, compliance pursuant to Section 1311A may be completed at any time before compliance would otherwise be required. In the event of early compliance, a water conservation inspection shall be completed and a certificate of compliance shall be filed with the Department in accordance with Section 1311A.

SECTION 1310A – WATER CONSERVATION INSPECTIONS

1310A.1 Inspections. A water conservation inspection which satisfies the requirements of this chapter shall be performed as required by this chapter.

SECTION 1311A – PROOF OF COMPLIANCE WITH WATER CONSERVATION MEASURES

1311A.1 Inspection form. The Department shall provide standardized forms, that may be paper and/or electronic suitable for conducting a valid water conservation inspection and certifying compliance with the requirements of this chapter. The inspection form shall be completed and signed by a qualified inspector, furnished to the permit applicant, building owner or the owner's authorized representative, and submitted to the Department in accordance with this Section.

1311A.2 Certificate of compliance. When all of the water conservation requirements have been met, a certificate of compliance shall be signed and submitted to the Department.

1311A.3 Public records. Water conservation inspection results and certificates of compliance shall be public information, shall be available for inspection by any interested person during regular business hours at the Department, and may be made available electronically via the internet.

1311A.4 Fees. Reasonable fees may be required to pay for, but not exceed, the costs of implementing this chapter. Such fees shall be established by the Board of Supervisors upon recommendation of the Director of the Department and shall include:

1. **The cost of inspections performed by the Department;**
2. **The cost of the appeal process and the request for exemption process;**
3. **The cost of filing and processing documents at the Department;**
4. **The cost of printing forms and informational brochures by the Department;**
5. **Other expenses incurred by the City and County of San Francisco in implementing this Chapter.**

1311A.4.1 Fee schedule. See Building Code Section 110A, Table 1A-N for the applicable fees, once established.

1311A.4.2 Fee review. The Director of the Department of Building Inspection shall cause an annual report of fees to be made and filed with the Controller as set forth in Section 3.17-2 of the

San Francisco Administrative Code. The Controller shall review the report and file it with the Board of Supervisors along with a proposed ordinance readjusting the fee rates as necessary.

SECTION 1312A – APPEALS FROM RESULTS OF A WATER CONSERVATION INSPECTION OR REQUEST FOR EXEMPTION

1312A.1 Notice of appeal. Any person with an interest in the property subject to a water conservation inspection who contests the determination of a qualified inspector regarding required water conservation measures may appeal said decision to the Director within ten working days from the date the completed inspection form was filed with the Department. The notice of appeal shall state, clearly and concisely, the grounds upon which the appeal is based. The burden of proof shall be on the applicant to demonstrate that the water conservation measure is not required under this chapter. The determination of the Director may be appealed to the Building Inspection Commission pursuant to the appeal procedures established in the Administrative Code Chapter 77.

1312A.2 Exemptions. Any person with an interest in the property subject to a water conservation inspection who claims an exemption pursuant to Section 1313A.3 and 1313A.4 of this chapter may request a determination of exemption from the Director by filing the request and stating the basis for the claim. The burden of proof shall be on the applicant to demonstrate the qualifications for the exemption. The determination of the Director may be appealed to the Building Inspection Commission pursuant to the appeal procedures established in the Administrative Code Chapter 77. Any appeal or request for exemption to the Director pursuant to this Section shall be accompanied by payment of a filing fee, pursuant to Section 1216 of the San Francisco Housing Code.

SECTION 1313A – REQUIRED WATER CONSERVATION MEASURES

The following water conservation measures are required for commercial buildings:

1313A.1 Showerheads. Replace all showerheads having a maximum flow rate exceeding 2.5 gallons (9.46 liters) per minute, with showerheads not exceeding the maximum flow rate established by the California Energy Commission, as set forth in the Appliance Efficiency Regulations, California Code of Regulations, Title 20, Sections 1601 to 1608, as it may be amended. Showers shall have no more than one showerhead per valve. For purposes of this subsection, the term "showerheads" includes rain heads, rain tiles, or any other fitting that transmits water for purposes of showering.

1313A.2 Faucet aerators. Replace all faucets and faucet aerators having a maximum flow rate exceeding 2.2 gallons per minute at a water pressure of 60 pounds per square inch, with plumbing fittings not exceeding the maximum flow rate established by the California Energy Commission, as set forth in the Appliance Efficiency Regulations, California Code of Regulations, Title 20, Sections 1601 to 1608, as it may be amended. Health-care facilities that are required by this chapter to install faucet aerators may satisfy that requirement by installing other flow restricting devices, such as laminar flow control devices.

1313A.3 Water closets. Replace all water closets that have a rated water consumption exceeding 1.6 gallons per flush with fixtures not exceeding the rated maximum water consumption established

in the San Francisco Plumbing Code Chapter 4, Section 402.2, as it may be amended. An owner of a commercial building may request an exemption from replacing a water closet in the building if the replacement would detract from the historical integrity of the building, as determined by the Director of the Department of Building Inspection pursuant to the California Historic Building Code and Section 1312A.2.

1313A. 4 Urinals. Replace all urinals that have a flow rate exceeding one gallon per flush with fixtures not exceeding the maximum flow rate established in the San Francisco Plumbing Code, Section 402.3, as it may be amended. An owner of a commercial building may request an exemption from replacing a urinal in the building if the replacement would detract from the historical integrity of the building, as determined by the Director of the Department of Building Inspection pursuant to the California Historical Building Code and Section 1312A.2.

1313A.5 Leak repair. All water leaks shall be located and repaired. To determine the existence of leaks, the following is required.

1. Visual inspection or water meter registration. If water meter registration is used, compliance is achieved if there is no meter movement for ten minutes while all fixtures are shut off.

2. All tank type water closets shall be tested with leak detector tablets or dye to detect slow valve leaks and all flushometer type fixtures shall be visually checked for proper operation with respect to timing and leaks.

SECTION 1314A – WATER CONSERVATION INSPECTIONS

1314A.1 Inspections. Inspections to determine compliance with the water conservation requirements of this chapter may be conducted by one of the following:

1. An authorized inspector of the Department;

2. A private inspector authorized by the Building Official pursuant to established rules and guidelines;

3. A private inspector hired by the Department, or Public Utilities Commission, on a contractual basis under terms and fees to be recommended by the Departments and established by the Board of Supervisors.

1314A.2 Qualified inspector duties. The duties of a qualified inspector shall be as follows:

1. To inspect portions of a building that are subject to this chapter to determine whether the water conservation standards specified in Section 1313A have been met and, if met, to sign a certificate of compliance, pursuant to Section 1311A, and to furnish it to the permit applicant, building owner or owner's agent;

2. To record on an official inspection form, pursuant to Section 1311A, all measures required by this chapter for which the building is in noncompliance, and to sign the inspection form and furnish it to the permit applicant, building owner or owner's agent.

1314A.3 Private water inspectors. Private inspectors shall be required to demonstrate financial responsibility by being insured and / or bonded in amounts to be determined by the Building Official.

1314A.4 Conflict of interest. No authorized inspector may conduct a water inspection on any building in which that inspector has a financial interest. For the purposes of this section, an inspector shall be deemed to have a financial interest in a building if the inspector:

1. Is an owner of the building or the property upon which the building is located in full or in part;

2. Is a full- or part-time employee of the building or its owners;

3. Is regularly placed on the building staff by a company that provides building engineering, operations and maintenance, or other building services to the property.

1314A.5 Inspector as employee. No inspector may approve a certificate of water conservation compliance for a building where that inspector is an employee or officer of a company that performed construction or repair work required by this chapter.

1314A.6 Limitation. Water conservation inspections are intended to enforce the provisions of this chapter only, and are not intended to determine compliance or noncompliance with any other portions of this code.

Add the chapter as follows:

Chapter 13B
CONSTRUCTION AND DEMOLITION DEBRIS RECOVERY PROGRAM

SECTION 1301B – TITLE

This chapter shall be known as the "Construction and Demolition Debris Recovery Program."

SECTION 1302B – RECOVERY OF CONSTRUCTION AND DEMOLITION DEBRIS

Under the requirements set forth herein and in Chapter 14 of the Environment Code, all construction and demolition debris in amounts of one cubic yard or greater generated in the course of a construction or demolition project must be transported off the site by a registered transporter, unless transported by the owner of the site, and handled, processed and otherwise managed by a registered facility for recovery of the materials. All persons subject to these requirements, including an applicant for any building or demolition permit shall comply with the requirements for construction and demolition debris recovery set forth in Chapter 14 of the Environment Code.

SECTION 1303B – DEFINITIONS

"Construction and demolition debris" shall mean building materials and solid waste generated from construction and demolition activities, including, but not limited to, fully-cured

asphalt, concrete, brick, rock, soil, lumber, gypsum wallboard, cardboard and other associated packaging, roofing material, ceramic tile, carpeting, fixtures, plastic pipe, metals, tree stumps, and other vegetative matter resulting from land clearing and landscaping for construction, deconstruction, demolition or land developments. This term does not include refuse regulated under the 1932 Refuse Collection and Disposal Initiative Ordinance or sections of the Municipal Code that implement the provisions of that ordinance; materials from the public right-of-way; or, unless specified in Chapter 14 of the Environment Code, materials source separated for reuse or recycling. Hazardous waste, as defined in California Health and Safety Code section 25100 et seq., as amended, is not Construction and Demolition Debris for purposes of this Chapter.

"Registered Transporter" or "Registered Facility" shall mean a person who holds a valid registration issued by the Director of the Department of the Environment pursuant to Chapter 14 of the Environment Code. "Transporter" does not include a person that owns and operates only vehicles with no more than two axles and no more than two tires per axle.

SECTION 1304B – PERMIT CONDITION

The provisions of Chapter 14 of the Environment Code and any approvals or conditions imposed in writing by the Department of the Environment are conditions of the permit issued by the Department under Section 106A.1, and a violation of Chapter 14 or such approvals or conditions shall be deemed non-compliance with the permit.

SECTION 1305B – PERMIT NOTIFICATION

Permit application materials shall bear notice of and reference to the above requirements and the owner's responsibility for compliance with such requirements.

Add the chapter as follows:

Chapter 13C
[RESERVED]

Note: For Green Building Requirements see San Francisco Green Building Code.

Add the chapter as follows:

Chapter 13D
COMMERCIAL LIGHTING EFFICIENCY ORDINANCE

The City and County of San Francisco adopts the following Chapter 13D for the purpose of reducing public demand for electricity and the associated detriment to the environment of energy production and delivery by requiring commercial buildings to install or adopt more energy efficient lighting measures.

SECTION 1301D – TITLE

This Chapter shall be known as the "Commercial Lighting Efficiency Ordinance."

SECTION 1302D – PURPOSE

The purpose of this Chapter is to reduce public demand for electricity and the associated detriment to the environment of energy production and delivery by requiring commercial buildings to install or adopt more energy efficient lighting measures.

SECTION 1303D – SCOPE

The provisions of this Chapter shall apply to all privately owned non-residential buildings, including school facilities, the non-residential portions of mixed-use commercial and residential buildings, tourist hotels, and the common areas of residential hotels and multiple-unit residential buildings, all as herein defined.

EXCEPTIONS:

The provisions of this Chapter do not apply to:

1. Residential buildings and residential hotels, except that it shall apply to their common areas.

2. The residential portions of mixed-use commercial and residential buildings, except that it shall apply to their common areas.

SECTION 1304D – DEFINITIONS

For the purpose of this Chapter, certain terms are defined as follows:

COMMERCIAL BUILDING is any privately owned building that is occupancy group A, B, E, F, H, I, L, M or S as defined in this Code and any tourist hotels, as herein defined. When a building is designated for more than one type of occupancy, "Commercial Building" shall mean those spaces within the mixed use building designated as A, B, E, F, H, I, L, M or S or tourist hotel, as herein defined. Except for tourist hotels as herein defined, "Commercial Building" shall include only the common areas of any R ("residential") occupancy buildings for the common areas of any R ("residential") occupancy portions of mixed use buildings.

COMMON AREA is any area, space or room of a building that is made available to the general public as either a client or guest.

DIRECTOR is the Director of the Department of Building Inspection, or his or her designee

EXIT SIGNS are signs located and illuminated as required by the Building Code

LINEAR FLUORESCENT LAMP is a "tube" or "bulb" formed in a straight shape, as distinguished from a circular or u-shape, but not including linear specialty lamps such as black lights.

LUMENAIRE is an interior or exterior complete lighting unit, including internally or externally illuminated signs, consisting of the lamp and the parts designed to distribute the light, to protect the lamp, and to connect the lamp to the power supply, but not including illuminated utilization equipment or exit signs as defined herein.

OCCUPANCY SENSOR CONTROL DEVICE is a device that automatically turns off a luminaires or series of luminaires not more than 30 minutes after it senses that the area is vacated.

TOURIST HOTEL is any residential building, or portion thereof, which is occupied as a hotel, motel or inn and which has a certificated of use for tourist occupancy, or any portion of a residential building which is converted to tourist hotel use pursuant to the Residential Hotel Conversion Ordinance (S.F. Administrative Code, Article 41) or other City law.

UTILIZATION EQUIPMENT is commercial, retail or industrial equipment, including but not limited to refrigeration equipment, fully enclosed retail display cases, vending machines, printing equipment or conveyors, which uses 4-foot or 8-foot linear fluorescent lamps as an integrated part of such equipment. "Utilization Equipment" shall not include furniture or workstations.

SECTION 1305D – COMPLIANCE REQUIREMENTS

1305D.1 Compliance deadline. No later than December 31, 2011 ("Compliance Deadline"), the owner of each building subject to this Chapter shall self-certify that the entire building meets the standards specified in this Chapter 13D, and if the building is not certified, the building owner shall make such repairs as may be required to conform to this Chapter.

1305D.2 Stay of compliance deadline. The Compliance Deadline stated in Section 1305D.1 shall be stayed for up to two years form the date of an application for a demolition permit for any building subject to this Chapter. If the building is demolished and a Certificate of Completion issued by the Department before the end of the two-year postponement, the requirements of this Chapter shall not apply. If the building is not demolished after the expiration of two year, the provisions of this Chapter shall apply even though the demolition permit is till in effect or a new demolition permit has been issued.

SECTION 1306D – LIGHTING EFFICIENCY MEASURES

1306D.1. Mercury content. The mercury content of each 4-foot linear fluorescent lamp installed after the Compliance Deadline in a luminaires in a building subject to this Chapter shall not exceed 5 mg. The mercury content of each 8-foot linear fluorescent lamp installed after the Compliance Deadline in a luminaires in a building subject to this Chapter shall not exceed 10 mg.

1306D.2. Energy efficiency. The lamp and ballast system in each luminaires that utilizes one or more 4-foot of 8-foot linear fluorescent lamps to provide illumination in a building subject to this Chapter must meet at least one of the following requirements:

1. The lamp and ballast system emits 81 or more lumens per watt of electricity consumed.
2. The luminaires is controlled by an occupancy sensor control device that does not control an area in the building of more than 250 square feet.
3. The luminaires is fitted with a lighting efficiency measure approved by the Director as equivalent to the measures in subsection (1) or (2).
4. The Director finds, based on the facts of the particular building and luminaires, that the energy savings from installing lighting efficiency measures meeting the requirements of this Section will be so insignificant over the life of the luminaires that the measure is not cost efficient.
5. If the owner of a Commercial Building elects to meet the requirements of this Section 1306D.2 with measures that require permits, such permits shall comply with all other applicable requirements of this Code and all other applicable state and local laws.

SECTION 1307D – ENFORCEMENT

Any building maintained in violation of this Chapter shall constitute a public nuisance under the terms of Section 102A of this Code and such nuisance may be abated pursuant to the procedures set forth in Section 102A of this code for unsafe buildings.

SECTION 1308D – RULES

The director, after consulting with the Department of the Environment, and in accordance with Section 104A.2.1 of this Code, shall adopt, and may amend, reasonable rules, guidelines and forms for implementing the provisions and intent of this Chapter.

SECTION 1309D – UNDERTAKING FOR THE GENERAL WELFARE

In undertaking the enforcement of this Chapter, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SECTION 1310D – PREEMPTION

Nothing in this Chapter shall be interpreted or applied so as to create any power or duty in conflict with any federal or state law or regulation.

SECTION 1311D – SEVERABILITY

If any provision or clause of this Chapter or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions, and clauses of this Chapter are declared to be severable.

Chapter 14
EXTERIOR WALLS

SECTION 1403 – PERFORMANCE REQUIREMENTS

1403.8 Add a section as follows:

1403.8 Projections and appendages. Provisions shall be made at the outer edge of all projections and appendages to control rainwater backflow under the projection. Ventilation shall be provided for all enclosed spaces of exposed soffits, bays and other projections in wood framed construction.

Where an uncovered balcony or deck with an impervious surface exceeds 200 square feet (18.58 m^2) in area, drainage shall be conveyed directly to a building drain or building sewer or be conveyed to an approved alternate location based on approved geotechnical and engineering design.

Chapter 15
ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

SECTION 1501 – GENERAL

1501.1 Add a second paragraph as follows:

For qualified historical buildings or properties, see Section 3409.

SECTION 1503 – WEATHER PROTECTION

1503.4 Add a second paragraph as follows:

All storm- or casual water from roof areas which total more than 200 square feet (18.58 m^2) shall drain or be conveyed directly to the building drain or storm drain or to an approved alternate location based on approved geotechnical and engineering design. Such drainage shall not be directed to flow onto adjacent property or over public sidewalks. Building projections not exceeding 12 inches (305 mm) in width are exempt from drainage requirements without area limitations.

SECTION 1505 – FIRE CLASSIFICATION

1505.1 Revise the firstsentence as follows:

1505.1 General. Roof assemblies shall be divided into the classes defined below. Class A **or** B ~~and C~~ roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790.

1505.1 Add the following at the end of the first paragraph:

Class B or better roof coverings shall be used on all buildings.

1505.1 Add the following second exception:

2. Detached accessory structures with a roof of less than 200 square feet (18.58 m^2) may have roof coverings of Class A, B or C.

Table 1505.1 Revise the table as follows:

TABLE 1505.1 – MINIMUM ROOF COVERING CLASSIFICATION FOR TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	~~B C~~	B	~~B C~~	B	B	~~B C~~

SECTION 1507 – REQUIREMENTS FOR ROOF COVERINGS

1507.8 Add the following sentence at the end of the paragraph:

Untreated wood shingles shall not be permitted.

1507.9 Add the following sentence at the end of the paragraph:

Untreated wood shakes shall not be permitted.

SECTION 1509 – ROOFTOP STRUCTURES

1509.2.2 Add the following sentence at the end of this section:

Penthouses shall be of a size no larger than the minimum clearances required for the mechanical equipment to be installed or no larger than the vertical shaft opening in the roof.

1509.10 Add the following section:

1509.10 Occupied Roof decks. May be constructed of wood when the following conditions are met:

1. The occupied roof deck is less than 500 square feet (46.45 m^2) in area.

2. The deck boards are spaced not greater than 1/8 inch (3.2 mm) apart.

3. Any open space around the perimeter between the deck and the roof surface shall be enclosed to within 1 inch (25.4 mm) of the roof surface.

4. The deck is constructed of fire-retardant- treated wood approved for exterior use, or the deck is constructed of 2-inch (50.8 mm) nominal all heart redwood. Guardrails and fences may be constructed of any material permitted by this code.

5. The deck is installed on top of a Class A or B fire-resistive roof assembly. The deck shall not be considered part of such roof assembly.

6. Building construction type 3,4,or 5.

Chapter 16
STRUCTURAL DESIGN

SECTION 1604 – GENERAL DESIGN REQUIREMENTS

1604.11. Add the following section:

1604.11 Minimum Lateral Force for Existing Buildings.

1604.11.1 General. This section is applicable to existing buildings when invoked by Section 3401.10. This section may be used as a standard for voluntary upgrades.

An existing building or structure which has been brought into compliance with the lateral force resistance requirements of the San Francisco Building Code in effect on or after May 21, 1973, shall be deemed to comply with this section except when a vertical extension or other alterations are to be made which would increase the mass or reduce the seismic resistance capacity of the building or structure.

1604.11.2 Wind forces. Buildings and structures shall be capable of resisting wind forces as prescribed in Section 1609.

1604.11.3 Seismic forces. Buildings and structures shall comply with the applicable provisions of Sections 1613, except that, when compliance with this section is required by Section 3401.10 then structures and elements may be designed for seismic forces of not less than 75 percent of those given in Section 1613, and the building separation limitations of Section ASCE 7-10 Section 12.12.3 do not apply.

When upper floors are exempted from compliance by Section 3401.10, the lateral forces generated by their masses shall be included in the analysis and design of the lateral force resisting systems for the strengthened floor. Such forces may be applied to the floor level immediately above the topmost strengthened floor and distributed in that floor in a manner consistent with the construction and layout of the exempted floor.

In lieu of meeting the specific requirements of this section, an alternative lateral analysis procedure incorporating inelastic behavior may be submitted and approved in accordance with rules and regulations adopted by the Building Official pursuant to Section 104A.2.1.

1604.11.4 Design values for existing materials. The incorporation of existing materials, construction and detailing into the designed lateral force system shall be permitted when approved by the Building Official. Minimum quality levels and maximum load and stress values shall comply with Table 16C-D of this code, Tables 8-8-A and 8-8-B of the State Historical Building Code, or with other rules, regulations and standards adopted by the Building Official pursuant to Section 104A.2.1.

1604.12. Add the following section:

1604.12 Earthquake Recording Instrumentation. The City and County of San Francisco adopts Appendix L.

SECTION 1607 — LIVE LOADS

TABLE 1607.1 — MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS AND CONCENTRATED LIVE LOADS

Table 1607.1 Add the following footnote o to Occupancy or Use 29, Sidewalks and Driveways

[o] Driveways subject to vehicle loading shall be designed in accordance with the American Association of State Highway and Transportation Officials (AASHTO) HS-20 Standard Specification for Highways and Bridges. Sidewalks subject to vehicle loading shall be designed for a concentrated load of 10,000 pounds placed upon any space 2½ feet (762 mm) square, wherever this load upon an otherwise unloaded sidewalk would produce stresses greater than those caused by the uniform load of 250 psf required therefor.

Chapter 16A
STRUCTURAL DESIGN

No San Francisco Building Code Amendments

Add the following chapter:

Chapter 16B
EARTHQUAKE HAZARD REDUCTION IN UNREINFORCED

MASONRY BEARING WALL BUILDINGS

[Note: The time limits for compliance with the provisions of chapters 16B and 16C have passed, but the ordinance and time limits therein are still in effect.]

SECTION 1601B – PURPOSE

The purpose of this chapter is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of an earthquake on existing unreinforced masonry bearing wall buildings.

The provisions of this chapter are intended as minimum standards for structural seismic resistance for earthquake ground shaking and are established primarily to reduce the risk of life loss or injury. Compliance with these provisions will not necessarily prevent loss of life or injury, or prevent earthquake damage to rehabilitated structures, or protect against the release of hazardous materials, or protect the function of essential facilities. These provisions are not intended to mitigate ground failure hazards such as liquefaction. The Community Safety Element of the General Plan of the City and County of San Francisco should be consulted for areas most susceptible to ground failure.

Time limits are given for owners of unreinforced masonry bearing wall buildings to submit an inventory of each building and an evaluation of the degree of risk presented by the building. Priorities and time limits are established for work to be completed.

Requirements for seismic strengthening of unreinforced buildings are contained in Chapter 16C.

SECTION 1602B – SCOPE

The provisions of this chapter shall apply to all existing buildings having one or more bearing walls of unreinforced masonry as defined in Chapter 16C.

EXCEPTIONS:

1. Buildings housing Group R Occupancies containing less than five dwelling units or guest rooms and used solely for residential purposes.

2. Buildings accessory to and on the same lot as those described in Exception 1.

3. Buildings which have been brought into full compliance with the requirements of Section 3401.10 in effect on or after May 21, 1973.

Compliance with the provisions of Chapters 16B and 16C does not supersede the requirement for compliance with Section 3401.10 when otherwise required under Chapter 34 of this code.

A permit issued solely for compliance with any of the procedures of Chapters 16B and 16C of this code shall not be considered "substantial change" or "structural work" as defined in Chapter 34 and compliance with Section 3401.10 will not be required.

SECTION 1603B – DEFINITIONS

For the purpose of Chapters 16B and 16C, certain terms are defined as follows:
BOLTS-PLUS is the installation of shear and tension anchors at the roof and floors and, when required, the bracing of the unreinforced masonry bearing walls upon evaluation of the height-to-thickness ratio of these walls.
POOR SOIL is all soil lying bayward of the line indicating the landward limit of Bay Mud deposits as shown on the U.S. Geological Survey Map MF-1376, title "Map Showing the 200-feet thickness contour of surficial deposits and the landward limit of Bay Mud deposits of San Francisco, California," by William B. Joyner, 1982.
EXCEPTION: A building need not be considered as being located on poor soil when a subsurface exploration demonstrates that the soil is not underlain by Bay Mud.
UNREINFORCED MASONRY BEARING WALL BUILDING is a building or structure having at least one unreinforced masonry bearing wall.

SECTION 1604B – COMPLIANCE REQUIREMENTS

1604B.1 General. The owner of each unreinforced masonry bearing wall building within the scope of this chapter and Chapter 16C shall cause a structural analysis to be made of the building by a registered civil or structural engineer or licensed architect, and, if the building does not meet the minimum standards specified in this code except as provided for in Chapters 16B and 16C, the owner shall cause the building to be structurally altered to conform to such standards or cause the building to be demolished pursuant to the program implementation schedule set forth.

1604B.2 Program implementation. The requirements stated in Section 1604B.1 above shall be accomplished by submitting to the Building Official the following:

1604B.2.1 Inventory form. The owner is required to submit to the Department, within the time limits set forth in Table 16B-A, a properly completed inventory form, signed and sealed by the owner's civil or structural engineer or architect. See Section 110A, Table 1A-S for the applicable fee for the review of the inventory form. A failure to respond within the time limits set forth in Table 16B-A is a violation of this code.

1604B.2.2 Risk assessment.

1604B.2.2.1 General. When filling out the required information on the inventory form, the owner's architect or civil or structural engineer shall assign to the building a relative level of risk depending upon the occupancy, soil conditions at the site and the density of the population exposed.

1604B.2.2.2 Level of risk assigned.

1. Level 1 buildings are buildings containing occupancy Group A Occupancies with an occupant load of 300 or more, or Group E Occupancies, and those buildings greater than three stories in height which are located on poor soil.
2. Level 2 buildings are all non-Level 1 buildings which are located on poor soil in the Downtown, North of Market/Civic Center, South of Market, South of Market Residential and Chinatown Unreinforced Masonry Building Study Areas as delineated on Figure 16B-1.
3. Level 3 buildings are buildings in the above areas which are not located on poor soil and buildings located on poor soil outside the above areas.
4. Level 4 buildings are all other unreinforced masonry bearing wall buildings.

1604B.2.3 Engineering reports. The owner shall engage a registered civil or structural engineer or licensed architect to prepare an engineering report on the building when:
1. An owner desires to demolish a qualified historical building or any building containing a nonexempt Group R Occupancy rather than retrofit the building, and a report is requested by the Building Official or the Director of the Planning Department; or
2. The Bolts-plus level of strengthening is proposed; or
3. Strengthening to comply with the State Historical Building Code is proposed; or
4. The owner believes the building complies with Chapters 16B and 16C without any further alteration.

The engineering report shall detail applicable retrofit requirements of the least restrictive retrofit procedure for which the building qualifies. The required retrofit measures shall be developed schematically, and a conceptual construction cost estimate shall be included. If the Bolts-plus level of strengthening defined above and described in Exception 1 to Section 1609C.2 is proposed, the necessary measures for compliance with the Special Procedure of Section 1611C shall also be designated, and a second cost estimate for this option shall also be included in the report. If the engineering report demonstrates that no deficiencies exist, and the report is approved by the Department, the structure will be considered to conform to the requirements of this chapter. Except as noted in 1. above, the report shall be submitted not later than the date when the application for the building permit to either strengthen or demolish the building would otherwise be required. The format and content of the engineering report shall comply with the provisions of rules and regulations to be issued by the Building Official pursuant to Section 104A.2.1 after consultation with the Seismic Safety Retrofit Bond Program Board. See Section 110A, Table 1A-S for the applicable fee for the review of the engineering report.

1604B.2.4 Application for building permit. The owner shall submit to the Department an application for a structural alteration permit accompanied by structural plans, specifications and calculations for the proposed mitigation solution or a permit application to demolish the building. Time limits for submission of the application and for permit processing and approval are established in Table 16B-A.

1604B.2.5 Commencement and completion of construction. Construction work shall commence and a Certificate of Final Completion and Occupancy or final inspection of work under a demolition permit shall be obtained within the time limits set forth in Table 16B-A.

1604B.2.6 Transfer of title. No transfer of title shall alter the time limits for compliance set forth in Table 16B-A.

SECTION 1605B – ADMINISTRATION

1605B.1 Service of notice. The Building Official shall, not later than February 15, 1993, issue a notice to comply with Section 1604B.1 to the owner of each building known by the Department to be within the scope of this chapter. The notice shall be accompanied by an informational letter or brochure and a sample inventory form. If, on or before February 15, 1993, an owner of an unreinforced masonry bearing wall building has knowledge that he or she owns such a building, then failure of the Building Official to issue a notice or failure of the owner to receive such a notice shall not relieve the owner of the obligation to comply with the provisions of Chapters 16B and 16C within the time limits set forth in Table 16B-A. An owner is presumed to have knowledge that he or she owns an unreinforced masonry bearing wall building if the building is on the inventory list of potential hazardous unreinforced masonry bearing wall buildings required by Section 8877(a) of the California Government Code.

For buildings not known to the Department to be unreinforced masonry bearing wall buildings and whose owners have no knowledge that the buildings are unreinforced masonry bearing wall buildings, the time limits set forth in Table 16B-A shall commence upon the owners having actual or constructive knowledge that their buildings are unreinforced masonry bearing wall buildings.

1605B.2 Appeal from notice. The owner or the owner's agent may appeal the Building Official's notice to the Board of Examiners in accordance with Section 105A.1.

1605B.3 Processing and recordation. Within 30 days of receipt of the inventory form, the Building Official shall review it and either approve it as submitted or reject it and return it for correction. Inventory forms returned for correction shall be revised by the owner's architect or engineer and returned to the Department within 30 days of the date of the Department's initial rejection. The Building Official shall cause to be recorded with the Assessor-Recorder's Office a notice of the requirement for structural alteration or demolition and the inventory form. The Building Official may cause such a notice to be recorded upon expiration of the time limits for submittal of the inventory form as stated in Table 16B-A.

1605B.4 Enforcement. Whenever an inventory form has not been submitted or a notice issued by the Building Official to structurally alter or demolish an unreinforced masonry bearing wall building has not been complied with within the time limits set forth in Table 16B-A, the Building Official shall have the power to abate the building in accordance with Section 102A.

1605B.5 Removal from inventory. After all of the retrofit work required by this chapter and Chapter 16C has been completed in any building to the satisfaction of the Building Official and a Certificate of Final Completion and Occupancy has been issued in accordance with Section 109A, or after a final inspection of building demolition work has been made, or if the Building Official finds that no retrofit work is required, the Building Official shall remove that building from the inventory list of potentially hazardous unreinforced masonry bearing wall buildings required by Section 8877(a) of the California Government Code. The Building Official shall thereupon cause to be filed with the Assessor-Recorder's Office a release of any notice or Abatement Order recorded under Section 1605B.3 or 1605B.4. Additionally, the Department shall furnish to each owner upon satisfactory completion of a retrofit a sign, on a standard Department form, of the same size as that required by California Government Code Section 8875.8, stating "This building has been seismically retrofitted to reduce the risk of death or injury in the event of a major earthquake pursuant to Chapters 16B and 16C of the San Francisco Building Code." The sign shall also indicate the retrofit procedure used and shall bear the signature of the Building Official. The posting of the sign shall be at the option of the owner.

1605B.6 Voluntary seismic strengthening. The owner of a building that is exempt from compliance with this chapter may voluntarily retrofit the building using the procedures for seismic strengthening set forth in Chapter 16C.

1605B.7 Application of future retrofitting legislation. It is the present intent of the Board of Supervisors that, absent a compelling public safety necessity, buildings strengthened pursuant to Chapter 16C will not be subject to future mandatory seismic retrofitting legislation adopted by the Board.

1605B.8 Phased strengthening. Other provisions of this code notwithstanding, an unreinforced masonry bearing wall building may be strengthened in phases under multiple alteration permits, provided:

1. A complete structural analysis accompanied by plans, specifications and calculations for the proposed mitigation solution is submitted to the Department with the first alteration permit application; and
2. A phasing program is submitted to and approved by the Department as part of the review of the first alteration permit application; and
3. Each subsequent alteration permit application clearly indicates the further work proposed and the work completed to date; and
4. The engineer or architect responsible for the structural design for the strengthening program provides structural observation in accordance with Section ~~1710~~ 1704.5; and
5. All of the required strengthening work is completed within the time limits set forth in Table 16B-A.

[Amended 10-7-2003 by Ord. No. 245-03]

This chapter does not require alteration of existing electrical, plumbing, mechanical, fire protection or life-safety systems which are in compliance with the code in effect at the time of their construction or installation. The application of Section 3401.9 relating to homeless shelters does not waive the requirement for compliance with the provisions of this chapter and Chapter 16C within the time limits set forth in Table 16B-A. This section does not exempt any building from compliance with the requirements of State or Federal disability access regulations.

SECTION 1606B – EXISTING UTILITY, FIRE PROTECTION, LIFE-SAFETY SYSTEMS, HOMELESS SHELTERS AND DISABLED ACCESS REQUIREMENTS

This chapter does not require alteration of existing electrical, plumbing, mechanical, fire protection or life-safety systems which are in compliance with the code in effect at the time of their construction or installation. The application of Section 3401.9 relating to homeless shelters does not waive the requirement for compliance with the provisions of this chapter and Chapter 16C within the time limits set forth in Table 16B-A. This section does not exempt any building from compliance with the requirements of State or Federal disability access regulations.

SECTION 1607B – ENERGY CONSERVATION

The provisions of California Code of Regulations, Title 24, Part 6, the California Energy Code, San Francisco Housing Code, Chapter 12 (the Residential Energy Conservation Ordinance) are not applicable to buildings altered as required by this chapter, unless the alteration work also constitutes a change in use as defined in Section 3408, or increases the conditioned space or alters the lighting or mechanical systems.

FIGURE 16B-1 – UNREINFORCED MASONRY BUILDING STUDY AREAS

1 Downtown
2 South of Market
3 South of Market/Residential
4 North of Market/Civic Center
5 Bush Street Corridor
6 Van Ness/Polk
7 Chinatown
8 North Beach
9 Waterfront
10 Mission/Upper Market
11 Outlying

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TABLE 16B-A – PROGRAM IMPLEMENTATION SCHEDULE [1, 2]

I	II	III	IV	V
Risk Level of Building	**Submission of Inventory Form to DBI**	**Application of Building Permit with Plans or Application for Demolition [4]**	**Permit Processing and Approval [4]**	**Structural Alterations Completion [3, 4]**

1	1.0	2.0	2.5	3.5
2	1.0	2.5	3.0	5.0
3	1.0	8.0	9.0	11.0
4	1.0	10.0	11.0	13.0

1 All time periods are in years measured from February 15, 1993.

2 When compliance with this table is required, the time limits and extensions of Chapter 1A are not applicable.

3 One or more extensions of time totaling not more than two years may be approved by the Building Official for a building with preexisting lease(s) due to expire, for tenant relocation conditions, for delays in obtaining financing under the City bond fund loan program and for other conditions causing delay. Such extension requests must be submitted to the Chief Building Inspector in writing prior to the expiration of the permit with payment of a fee. Any construction inspection granted under this footnote during the period of extension will require payment of an inspection fee in addition to the basic extension fee. These extensions are not cumulative with the extensions allowed by Footnote 4.

4 For structures containing Occupancy Group A or E and owned by organizations exempt from taxation under the Internal Revenue laws of the United States and the Revenue and Taxation Code of the State of California as bona fide fraternal, charitable, benevolent, religious or other nonprofit organizations, extensions of time in increments of not more than three years up to the maximum time limit set forth in Column V of this table may be approved by the Building Official, provided all of the following conditions are met:

1. The owner demonstrates that an application has been made for funding available under the general obligation bond or the owner is actively seeking other sources of funds; and

2. The building is vacated and secured to the Building Official's satisfaction. For Occupancy Group A buildings only, in lieu of vacation, an owner may agree in writing to limit occupancy of the building for use as an assembly building with an actual occupant load greater than 299 persons to not more than 12 hours per week or four hours in any one day. The signs required by California Government Code Section 8875.8 shall also be posted at each entrance to the building; and

3. When deemed necessary by the Building Official, pedestrian protection canopies complying with Chapter 33 of this code and Department of Public Works Order No. 157, 501 are erected and maintained along sidewalks adjacent to the building; and

4. The Building Official finds that there is no hazard to any adjacent building or that hazard is satisfactorily mitigated; and

5. The owner, for the period of time in which the extension is in effect, agrees not to file an application for a demolition permit.

Chapter 16C
SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY BEARING WALL BUILDINGS

[Note: The time limits for compliance with the provisions of chapters 16B and 16C have passed, but the ordinance and time limits therein are still in effect.]

SECTION 1601C – PURPOSE

The purpose of this chapter is that stated in Section 1601B.

SECTION 1602C – SCOPE

1602C.1 General. The seismic strengthening of unreinforced masonry bearing wall buildings shall comply with the provisions of this chapter when strengthening either is mandated by Chapter 16B or is done voluntarily under Section 1605B.6. The elements regulated by this chapter shall be determined in accordance with Table 16C-A. Except as provided herein, other structural provisions of this code shall apply.

1602C.2 Essential and Hazardous Facilities. The provisions of this chapter are not intended to apply to the strengthening of buildings or structures in Risk Categories III and IV of ASCE 7-10 Table 1.5-1 . Such buildings or structures shall be strengthened to meet the requirements of this code for new buildings of the same occupancy category or to such other criteria as has been established by the Building Official.

1602C.3 Unreinforced Masonry Private School Buildings. The strengthening of unreinforced masonry private school buildings shall comply with Sections 17320-17366 of the California Education Code.

1602C.4 Qualified Historical Buildings. Qualified historical buildings shall be strengthened to comply with this chapter or the alternative provisions contained in Title 24, California Code of Regulations, Part 8, the State Historical Building Code.

1602C.5 Party Wall Buildings. In buildings separated by party walls, all segments sharing the party walls shall be strengthened at the same time whenever feasible. When such action is not feasible, a party wall in any segment undergoing strengthening shall be provided with the capacity to resist a reasonable estimate of the shear forces generated by the adjacent unstrengthened segments.

1602C.6 Buildings of Mixed Construction. When buildings having at least one bearing wall of unreinforced masonry also utilize other structural systems, the following requirements shall apply:

1602C.6.1 Masonry-wood or steel mix. When the lower stories of the building are of unreinforced masonry bearing wall construction and the upper stories are of wood frame or steel stud construction, the unreinforced masonry stories shall be strengthened to meet the requirements of the general procedure of this chapter and the other stories need not be strengthened. [Amended 10-7-2003 by Ord. No. 245-03]

1602C.6.2 Masonry-concrete mix. When a building is of mixed unreinforced masonry bearing wall construction and reinforced concrete or masonry construction, the entire building shall be strengthened in accordance with a program developed by the owner's architect or engineer and approved by the Building Official. [Amended 10-7-2003 by Ord. No. 245-03]

SECTION 1603C – DEFINITIONS

For the purpose of this chapter, the applicable definitions in this code shall also apply.

COLLAR JOINT is the vertical space between adjacent wythes and may contain mortar.

CROSSWALL is a new or existing wall that meets the requirements of Section 1611C.3. A crosswall is not a shear wall.

CROSSWALL SHEAR CAPACITY is the allowable shear value times the length of the crosswall, $v_c L_o$.

DIAPHRAGM EDGE is the intersection of the horizontal diaphragm and a shear wall.

DIAPHRAGM SHEAR CAPACITY is the allowable shear value times the depth of the diaphragm, $v_u D$.

ESSENTIAL FACILITY is any building or structure classified in Risk Category IV of ASCE 7-10 Table 1.5-1.

HAZARDOUS FACILITY is any building or structure classified in Risk Category III of ASCE 7-10 Table 1.5-1.

NORMAL WALL is a wall perpendicular to the direction of seismic forces.

OPEN FRONT is an exterior building wall line, without vertical elements of the lateral force resisting system in one or more stories.

PARTY WALL is a wall common to two or more buildings located on separate parcels of land.

POINTING is the partial reconstruction of the bed joints of an unreinforced masonry wall as defined in Section 1616C.

QUALIFIED HISTORICAL BUILDING is a building or structure as defined in the June 1, 1990, Edition of Title 24, California Code of Regulations, Part 8, Section 8-302.

UNREINFORCED MASONRY includes burned clay, concrete or sand-lime brick, hollow clay or concrete block, plain concrete and hollow clay tile. These materials shall comply with the requirements of Section 1606C.

UNREINFORCED MASONRY WALL is a masonry wall in which the area of reinforcing steel is less than 25 percent of the minimum steel ratios required by this code for reinforced masonry. To qualify, reinforcing steel must have been installed in grouted cells within the masonry.

UNREINFORCED MASONRY BEARING WALL is an unreinforced masonry wall which provides the vertical support for a floor or roof for which the total superimposed load exceeds 200 pounds per linear foot (298 kg/m) of wall.

YIELD STORY DRIFT is the lateral displacement of one level relative to the level above or below at which yield stress is first developed in a frame member.

SECTION 1604C – SYMBOLS AND NOTATIONS

1604C.1 For the purpose of this chapter, the applicable symbols and notations in this code shall apply.

A = cross sectional area of unreinforced masonry pier or wall, square inches.

A_b = total area of the bed joints above and below the test specimen for each in-place shear test.

C_p = numerical coefficient as specified in Section 1630.2a and given in Table 16-O for wall anchorage and parapet and appendage strengthening and Table 16C-C for Special Procedure diaphragm shear transfer.

D = in-plane width dimension of pier, inches, or depth of diaphragm, feet.

DCR = demand-capacity ratio specified in Section 1611C.4.2.

F_{wx} = force applied to a wall at level x, pounds.

H = least clear height of opening on either side of a pier, inches.

h/t = height-to-thickness ratio of an unreinforced masonry wall. Height, h, is measured between wall anchorage levels and/or slab-on-grade.

L = span of diaphragm between shear walls, or span between shear wall and open front, feet.

L_o = length of crosswall, feet.

L_i = effective span for an open front building specified in Section 1611C.8, feet.

P_D = superimposed dead load at the location under consideration, pounds. For determination of the rocking shear capacity, dead load at the top of the pier under consideration shall be used.

p_{D+L} = stress resulting from the dead plus actual live load in place at the time of testing, pounds per square inch (psi).

P_w = weight of wall, pounds.

V_a = $va$$A$, the allowable shear in any unreinforced masonry pier, pounds.

V_{ca} = total shear capacity of crosswalls in the direction of analysis immediately above the diaphragm level being investigated, $\square v_c L_o$, pounds.

V_{cb} = total shear capacity of crosswalls in the direction of analysis immediately below the diaphragm level being investigated, $\square v_c L_o$, pounds.

V_p = shear force assigned to a pier on the basis of its relative shear rigidity, pounds.

V_r = pier rocking shear capacity of any unreinforced masonry wall or wall pier, pounds.

V_{test} = load at incipient cracking for each in-place shear test per Section 1614C, pounds.

V_{wx} = total shear force resisted by a shear wall at the level under consideration, pounds.

v_a = allowable shear stress for unreinforced masonry, pounds per square inch (psi).

v_c = allowable shear value for a crosswall sheathed with any of the materials given in Table 16C-D or 16C-E, pounds per foot.

v_t = mortar shear strength as specified in Section 1606C.3.3.4, pounds per square inch (psi).

v_{to} = mortar shear test values as specified in Section 1606C.3.3.4, pounds per square inch (psi).

v_u = allowable shear value for a diaphragm sheathed with any of the materials given in Table 16C-D or 16C-E, pounds per foot.

$\Box v_u D$ = sum of diaphragm shear capacities of both ends of the diaphragm, pounds.

$\Box\Box v_u D$ = for diaphragms coupled with crosswalls, $\Box\Box v_u D$ includes the sum of shear capacities of both ends of diaphragms coupled at and above the level under consideration.

W = total seismic dead load as defined in Chapter 16, pounds.

W_d = total dead load tributary to a diaphragm, pounds.

$\Box w_d$ = total dead load to all the diaphragms at and above the level under consideration, pounds.

W_w = total dead load of an unreinforced masonry wall above the level under consideration or above an open front building, pounds.

W_{wx} = dead load of a unreinforced masonry wall assigned to Level x halfway above and below the level under consideration, pounds.

Z = seismic zone factor given in Table 16-I.

SECTION 1605C – GENERAL REQUIREMENTS

1605C.1 General. All buildings shall have a seismic resisting system conforming with ASCE 7-10 Section 12.2, except as modified by this chapter.

1605C.2 Alterations and repairs. Alterations and repairs required to meet the provisions of this chapter shall comply with all other applicable structural requirements of this code unless specifically provided for in this chapter.

1605C.3 Requirements for plans. In addition to the requirements of Section 106A.3.3 of this code, the following construction information shall be included in the plans required by this chapter:

1. Dimensioned floor and roof plans showing existing walls and the size and spacing of floor and roof framing members and sheathing materials. The plans shall indicate all existing and new crosswalls and shear walls and their materials of construction. The location of these walls and their openings shall be fully dimensioned and drawn to scale on the plans.
2. Dimensioned wall elevations showing openings, piers, wall classes as defined in Section 1606C.3.3.6, thickness, heights, wall shear test locations, and cracks or damaged portions requiring repairs. Where the exterior face is veneer, the type of veneer, its thickness and its bonding and/or ties to the structural wall masonry shall also be noted.
3. The type of interior wall and ceiling materials and framing.
4. The extent and type of existing wall anchorage to floors and roof when used in the design.
5. The extent and type of parapet and appendage corrections which were previously performed, if any.
6. Repair details, if any, of cracked or damaged unreinforced masonry wall walls required to resist forces specified in this chapter.
7. All other plans, sections and details necessary to delineate required retrofit construction.
8. The design procedure used shall be stated on both the plans and the permit application.
9. Details of the anchor prequalification program required by Section 1615C, if utilized, including location and results of all tests.
10. In buildings with party walls, the details of construction on both sides of each party wall shall be shown. Where required by Section 1611C.1, Item 5 the owners' consent statements shall be included with the plans.

SECTION 1606C – MATERIALS REQUIREMENTS

1606C.1 General. All materials permitted by this chapter, including their appropriate allowable design values and those existing configurations of materials specified herein, may be utilized to meet the requirements of this chapter.

1606C.2 Existing materials. All existing materials utilized as part of the required vertical load-carrying or lateral force-resisting system shall be in sound condition or shall be repaired or removed and replaced with new materials. All unreinforced masonry materials shall comply with the following requirements:

1. The construction (lay-up) of the masonry units complies with Section 1606C.3.2 and the quality of bond between the units has been verified to the satisfaction of the Building Official.

2. Concrete masonry units are verified to be load- bearing units complying with ASTM Standard Specification C 90 or such other standard as is acceptable to the Building Official.

3. Hollow clay tile units are verified to be structural load-bearing units complying with ASTM Standard Specification C 34 or such other standard as is acceptable to the Building Official.

4. The compressive strength of plain concrete walls shall be determined based on cores taken from each class of concrete wall. The location and number of tests shall be the same as prescribed for strength tests in Sections 1606C.3.3.2 and 1606C.3.3.3.

1606C.3 Existing unreinforced masonry walls.

1606C.3.1 General. All unreinforced masonry walls utilized to carry vertical loads or seismic forces parallel and perpendicular to the wall plane shall be tested as specified in this section. All masonry that does not meet the minimum standards established by this chapter shall be removed and replaced with new materials, repaired or alternatively shall have its structural functions replaced with new materials and shall be anchored to supporting elements.

1606C.3.2 Construction (lay-up) of walls.

1606C.3.2.1 Multi-wythe solid brick. The facing and backing shall be bonded so that not less than 10 percent of the exposed face area is composed of solid headers extending not less than 4 inches (101.6 mm) into the backing. The clear distance between adjacent full-length headers shall not exceed 24 inches (609.6 mm) vertically or horizontally. Where the backing consists of two or more wythes, the headers shall extend not less than 4 inches (101.6 mm) into the most distant wythe or the backing wythes shall be bonded together with separate headers whose area and spacing conform to the foregoing. Wythes of walls not bonded as described above shall be considered as veneer. Veneer wythes shall not be included in the effective thickness used in calculating the height to thickness and the shear capacity of the wall.

1606C.3.2.2 Grouted or ungrouted hollow concrete or clay block and structural hollow clay tile. These materials shall be laid in a running bond pattern.

Other lay-up patterns may be acceptable if their performance can be justified as being at least equal to those specified above.

1606C.3.3 Mortar.

1606C.3.3.1 Tests. The quality of mortar in all masonry walls shall be determined by performing in-place shear tests in accordance with Section 1614C. Alternative methods of testing may be approved by the Building Official for masonry walls other than brick.

1606C.3.3.2 Location of tests. The shear tests shall be taken at locations representative of the mortar conditions throughout the entire building, taking into account variations in workmanship at

different building height levels, variations in weathering of the exterior surfaces, and variations in the condition of the interior surfaces due to deterioration caused by leaks and condensation of water and/or by the deleterious effects of other substances contained within the building. The exact test locations shall be determined at the building site by the engineer or architect in responsible charge of the structural design work. An accurate record of all such tests and their location in the building shall be recorded, and these results shall be submitted to the Department for approval as part of the structural analysis.

1606C.3.3.3 Number of tests. The minimum number of tests per class shall be as follows:

1. At each of both the first and top stories, not less than two tests per wall or line of wall elements providing a common line of resistance to lateral forces.
2. At each of all other stories, not less than one test per wall or line of wall elements providing a common line of resistance to lateral forces.
3. In any case, not less than one test per 1,500 square feet (139.355 m^2) of wall surface nor less than a total of eight tests.

1606C.3.3.4 Minimum quality of mortar.

1. Mortar shear test values, v_{to}, in psi shall be obtained for each in-place shear test in accordance with the following equation:

$$v_{to} = (V_{test} / A_b) - p_{D+L} \quad (16C\text{-}1)$$

2. The mortar shear strength, v_t, is the value in psi that, after discarding the lowest 20 percent of the mortar shear test values, v_{to}, is the lowest of the remaining 80 percent of the mortar shear test values.
3. Any unreinforced masonry bearing wall with v_{to}, or with mortar shear strength, v_t, less than 30 psi (206.84 kPa) shall be either removed, entirely pointed and retested or have its structural function replaced and shall be anchored to supporting elements in accordance with Section 1606C.3.1 and Section 1613C.8. When existing mortar in any wythe is pointed to increase its shear strength and retested, the condition of the mortar in the adjacent bed joints of the inner wythe or wythes and the opposite outer wythe shall be examined for extent of deterioration. The shear strength of any wall class shall be no greater than that of the weakest wythe of that class.

1606C.3.3.5 Collar joints. The collar joints shall be inspected at the test locations during each in-place shear test, and estimates of the percentage of the surfaces of adjacent wythes which are covered with mortar shall be reported along with the results of the in-place shear tests.

1606C.3.3.6 Unreinforced masonry classes. All existing unreinforced masonry shall be categorized into one or more classes based on quality of construction, state of repair, deterioration and weathering. A class shall be characterized by the allowable masonry shear stress determined in accordance with Section 1608C.2. Classes shall be defined for whole walls, not for small areas of masonry within a wall.

1606C.3.3.7 Pointing. All deteriorated mortar joints in unreinforced masonry bearing walls shall be pointed according to Section 1616C. Nothing shall prevent pointing of any deteriorated masonry wall joints before the tests are made, except as required in Section 1607C.1.

SECTION 1607C – QUALITY CONTROL

1607C.1 Pointing. All preparation and mortar pointing shall be performed with special inspection.

EXCEPTION: At the discretion of the Building Official, incidental pointing may be performed without special inspection.

1607C.2 Masonry shear tests. In-place shear tests shall comply with Section 1614C.

1607C.3 Existing wall anchors. Existing wall anchors utilized as all or part of the required tension anchors shall be tested in pullout according to Section 1615C. The minimum number of anchors tested shall be four per floor, with two tests at walls with joists framing into the wall and two tests at walls with joists parallel to the wall, but not less than 10 percent of the total number of existing tension anchors at each level.

1607C.4 New bolts. Twenty-five percent of all new embedded bolts resisting only shear forces in unreinforced masonry walls shall be tested using a calibrated torque wrench in accordance with Section 1615C.

EXCEPTION: The number of bolts tested may be reduced to 10 percent when special inspection in accordance with Section 1704 is provided during installation but in no case shall less than two bolts per 500 square feet (46.45 m^2) of wall or four bolts per wall be tested.

All new embedded bolts resisting tension forces or a combination of tension and shear forces shall be subject to periodic special inspection in accordance with Section 1704.16 prior to placement of the bolt and grout or adhesive in the drilled hole. Five percent of all embedded bolts resisting tension forces, but not less than two bolts, shall be subject to a direct tension test and an additional 20 percent, but not less than three bolts, shall be tested using a torque calibrated wrench. Testing shall be performed in accordance with Section 1615C.

New through bolts and existing bolts installed under the Parapet Safety Program need not be tested.

SECTION 1608C – ALLOWABLE DESIGN VALUES

1608C.1 Allowable values.

1608C.1.1 Existing materials. Allowable values for existing materials are given in Table 16C-D, and for new materials in Table 16C-E.

1608C.1.2 Values not specified. Allowable values not specified in this chapter shall be as specified elsewhere in this code.

1608C.2 Masonry shear. The allowable unreinforced masonry shear stress, v_a shall be determined for each masonry class from the following equation:

$$v_a = 0.1v_t + 0.15P_D/A \quad \text{(16C-2)}$$

The mortar shear test value, v_t, shall be determined in accordance with Section 1606C.3.3, and shall not exceed 100 psi (689.476 kPa) for the determination of v_a.

The one-third increase in allowable values of this code for short-term loading is not allowed for v_a.

1608C.3 Masonry compression. Where any increase in dead plus live compression stress occurs, the allowable compression stress in unreinforced masonry shall not exceed 100 psi (689.476 kPa). The one-third increase in allowable stress of this code is allowed.

1608C.4 Masonry tension. Unreinforced masonry shall be assumed as having no tensile capacity.

1608C.5 Unreinforced masonry materials other than solid brick. The provisions of this chapter are primarily intended for brick construction but are also applicable to other unreinforced masonry materials when the following conditions are satisfied.

1. The building does not exceed two stories in height.
2. In the case of hollow concrete and clay block, the shear stress is limited to that permitted by Equations 16C-1 and 16C-2 based on the net area in contact through the bed joints but not more than that calculated using a mortar shear strength, v_t, of 100 psi (689.476 kPa).
3. In the case of plain concrete, the compressive strength (f'_c) shall be not less than 900 psi (6,205.28 kPa) and the allowable shear strength is limited to not more than $0.02 f'_c$.
4. In the case of all other unreinforced masonry materials, the shear stress is limited to 3 psi (20.684 kPa) based on the net area in contact through the bed joint.

Unreinforced masonry not meeting the above criteria shall have its structural function replaced and shall be resupported, if required, in accordance with Section 1613C.8.

1608C.6 Existing tension anchors. The allowable resistance values of the existing anchors shall be 40 percent of the average of the tension tests of existing anchors having the same wall thickness and joist orientation. The one-third increase in allowable value of this code is not allowed for existing tension anchors.

1608C.7 Foundations. For existing foundations, new total dead loads may be increased over existing dead load by 25 percent. New total dead load plus live load plus seismic forces may be increased over existing dead load plus live load by 50 percent.

EXCEPTION: In buildings located in poor soil areas as defined in Chapter 16B, any increase in dead load shall require an evaluation of the existing foundation system.

Higher values may be justified only in conjunction with a geotechnical investigation. A foundation investigation shall be also submitted with the building permit application when:

1. A building has an existing full or partial pile supported, or similar foundation system or whenever the installation of such a system is proposed as part of the strengthening.
2. Whenever there is evidence of significant distress attributable to foundation or geotechnical conditions.
3. An investigation is required by Section ~~1802~~ 1803 or 1804.
4. It is desired to prove that the building is not on poor soil as permitted by the exception to Section 1603B.

SECTION 1609C – SELECTION OF PROCEDURE

1609C.1 General. Except as modified herein, the analysis and design relating to the structural alteration of existing buildings shall be in accordance with this code.

1609C.2 Selection of procedure. All buildings shall be analyzed by either the General Procedure of Section 1610C or, when applicable, buildings may be analyzed by the Special Procedure of Section 1611C.

EXCEPTIONS:

1. A building may be strengthened to the Bolts-plus level by complying only with the requirements for wall anchorage (tension bolts), diaphragm shear transfer (shear bolts) and out-of-plane wall and parapet and appendage bracing, provided the entire building complies with all of the following requirements:

(1) The building does not have any vertical irregularities of Types 1a or 1b (Soft Story), 4 (In-Plane Discontinuity) or 5a or 5b (Weak Story) as defined in ASCE 7-10 Table 12.3-2 or horizontal irregularities of Types 3 (Diaphragm Discontinuity) or 4 (Out-of-Plane Offset) as defined in ASCE 7-10 Table 12.3-1 or those irregularities are corrected.

(2) The building does not contain any Group A Occupancies with an occupant load of 300 or more, or Group E, Group I or Group H-1, H-2, or H-4 Occupancies.

(3) The building has a mortar shear strength, v_t, as determined by Section 1606C.3.3, of 30 psi (206.843 kPa) or more for all masonry classes.

(4) The building has wood or plywood diaphragms at all levels above the base of building.

(5) The building contains a maximum of six stories above the base of the building. The base shall be the ground level and basement or basements shall be excluded from the story count.

EXCEPTION: In an otherwise qualifying building of greater than six stories, a maximum of six of the uppermost contiguous stories may be retrofitted using the Bolts-Plus Procedure, providing the building is not located on poor soil as defined in Section 1603B. The masonry walls required by Item 7 below shall occupy not less than 50 percent of the wall length in the lowest two of the uppermost six stories. Nonqualifying stories and stories below the uppermost six shall be retrofitted to any other procedure for which they qualify.

(6) The building has or will be provided with crosswalls as defined in Section 1611C.3 at a spacing that does not exceed 40 feet (12.192 m) on center. Any story which does not have or is not provided with complying crosswalls and all stories below that story shall be analyzed using the General Procedure of Section 1610C or, where applicable, the Special Procedure of Section 1611C. The floor structure that separates the Bolts-Plus and General or Special Procedure stories shall be investigated for its adequacy to act as a diaphragm in accordance with Section 1610C.1 or, where the Special Procedure is applicable, Section 1611C.4.

(7) The building has or will be provided with a minimum of two lines of vertical elements of the lateral force resisting system parallel to each axis. Masonry walls shall have wall piers with a height-to-width ratio that does not exceed 2 to 1 and shall occupy not less than 40 percent of the wall's length in order to be considered as providing a line of resistance. Existing moment frames and other lines of resistance added or altered to comply with this requirement shall fully comply with Section 1612C. At least one line in each direction shall be a masonry or concrete shear wall.

(8) In buildings containing one or more party walls, the Bolts-Plus Procedure shall not be used unless each building sharing a party wall individually complies with all of the limitations set forth above and the owner of each such building consents to the use of the procedure in writing.

When the Bolts-Plus Procedure is applicable, the forces to be used for diaphragm shear transfer and irregularity correction shall be those specified in Sections 1611C.5 and 1611C.6 and *h/t* ratios shall be evaluated in accordance with Section 1611C.7. When the intersection of the diaphragm span and demand capacity ratio falls outside the three regions of Figure 16C-1, the *h/t*

ratios for "all other buildings" in Table 16C-B shall be used. The measures used to comply shall be part of, and be coordinated with, the complete strengthening scheme described in the engineering report required by Section 1604B.2.3.

2. Buildings which are strengthened to conform to the requirements of Section 3401.10 in effect on or after May 21, 1973, are exempt from compliance with the provisions of this chapter.

SECTION 1610C – GENERAL PROCEDURE

1610C.1 Minimum Design Lateral Forces. Buildings shall be analyzed to resist minimum lateral forces assumed to act nonconcurrently in the direction of each of the main axes of the structure in accordance with the following:

$V = 0.10\ W$ (16C-3)

EXCEPTION: The lateral forces need not exceed those prescribed by Section 1613.

For buildings more than one story in height, the total force shall be distributed over the height of the building in accordance with the procedures of Chapter 16.

For the purpose of this chapter, a dynamic analysis need not be performed for those buildings with irregularities, as defined in ASCE 7-10 Table 12.3-2 and ASCE 7-10 Table 12.3-1 which would otherwise require such analysis. All other design and analysis requirements of those tables shall apply.

1610C.2 Lateral Forces on Elements of Structures. Parts of structures shall be analyzed and designed as required in Chapter 16.

EXCEPTIONS:

1. Unreinforced masonry walls for which height-to-thickness ratios do not exceed ratios set forth in Table 16C-B need not be analyzed for out-of-plane loading. Unreinforced masonry walls which exceed the allowable h/t ratios of Table 16C-B shall be braced according to Section 1613C.5.

2. Parapets complying with Section 1613C.6 need not be analyzed for out-of-plane loading.

3. Out-of-plane anchorage of the walls shall be designed to 0.3 times the mass of the wall.

1610C.3 Shear Walls (In-Plane Loading). Shear walls shall comply with Section 1612C.

1610C.4 Cords. When required by the structural analysis, cord forces of horizontal diaphragms shall be developed in existing materials or by the addition of new materials.

SECTION 1611C – SPECIAL PROCEDURE

1611C.1 Limits for application. The Special Procedure of this section may only be applied to buildings with the following characteristics:

1. The building is not an essential or hazardous facility.

2. Wood or plywood diaphragms at all levels above the base of structure.
3. A maximum of six stories above the base of the building. The base shall be the ground level, and basement or basements shall be excluded from the story count.

EXCEPTION: An otherwise qualifying building of greater than six stories may also be retrofitted using the Special Procedure, provided the building is not located on poor soil as defined in Section 1603B or does not contain any Group A Occupancies with an occupant load of 300 or more, or Group E, or Group I Occupancies.

4. Except for single-story buildings with an open front on one side only, a minimum of two lines of vertical elements of the lateral force resisting system complying with Section 1612C parallel to each axis. At least one line in each direction shall be a masonry or concrete shear wall. Requirements for open front buildings are contained in Section 1611C.8.
5. In buildings containing one or more party walls, the Special Procedure shall not be used unless each building sharing a party wall individually complies with all of the limitations set forth above, and the owner of each such building consents to the use of the procedure in writing.

1611C.2 Lateral forces on elements of structures. With the exception of the diaphragm provisions in Section 1611C.4, elements of structures shall comply with Section 1610C.2.

1611C.3 Crosswalls. Crosswalls when used shall meet the requirements of this section.

1611C.3.1 Crosswall definition. A "crosswall" is a wood-framed wall sheathed with any of the materials described in Table 16C-D or 16C-E or other system as defined in Section 1611C.3.5. Spacing of crosswalls shall not exceed 40 feet (12.19 m) on center measured perpendicular to the direction of consideration and shall be placed in each story of the building. Crosswalls shall extend the full story height between diaphragms.

EXCEPTIONS:

1. Crosswalls need not be provided at all levels in accordance with Section 1611C.4.2(4).
2. Existing crosswalls need not be continuous below a wood diaphragm at or within 4 feet (1.219 m) of grade, provided:

(1) Shear connections and anchorage requirements, Section 1611C.5 are satisfied at all edges of the diaphragm.

(2) Crosswalls with total shear capacity of $0.08 \Sigma W_d$ interconnect the diaphragm to the foundation.

(3) The demand-capacity ratio of the diaphragm between the crosswalls that are continuous to their foundations shall be calculated as:

$$DCR = (0.33 2 W_d + V_{ca}) / 2 v_u D \quad (16C\text{-}4)$$

and DCR shall not exceed 2.5.

1611C.3.2 Crosswall shear capacity. Within any 40 feet (12.19 m) measured along the span of the diaphragm, the sum of the crosswall shear diaphragm at or above the level under consideration.

1611C.3.3 Existing crosswalls. Existing crosswalls shall have a maximum height-to-length ratio between openings of 1.5 to 1. Existing crosswall connections to diaphragms need not be investigated as long as the crosswall extends to the framing of the diaphragm above and below.

1611C.3.4 New crosswalls. New crosswall connections to the diaphragm shall develop the crosswall shear capacity. New crosswalls shall have the capacity to resist an overturning moment equal to the crosswall shear capacity times the story height. Crosswall overturning moments need not be cumulative over more than two stories.

1611C.3.5 Other crosswall systems. Other systems, such as moment resisting frames, may be used as crosswalls, provided that the yield story drift does not exceed 1 inch (25.4 mm) in any story.

1611C.4 Wood diaphragms.

1611C.4.1 Acceptable diaphragm span. A diaphragm is acceptable if the point (L,DCR) on Figure 16C-1 falls within Regions 1, 2 or 3.

1611C.4.2 Demand-capacity ratios. Demand- capacity ratios shall be calculated for the diaphragm at any level according to the following formulas:

1. For a diaphragm without qualifying crosswalls at levels immediately above or below:

$$DCR = 0.332W_d / \Box v_u D \quad (16C\text{-}5)$$

2. For a diaphragm in a single-story building with qualifying crosswalls:

$$DCR = 0.332W_d / (\Box v_u D + V_{cb}) \quad (16C\text{-}6)$$

3. For diaphragms in a multi-story building with qualifying crosswalls in all levels:

$$DCR = 0.332\Box W_d / (\Box\Box v_u D + V_{cb}) \quad (16C\text{-}7)$$

DCR shall be calculated at each level for the set of diaphragms at and above the level under consideration. In addition, the roof diaphragm shall also meet the requirements of Formula (16C-6).

4. For a roof diaphragm and the diaphragm directly below if coupled by crosswalls:

$$DCR = 0.332\Box W_d / \Box\Box v_u D \quad (16C\text{-}8)$$

1611C.4.3 Chords. An analysis for diaphragm flexure need not be made and chords need not be provided.

1611C.4.4 Collectors. An analysis of diaphragm collector forces shall be made for the transfer of diaphragm edge shears into vertical elements of the lateral force resisting system. Collector forces may be resisted by new or existing elements.

1611C.4.5 Diaphragm openings.

1611C.4.5.1 Forces. Diaphragm forces at corners of openings shall be investigated and shall be developed into the diaphragm by new or existing materials.

1611C.4.5.2 Demand-capacity ratio. In addition to the demand-capacity ratios of Section 1611C.4.2, the demand-capacity ratio of the portion of the diaphragm adjacent to an opening shall be calculated using the opening dimension as the span.

1611C.4.5.3 End quarter of diaphragm. Where an opening occurs in the end quarter of the diaphragm span, v_{uD} for the demand-capacity ratio calculation shall be based on the net depth of the diaphragm.

1611C.5 Diaphragm shear transfer. Diaphragms shall be connected to shear walls with connections capable of developing a minimum force given by the lesser of the following formulas:

$$V = 0.2C_p W_d \quad (16C\text{-}9)$$

using the C_p values in Table 16C-C, or

$$V = v_u D \quad (16C\text{-}10)$$

1611C.6 Shear walls (in-plane loading).

1611C.6.1 Wall story force. The wall story force distributed to a shear wall at any diaphragm level shall be the lesser value calculated as:

1. For buildings without crosswalls:

$$F_{wx} = 0.132 (W_{wx} + W_d / 2) \quad (16C\text{-}11)$$

but need not exceed

$$F_{wx} = 0.132 W_{wx} + v_u D \quad (16C\text{-}12)$$

2. For buildings with crosswalls in all levels:

$$F_{wx} = 0.1 (W_{wx} + W_d / 2) \quad (16C\text{-}13)$$

but need not exceed

$$F_{wx} = 0.1 [W_{wx} + \square W_d (v_u D / \square\square v_u D) \quad (16C\text{-}14)$$

and need not exceed

$$F_{wx} = 0.1 W_{wx} + v_u D \quad (16C\text{-}15)$$

1611C.6.2 Wall story shear. The wall story shear shall be the sum of the wall story forces at and above the level of consideration.

$$V_{wx} = \square F_{wx} \quad (16C\text{-}16)$$

1611C.6.3 Shear wall analysis. Shear walls shall comply with Section 1612C.

1611C.6.4 Moment frames. Moment frames used in place of shear walls shall be designed as required in Chapter 16 except that the forces shall be as specified in Section 1611C.6.1 and the story drift ratio shall be limited to 0.005, except as further limited by Section 1612C.4.2.

1611C.7 Out-of-plane forces – Unreinforced masonry walls.

1611C.7.1 Allowable unreinforced masonry wall height-to-thickness ratios. The provisions of Section 1610C.2 are applicable except the allowable height- to-thickness ratios given in Table 16C-B shall be determined from Figure 16C-1 as follows:

1. In Region 1, height-to-thickness ratios for buildings with crosswalls may be used if qualifying crosswalls are present in all stories.

2. In Region 2, height-to-thickness ratios for buildings with crosswalls may be used whether or not qualifying crosswalls are present.

3. In Region 3, height-to-thickness ratios for "all other buildings" shall be used whether or not qualifying crosswalls are present.

1611C.7.2 Walls with diaphragms in different regions. When diaphragms above and below the wall under consideration have demand-capacity ratios in different regions of Figure 16C-1, the lesser height-to-thickness ratio shall be used.

1611C.8 Open front design procedure. A single- story building with an open front on one side and crosswalls parallel to the open front may be designed by the following procedure:

1. Effective diaphragm span, L_i, for use in Figure 16C-1 shall be determined in accordance with the following formula:

$$L_i = 2[(W_w / W_d)L + L]x \quad (16C\text{-}17)$$

2. Diaphragm demand-capacity ratio shall be calculated as:

$$DCR = 0.332 (W_d + W_w) / [(v_u D) + V_{cb}] \quad (16C\text{-}18)$$

SECTION 1612C – ANALYSIS AND DESIGN

1612C.1 Analysis of vertical elements of the lateral force-resisting system. General. The following requirements are applicable to both the General Procedure and Special Procedure.

1612C.2 Existing unreinforced masonry walls.

1612C.2.1 Flexural rigidity. Flexural components of deflection may be neglected in determining the rigidity of an unreinforced masonry wall.

1612C.2.2 Shear walls with openings. Wall piers shall be analyzed according to the following procedure which is diagrammed in Figure 16C-2:

1612C.2.2.1 For any pier:

1. The pier shear capacity shall be calculated as:

$$V_a = v_a Ax \quad (16C\text{-}19)$$

2. The pier rocking shear capacity shall be calculated as:

$$V_r = 0.5 P_D D / H \quad (16C\text{-}20)$$

1612C.2.2.2 Pier behavior. The wall piers at any level are acceptable if they comply with one of the following modes of behavior:

1. Rocking controlled mode. When the pier rocking shear capacity is less than the pier shear capacity, i.e., $V_r < V_a$ for each pier in a level, forces in the wall at that level, V_{wx}, shall be distributed to each pier in proportion to $P_D D/H$.

For the wall at that level:

$$V_{wx} < \square \, \text{å} V_r \quad (16C\text{-}21)$$

2. Shear controlled mode. Where the pier shear capacity is less than the pier rocking capacity, i.e., $V_r < V_a$ in at least one pier in a level, forces in the wall at the level, V_{wx}, shall be distributed to each pier in proportion to D/H.

For each pier at that level:

$$V_p < V_a \quad (16C\text{-}22)$$

and

$$V_p < V_r \quad (16C\text{-}23)$$

If $V_p < V_a$ for each pier and $V_p > V_r$ for one or more piers, such piers shall be omitted from the analysis, and the procedure shall be repeated for the remaining piers, unless the wall is strengthened and reanalyzed.

1612C.2.2.3 Masonry pier tension stress. Unreinforced masonry wall piers need not be analyzed for tension stress.

1612C.2.3 Shear walls without openings. Shear walls without openings shall be analyzed as for walls with openings except that V_r shall be calculated as follows:

$$V_r = (0.50 P_D + 0.25 P_w) D / H \quad (16C\text{-}24)$$

1612C.3 Plywood sheathed shear walls. Plywood sheathed shear walls may be used to resist lateral forces for buildings with wood diaphragms analyzed according to provisions of Section

1610C. Plywood sheathed shear walls may not be used to share lateral forces with other materials along the same line of resistance.

1612C.4 Combinations of vertical elements.

1612C.4.1 Lateral force distribution. Lateral forces shall be distributed among the designated vertical resisting elements in a line in proportion to their relative rigidities except that moment frames shall comply with Section 1612C.4.2.

1612C.4.2 Moment-resisting frames. A moment frame shall not be used with an unreinforced masonry wall in a single line of resistance unless the wall has piers that are capable of sustaining rocking in accordance with Section 1612C.2.2 and the frames are designed to carry 100 percent of the lateral forces, and the story drift ratio shall be limited to 0.0025.

1612C.5 Shear force. The shear force used in the design of any party wall shall be the sum of the shear forces contributed by each building sharing that wall.

SECTION 1613C – DETAILED SYSTEM DESIGN REQUIREMENTS

1613C.1 Wall anchorage.
1613C.1.1 Anchor locations. All unreinforced masonry walls shall be anchored at the roof and floor levels as required in Section 1610C.2.
Ceilings of plaster, gypsum board or similar heavier materials, when not attached directly to roof or floor framing, and abutting masonry walls, shall be either anchored to the walls at a maximum spacing of 6 feet (1.829 m) or removed.
1613C.1.2 Anchor requirements. Anchors shall consist of bolts installed through the wall as specified in Table 16C-E, or by an approved equivalent at a maximum anchor spacing of 6 feet (1.829 m). All existing wall anchors shall be secured to the joists to develop the required forces.
1613C.1.3 Minimum wall anchorage. Anchorage of masonry walls to each floor or roof shall resist a minimum force determined in accordance with Chapter 16 or 200 pounds per linear foot (298 kg/m), whichever is greater, acting normal to the wall at the level of the floor or roof. Anchor spacing shall not exceed 6 feet (1.829 m) on center. Existing through-the-wall anchors, if used, must meet the requirements of this chapter or must be upgraded.
1613C.1.4 Anchors at corners. At the roof and floor levels, both shear and tension anchors shall be provided within 2 feet (0.609 m) horizontally from the inside of the corners of the walls.
1613C.1.5 Anchors with limited access. When access to the exterior face of the masonry wall is prevented, wall anchors conforming to Item 4.b. in Table 16C-E may be used.
1613C.1.6 Anchors at interior and party walls. When floor or roof framing aligns vertically at party and interior masonry walls, continuous anchors shall be utilized to directly connect the floor or roof framing on either side of the wall. Where the roof or floor framing is offset more than the least depth of any adjacent framing, the intervening wall section shall be investigated for cross wythe shear assuming that the diaphragm to wall tensions on either side of the wall are acting in opposite directions.
1613C.2 Diaphragm shear transfer. Bolts transmitting shear forces shall have a maximum bolt spacing of 6 feet (1.829 m) and shall have nuts installed over malleable iron or plate washers when bearing on wood and heavy cut washers when bearing on steel.

1613C.3 Collectors. Collector elements shall be provided which are capable of transferring the seismic forces originating in other portions of the building to the element providing the resistance to those forces.

1613C.4 Ties and continuity. Ties and continuity shall conform to Section 1604.11.

1613C.5 Wall bracing.

1613C.5.1 General. Where a wall height-to- thickness ratio exceeds the specified limits, the wall may be laterally supported by vertical bracing members per Section 1613C.5.2 or by reducing the wall height by bracing per Section 1613C.5.3.

1613C.5.2 Vertical bracing members. Vertical bracing members shall be attached to floor and roof construction for their design loads independently of required wall anchors. Horizontal spacing of vertical bracing members shall not exceed one-half the unsupported height of the wall nor 10 feet (3.048 m). Deflection of such bracing members at design loads shall not exceed one-tenth of the wall thickness.

1613C.5.3 Intermediate wall bracing. The wall height may be reduced by bracing elements connected to the floor or roof. Horizontal spacing of the bracing elements and wall anchors shall be as required by design but shall not exceed 6 feet (1.829 m) on center. Bracing elements shall be detailed to minimize the horizontal displacement of the wall by the vertical displacement of the floor or roof.

1613C.6 Parapets. Parapets and appendages not conforming to this chapter shall be removed, or stabilized or braced to ensure that the parapets and appendages remain in their original position.

EXCEPTIONS:

1. Parapets, appendages and roof-to wall-tension anchors which have already been removed, stabilized or braced to comply with Chapter 16D of this code or previous codes pursuant to an application filed before the effective date of this ordinance need not be reanalyzed or restrengthened.

2. Parapets whose heights do not exceed 3 times their thicknesses need not be removed, stabilized or braced, provided they are located either immediately adjacent to a normally inaccessible court or yard or another building. In the case of an adjoining building, the top of the parapet of the building under consideration shall not be more than 12 inches (0.305 m) above the top of the parapet of the adjoining building. In order to qualify for this exception, the owner must execute an agreement with the Department to voluntarily abate any hazard that may arise as a result of changed conditions such as demolition of the adjacent building or development or occupancy of the adjoining court or yard. The owner must record the agreement with the County Recorder on a form satisfactory to the Department and supply a copy of the recorded agreement to the Department.

Parapets previously exempted that would not be exempted under Exception 2 above shall be removed, or stabilized or braced when the building is strengthened.

The maximum height of an unbraced unreinforced masonry parapet above the lower of either the level of tension anchors or roof sheathing shall not exceed 1-1/2 times the thickness of the parapet wall. If the required parapet height exceeds this maximum height, a bracing system designed for the forces determined in accordance with Chapter 16 shall support the top of the parapet. Parapet corrective work must be performed in conjunction with the installation of tension roof anchors.

The minimum height of a parapet above any wall anchor shall be 12 inches (0.305 m).

EXCEPTION: If a reinforced concrete beam is provided at the top of the wall, the minimum height above the wall anchor may be 6 inches (170.44 mm).

1613C.7 Veneer.

1613C.7.1 Anchorages. Veneer shall be anchored with approved anchor ties, conforming to the required design capacity specified in this code and placed at a maximum spacing of 24 inches (610 mm) with a maximum supported area of 4 square feet (0.372 m^2).

EXCEPTION: Existing anchor ties for attaching brick veneer to brick backing may be acceptable, provided the ties are in good condition and are corrugated galvanized iron strips not less than 1 inch (25.4 mm) in width, 8 inches (203.2 mm) in length and 1/16 inch (1.59 mm) in thickness or equal.

1613C.7.2 Verification. The location and condition of existing veneer anchor ties shall be verified as follows:

1. An approved testing laboratory shall verify the location and spacing of the ties and shall submit a report to the Building Official for approval as part of the structural analysis.

2. The veneer in a selected area shall be removed to expose a representative sample of ties (not less than four) for inspection by the Building Official.

1613C.8 Nonstructural masonry walls. Unreinforced masonry walls which carry no design vertical or lateral loads and are not required by the design to be part of the lateral force resisting system shall be adequately anchored to new or existing supporting elements. The anchors and elements shall be designed for the out-of-plane forces specified in Chapter 16. The height or length to thickness ratio between such supporting elements for such walls shall not exceed 13.

1613C.9 Truss and beam supports. Where trusses and beams, other than rafters or joists, are supported on masonry, independent secondary columns shall be installed to support vertical loads of the roof or floor members.

1613C.10 Adjacent buildings. Where elements of adjacent buildings do not have a separation of at least 5 inches (127 mm), the allowable height-to- thickness ratios for "all other buildings" per Table 16C-B shall be used in the direction of consideration.

SECTION 1614C – IN-PLACE MASONRY SHEAR TESTS

1614C.1 Scope. This section applies when this chapter requires in-place testing of the quality of masonry mortar.

1614C.2 Preparation of sample. The bed joints of the outer wythe of the masonry shall be tested in shear by laterally displacing a single brick relative to the adjacent bricks in the same wythe. The head joint opposite the loaded end of the test brick shall be carefully excavated and cleared. The brick adjacent to the loaded end of the test brick shall be carefully removed by sawing or drilling and excavating to provide space for a hydraulic ram and steel loading blocks.

1614C.3 Application of load and determination of results. Steel blocks, the size of the end of the brick, shall be used on each end of the ram to distribute the load to the brick. The blocks shall not contact the mortar joints. The load shall be applied horizontally, in the plane of the wythe, until either a crack can be seen or slip occurs. The strength of the mortar shall be calculated by dividing the load at the first cracking or movement of the test brick by the nominal gross area of the sum of the two bed joints.

SECTION 1615C – TEST OF ANCHORS IN UNREINFORCED MASONRY WALLS

1615C.1 Scope. Shear and tension anchors embedded in existing masonry construction shall be tested in accordance with this section when and as required by this chapter.

1615C.2 Direct tension testing of existing anchors and new bolts. The test apparatus shall be supported on the masonry wall. The distance between the anchor and the test apparatus support shall not be less than one-half the wall thickness for existing anchors and 75 percent of the embedment for new embedded bolts. Existing wall anchors shall be given a preload of 300 pounds (136.4 kg) prior to establishing a datum for recording elongation. The tension test load reported shall be recorded at 1/8 inch (3.18 mm) relative movement of the existing anchor and the adjacent masonry surface. New embedded tension bolts shall be subject to a direct tension load of not less than 2.5 times the design load but not less than 1,500 pounds (682 kg) for five minutes (10 percent deviation).

1615C.3 Torque testing of new bolts. Bolts which are embedded in unreinforced masonry walls shall be tested using a torque calibrated wrench to the following minimum torques:

1/2-inch-diameter bolts – 40 foot-pounds.	
(12.7 mm)	(5.54 M-Kg)
5/8-inch-diameter bolts – 50 foot-pounds.	
(16 mm)	(6.93 M-Kg)
3/4-inch-diameter bolts – 60 foot-pounds.	
(19 mm)	(8.31 M-Kg)

1615C.4 Prequalification test for bolts and other types of anchors. This section is applicable when it is desired to use tension or shear values for anchors greater than those permitted by Table 16C-E. The direct tension test procedure set forth in Section 1615C.2 for existing anchors may be used to determine the allowable tension values for new embedded or through bolts except that no preload is required. Bolts shall be installed in the same manner and using the same materials as will be used in the actual construction. A minimum of 5 tests for each bolt size and type shall be performed for each class of masonry in which they are proposed to be used. The allowable tension value for such anchors shall be 40 percent of the average value of the tests for each size and type of bolt and class of masonry.

Shear bolts may be similarly prequalified. The test procedure shall comply with ASTM E 488-90 or such other procedure as is approved by the Building Official. The allowable values determined in this manner may exceed those set forth in Table 16C-E.

1615C.5 Reports. Results of all tests shall be reported. The report shall include the test results as related to anchor size and type, orientation of loading, details of the anchor installation and embedment, wall thickness and joist orientation.

SECTION 1616C – POINTING OF UNREINFORCED MASONRY WALLS

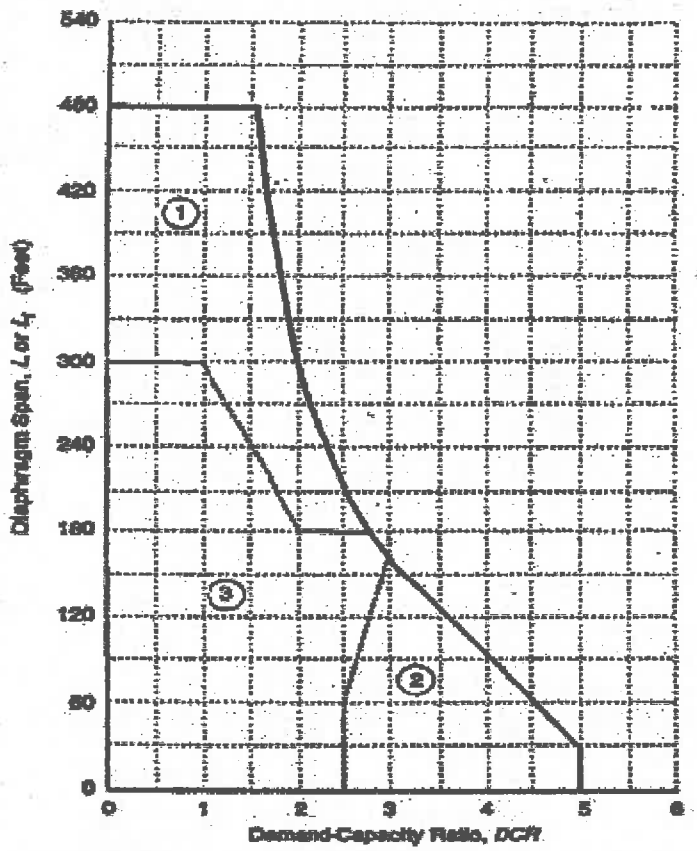
1616C.1 Scope. Pointing of deteriorated mortar joints when required by this chapter shall be in accordance with this section.

1616C.2 Joint preparation. The old or deteriorated mortar should be cut out, by means of a toothing chisel or non-impact power tool, to a uniform depth of 3/4 inch (19.1 mm) until sound mortar is reached. Care shall be taken not to damage the brick edges. After cutting is completed, all loose material shall be removed with a brush, air or water stream.

1616C.3 Mortar preparation. The mortar mix shall be Type N or S proportions as required by the construction specifications. The pointing mortar shall be pre-hydrated by first thoroughly mixing all ingredients dry, and then mixing again, adding only enough water to produce a damp unworkable mix which will retain its shape when pressed into a ball. The mortar shall be kept in a damp condition for 1-1/2hours; then sufficient water shall be added to bring it to a proper consistency that is somewhat drier than conventional masonry mortar.

1616C.4 Packing. The joint into which the mortar is to be packed shall be damp but without freestanding water. The mortar shall be tightly packed into the joint in layers not exceeding 1/4 inch (6.35 mm) in depth until it is filled; then it shall be tooled to a smooth surface to match the original profile.

FIGURE 16C-1 – ACCEPTABLE DIAPHRAGM SPAN



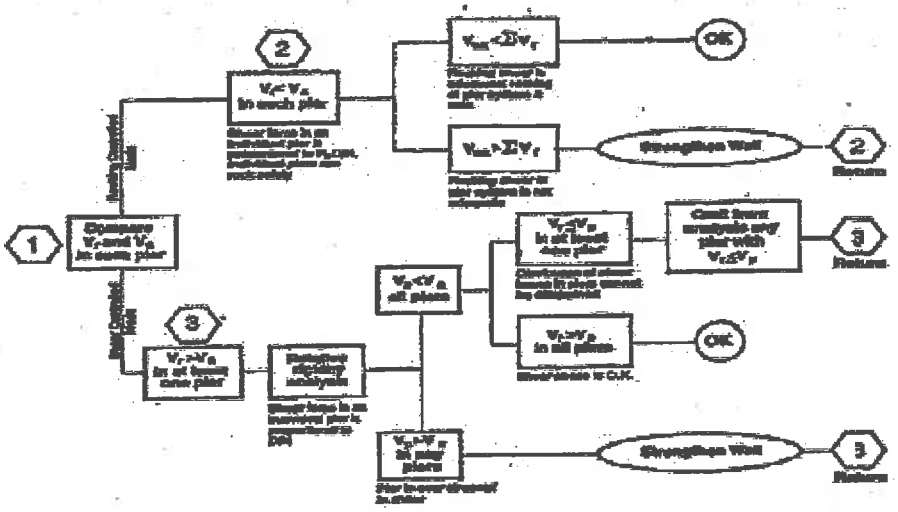
① Region of demand-capacity ratios where crosswalls may be used to increase *h/t* ratios.

② Region of demand-capacity ratios where *h/t* ratios of "with crosswalls" may be used.

③ Region of demand-capacity ratios where *h/t* ratios of "all other buildings" shall be used.

NOTE: To convert feet to meters, multiply by 0.3048.

FIGURE 16C-2 – ANALYSIS OF UNREINFORCED MASONRY WALL IN-PLANE SHEAR FORCES



V_r = Rocking shear capacity of pier.
V_{wa} = Total Shear Force resisted by the wall.
Σv_r = Rocking shear capacity of all piers in the wall.
V_p = Shear force assigned to a pier on the basis of a relative shear rigidity analysis.
V_a = Allowable shear strength of a pier.

TABLE 16C-A – ELEMENTS REGULATED BY THIS CHAPTER

ELEMENTS	SECTION	PROCEDURE			
		BOLTS-PLUS	SPECIAL	GENERAL	3401.8[2]
Masonry Shear Strength	1606C.3.3	X	X	X	X
Diaphragms	1610C.1			X	
	1611C.4		X		
	1604.11			X	
Diaphragm Shear Transfer	1610C.1	X[1]			
	1611C.5	X[1]	X		
	1613C.2	X	X	X	
Chords	1611C.4			X	
Diaphragm Capacity	1604		X		

Ratios					
Collectors	1613C.3			X	
	1611C.4		X		
	1604.11				X[4]
Analysis of Vertical Elements	1612C		X	X	
Crosswalls	1611C.3		X		
Shear Walls	1610C.3		X		
	1611C.6		X		
	1604.11				X[3,4]
Out of PlaneWall Anchorage	1613C.1	X	X	X	
	1604.11			X	
Ties & Continuity	1613C.4		X	X	
	1604.11			X	X

ELEMENTS	SECTION	PROCEDURE			
		BOLTS-PLUS	SPECIAL	GENERAL	3401.8[2]
Wall Bracing	1613C.5	X	X	X	X[5]
Parapets	1613C.6	X	X	X	X
Veneer	1613C.7	X	X	X	X
Nonstructural Masonry Walls	1613C.8		X	X	X
Truss & Beam Supports	1613C.9		X	X	X
Adjacent Buildings	1613C.10		X	X	X
Subdiaphragms	1604.11				X
	1604.8.2				

	ASCE 7-05 Section 12.11.2[4]				

1 Diaphragm shear transfer forces shall be calculated using the General Procedures unless the building qualifies for the use of the Special Procedure.

2 Retrofit procedure per Section 3401.8

3 Wood shear walls allowed only for one- or two-story building per Section 2305.1.

4 Only in-plane shear check required. (Rocking not allowed.)

5 Use (h/t) for "All other walls" from Table 16C-B.

TABLE 16C-B – ALLOWABLE VALUE OF HEIGHT-TO-THICKNESS RATIO OF UNREINFORCED MASONRY WALLS

WALL TYPES	BUILDINGS WITH CROSSWALLS[1]	ALL OTHER BUILDINGS
Walls of one-story buildings	16[2,3]	13
First story wall of multistory buildings	16	15
Walls in top story of multistory buildings	14[2,3]	9
All other walls	16	13

1 Applies to the Special Procedure of Section 1611C and the Bolts-plus Procedure of the last paragraph of Exception 1 to Section 1609C.2 only. See Section 1611C.7 for other restrictions.

2 This value of height-to-thickness ratio may be used only where mortar shear tests establish a tested mortar shear strength, v_t, of not less than 100 psi (689.48 kPa). This value may also be used where the tested mortar strength is not less than 60 psi (413.69 kPa) and a visual examination of the collar joint indicates not less than 50 percent mortar coverage.

3 Where a visual examination of the collar joint indicates not less than 50 percent mortar coverage, and the tested mortar shear strength, v_t, is greater than 30 psi (206.84 kPa) but less than 60 psi (413.69 kPa), the allowable height-to-thickness ratio may be determined by linear interpolation between the larger and smaller ratios in direct proportion to the tested mortar strength.

TABLE 16C-C – HORIZONTAL FORCE FACTOR, C_p[1]

CONFIGURATION OF MATERIALS	C_p
Roofs with straight or diagonal sheathing and roofing applied directly to the sheathing, or floors with straight tongue-and-groove sheathing	0.50
Diaphragms with double or multiple layers of boards with edges offset, and blocked plywood systems	0.75
1 Applicable to the Special Procedure of Section 1611C only.	

TABLE 16C-D – ALLOWABLE VALUES FOR EXISTING MATERIALS

EXISTING MATERIALS OR CONFIGURATION OF MATERIALS[1]	ALLOWABLE VALUES
1. HORIZONTAL DIAPHRAGMS[2]	(× 14.5939 for N/m)
a. Roofs with straight sheathing and roofing applied directly to the sheathing	100 pounds per foot seismic shear
b. Roofs with diagonal sheathing and roofing applied directly to the sheathing	250 pounds per foot seismic shear
c. Floors with straight tongue-and-groove sheathing	100 pounds per foot seismic shear
d. Floors with straight sheathing and finished wood flooring with board edges offset or perpendicular	500 pounds per foot seismic shear
e. Floors with diagonal sheathing and finished wood flooring	600 pounds per foot seismic shear
2. CROSSWALLS[2,3]	(× 14.5939 for N/m)
a. Plaster on wood or metal lath	per side: 200 pounds per foot seismic shear
b. Plaster on gypsum lath	175 pounds per foot seismic shear
c. Gypsum wallboard, unblocked edges	75 pounds per foot seismic shear
d. Gypsum wallboard, blocked edges	125 pounds per foot seismic shear

3. EXISTING FOOTINGS, WOOD FRAMING, STRUCTURAL STEEL AND REINFORCE STEEL	**(× 6.895 for kPa)**
a. Plain concrete footings	**f'_c = 1,500 psi unless otherwise shown by tests[4]**
b. Douglas fir wood	**Allowable stress same as D.F. No. 1[4]**
c. Reinforcing steel	**f_t = *18,000 psi maximum*[4]**
d. Structural steel	**f_t = 20,000 psi maximum[4]**
1 Material must be sound and in good condition.	
2 A one-third increase in allowable stress is not allowed.	
3 Shear values of these materials may be combined, except the total combined value shall not exceed 300 pounds per foot (2068.43 kPa).	
4 Stresses given may be increased for combinations of loads as specified in this code.	

TABLE 16C-E – ALLOWABLE VALUES OF NEW MATERIALS USED IN CONJUNCTION WITH EXISTING CONSTRUCTION

NEW MATERIALS OR CONFIGURATIONS OF MATERIALS	ALLOWABLE VALUES[1]
1. HORIZONTAL DIAPHRAGMS[10]	**(× 14.5939 for N/m)**
a. Plywood sheathing nailed directly over existing straight sheathing with ends of plywood sheets bearing on joists or rafters and edges of plywood located on center of individual sheathing boards	**225 pounds per foot seismic shear**
b. Plywood sheathing nailed directly over existing diagonal sheathing with ends of plywood sheets bearing on joists or rafters	**375 pounds per foot seismic shear**
c. Plywood sheathing nailed directly over existing straight or diagonal sheathing with ends of plywood sheets bearing on joists or rafters with edges of plywood located over new blocking and nailed to provide a minimum nail penetration into framing and blocking of 1-5/8 inches (41.28	**75 percent of the values specified in Table 2306.2.1(1)**

mm)	
2. SHEAR WALLS: (GENERAL PROCEDURE)	
Plywood sheathing applied directly over wood studs. No value shall be given to plywood applied over existing plaster or wood sheathing.	100 percent of the value specified in Table 2306.2.1(2) for shear walls
3. CROSSWALLS: (SPECIAL PROCEDURE)	
a. Plywood sheathing applied directly over wood studs. No value shall be given to plywood applied over existing plaster or wood sheathing	133 percent of the value specified in Table 2306.2.1(2) for shear walls
b. Drywall or plaster applied directly over wood studs	100 percent of the values in Table 2306.5
c. Drywall or plaster applied to sheathing over existing wood studs	The values in Table 2306.5 reduced as noted in Footnote 1 of that table[2]
4. TENSION BOLTS	(× 4.448 for N)
a. Bolts extending entirely through unreinforced masonry walls secured with bearing plates on far side of a 3 wythe minimum wall with at least 30 square inches (19,355 mm^2) of area[3,4,11]	1,800 pounds per bolt[8] 900 pounds per bolt for 2 wythe walls[8]

NEW MATERIALS OR CONFIGURATIONS OF MATERIALS	ALLOWABLE VALUES[1]
b. Bolts extending to the exterior face of the wall with a 2-1/2-inch (63.5 mm) round plate under the head and drilled at an angle of 22-1/2 degrees to the horizontal, installed as specified for shear bolts[3,4,5]	1,200 pounds per bolt
5. SHEAR BOLTS	
Bolts embedded a minimum of 8 inches into unreinforced masonry walls and centered in a 2-1/2-inch diameter hole filled with dry-pack or non-shrink grout. Through bolts with first 8 inches as noted above and embedded bolts as noted in item 4b.[4,5,9]	1/2 inch dia. 350 pounds[7,8]
	5/8 inch dia. 500 pounds[7,8]
	3/4 inch dia. 750 pounds[7,8]

6. INFILLED WALLS	
Reinforced masonry infilled openings in existing unreinforced masonry walls. Provide keys or dowels to match reinforcing.	**Same values as for unreinforced masonry walls**
7. REINFORCED MASONRY	
Masonry piers and walls reinforced per Chapter 21	**Same values as specified in Section 2107[6]**
8. REINFORCED CONCRETE	
Concrete footings, walls and piers reinforced as specified in Chapter 19 and designed for tributary loads	**Same values as specified in Chapter 19[6]**

1 A one-third increase in allowable stress is not allowed, except as noted.

2 In addition to existing sheathing value.

3 Bolts to be 1/2 inch (1.27 mm) minimum in diameter.

4 Drilling for bolts and dowels shall be done with an electric rotary drill. Impact tools shall not be used for drilling holes or tightening anchors and shear bolt nuts.

5 Embedded bolts to be tested as specified in Section 1607C.

6 Stress given may be increased for combinations of load as specified in this code.

7 A one-third increase in allowable stress is allowed for short-term loading.

8 Other bolt sizes, values and installation methods may be used, provided a testing program is conducted in accordance with Section 1615C. Bolt spacing shall not exceed 6 feet (1.83 m) on center and shall not be less than 12 inches (0.305 m) on center.

9 Tension and shear from seismic loads need not be assumed to act simultaneously.

10 Values and limitations are for nailed plywood. Higher values may be used for other approved fastening systems such as staples when approved by the Building Official.

11 Plate size may be reduced to not less than 9 square inches (5805 mm^2), provided the bearing stress on the masonry at design load does not exceed 60 pounds per square inch, psi (414kPa).

Add the following chapter:

Chapter 16D
PARAPETS AND APPENDAGES – RETROACTIVE PROVISIONS

SECTION 1601D – GENERAL

Every parapet or appendage which is supported on or attached to an exterior wall of a building adjacent to a property line, passageway, open courtyard or public way or which occurs in any other location where failure of such parapet or appendage would be hazardous to life or limb in such areas shall, when required by the Building Official, be subject to inspection by a licensed architect or civil engineer employed by the owner. The provisions of this section are retroactive and shall apply to and include buildings erected prior to the adoption of this code.

SECTION 1602D – CORRECTION OF HAZARDOUS PARAPETS AND APPENDAGES

Whenever the Building Official determines, by visual inspection or from the report furnished by the architect or civil engineer, that an existing parapet or appendage which is within the scope of this section is not adequate to resist the lateral forces due to earthquake as detailed in Chapter 16 of the Building Code which was in effect on July 1, 1969, the Building Official shall conclude that inadequacies exist and shall, by written notice to the owner or person or the agent in charge of the building, direct that necessary steps be taken to eliminate the hazard.

Upon receipt of such notice, the owner or person or agent in control of the building where such hazardous parapet or appendage exists shall:

1. Within one year from the date of receipt of such notice:

(1) Submit to the Building Official an acceptable written plan or procedure for the elimination of the hazardous condition by removal or alteration of the hazardous parapet or appendage.

(2) Obtain the necessary alteration permit in accordance with the procedures set forth in Section 106A of this code.

2. Within one year after obtaining the alteration permit, complete all work indicated on the approved construction documents. A one-year extension may be granted by the Building Official when mitigating circumstances exist.

SECTION 1603D – VARIANCE PROCEDURE

Any person receiving a notice as set out in Section 1602D above may appeal for a variance from the notice to the Board of Examiners in the manner provided by Section 105A.1 or, in the case of parapets or appendages of unreinforced masonry bearing wall buildings, to the Board of Examiners in the manner provided by Section 105A.1.

SECTION 1604D – UNREINFORCED MASONRY PARAPETS AND APPENDAGES

The removal, stabilization or bracing of unreinforced masonry parapets and appendages, the application for a permit for which was filed after February 15, 1993, shall comply with Section 1613C.6. Certain parapets and appendages, previously exempted under this section, shall be removed, or stabilized, or braced when required by Section 1613C.6.

Chapter 17
STRUCTURAL TESTS AND SPECIAL INSPECTIONS

SECTION 1704 – SPECIAL INSPECTIONS

Section 1704 2:

Replace Exception 2 as follows:

2. ~~Unless otherwise required by the building official, special inspections are not required for Group U occupancies that are accessory to a residential occupancy including ,but not limited to, those listed in Section 312.1.~~

The special inspections and verifications for foundation concrete, other than cast-in-place drilled piles or caissons, are not required for occupancies in Group R-3 and occupancies in Group U that are accessory to a residential occupancy, but not limited to, those listed in Section 312.1.

This exception shall not apply to foundations serving as retaining walls of soil over 5 feet (1829 mm) in height measured from the base of the foundation, or the structural design of the footing based on a specified compressive strength, f'c, greater than 2,500 pounds per square inch (psi) (17.2 MPa), regardless of the compressive strength specified in the construction documents or used in the footing construction.

Add the following section:

Section 1705.4.3 Exterior facing. Special inspection is required during fastening of all exterior veneer and ornamentation facing units constructed of concrete, masonry, stone or similar materials, and all curtain walls weighing more than 15 pounds per square foot (73.23 kg/m^2) of wall.

EXCEPTIONS:

1. Veneers weighing less than 5 pounds per square foot (24.46 kg/m^2) located less than 15 feet (4.57 m) above grade.

2. Anchored veneer located less than 10 feet (3.048 m) above grade.

Add the following section:

Section 1705.4.4 Retrofit of unreinforced masonry bearing wall buildings. Special inspection is required:

1 During the testing of mortar quality and performance of masonry shear tests in accordance with Section 1614C when required by Sections 1606C.3.3 and 1607C.2.

2 During repointing operations in accordance with Section 1616C when required by Sections 1606C.3.3.7 and 1607C.1.

3 During the installation of new shear bolts when required by the exception to Section 1607C.4.

4 Prior to the placement of the bolt and grout or adhesive for embedded bolts as required by Section 1607C.4.

5 During the prequalification tests in accordance with Section 1615C.3 as permitted by Footnote 8 to Table 16C-E.

Add the following section:

1705.5.4 Shear walls and floor systems used as shear diaphragms. All connections, including nailing, tiedowns, framing clips, bolts and straps, for those parts of a lateral force resisting system utilizing the following components:

1 Plywood diaphragms, where shear values exceed 2/3 the values in Tables 2306.3.1 and 2306.3.2.

2 Double sheathed shear walls, in all cases.

3 Plywood shear walls, wherever nailing or hardware are not visible to the district inspector at the time of cover-up inspection.

If nailing is not visible to the inspector at the called inspection, or if the special inspector has not inspected the work prior to the concealment, all work concealing such nailing shall be removed in order to permit a complete inspection.

4 Gypsum wallboard shearwalls where shear values exceed one-half of the values permitted by Footnote a of Table 2306.4.5.

5 Fiberboard shearwalls where shear values exceed one-half of the values in Table 2306.4.4.

6 Particle-board diaphragms, where shear values exceed one-half of the values in Table 2306.4.3.

Add the following section:

1705.18 Demolition. Demolition of buildings more than two stories or 25 feet (7.62 m) in height. See Section 3303 for demolition requirements.

EXCEPTION: Type V buildings.

Add the following section:

1705.19 Bolts installed in existing masonry or concrete. Except for through bolts with plate washers conforming to Table 16C-E, bolts that are newly installed in existing masonry or concrete shall be tested in accordance with Section 1615C. The number and type of tests required shall be the same as required by Section 1607C.

Add the following section:

1705.20 Construction subject to the Slope Protection Act, created by Section 106A.4.1.4; or construction of a new building or structure, or alterations that involve a substantial increase in the envelope of an existing building or structure within the Edgehill Mountain Slope Protection Area, created by Building Code Section 106A.4.1.2, or the Northwest Mt. Sutro Slope Protection Area, created by Building Code Section 106A.4.1.3; provided, however, that, until the special inspection reports required by Building Code Section 1704.2.4 are submitted to and approved by the Department, the phase of construction subsequent to the phase or element for which the report was completed cannot commence.

Add the following section:

1705.21 Crane Safety. No owner or other person shall operate, authorize or permit the operation of a tower crane on a high-rise building structure until a signed Crane Site Safety Plan, Submittal Form and Crane Safety Compliance Agreement have been accepted by the Building Official.

Chapter 17A
STRUCTURAL TESTS AND SPECIAL INSPECTIONS

No San Francisco Building Code Amendments

Chapter 18
SOILS AND FOUNDATIONS

No San Francisco Building Code Amendments

Chapter 18A
SOILS AND FOUNDATIONS

No San Francisco Building Code Amendments

Chapter 19
CONCRETE

No San Francisco Building Code Amendments

Chapter 19A
CONCRETE

No San Francisco Building Code Amendments

Chapter 20
ALUMINUM

No San Francisco Building Code Amendments

Chapter 21
MASONRY

No San Francisco Building Code Amendments

Chapter 21A
MASONRY

No San Francisco Building Code Amendments

Chapter 22
STEEL

No San Francisco Building Code Amendments

Chapter 22A
STEEL

No San Francisco Building Code Amendments

Chapter 23
WOOD

SECTION 2304 – GENERAL CONSTRUCTION REQUIREMENTS

2304.11.2.6 Add the following second paragraph:

Walls not accessible for maintenance shall have exterior covering of siding or plywood that are either treated wood or wood of natural resistance to decay. Plywood shall be exterior type, C-C Grade minimum, and not less than 1/2-inch (12.7 mm) thickness unless applied over sheathing. Plywood manufactured with redwood or cedar faces but with inner plys of other species conforming to DOC Standard PS1-95 may be used, provided the exposed outer face is plugged and not grooved or patterned.

2304.11.4.2 Replace this section with the following:

2304.11.4.2 Wood structural members. Wood structural members that support moisture permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, shall be of naturally durable or preservative-treated wood unless separated from such floors or roofs by an impervious moisture barrier **extending up the walls not less than 4 inches (101.6 mm) or shall otherwise be adequately flashed and counterflashed.**

2304.11.4.2 Add the following 2nd paragraph and exception:

Regardless of finish flooring type or structural materials, the wood sub-floor of toilet rooms and bathrooms shall be protected by a waterproof membrane. Where a single ply sheet membrane is used, all adhesives shall be of a waterproof type and shall be applied so as to form a full unbroken coat between the backing and the membrane being applied. All seams and joints shall be thoroughly sealed.

Exception: Interior floors in Group R, Division 3 Occupancies.

2304.11.5 Add the following 2nd paragraph with exception, and 3rd paragraph:

Weather-exposed stairways constructed with concrete, masonry, brick, tile or terrazzo shall be supported on hot-dipped galvanized steel or reinforced concrete stringers.

EXCEPTION: In Group R, Division 3 Occupancies, wood construction on masonry or concrete foundations may be used as supports, and the area under the stair shall be ventilated in compliance with 2304.11.9.

Weather-exposed stairs of precast concrete or metal pan treads may be supported on wood stringers, provided the entire stairway is exposed and the treads are connected to the stringers by hot-dipped galvanized steel or other approved corrosion-resistant fasteners.

Chapter 24
GLASS AND GLAZING

SECTION 2405 – SLOPED GLAZING AND SKYLIGHTS

2405.3 revise this exception as follows:

3. Any glazing material, including annealed glass, is permitted to be installed without screens in the sloped glazing systems of commercial or detached noncombustible green houses used exclusively for growing plants and not open to the public, provided that the height of the greenhouse at the ridge does not exceed 30 feet (9144 mm) above grade **except that for R-3 occupancies and townhouses, *the greenhouse height at the ridge does not exceed 20 feet (6096 mm) above grade. [CRC R308.6.6]***

Chapter 25
GYPSUM BOARD AND PLASTER

No San Francisco Building Code Amendments

Chapter 26
PLASTIC

SECTION 2603 – FOAM PLASTIC INSULATION

2603.3 Revise the first sentence of Exception 3 as follows:

3. Foam plastic insulation that is part of a Class A, **or** B ~~or C~~, roof-covering assembly provided the assembly with the foam plastic insulation satisfactorily passes FM 4450 or UL 1256.

2603.4.1.5. Revise this section as follows:

2603.4.1.5 Roofing. Foam plastic insulation under a roof assembly or roof covering that is installed in accordance with the code and the manufacturer's instructions shall be separated from the interior of the building by wood structural panel sheathing not less than 0.47 inch (11.9mm) in thickness bonded with exterior glue, **and identified as Exposure 1** with edges supported by blocking, tongue-and-groove joints or other approved type of edge support, or an equivalent material. A thermal barrier is not required for foam plastic insulation that is a part of a Class A, **or** B ~~or C~~, roof- covering assembly, provided the assembly with the foam plastic insulation satisfactorily passes FM 4450 or UL 1256

2603.6 Revise this section as follows:

2603.6 Roofing. Foam plastic insulation meeting the requirements of Sections 2603.2, 2603.3 and 2603.4 shall be permitted as a part of a roof-covering assembly, provided the assembly with the foam plastic insulation is a Class A, **or** B ~~or C~~, roofing assembly where tested in accordance with ASTM E 108 or UL 790.

Chapter 27
ELECTRICAL

No San Francisco Building Code Amendments

Chapter 28
MECHANICAL SYSTEMS

No San Francisco Building Code Amendments

Chapter 29
PLUMBING SYSTEMS

2902 Add a section as follows:

SECTION 2902 – MINIMUM PLUMBING FIXTURES

2902.1 Minimum plumbing fixtures. For new construction and changes of occupancy. plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 2902.1. The minimum number of fixtures shown in Table 2902.1 is assumed to be based on 50 percent male and 50 percent female.
Exception: Where circumstances dictate that a different ratio is needed, the adjustment shall be approved by the Building Official.
The minimum number of plumbing fixtures required to serve existing occupancies shall be the number of fixtures required at the time of original construction or at the time of work previously performed under properly issued permits.
A drinking fountain need not be provided in a drinking or dining establishment.

2902.2 Sanitary facilities. Each building shall be provided with sanitary facilities, including provisions for accessibility.

2902.3 Accessibility for persons with disabilities. Where facilities for persons with disabilities are required, Chapter 11A or 11B of the California Building Code shall be used.

2902.4 Separate facilities. Separate facilities shall be provided for each sex.
Exceptions:
1. In structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or less.
2. In groups B, F, H, M, and S occupancies, where there are four or fewer employees.

TABLE 2902.1 – MINIMUM PLUMBING FIXTURES [1, 2, 3]

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
For the occupancies listed below, use 30 square feet (2.78 m^2) per occupant for the minimum number of plumbing fixtures.					
Group A					
Conference rooms, dining rooms, drinking establishments, exhibit rooms, gymnasiums, lounges, stages and similar uses including restaurants classified as Group B occupancies	1:1-25	1:1-25	one for each water closet up to four; then one for each two additional water closets		
	2:26-75	2:26-75			
	3:76-125	3:76-125			
	4:126-200	4:126-200			
	5:201-300	5:201-300			
	6:301-400	6:301-400			
Over 400, add one fixture for each additional 200 males or 150 females.					
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 15 square feet (1.39 m2) per occupant for the minimum number of plumbing fixtures.					
Assembly places– Auditoriums, convention halls, dance floors, lodge rooms, stadiums and casinos	1:1-50	3:1-50	1:1-200	1:1-200	
	2:51-100	4:51-100	2:201-400	2:201-400	
	3:101-150	6:101-200	3:401-750	3:401-750	
	4:151-300	8:201-400	Over 750, add one fixture for each additional 500 persons		
	Over 300 males, add one fixture for each additional 200, and over 400 females add one for each 125.				
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 30 square feet (2.29 m2) per occupant for the minimum number of plumbing fixtures.					
Worship places					
Principal assembly area	one per 150	one per 75	one per two water closets		

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
Worship places					
Educational and activity unit	one per 125	one per 75	one per two water closets		
For the occupancies listed below, use 200 square feet (18.58 m^2) per occupant for the minimum number of plumbing fixtures.					
Group B					
Offices or public buildings	1:1-15	1:1-15	one per two water closets		
	2:16-35	2:16-35			
	3:36-55	3:36-55			
	Over 55, add one for each 50 persons.				
For the occupancies listed below, use 50 square feet (4.65 m^2) per occupant for the minimum number of plumbing fixtures.					
Group E	1:1-15	1:1-15	one per 40	one per 40	
Schools--for staff use	2:16-35	2:16-35			
All schools	3:36-55	3:36-55			
	Over 55, add one fixture for each additional 40 persons.				
Schools--for student use	1:1-20	1:1-20	1:1-25	1:1-25	
Day care	2:21-50	2:21-50	2:26-50	2:26-50	
	Over 50, add one fixture for each additional 50 persons.		Over 50, add one fixture for each additional 50 persons.		
Elementary	one per	one per	one per	one per	

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
	30	25	35	35	
Secondary	one per 40	one per 30	one per 40	one per 40	

(Continued)

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
For the occupancies listed below, use 50 square feet (4.65 m^2) per occupant for the minimum number of plumbing fixtures.					
Education Facilities other than Group E					
Others (colleges, universities, adult centers, etc.)	one per 40	one per 30	one per 40	one per 40	
For the occupancies listed below, use 2,000 square feet (185.8 m^2) per occupant for the minimum number of plumbing fixtures.					
Group F	1:1-10	1:1-10	one for each two water closets		one shower for each 15 persons exposed to excessive heat or to skin contamination with irritating materials
Workshop, foundries and similar establishments, and Group H Occupancies	2:11-25	2:11-25			
	3:26-50	3:26-50			
	4:51-75	4:51-75			
	5:76-100	5:76-100			
	Over 100, add one fixture for each additional 300 persons.				
For the occupancies listed below, use the designated application and 200 square feet (18.58 m^2) per occupant of the general use area for the minimum number of plumbing fixtures.					
Group I					

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
Hospital waiting rooms	one per room (usable by either sex)		one per room		
Hospital general use areas	1:1-15	1:1-15	one per each two water closets		
	2:16-35	3:16-35			
	3:36-55	4:36-55			
	Over 55, add one fixture for each additional 40 persons.				
Hospital patient room	one per room		one per room		one per room
Hospital ward room	one per eight patients		one per 10 patients		one per 20 patients
Jails and reformatories					
Cell	one per cell		one per cell		
Exercise room	one per exercise room		one per exercise room		
Other institutions (on each occupied floor)	one per 25	one per 25	one per 10	one per 10	one per eight
For the occupancies listed below, use 200 square feet (18.58 m^2) per occupant for the minimum number of plumbing fixtures.					
Group M					
Retail or wholesale stores	1:1-50	1:1-50	one for each two water closets		
	2:51-100	2:51-200			
	3:101-400	3:101-200			
		4:201-300			
		5:301-400			
	Over 400, add one fixture for each				

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
	additional 500 males and one for each 150 females.				
For Group R Occupancies, dwelling units and hotel guest rooms, use the chart. For congregate residences, use 200 square feet (18.58 m^2) for Group R, Division I Occupancies and 300 square feet (27.87 m^2) for Group R, Division 3 Occupancies for the minimum plumbing fixtures.					
Group R					
Dwelling units	one per dwelling unit		one per dwelling unit		one per dwelling unit
Hotel guest rooms	one per guest room		one per guest room		one per guest room
Congregate residences	one per 10	one per 8	one per 12	one per 12	one per eight
	Add one fixture for each additional 25 males and one for each additional 20 females.		Over 12, add one fixture for each additional 20 males and one for each additional 15 females.		For females, add one bathtub per 30. Over 150, add one per 20.

(Continued)

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)	
	Male	Female	Male	Female
For the occupancies listed below, use 5,000 square feet (464.5 m2) per occupant for the minimum number of plumbing fixtures.				
Group S Warehouses	1:1-10	1:1-10	one per 40 occupants of each sex	one shower for each 15 persons exposed to excessive heat or to skin
	2:11-25	2:11-25		
	3:26-50	3:26-50		
	4:51-75	4:51-75		

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)	
	Male	Female	Male	Female
	5:76-100	5:76-100		contamination with poisonous, infectious or irritating materials
	Over 100, add one for each 300 males and females.			

NOTE: Occupant loads over 30 shall have one drinking fountain for each 150 occupants.

1 The figures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction thereof.

2 Drinking fountains shall not be installed in toilet rooms.

3 When the design occupant load is less than 10 persons, a facility usable by either sex may be approved by the building official.

4 Any category not mentioned specifically or about which there are any questions shall be classified by the building official and included in the category which it most nearly resembles, based on the expected use of the plumbing facilities.

5 Where urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than one half of the minimum specified.

6 Twenty-four inches (610 mm) of wash sink or 18 inches (457 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one lavatory.

Chapter 30
ELEVATORS AND CONVEYING SYSTEMS

3010 Add the following section:

SECTION 3010 – PRIVATE RESIDENCE ELEVATORS

3010.1 PRIVATE RESIDENCE TYPE ELEVATOR is a power passenger elevator which is limited in size, capacity, rise and speed and is installed in a private residence or in a multiple dwelling as a means of access to a private residence.

3010.2 Construction. The construction and installation of private residence elevators, dumbwaiters, and private residence special access lifts shall comply with ANSI/ASME 17.1-1996.

[Note: For other than private residence elevators, dumbwaiters, and private residence special access lifts, see Title 8, California Code of Regulations, California Elevator Safety Regulations.]

Chapter 31
SPECIAL CONSTRUCTION

SECTION 3103 – TEMPORARY STRUCTURES

3103.1.1 Add this sentence to the end of the paragraph.

See Section 106A.1.7 for permit requirements.

SECTION 3107 – SIGNS

Replace this section with the following sections:

3107.1 General. Except as otherwise provided herein, all signs placed upon or attached to any building, structure or property shall comply with this chapter and shall be installed under a valid sign permit.

The electrical portion of the sign shall be constructed in accordance with the requirements of the Electrical Code, and an electrical permit shall be obtained in accordance with that code.

Plans shall be filed with the application for a permit for any sign. When required, computations shall be provided.

3107.1.1 Exempt signs. The following signs are exempt from the requirements of this code:

1. Signs painted on structures. However, such signs must comply with the San Francisco Planning Code, and an application shall be filed with the Department.
2. Bulletin boards for public, charitable or religious institutions, when such boards are located on the premises of said institutions.
3. Real estate signs advertising the sale, rental or lease of the premises on which they are maintained, which do not exceed 15 square feet (1.39 m^2) in size, and which are mounted flush to the building.
4. Professional occupation signs denoting only the name and profession of an occupant in a commercial building, public institutional building or dwelling house, and not exceeding 3 square feet (0.278 m^2) in area for each occupant.

3107.1.2 Prohibitions. The following prohibitions apply to signs:

1. No signs shall be erected, relocated or maintained so as to block any exits or required windows. No sign shall be attached to a standpipe, gutter drain, stairway or fire escape, or interfere with the function or operation of any standpipe or fire escape. No roof sign shall be located within 6 feet (1.829 m) of a standpipe outlet.
2. No sign shall be increased in size, altered in shape or changed by the addition of other signs or advertising matter not specifically allowed by the provisions of this code and the San Francisco Planning Code.
3. No wall sign shall extend across or in front of any window or other exterior opening located above the first story of a building, except as approved by the Building Official.

4. No wall sign erected on a wall adjacent to and facing a street, public space or yard shall project above the parapet walls.

EXCEPTIONS:

1. On a building located on a corner lot, a wall sign may project a maximum of 7 feet (2.134 m) above the roof line on only one street.

2. On any frontage, signs not more than 10 feet (3.048 m) long for any 40-foot (12.19 m) frontage and occupying no more than 25 percent of the lot frontage may project a maximum of 7 feet (2.134 m) above the roof line.

3107.1.3 Permit number on sign. Every sign shall have the permit number clearly painted and maintained on its face or edge, and of such size and location as to be legible from the sidewalk level, ground level or an easily accessible location. Electric signs may have an approved metal tag attached to them instead of painted characters.

3107.1.4 Revocable permits. The permit for any sign over public property may be revoked. A permit granted under Chapter 1A and this chapter for a sign over public property shall not be construed to create any perpetual right but is a revocable license which may be terminated by revocation by the Board of Supervisors.

3107.1.5 Existing signs. This chapter shall not render unlawful the existence or maintenance of any sign erected or maintained by a lawful permit issued prior to the adoption of this ordinance. EXCEPTION: Signs for which lawful permits were issued and which, due to a sidewalk narrowing or street widening project, no longer conform to the requirements of Section 3107.3 shall be altered to conform not later than 90 days following completion of such project.

3107.2 Definitions. For the purposes of this chapter, certain terms are defined as follows:
APPROVED PLASTIC is a plastic material found to be suitable functionally for the purpose for which it is intended and which complies with the requirements of Chapter 26. For outdoor signs, the approval of the plastic shall be based upon considerations of flame spread value only. For indoor signs, the approval shall be based upon flame spread and smoke density values.
AREA OF A SIGN is that area of exposed vertical surface which is included within a rectangle enclosing all the features of the sign. In cases of an irregular sign, it is the sum of the areas of the enclosing rectangles estimated to the nearest 5 square feet (0.465 m^2).
BUSINESS SIGN is a sign which directs attention to a business, commodity, service, industry or other activity which is sold, offered or conducted on the premises upon which such sign is located, or to which it is affixed.
SIGN is any structure, part thereof, or device or inscription which is located upon, attached to or painted, projected or represented on the exterior of any building or structure, including an awning, canopy, marquee or similar appendage, or affixed to the glass on the outside or inside of a window so as to be seen from the outside of the building, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, trademark or other representation used as, or in the nature of, an announcement, advertisement or designation by or of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry. A sign includes the support, uprights and framework of the display.

3107.3 Height, projection, and location.

Height, projection and location of all signs shall be as specified in Article 6 of the San Francisco Planning Code. No sign shall project past the curbline of any street, alley or public way.

The minimum vertical clearance of signs over public sidewalks shall be 10 feet (3.048 m). Additionally, signs or portions within the outer one- third of a sidewalk shall have 12-foot (3.658 m) clearance, and when within 2 feet (0.61 m) of the curbline shall have 14-foot (4.267 m) clearance.

Roof signs shall be not less than 5 feet (1.524 m) above the roof. Supports shall be spaced at least 6 feet (1.829 m) apart.

3107.4 Design.

The design shall make allowances for the effects of corrosion and lack of maintenance.

No anchor or support of any sign shall be connected to, or suspended by, an unbraced parapet wall, unless such wall is designed in accordance with the requirements for parapet walls specified in Chapter 16.

Fasteners and braces shall be of noncombustible construction, except that stringers for attachment of roof signs may be of 6-inch (152.4 mm) minimum dimension redwood or approved preservative-treated lumber.

3107.5 Construction.

3107.5.1 General. All signs shall be constructed of noncombustible materials except that approved plastics may be used in sign facings as described in Section 3107.5.2. All ferrous metal and all fastenings used in construction or installation, excluding stainless steel, shall be hot-dipped galvanized, porcelain-enameled or otherwise protected in an approved manner against corrosion.

Aluminum may only be used for minor internal members, such as stiffeners and closures, and for sign faces and nonstructural trim. The minimum thickness shall be 0.0299 inch (0.76 mm).

Steel shapes or plates used for primary support shall be not less than 3/16 inch (4.76 mm) in thickness. Sheet metal formed integrally with the sign face or used as cabinet cover shall be not less than 0.0239 inch (24 gauge). Secondary support members not formed integrally with the design face shall be not less than 0.1046 (12 gauge) inch.

The minimum material thickness requirements in this section pertain to the base metal before application of protective covering and need not apply to signs located inside a building.

3107.5.2 Plastics. Where plastics are included in a sign, the application to install a sign shall set forth the manufacturer's trade name, or the common name of the plastic material to be used in the sign, thickness of plastic, aspect ratio, corrugation type, if any, and span. The plastic employed in the signs shall be identified as set forth in Chapter 26 with the manufacturer's trade name, or with the common name of the plastic material.

Plastic sign facing shall conform to the provisions of this section. Plastic sign faces, formed or flat, letters and decorations shall be of sufficient thickness or so formed or supported that they will withstand all loads required by this code.

Plastic facing shall be mounted in a metal frame. Proper provision shall be made for the difference in thermal expansion between plastic members and the frame.

3107.5.3 Electric plastic signs. Every electric sign containing approved plastics shall comply with the minimum requirements set forth in the Standard for Electric Signs, UL No. 48. The attachment of Underwriters Laboratories label, or other approved laboratory per the Electrical Code, shall be sufficient proof that a sign has complied with the requirements of the Electrical Code.

3107.5.4 Wood-faced signs. Projecting signs with wood facing or backing are permitted on any building.

Plywood used for signs shall be exterior grade and not less than 5/8-inch (15.88 mm) thickness. Lumber shall be not less than 1-inch (25.4 mm) nominal and shall be finished to provide a weather- resistant finish.

3107.6 Ground signs.

3107.6.1 Height. The maximum height of a ground sign constructed with wood supports shall be 30 feet (9.14 m), as measured from the top of the sign to the sidewalk in front of the sign or the existing ground under the sign, whichever is higher.

3107.6.2 Design and construction. The design and construction of wood signs shall comply with Chapters 16 and 23 of this code. All wood within 12 inches of the ground shall be pressure-treated wood.

3107.7 Removal of business signs. It shall be unlawful for any person to allow any business sign to remain posted more than 180 days after the activity for which the business sign has been posted has ceased operation on the premises if such person (1) owns, leases or rents the property on which the sign is posted, or (2) owns or operates such business, service, industry or other activity.

3111 Add a section as follows:

SECTION 3111 – WOODBURNING APPLIANCES

3111.1 Woodburning appliances. All woodburning appliances installed in new buildings or woodburning appliances being added, reconstructed or replaced in existing buildings shall comply with this section.
Gas fireplaces shall be exempt from the requirements of this section. However, the conversion of a gas fireplace to burn wood shall constitute the installation of a woodburning appliance and shall be subject to the requirements of this section.

3111.2 Definitions. The definitions set forth in this section shall govern the application and interpretation of this section.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT means the air quality agency for the San Francisco Bay Area established pursuant to California Health and Safety Code Section 40200.

EPA means the United States Environmental Protection Agency.

EPA CERTIFIED WOOD HEATER means any wood heater that meets the standards in Title 40, Part 60, Subpart AAA, Code of Federal Regulations in effect at the time of installation and is certified and labeled pursuant to those regulations.

FIREPLACE means any permanently installed masonry or factory-built appliance that burns wood, except a pellet-fueled wood heater, designed to be used with an air-to-fuel ratio greater than or equal to 35 to one.

GARBAGE means all solid, semisolid and liquid wastes generated from residential, commercial and industrial sources, including trash, refuse, rubbish, industrial wastes, asphaltic products, manure, vegetable or animal solids and semisolid wastes, and other discarded solid and semisolid wastes.

GAS FIREPLACE means any device designed to burn natural gas in a manner that simulates the appearance of a woodburning fireplace.

PAINTS means all exterior and interior house and trim paints, enamels, varnishes, lacquers, stains, primers, sealers, undercoatings, roof coatings, wood preservatives, shellacs, and other paints or paint-like products.

PAINT SOLVENTS means all original solvents sold or used to thin paints or to clean up painting equipment.

PELLET-FUELED WOOD HEATER means any appliance that burns wood and operates exclusively on wood pellets.

RECONSTRUCTION means the complete rebuilding of the woodburning appliance such that all or a substantial portion of its parts are new. It does not include repairs made to the appliance in order to make it safer or more efficient.

SOLID FUEL means wood or any other nongaseous or nonliquid fuel.

TREATED WOOD means wood of any species that has been chemically impregnated, painted or similarly modified to improve resistance to insects or weathering. It does not include products such as Duraflame or Presto logs that are specifically designed and sold to be burned in a woodburning appliance.

WASTE PETROLEUM PRODUCTS means any petroleum product other than gaseous fuels that has been refined from crude oil and has been used, and as a result of use has been contaminated with physical or chemical impurities.

WOODBURNING APPLIANCE means fireplace, wood heater, or pellet-fueled wood heater or any similar device burning any solid fuel used for aesthetic or space-heating purposes.

WOOD HEATER means a stove that burns wood.

3111.3 Unauthorized appliances prohibited. No person shall install a woodburning appliance that is not one of the following:

1. A pellet-fueled wood heater;
2. An EPA-certified wood heater; or
3. A fireplace certified by the Northern Sonoma Air Pollution Control District.

Exceptions:

1. Woodburning appliances that are designed primarily for food preparation in new or existing restaurants or bakeries.
2. Historic woodburning appliances installed in historic structures, as determined by the Building Official of the Department of Building Inspection in consultation with the Director of the Department of Planning.

3111.4 Prohibited fuels. The following fuels are prohibited from use in a woodburning appliance:

1. Garbage;
2. Treated wood;
3. Plastic products;
4. Rubber products;
5. Waste petroleum products;
6. Paints or paint solvents;
7. Coal;
8. Glossy or colored paper;
9. Particle board; or
10. Saltwater driftwood.

3111.5 Certification. Any person who plans to install a woodburning appliance must submit documentation to the Building Official demonstrating that the appliance is a pellet-fueled wood heater, a certified wood heater, or a fireplace certified by Northern Sonoma Air Pollution Control District.

NOTE: Ordinance No. 13-02, adopted 1-14-2002, which amended Section 3102.8, contained the following findings:

(a) In 1982, the State Air Resources Board (ARB) adopted a particulate matter (PM10) Ambient Air Quality Standard (AAQS). Levels for the PM10 AAQS were selected pursuant to California Code of Regulations Title 17 Section 70200 to protect the health of people who are sensitive to exposure to fine particles.

(b) Research indicates that wood smoke is a significant contributor to PM10 levels that pose significant health risks.

(c) The City and County of San Francisco desires to lessen the risk to life and property from air pollution from woodburning appliances.

(d) The City and County of San Francisco finds that the proposed regulation will significantly reduce the increases in particulate emissions from future installation and construction activities.

(e) The City and County of San Francisco finds a need exists to adopt regulations which apply to woodburning combustion emissions.

Chapter 31A
RESERVED

No San Francisco Building Code Amendments

Chapter 31B [DPH]
PUBLIC SWIMMING POOLS

No San Francisco Building Code Amendments

Chapter 31C [DHS]
RADIATION

No San Francisco Building Code Amendments

Chapter 31D [DPH]
FOOD ESTABLISHMENTS

No San Francisco Building Code Amendments

Chapter 31E
RESERVED

No San Francisco Building Code Amendments

Chapter 31F [SLC]
MARINE OIL TERMINALS

No San Francisco Building Code Amendments

Chapter 32
ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

SECTION 3201 – GENERAL

3201.4 Revise this section as follows:

3201.4 Drainage. Drainage water collected from a roof, awning, canopy, or marquee, and condensate from mechanical equipment **shall be conducted to the building drain or building sewer, and** shall not flow over a public walking surface.

SECTION 3202 – ENCROACHMENTS

3202.3.1 Replace this section as follows:

3202.3.1 Awnings, canopies, marquees and signs. Awnings, canopies, marquees and signs shall be constructed so as to support applicable loads as specified in Chapter 16. **Canopies shall be allowed only over entrance doorways and only for Occupancy Groups A, B, F-1, M, S-1, S-2 and R. Canopies may be constructed as awnings and with the same limitations except that:**

1. The maximum width shall be 10 feet (3.048 m); and

2. The maximum extension over public sidewalk may be to a point 2 feet (0.61 m) from the curb; and

3. The outer column support shall be located in the outer one-third of the sidewalk.

3202.3.2 Replace this section as follows:

3202.3.2 Windows, balconies, architectural features and mechanical equipment.

A 3-foot (0.914 m) projection shall be permitted for bay and oriel windows when the clearance above grade is at least 10 feet (3.048 m) and the width of the sidewalk is greater than 9 feet (2.74 m). Where the sidewalk width is 9 feet (2.74 m) or less, the projection shall not exceed 2 feet (0.61 m).

For all other appendages, a 2-foot (0.61 m) projection is permitted when the clearance above grade is at least 10 feet (3.048 m). The projection may be increased 1 inch (25.4 mm) for each additional foot of clearance over 10 feet (3.048 m), to a maximum of 4 feet (1.219 m).

3202.3.4 Add the following after the first paragraph as follows:

A covered pedestrian walkway may be constructed over a street between buildings of only Types I-A and I-B construction. Permission from the Board of Supervisors and approval of the Department of Public Works and Planning Commission is required. The pedestrian walkway shall comply with the following conditions:

1. The pedestrian walkway shall be equipped with an automatic sprinkler system. The supporting structure shall be three-hour fire-resistive construction. Columns located within 8 feet (2.438 m) of the curb, or otherwise vulnerable to vehicle impact, shall either be designed for such impact or protected from the impact.

2. The openings in the exterior walls of the buildings at the ends of the pedestrian walkway shall be protected by 1½ hour fire assemblies.

SECTION 3203 – SIDEWALK CONSTRUCTION

3203 Add a section as follows:

3203.1 General. Sidewalks shall be constructed in accordance with the Public Works Code.

Sidewalks over excavated areas shall be supported on noncombustible construction with 3-hour fire-rated protection. The sidewalk shall be waterproofed by use of a hot mopped asphalt membrane or other approved means.

3203.2 Openings in Sidewalks.

3203.2.1 Sidewalk trapdoor. Every basement extending under the sidewalk shall have an approved sidewalk trapdoor. The minimum size of the trapdoor opening shall be 4 feet by 4 feet (1.219 m by 1.219 m). However, trapdoors shall not be required where the basement is provided with an automatic sprinkler system.

3203.2.2 Sidewalk elevators. All openings hereafter constructed in sidewalks for sidewalk elevators shall be located in the outer half of the sidewalks, next to the curb. The outer edges of the openings shall be not more than 30 inches (762 mm) from the outer line of the curb. The length of the sides of the openings at right angles to the curb shall not exceed one-half of the width of the sidewalk and in no case shall it exceed 5 feet (1.524 m).

3203.2.3 Any other purpose. Openings on the sidewalks for any other purpose, if placed outside the property line, shall be covered with approved gratings having a maximum opening between bars of ½ inch (12.7 mm), or with covers having a rough surface, and rabbeted flush with the sidewalk. When a cover is placed in any sidewalk, it shall be placed as near as practicable to the line of the curb. All spaces under sidewalks shall be thoroughly ventilated.

3203.2.4 Framing. All framing supporting only the sidewalk opening shall be of noncombustible material.

3203.2.5 Guards. Metal guards will be required for openings in sidewalks in accordance with the Police Code.

3203.3 Electrical Transformers. No portion of any electrical transformer pad shall be constructed, nor electrical transformer installed on the surface of any portion of any public sidewalk.

Chapter 33
SAFEGUARDS DURING CONSTRUCTION

SECTION 3302 – CONSTRUCTION SAFEGUARDS

3302 Add a new section as follows:

3302.4 Fencing. Provide for the enclosing, fencing, and boarding up or by fire watch or other means of preventing access to the site by unauthorized persons when work is not in progress.

SECTION 3303 – DEMOLITION

3303.1 Add new sections as follows:

3303.1.1 Buildings other than Type V. The demolition of structures of Types I, II, III and IV construction greater than two stories or 25 feet (7.62 m) in height shall comply with the requirements of this section.

The requirements of this section shall also apply to the demolition of post-tensioned and pre- tensioned concrete structures.

3303.1.2 Required plans. Prior to approval of an application for a demolition permit, two sets of detailed plans shall be submitted for approval, showing the following:

1. **The sequence of operation floor by floor, prepared by a registered civil engineer or licensed architect.**

2. **The location of standpipes.**

3. The location and details of protective canopies.

4. The location of truck crane during operation.

5. Any necessary fence or barricade with lights.

6. Any floor or wall left standing.

7. The schedule of the days when the demolition will be done, i.e., on weekdays or on Sundays.

3303.4 Replace this section with the following:

3303.4 Vacant Lot. When a building is demolished, the permittee must remove all debris and remove all parts of the structure above grade except those parts that are necessary to provide support for the adjoining property.

3303.8 Add a new section as follows:

3303.8 Special inspection. A registered civil engineer or licensed architect shall supervise the demolition work in accordance with rules and regulations adopted by the Building Official pursuant to Section 104A.2.1 to assure the work is proceeding in a safe manner and shall submit written progress reports to the Department in accordance with Section 1704.2.4.

SECTION 3304 – SITE WORK

3304.1 Add a second paragraph as follows:

The City and County of San Francisco adopts Appendix J for the purpose of regulating excavation and grading.

3304.1 Add a third paragraph as follows:

Temporary wood shoring and forms. All wood used for temporary shoring, lagging or forms that will be backfilled against or otherwise left permanently in place below grade shall be treated wood as defined in Section 2302.

SECTION 3306 – PROTECTION OF PEDESTRIANS

3306.10 Add a section as follows:

3306.10 Chutes. Chutes for the removal of materials and debris shall be provided in all parts of demolition operations that are more than 20 feet (6.096 m) above the point where the removal of

material is effected. Such chutes shall be completely enclosed. They shall not extend in an unbroken line for more than 25 feet (7.62 m) vertically but shall be equipped at intervals of 25 feet (7.62 m) or less with substantial stops or offsets to prevent descending material from attaining dangerous speeds.

The bottom of each chute shall be equipped with a gate or stop with a suitable means for closing or regulating the flow of material.

Chutes, floors, stairways and other places affected shall be watered sufficiently to keep down the dust.

3306.11 Add a section as follows:

3306.11 Falling debris. Wood or other construction materials shall not be allowed to fall in large pieces onto an upper floor. Bulky materials, such as beams and columns, shall be lowered and not allowed to fall.

3306.12 Add a section as follows:

3306.12 Structure stability. In buildings of wood frame construction, the supporting structure shall not be removed until the parts of the structure being supported have been removed.

In buildings with basements, the first floor construction shall not be removed until the basement walls are braced to prevent overturning, or an analysis acceptable to the Building Official is submitted which shows the walls to be stable without bracing.

SECTION 3307 – PROTECTION OF ADJOINING PROPERTY

3307.1 Insert a note at the end of this section as follows:

3307.1 Protection required. Adjoining public and private property shall be protected from damage during construction, remodeling and demolition work. Protection must be provided for footings, foundations, party walls, chimneys, skylights, and roofs. Provisions shall be made to control water runoff and erosion during construction or demolition activities. The person making or causing an excavation to be made shall provide written notice to the owners of adjoining buildings advising them that the excavation is to be made and that the adjoining buildings should be protected. Said notification shall be delivered not less than 10 days prior to the scheduled starting date of the excavation.

Note: Other requirements for protection of adjacent property of adjacent and depth to which protection is requested are defined by California Civil Code Section 832, and is reprinted herein for convenience.

Section 832. Each coterminous owner is entitled to the lateral and subjacent support which his land receives from the adjoining land, subject to the right of the owner of the adjoining land to make proper and usual excavations on the same for purposes of construction or improvement, under the following conditions:

1. Any owner of land or his lessee intending to make or to permit an excavation shall give reasonable notice to the owner or owners of adjoining lands and of buildings or other structures, stating the depth to which such excavation is intended to be made, and when the excavating will begin.

2. In making any excavation, ordinary care and skill shall be used, and reasonable precautions taken to sustain the adjoining land as such, without regard to any building or other structure which may be thereon, and there shall be no liability for damage done to any such

building or other structure by reason of the excavation, except as otherwise provided or allowed by law.

3. If at any time it appears that the excavation is to be of a greater depth than are the walls or foundations of any adjoining building or other structure, and is to be so close as to endanger the building or other structure in any way, then the owner of the building or other structure must be allowed at least 30 days, if he so desires, in which to take measures to protect the same from any damage, or in which to extend the foundations thereof, and he must be given for the same purposes reasonable license to enter on the land on which the excavation is to be or is being made.

4. If the excavation is intended to be or is deeper than the standard depth of foundations, which depth is defined to be a depth of nine feet below the adjacent curb level, at the point where the joint property line intersects the curb and if on the land of the coterminous owner there is any building or other structure the wall or foundation of which goes to standard depth or deeper then the owner of the land on which the excavation is being made shall, if given the necessary license to enter on the adjoining land, protect the said adjoining land and any such building or other structure thereon without cost to the owner thereof, from any damage by reason of the excavation, and shall be liable to the owner of such property for any such damage, excepting only for minor settlement cracks in buildings or other structures.

SECTION 3311 – STANDPIPES

3311.2 Replace this section with the following:

3311.2 Fire safety during demolition. ~~Where a building is being demolished and a standpipe exists within such a building, such standpipe shall be maintained in an operable condition so as to be available for use by the fire department. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.~~ **All existing dry standpipes shall be maintained in an operative condition and with all inlets and outlets accessible for use within two floors of the highest remaining portion of a floor of the building. The inlets shall be so identified at the street level as to be easily located by the Fire Department. They shall be removed in place with floor removal and the upper ends capped above the highest remaining valve. The remaining system on the lower floors shall continue operative until all construction above the third floor has been removed.**

Chapter 34
EXISTING STRUCTURES

SECTION 3401 – GENERAL

3401.1. Add the following section:

3401.1.4 General. Buildings, structures and property to which additions, alterations or repairs are made shall comply with all the requirements of this code for new facilities, except as specifically provided in this section, in the San Francisco Housing Code and in other applicable ordinances and

regulations. See Section 3401.8.1 for provisions requiring installation of smoke detectors in existing Group R, Division 3 Occupancies.

3401.6 Add the following section:

3401.6 Alternative compliance. Work performed in accordance with the *International Existing Building Code* shall be deemed to comply with the provisions of this chapter. **Exceptions:**

1. [OSHPD 2] Section 3401.6 not permitted by OSHPD.

2. Requirements of Section 3404.7.1 shall still apply.

[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

[NOTE: 2012 International Building Code Errata indicate that "both 3410.5 and 3410.6 sections are correct, but printed in reverse order."]

3401.8.1 Add the following section:

3401.8.1 Additions, alterations or repairs to Group R occupancies. When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds $1,000 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R Occupancies, smoke alarms shall be installed in accordance with Section 907.
EXCEPTION: Repairs to the exterior surfaces of a Group R Occupancy are exempt from the requirements of this section.

3401.10. Add the following section.

3401.10 Lateral Force Design requirements for Existing Buildings. Whenever other provisions of this code require compliance with this section, the lateral force provisions of Section 1604.11 shall apply to the entire building or structure except as otherwise provided therein.

3401.11. Add the following section:

3401.11 Homeless shelters. Notwithstanding any other provision of this section, any addition, alteration, repair, installation, change or reconstruction of any building or structure, which is made in order to initiate, expand or continue a facility which, as approved by an authorized government agency, shelters otherwise homeless persons and which is operated by an organization exempt from federal income tax under Internal Revenue Code Sections 501(c)(3) or 501(d), shall meet only those requirements of this code which are determined by the Building Official, pursuant to rules and regulations adopted by the Building Official in accordance with Section 104A.1, after consultation with the Fire Department, to be necessary or appropriate to prevent a life hazard, or to prevent the building or structure from being or becoming substandard. With respect to minimum lateral force requirements, said bulletin shall not waive any requirement which can be satisfied by work eligible to receive financial assistance from the State of California. Any provisions waived by said bulletin shall be applied when homeless shelter use ceases and may be applied when homeless shelter use is reduced.

SECTION 3402 – DEFINITIONS

3402.1. Add the following definition.

DISPROPORTIONATE DAMAGE. **A condition of earthquake-related damage where:**

1. The 0.3-second spectral acceleration at the building site as estimated by the United States Geological Survey for the earthquake in question is not more than 0.40 g; and

2. In any story, the vertical elements of the lateral-force-resisting system have suffered damage such that the lateral load-carrying capacity of the structure in any horizontal direction has been reduced by more than 10 percent from its pre-damage condition.

[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

SECTION 3403 – ADDITIONS

3403.1 Add the following section:

3403.1.1 High-rise buildings. Any existing building or structure to which an addition is made which causes the building or structure to fall within the scope of Section 403 shall comply with the provisions of that section.

3403.4.1 Add the following section:

3403.4.1 Horizontal additions. Horizontal additions shall meet the following requirements:

When the cumulative area of horizontal additions, excluding basement additions, exceeds 30 percent of the area of the original building or structure, excluding basements, and the additions are structurally interconnected to, or not separated to comply with ASCE 7-10 Section 12.12.3, the entire structure shall comply with Section 3401.10.

For the purpose of this section, the term "original building or structure" shall mean the building or structure as it existed on May 21, 1973. The combined building or structure may be used for more restrictive occupancy classifications as determined in Chapter 3 only when the structure as a whole meets the requirements in this code for such occupancy.

[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

SECTION 3404 – ALTERATIONS

3404.1.1 Add this section as follows:

3404.1.1.1 Stairways. Stairways that replace existing stairways in residential occupancies and which complied with the code in effect at the time they were constructed, and which have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy, may be reconstructed in the same configuration and construction as the existing stairways.

3404.7. Add the following section:

3404.7 Substantial change.

3404.7.1 Non-structural alterations. Whenever alteration work in a building or structure involves substantial changes to elements such as walls, partitions or ceilings, on 2/3 or more of the number of stories excluding basements, the building or structure as a whole shall comply with Section 3401.10. The term "substantial change" includes the addition, removal, repair or modification of such elements. All such work included in alteration permits issued within two years of the date of a permit application shall be included in the determination of whether the application is proposing substantial change to the building or structure.
[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

Removal and replacement of interior gypboard or plaster in Type V (wood frame) R3 occupancy (one or two residential units) is not considered as "Substantial Change". The replacement gypboard must be 5/8" Type X with 5d cooler nails @ 4 inches on center or equivalent screws.

3404.7.2 Add the following section:

3404.7.2 Structural alterations. When more than 30 percent, cumulative since May 21, 1973, of the floor and roof areas of the building or structure have been or are proposed to be involved in substantial structural alteration, the building or structure shall comply with Section 3401.10. The areas to be counted towards the 30 percent shall be those areas tributary to the vertical load carrying components (joists, beams, columns, walls and other structural components) that have been or will be removed, added or altered, as well as areas such as mezzanines, penthouses, roof structures and infilled courts and shafts.
EXCEPTIONS:
1. When such alterations involve only the lowest story of a wood frame building or structure and Section 3408 does not apply, only the lateral force resisting components in and below that story need comply with Section 3401.10, or
2. When such alterations involve the lowest story of a Type V building or structure of R3 occupancy and that floor's proposed use is as a garage, that level is exempt from Section 3404.7.2. Such alterations need not be counted as part of the cumulative total of tributary area of structural alterations.
[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

3404.8. Add the following section:

3404.8 Mandatory Seismic Retrofit.

Submittal documents shall include plans indicating locations and construction of existing, new and modified building elements used to comply with Chapter 34B.

SECTION 3405 – REPAIRS

3405.1.3 Add the following section:

3405.1.3 Repairs. Unless otherwise approved by the building official, all structural damage shall be repaired.

Repairs to buildings or structures which have sustained substantial structural damage to lateral force resisting elements shall comply with the minimum lateral force design requirements of Section 3401.10. or with the code under which the building or structure was designed, whichever is more restrictive.

Damage may be caused by events or a combination of events, including, but not limited to, fire, explosion, structural pest or wood-destroying organism attack, earthquake, wind storm, vehicular impact, ground subsidence or failure, or the collapse or dislodgement of any portion of any adjacent building or structure. The removal or alteration of structural elements as part of the work described in an approved building permit application shall not be considered to be "damage."
[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

3405.2. Revise this section as follows:

3405.2.1 Evaluation. The building shall be evaluated by a registered design professional, and the evaluation findings shall be submitted to the code official within 60 days of completion of the evaluation. The evaluation shall establish whether the damaged building, if repaired to its predamage state, would comply with the provisions of this code for wind and earthquake loads. **Evaluation for earthquake loads shall be required if the substantial structural damage was caused by or related to earthquake effects or if the building is in Seismic Design Category C, D, E or F.**

Wind loads for this evaluation shall be those prescribed in Section 1609. Earthquake loads for this evaluation, if required, shall be permitted to be 75 percent of those prescribed in Section 1613. **Values of R, Ωo and Cd for the existing seismic force-resisting system shall be those specified by this code for an ordinary system unless it is demonstrated that the existing system will provide performance equivalent to that of an intermediate or special system.**
[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

3405.4. Replace this section as follows:

3405.4. Less than substantial structural damage. ~~For damage less than substantial structural damage, repairs shall be allowed that restore the building to its pre-damage state, based on material properties and design strengths applicable at the time of original construction. New structural members and connections used for this repair shall comply with the detailing provisions of this code for new buildings of similar structure, purpose and location.~~

3405.4.1 Disproportionate damage. Buildings with disproportionate damage shall be subject to the requirements of Section 3405.2 for earthquake evaluation and rehabilitation as if they had substantial structural damage to vertical elements of the lateral-force-resisting system.

Permit applications for required rehabilitation work shall be submitted to the Department within one (1) year after the earthquake, and the work shall be completed as specified in Table B of Section 106A.4.4.
[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

3405.4.2 Other damage. For damage less than substantial structural damage that is not disproportionate damage, repairs shall be allowed that restore the building to its predamage state, based on material properties and design strengths applicable at the time of original construction. New structural members and connections used for this repair shall comply with the detailing provisions of this code for new buildings of similar structure, purpose and location.
[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

SECTION 3408 – CHANGE OF OCCUPANCY

3408.4 Add the following section:

3408.4.1 Change of occupancy. In addition to the other requirements of this code, the term "comply with the requirements of this code for such division or group of occupancy," as used in this section, shall also mean compliance with the lateral force provisions of Section 3401.10 when the change results in an increase of more than 10 percent in the occupant load of the entire building or structure, and which also increases the occupant load by more than 100 persons as compared to the occupant load of the existing legal use or the use for which the building was originally designed.
EXCEPTIONS:
1. When a change of occupancy or use involves only one story of a building or structure, only the lateral force resisting elements in that story and all lateral force resisting elements below need comply with Section 3401.10.
2. A change from a Group R, Division 3 to a Group R, Division 1 or Division 2 Occupancy caused by the construction of a third dwelling unit in the lowest story of a building or structure shall comply with Section 3401.10 as provided in Exception 1 above.
[Amended 3-19-2013 by Ord. No. 45-13, effective 4-18-2013]

SECTION 3410 – MOVED STRUCTURES

3410 Add the following section:

3410.2 Removal of debris. Immediately after the building is moved and before it is occupied at the new site, the permittee must remove all debris and all walls and footings above grade at the site from which it has been moved, except where such walls provide support to adjacent buildings, structures or property. All excavated areas must be filled in or protected by substantial fences not less than 5 feet (1524 mm) in height.

SECTION 3414 – EXISTING HIGH-RISE BUILDINGS [SFM]

3414.27 Replace this section with the following sections:

3414.27 Automatic sprinkler system – Existing high-rise buildings.
3414.27.1 General. Regardless of any other provisions of this code, every existing high-rise building as defined in Section 403.11.1 shall be provided with an approved automatic fire sprinkler system conforming to NFPA 13.
Existing high-rise buildings that are also qualified historical buildings as defined in California Health and Safety Code Section 18950 shall be provided with an approved automatic fire sprinkler system when and as required by the State Historical Building Code.
EXCEPTIONS:
1. An apartment house, condominium or other building used as a Group R, Division 2 Occupancy as defined in this code excluding tourist hotels as defined in Section 41.4(r) of the San Francisco Administrative Code.
2. A mixed-use occupancy building containing a Group R, Division 1 or Group R, Division 2 Occupancy.
3414.27.2 Additional. The following additional requirements shall also apply:
3414.27.2.1 Valves and devices. A sprinkler control valve and a waterflow detecting device shall be provided at the lateral connection to the riser for each floor.
3414.27.2.2 Signals. A separate and distinct supervisory signal shall be provided to indicate a condition that will impair the satisfactory operation of the sprinkler system. This shall include,

but not be limited to, monitoring control valves, fire pump power supplies and pump running conditions. Such supervisory signals shall be annunciated at a constantly attended building security control center; when that location is not under constant supervision by qualified personnel, the signals shall be transmitted to a remote monitoring station in accordance with NFPA 72.

3414.27.2.3 Water supply. The minimum water supply requirement for the sprinkler shall be determined without regard to inside hose stream demand.

3414.27.2.4 Standpipe conversion. Existing standpipes may be converted to sprinkler risers, provided that they are hydrostatically tested for two hours at not less than 50 psi (345 Pa) in excess of the maximum pressure to be maintained in the system.

3414.27.2.5 Supports. Additional hangers, braces or other attachments for support of existing standpipes which have been converted in accordance with Section 3414.27.2.4 shall be provided if they are necessary to meet the requirements of NFPA 13. The installation of additional flexible fittings in such risers is not required.

3414.27.2.6 Pipe material. Any type pipe which has been listed by an approved testing agency for use in automatic sprinkler installations may be used when installed in accordance with its listing limitations.

3414.27.3 Permissible omissions. The following features required in new high-rise buildings are not required in systems installed under the provisions of this section:

1. Redundant fire pump;
2. Secondary on-site supply of water;
3. More than one fire department connection;
4. Connection of the system to two risers on each floor. Hydraulic calculations may consider all risers in service;
5. In a Group R, Division 1 or R-2 Occupancy building, sprinklers in bathrooms and closets.

See Section 903.3.1.1.1 for additional permissible sprinkler omissions.

3414.27.4 Effective date. The effective date of these requirements shall be February 15, 1994.

3414.27.5 Notification. Not later than 60 days following the effective date of this ordinance, the Building Official shall notify in writing by certified mail the owner of each building within the scope of this section. The notice shall contain a copy of this section, a commentary on it and a notice of intent form. The notice of intent shall be designed to elicit information regarding proposed water supply connections, pumps, risers and existing partial sprinkler systems. The notice of intent shall include a tentative schedule for phasing the installation of the complete sprinkler system.

3414.27.5.1 Deferred notice. If a building within the scope of this section is not discovered by the Building Official until after the deadline for notification, the building owner shall be notified within 30 days of such discovery.

Failure to receive notification does not exempt a building owner from compliance with this section.

3414.27.6 Authority of Building Official. The Building Official, in consultation with the San Francisco Fire Marshal, may approve modifications and alternate methods and materials when it is clearly evident that a reasonable degree of fire safety is provided. In such cases, the Building Official may:

1. Consider alternative protection based on nationally recognized standards, principles and tests, and generally recognized and well-established methods of fire protection;
2. Waive specific individual requirements if it can be shown that such requirements are not physically possible, require disproportionate effort or pose an undue hardship with little increase in life safety and that a practical alternate cannot be provided; and
3. Grant necessary extensions of time when it can be shown that the specific time periods are not physically practical or pose an undue hardship. The granting of an extension of

time for compliance may be approved by the Building Official based on the showing of good cause and on approval of an acceptable, systematic, progressive plan of correction.

3414.27.7 Appeal of high-rise sprinkler requirements. Application may be made to the Board of Examiners in accordance with Section 105A.1 for approval of alternate methods, materials or types of construction or for variances from the provisions of this section.

3414.27.8 Implementation. The requirements stated in Section 3414.27.2 shall be accomplished by the following steps. Failure to complete any step within the required time frame is a violation of this code, and the Building Official shall have the power to abate the building in accordance with Section 102A.

3414.27.8.1 Step 1. Notice of intent. The owner shall submit a properly completed Department-provided notice of intent to the Building Official not later than three years after the effective date of this requirement.

EXCEPTION: No notice of intent is required if an approved sprinkler system is completed prior to the deadline above.

3414.27.8.2 Step 2. Water supply. The owner shall install the system riser, including floor-control valves, and shall connect it to the approved automatic water supply not later than five years after the effective date of this ordinance. For purposes of this section, an automatic water supply shall consist of a connection to the public water works system and, if required by hydraulic analysis, installation of a fire pump.

3414.27.8.3 Step 3. Piping and sprinklers. The owner shall complete the sprinkler system, including required electrical monitoring, not later than 12 years after the effective date of this ordinance.

3414.27.8.4 Installation. The installation of all fire alarm equipment shall be in accordance with the Electrical Code and the California Fire Code.

SECTION 3425 – EXISTING BUILDINGS OR OTHER STRUCTURES LOCATED ON A MILITARY BASE SELECTED FOR CLOSURE

Section 3425. Add the following section:

SECTION 3425 — EXISTING BUILDINGS OR OTHER STRUCTURES LOCATED ON A MILITARY BASE SELECTED FOR CLOSURE

3425.1 General. As authorized by California Health and Safety Code Section 18941.7, a building or other structure that is located on a military base selected for closure by action of the federal Defense Base Closure and Realignment Commission, including Naval Station Treasure Island (including Yerba Buena Island) and Hunters Point Naval Shipyard, may comply with the requirements of this code in a graduated manner over a period not to exceed three years, provided that:

1. The building or structure is in existence at the time the military base is selected for closure by action of the federal Defense Base Closure and Realignment Commission;

2. The building or structure will be safe for its intended use and occupancy;

3. The building or structure is under a lease from the federal government to either the City and County of San Francisco or the Redevelopment Agency of the City and County of San Francisco (the "Redevelopment Agency");

4. The building or structure will be subleased by the City and County of San Francisco or Redevelopment Agency to either a private party, to the City and County of San Francisco or to the Redevelopment Agency; and

5. The building or structure meets the code compliance inspection and graduated compliance plan requirements set forth below.

3425.2 Presubleasing Code Compliance Inspections. Before the City and County of San Francisco or the Redevelopment Agency enters into any sublease of a building or structure, the public entity proposing to enter into the sublease shall request the Building Official and the San Francisco Fire Marshal (the "Fire Marshal") to inspect, or cause to be inspected, the building or structure for compliance with applicable codes, in accordance with the provisions of this Section ~~3424~~ 3425. The Building Official and the Fire Marshal shall issue a written report containing their findings on the compliance of the building or structure to the agency proposing to enter into the sublease. The Building Official and the Fire Marshal may, in their discretion, issue the compliance report jointly or separately.

3425.2.1 Applicable codes. The Building Official and the Fire Marshal shall evaluate the building or structure, including any alterations or changes in use if known, using the codes in effect at the time of original construction. If a determination of what codes were in effect at the time of original construction cannot be made, the Building Official and the Fire Marshal shall jointly determine which codes are appropriate for evaluation of the building or structure for the purposes herein.

3425.2.2 Notice to proposed subtenants. The Redevelopment Agency or the City and County of San Francisco agency proposing to enter into a sublease shall notify the proposed subtenant of the final compliance inspection reports for such building or structure by (a) attaching a copy of the final reports of the Building Official and Fire Marshal to the sublease; or (b) providing a copy of such reports to the subtenant and referencing such delivery in the sublease.

3425.3 Graduated Code Compliance Plan and Timetable.

3425.3.1 Buildings with no change in occupancy or use and no anticipated alterations.

3425.3.1.1 Complying building or structure. If, after performing the inspections required by Section 3425.2, the Building Official and the Fire Marshal concur that the building or structure complies with the applicable codes and will not be hazardous to life safety, fire safety, health or sanitation based on its intended use and occupancy, the Building Official, with the approval of the Fire Marshal, will issue a Certificate of Final Completion and Occupancy.

3425.3.1.2 Remedial work required. If, after performing the inspection required by Section 3425.2, the Building Official and the Fire Marshal determine that remedial work is required so that the intended use and occupancy of the building or structure will not be hazardous to life safety, fire safety, health or sanitation, such work must be performed pursuant to building permits issued by the Department. All such remedial work shall either comply with current codes or be approved by the Building Official and the Fire Marshal as providing equivalent public safety. The Building Official, with the approval of the Fire Marshal, shall determine that the building or structure is safe for occupancy as evidenced by the issuance of a Temporary Certificate of Occupancy or a Certificate of Final Completion and Occupancy. Such issuance shall not be a precondition to the execution of leases or subleases.

3425.3.1.3 Graduated compliance plan. A graduated plan of compliance with the applicable codes may be approved upon the concurrence of the Building Official and the Fire Marshal, provided that:

1. The Building Official and the Fire Marshal have issued a written determination that, in their respective opinions, the intended use and occupancy of the building or structure will not be hazardous to life safety, fire safety, health or sanitation. This determination may, in the discretion of the Building Official and the Fire Marshal, be issued jointly or separately;

2. The time for full compliance with the applicable codes does not exceed a period of three years from the date that the City and County of San Francisco or the Redevelopment Agency enters into a sublease;

3. All required remedial work either complies with current codes or is approved by the Building Official and the Fire Marshal as providing equivalent public safety; and

4. A Temporary Certificate of Occupancy is issued by the Building Official, with the approval of the Fire Marshal, setting forth the approved graduated compliance plan and a timetable for full compliance with the applicable codes. The compliance plan may be amended only with the joint approval of the Building Official and the Fire Marshal. In no event may the time allowed for full code compliance extend beyond the three-year period.

3425.3.2 Buildings with no change in occupancy or use but with planned alterations.

3425.3.2.1 Complying building or structure. If, after performing the inspection required by Section 3425.2, the Building Official and the Fire Marshal concur that the building or structure meets current requirements for the new occupancy and will not be hazardous to life safety, fire safety, health or sanitation based on its intended use and occupancy, the Building Official, with the approval of the Fire Marshal, shall cause a Certificate of Final Completion and Occupancy to be issued.

3425.3.2.2 Remedial work required. If, after performing the inspection required by 3425.2, the Building Official and the Fire Marshal determine that remedial work is required so that the intended use and occupancy of the building or structure will not be hazardous to life safety, fire safety, health or sanitation, such work must be done in conjunction with any planned alterations. A Temporary Certificate of Occupancy or a Certificate of Final Completion and Occupancy shall be issued by the Building Official, with the approval of the Fire Marshal. Such issuance shall not be a precondition to the execution of leases or subleases.

3425.3.2.3 Graduated compliance plan. A graduated plan for compliance with the applicable codes may be approved with the concurrence of the Building Official and the Fire Marshal, provided that:

1. The Building Official and the Fire Marshal have issued a written determination that, in their respective opinions, the intended use and occupancy of the building or structure will not be hazardous to life safety, fire safety, health or sanitation. This determination may, in the discretion of the Building Official and the Fire Marshal, be issued jointly or separately;

2. The time for full compliance with the applicable codes does not exceed a period of three years from the date that the City and County of San Francisco or Redevelopment Agency enters into a sublease;

3. All new work either complies with current codes or is approved by the Building Official and the Fire Marshal as providing equivalent public safety; and

4. A Temporary Certificate of Occupancy setting forth the approved graduated compliance plan with a timetable for full compliance with the applicable codes is issued by the Building

Official, with the approval of the Fire Marshal. The compliance plan and timetable may be amended only with the joint approval of the Building Official and the Fire Marshal. In no event may the time allowed for full code compliance extend beyond the three-year period.

3425.3.3 Building with a change in occupancy or use but no anticipated alterations.

3425.3.3.1 Complying building or structure. If, after performing the inspection required by Section 3425.2, the Building Official and the Fire Marshal concur that the building or structure meets current requirements for the new occupancy and will not be hazardous to life safety, fire safety, health or sanitation based on its intended use and occupancy, the Building Official, with the approval of the Fire Marshal, shall cause a Certificate of Final Completion and Occupancy to be issued.

3425.3.3.2 Remedial work required. If, after performing the inspection required by Section 3425.2, the Building Official and the Fire Marshal determine that remedial work is required so that the intended use and occupancy of the building or structure will not be hazardous to life safety, fire safety, health or sanitation, such work must be performed pursuant to building permits issued by the Department. All remedial work shall either comply with current codes or be approved by the Building Official and the Fire Marshal as providing equivalent public safety. The building or structure may not be occupied until the Building Official, with the approval of the Fire Marshal, has caused the issuance of a Certificate of Final Completion and Occupancy.

3425.3.3.3 Graduated compliance plan. A graduated plan of compliance with the applicable codes may be approved with the concurrence of the Building Official and the Fire Marshal, provided that:

1. The Building Official and the Fire Marshal have issued a written determination that, in their respective opinions, the intended use and occupancy of the building or structure will not be hazardous to life safety, fire safety, health or sanitation. This determination may, in the discretion of the Building Official and the Fire Marshal, be issued jointly or separately;

2. The time for full compliance with the applicable codes does not exceed a period of three years from the date that the City and County of San Francisco or the Redevelopment Agency enters into a lease;

3. All required remedial work either complies with current codes or is approved by the Building Official and the Fire Marshal as providing equivalent public safety; and

4. A Temporary Certificate of Occupancy is issued by the Building Official, with the approval of the Fire Marshal, setting forth the approved graduated compliance plan and a timetable for full compliance with the applicable codes. The compliance plan and timetable may be amended only with the joint approval of the Building Official and the Fire Marshal. In no event may the time allowed for full code compliance extend beyond the three-year period.

3425.3.4 Buildings with a change in occupancy or use and with planned alterations.

3425.3.4.1 Complying building or structure. If, after performing the inspection required by Section 3425.2, the Building Official and the Fire Marshal concur that the building or structure meets current requirements for the new occupancy and will not be hazardous to life safety, fire safety, health or sanitation based on its intended use and occupancy, the Building Official shall cause, with the approval of the Fire Marshal, the issuance of a Certificate of Final Completion and Occupancy upon completion and approval of the planned alteration work.

3425.3.4.2 Remedial work required. If, after performing the inspection required by Section 3425.2, the Building Official and the Fire Marshal concur that remedial work is required so that the intended use and occupancy of the building or structure will not be hazardous to life safety, fire safety, health or sanitation, that work must be done in conjunction with any planned alterations. The building or structure must meet current code requirements for the new occupancy. All remedial work must either comply with current codes or be approved by the Building Official and the Fire Marshal as providing equivalent public safety. The building or structure may not be occupied until the Building Official, with the approval of the Fire Marshal, has caused a Certificate of Final Completion and Occupancy to be issued.

3425.3.4.3 Graduated compliance plan. A graduated plan of compliance with the applicable codes may be approved with the concurrence of the Building Official and the Fire Marshal, provided that:

1. The Building Official and the Fire Marshal have issued a written determination that, in their respective opinions, the intended use and occupancy of the building or structure will not be hazardous to life safety, fire safety, health or sanitation. This determination may be issued jointly or separately, in the discretion of the Building Official and the Fire Marshal;

2. The time for full compliance with the applicable codes does not exceed a period of three years from the date that the City and County of San Francisco or the Redevelopment Agency enters into a sublease;

3. All new work either complies with current codes or is approved by the Building Official and the Fire Marshal as providing equivalent public safety; and

4. A Temporary Certificate of Occupancy is issued by the Building Official, with the approval of the Fire Marshal, setting forth the approved graduated compliance plan and a timetable for full compliance with the applicable codes. The compliance plan and timetable may be amended only with the joint approval of the Building Official and the Fire Marshal. In no event may the time allowed for full code compliance extend beyond the three-year period.

3425.4 Enforcement.

3425.4.1 Notices of violation and orders to abate. The Department and the Fire Department shall provide to the Redevelopment Agency or City and County of San Francisco agency that has entered into a sublease a copy of any notice of violation or order to abate served upon a subtenant. The manner of service shall be as otherwise required by law.

3425.4.2 Revocation of certificate of final completion and occupancy. In the event that the Building Official or Fire Marshal issues an order to abate code violations and the order is not complied with during the time provided therein, the Building Official may, in writing, revoke the Certificate of Final Completion and Occupancy.

3425.5 Fees. The Department and the Fire Department may charge the Redevelopment Agency or other appropriate City and County of San Francisco agencies fees for actual time and materials expended in responding to requests for inspection and performing other tasks associated with the graduated compliance plan program. Fees for permits and other services shall be as set forth in the San Francisco Building Code and San Francisco Fire Code.

SECTION 3426– WORK PRACTICES FOR LEAD-BASED PAINT ON PRE-1979 BUILDINGS AND STEEL STRUCTURES

Section 3426. Add the following new section:

SECTION 3426 — WORK PRACTICES FOR LEAD-BASED PAINT ON PRE-1979 BUILDINGS AND STEEL STRUCTURES

[Amended 10-7-2003 by Ord. No. 245-03; 5-25-2004 by Ord. No. 98-04; 2-1-2005 by Ord. No. 31-05]

3426.1 General. Any buildings, structures, and properties on which the original construction was completed on or before December 31, 1978, or any steel structures to which lead-based paint disturbance or removal, including surface preparation, additions, alterations, repairs, or demolitions are made, shall comply with the requirements of this section.

3426.1.1 Purpose, intent and scope.

3426.1.1.1 Purpose. The purpose of this section is to ensure that any person undertaking activities that result in the disturbance or removal of interior or exterior lead-based paint on pre-1979 buildings, structures and properties and on steel structures uses work practices that minimize or eliminate the risk of lead contamination of the environment.

3426.1.1.2 Intent. The intent of this section is to encourage safe work practices for activities resulting in the disturbance or removal of lead-based paint while providing a reasonable level of health and safety for the occupants and the public at large.

3426.1.1.3 Scope.

3426.1.1.3.1 Interior. The requirements of this section apply to any activity resulting in the disturbance or removal of lead-based paint in the interior of pre-1979 buildings, structures and properties or portions thereof with one of the following occupancy classifications: Group E for Day Care and Group R, Divisions 1, 2 and 3. The requirements of this section with regard to the interior of a facility shall include, but are not limited to, residential-based family child-care facilities licensed by the State of California.

3426.1.1.3.2 Exterior. The requirements of this section apply to any activity resulting in the disturbance or removal of lead-based paint on the exterior of any pre-1979 buildings, structures and properties and any steel structures.

3426.2 Definitions. Except as otherwise specified herein, the terms used in this section shall have the same meanings as those set forth in Chapter 2 of this code.

ACCREDITED LABORATORY means a laboratory that operates within the EPA National Lead Laboratory Accreditation Program.

ADJACENT PROPERTIES means properties that adjoin the regulated area, including but not limited to properties next to and at the corners of lot lines.

CERTIFIED LEAD INSPECTOR/ASSESSOR means any person licensed or certified by the California Department of Health Services (DHS), as authorized by the United States Environmental Protection Agency (EPA), in accordance with 40 CFR Part 745, subparts L or Q, to perform risk assessment and/or lead-based paint inspection.

CLEARANCE INSPECTION means an on-site limited investigation using visual observation and sampling techniques performed by an independent certified lead inspector/assessor to verify the absence of lead-based paint hazards, as specified in Title 17, California Code of Regulations, Division 1, Chapter 8: Accreditation, Certification and Work Practices for Lead-Based Paint and Lead Hazards. Any analytical testing of sample(s) collected during such inspection shall be performed by an accredited laboratory.

COMMON AREA means any interior part of a multi-unit residential building that is accessible to all occupants, including but not limited to: corridor, hallways, lobbies, laundry rooms, storage areas, stairways, porches and interior play areas.

CONTAINMENT AND BARRIER SYSTEMS refers to various measures that prevent the migration of work debris beyond the regulated area, and usually includes the use of disposable polyethylene plastic sheeting that is at least 6 mils thick (or two layers each 3 mils thick) to protect the ground, floor or other interior surfaces, and to seal off windows, doors and ventilation openings.

CONTRACTOR means any person, whether or not in possession of a valid State contractor's license, who undertakes to or offers to undertake to or purports to have the capacity to undertake to or submits a bid to, or does, by himself or herself or by or through others, any action that may or will disturb or remove lead-based paint. For purpose of this section, "contractor" shall also include subcontractors.

DISTURB OR REMOVE LEAD-BASED PAINT means any action that creates friction, pressure, heat or a chemical reaction upon any lead-based paint on an interior or exterior surface so as to abrade, loosen, penetrate, cut through or eliminate paint from that surface. This term shall include all demolition and surface preparation activities that are performed upon any surface containing lead-based paint.

EXTERIOR means the outside of a building or steel structure and the areas around it within the boundaries of the property; including without limitations the outside of any detached structures, including but not limited to outside and common walls, stairways, fences, light wells, breezeways, sheds, and garages.

HEPA means a high efficiency particulate air filter.

INTERIOR means the inside of a building, including but not limited to the inside of any detached structures, interior common walls, common areas, and overhangs (projections).

LEAD means metallic lead and all inorganic compounds of lead.

LEAD-BASED PAINT or LEAD PAINT means (1) any paint, varnish, shellac, or other coating on surfaces with lead in excess of 1.0 mg/cm^2 (milligram per square centimeter) as measured by x-ray fluorescence (XRF) detector or laboratory analysis or in excess of 0.5 percent by weight, also expressed as 5,000 ppm (parts per million), 5,000 mg/g (micrograms per gram), or 5,000 mg/kg (milligrams per kilogram) as measured by laboratory analysis; or (2) any paint, varnish, shellac, or other coating found in the interior or on the exterior of pre-1979 buildings, structures, or properties or on the exterior of any steel structures, unless such paint, varnish, shellac or other coating is shown, by a lead-based paint testing, that it does not have the characteristics specified in (1).

LEAD-BASED PAINT TESTING means testing of surfaces, by laboratory analysis of bulk sample or measurement using x-ray fluorescence detector, to determine the presence of lead-based paint performed by an independent certified lead inspector/assessor. Where laboratory analysis is used as a method of testing bulk paint samples, the laboratory shall be an accredited laboratory.

PERSON shall have the same meaning as that defined in Chapter 2 of this code and shall also include any department, agency, or commission of the City and County of San Francisco, and State or federal agencies and departments to the extent allowable by law.

PRE-1979 BUILDING means any building whose original construction was completed on or before December 31, 1978.

PROHIBITED PRACTICES means any work practice that disturbs or removes lead-based paint using any of the following methods: (1) open flame burning or torching; (2) heat guns without containment and barrier systems, or operating above 1,100 degrees Fahrenheit (611.1 degrees Celsius) or causing the charring of paint; (3) hydroblasting or high-pressure washing without containment and barrier systems; (4) dry manual sanding or scraping, or machine sanding or grinding, or abrasive blasting or sandblasting without containment and barrier systems or a HEPA vacuum local exhaust tool.

REGULATED AREA means an area in the interior of any pre-1979 buildings, structures or properties with one of the following occupancy classifications: Group E for Day Care and Group R, Divisions 1, 2 and 3; or on the exterior of any pre-1979 buildings or any steel structures, in which work is being performed that disturbs or removes lead-based paint, and to which access is restricted in order to prevent migration of work debris. "Regulated area" shall also include any area contaminated with work debris as a result of a breach or lack of containment and barrier system, which constitutes a violation of the requirement set forth in Section ~~3425.4.2~~ 3426.4.2.

RESPONSIBLE PARTY means either (1) the owner of the property where the owner or the owner's employees or persons otherwise under the control of the owner are performing the activities regulated under this section; or (2) the owner and the contractor where the owner has entered into a contract with another to carry out the activities regulated under this section.

STEEL STRUCTURE means any structure that is not a building and which has exterior surfaces made of steel or other metal, such as bridges, billboards, walkways, water towers, steel tanks and roadway or railway overpasses.

WORK DEBRIS means any debris, including without limitations paint chips and dust, resulting from any activity that disturbs or removes lead-based paint.

3426.3 General Prohibitions.

No person shall disturb or remove lead-based paint through the use of prohibited practices, or in any other way that generates work debris during demolition or work on the interior of Occupancy Group E for Day Care and Group R, Divisions 1, 2 and 3 or exterior of any pre-1979 buildings or any steel structure except in accordance with the requirements of this section.

For purposes of this section, all paint on the exterior of any pre-1979 building or any steel structure shall be presumed to be lead-based paint. Any person seeking to rebut this presumption shall establish through lead-based paint testing, or other means satisfactory to the Director, that the paint on the building or steel structure in question is not lead-based paint. Exemption: Work that disturbs or removes lead-based paint from the interior of an owner-occupied pre-1979 dwelling unit shall be exempted from the requirements for demolition or work on the interior of Occupancy Group R, Divisions 1, 2 and 3, provided that such unit is not a licensed childcare facility. Notwithstanding this exemption, the responsible parties shall take all reasonable measures to prevent the migration of work debris from the interior of the owner-occupied dwelling unit to the outside of such unit which includes, without limitations, any interior common areas and the exterior of the building, during the course of any work that disturbs or removes lead-based paint.

3426.4 Performance Standards.

3426.4.1 Restrict access. Any person performing work subject to this section shall restrict access by third parties to the regulated area, except as authorized by this section or until the regulated area is cleaned in accordance with Section 3426.4.4. This subsection shall not apply to regulated areas that are required for access or egress during the course of the work, such as common areas, and where no alternative exists for access or egress, in which case dust generation and migration shall be controlled through the use of HEPA-attached tools or other feasible containment and barrier systems that allow for access or egress.

3426.4.2 Containment and barrier systems. Any person performing work subject to this section shall establish containment and barrier systems that contains the work debris within the regulated area.

3426.4.2.1 Protect ground. Any person performing exterior work subject to this section shall, to the maximum extent possible, protect the ground from contamination by work debris by laying 6 mil plastic (or two layers each 3 mil thick) on the ground extending at least 10 feet (3048 mm) from the work surface when possible.

3426.4.2.2 Protect floor and furnishings. Any person performing interior work subject to this section shall protect with the use of 6 mil plastic (or two layers each 3 mil thick) any floors and other interior horizontal surfaces, carpets, rugs, drapes, curtains, blinds, shades and furniture in the regulated areas from work debris when it is impracticable to remove such items from the regulated areas during the course of the work.

3426.4.3 Prevent migration. Any person performing work subject to this section shall make all reasonable efforts to prevent the migration of work debris beyond the established containment and barrier systems during the course of the work. Such efforts may include, but are not limited to, providing secure 6 mil plastic (or two layers each 3 mil thick) protective covering, bagging, shrouding, and/or other safe containment and barrier systems to prevent the migration of work debris; covering and sealing any windows, vent openings and doors in the regulated area to prevent migration; and instituting measures to prevent the tracking of dust from the regulated areas.

3426.4.4 Clean up standards. At the completion of any work that disturbs or removes lead-based paint or when access to the regulated areas are required by State law or local ordinance during the course of such work, the responsible party shall:

3426.4.4.1 For interior work, make all efforts to remove all visible work debris from the regulated areas. Such efforts shall include but are not limited to wet clean with detergent any exposed interior horizontal hard surfaces in the regulated areas and HEPA vacuum the regulated areas.

3426.4.4.2 For exterior work, make all efforts to remove all visible work debris from the regulated areas.

3426.5 Notification Requirements.

3426.5.1 Notification to the Director. Except as otherwise authorized by this section, prior to the commencement of exterior work subject to this section, the owner or contractor shall provide written notice to the Director, either in person, by U.S. mail or by fax, of the following:

3426.5.1.1 The address and location of the project;

3426.5.1.2 The scope of work, including the specific location of the work to be performed;

3426.5.1.3 The methods and tools for paint disturbance and/or removal;

3426.5.1.4 The approximate age of the building or steel structure;

3426.5.1.5 The anticipated job start and completion dates for work subject to this section;

3426.5.1.6 Whether the building is residential or nonresidential, and whether it is owner-occupied or rental property;

3426.5.1.7 The dates by which the responsible party has or will fulfill any residential occupant or adjacent property notification requirements as described in Sections 3426.5.4, 3426.5.5 and 3426.5.6 below; and

3426.5.1.8 The name, address, telephone number and, if available, pager number of the party who will perform the specified work.

3426.5.1.9 The Director shall make available to the public a form containing blank spaces for the information required by Sections 3426.5.1.1 to 3426.5.1.8, inclusive.

3426.5.1.10 In lieu of the submission of the form set forth in Section 3426.5.1.9, the owner or contractor may submit the Lead Work Pre-Job Notification form required by the California Division of Occupational Health and Safety pursuant to Section 1532.1 of Title 8 of the California Code of Regulations.

3426.5.2 De minimis exemption. Any person performing exterior work that disturbs or removes less than 100 square feet or 100 linear feet of lead-based paint in total shall be exempted from the requirements of Section 3426.5.1.

3426.5.3 Sunset. Unless extended by the Board of Supervisors, the requirements of Section 3426.5.1 shall terminate two years from this effective date of this subparagraph.

3426.5.4 Post sign. Not later than the commencement of work subject to this section, the owner or, where the owner has entered into a contract with a contractor to perform work subject to this section, the contractor shall post signs in a location or locations clearly visible at the access points to interior regulated areas, such as at the entrances of the affected residential unit(s) or common areas, and in the case of exterior work, shall post signs in a location or locations clearly visible to adjacent properties stating the following:

LEAD WORK IN PROGRESS
PUBLIC ACCESS TO REGULATED AREA
PROHIBITED
POSTED IN ACCORDANCE WITH
SF BUILDING CODE SECTION 3426.5.4

3426.5.5 Requirements for sign. The sign required by Section 3426.5.4 shall be not less than 24 inches (609.6 mm) square and shall be in large boldface capital letters no less than ½ inch (12.7 mm) in size. The Director shall make available to the public a sign that complies with these requirements and states the required information in English, Chinese and Spanish. The sign required by this section shall remain in place until the work subject to this section has been completed. Where it is not possible to post signs in a conspicuous location or locations clearly visible at the access points to interior regulated areas, such as at the entrances of the affected residential unit(s) or common areas, and in the case of exterior work, in a location or locations clearly visible to the adjacent properties, the owner or, where the owner has entered into a contract with a

contractor to perform work subject to this section, the contractor shall provide the notice in written form, such as a letter or memorandum, to the occupants of adjacent properties.

3426.5.6 Notice to residential occupants. Except as may be otherwise inconsistent with state law, where work subject to the requirements of this section is to be performed on a residential property or structure regulated by this section and occupied by one or more residential occupants, not less than three business days before work subject to this section is to commence, the owner shall provide the following information:

3426.5.6.1 The notice shall be in the form of a sign, letter or memorandum and shall prominently state the following:

Work is scheduled to be performed beginning [date] on this property that may disturb or remove lead-based paint. The persons performing this work are required to follow State and local laws regulating work with lead-based paint. You may obtain information regarding State laws by calling the California Department of Health Services. You may obtain information regarding local laws, or report any suspected violations of these requirements, by calling the San Francisco Department of Building Inspection. In addition, you may obtain information regarding your rights as a tenant under the San Francisco Administrative Code, by calling the San Francisco Rent Stabilization Board. Finally, the owner of this property is required to provide residential occupants with a copy of the U.S. Environmental Protection Agency pamphlet titled "Protect Your Family From Lead-Based Paint in Your Home," unless the owner has previously provided this pamphlet to residential occupants.

The Director shall make available to the public a form that states the required information in English, Chinese and Spanish.

3426.5.7 Early commencement of work. An owner may commence, or may authorize a contractor to commence, work subject to this section less than three business days after providing notices required in Sections 3426.5.6 above when the owner determines that such work must be commenced immediately in order to correct life-safety hazards.

3426.5.8 Early commencement of work requested by residential occupant. Upon written request of residential occupant, an owner may commence, or authorize a contractor to commence, work subject to this section less than three business days after providing notices required in Section 3426.5.6.

3426.6 Inspection and Sampling.

3426.6.1 Authority to inspect. The Director is authorized to inspect the interior or exterior of any building or steel structure upon which work subject to the requirements of this section is being performed for the purpose of determining whether the work is being carried out in accordance with the requirements of this section. This inspection authority shall be exercised in accordance with Section 104A.2.3 of this code.

3426.6.2 Response to complaint. Upon receiving a complaint, the Director shall (1) review the complaint; (2) determine whether a valid notification form has been filed with the Director for the property in compliance with the requirements of Section ~~3407.5.1~~ 3426.5.1; and (3) where deemed necessary by the Director, conduct an inspection at the job site within two business days to determine the validity of the complaint.

3426.6.3 Evaluation of complaint. When determining the validity of a complaint, if the Director is not able to observe the actual performance of any work practices constituting violations of Sections 3426.3, 3426.4 and/or 3426.5, the Director shall investigate and consider the following:

3426.6.3.1 The containment and barrier systems, work measures and work tools being used by the responsible party;

3426.6.3.2 The color(s) of paint being disturbed or removed by the responsible party;

3426.6.3.3 The color(s), quantities, nature and locations of work debris;

3426.6.3.4 The color(s), locations and conditions of paint on buildings or steel structures adjacent to the regulated area, including without limitations adjacent properties, to determine if such paint could be a source of the work debris;

3426.6.3.5 Any work being performed on adjacent properties which could be a source of the work debris; and

3426.6.3.6 A record of clearance inspection of the regulated area performed after the completion of the work regulated under this section or records of any lead-based paint testing performed for the regulated area, if available; and

3426.6.3.7 Any other relevant evidence that the Director determines in the exercise of his or her discretion would help to determine whether a violation of this section has occurred.

3426.6.4 Authority of Director. The Director or the Director of the Department of Public Health may also collect paint, dust and soil samples from the property where the work is being performed and from adjacent properties in order to determine the validity of a complaint. The Director shall have the authority to order a clearance inspection of the regulated area if he or she determines that there has been a violation of the requirements of Section 3426.3 or 3426.4.

3426.7 Enforcement. In addition to the enforcement authorities granted to the Director by Chapter 1 of this code, whenever the Director determines that a violation of the provisions of this section has occurred, the Director may assess an administrative penalty against the responsible parties pursuant to Section 3426.8. The notice of penalty shall be served on the party against whom the penalty is being assessed. The notice of penalty shall be final and shall be adopted by the Director as a Director's Order if the responsible party fails to appeal the notice of penalty as provided for in Subsection 3426.8.

3426.8 Penalties.

3426.8.1 In addition to any other penalties authorized by law, the Director may impose administrative penalties for violations of this section. Such penalty shall not exceed $500 per violation per day. In addition to the administrative penalties assessed pursuant to this section, the Director may assess additional fees to cover the reasonable costs incurred in enforcing the administrative penalties. Penalties and fees assessed shall continue to accrue against the responsible party or parties until the violation of this section is abated or otherwise remedied in the judgment of the Director. Each day in which the violation continues unabated constitutes a separate and distinct violation.

3426.8.1.1 Use of penalty. Any administrative penalty and fee received by the Treasurer of the City and County of San Francisco shall be placed in the Building Inspection Fund and used to offset the Department's costs in connection with the administration and enforcement of this section.

3426.8.2 Appeal penalty. A responsible party may appeal the imposition of the administrative penalty by requesting, in writing, a Director's hearing. Such appeal shall be made within 15 business days from the issuance of the notice of penalty and shall specify grounds for appealing the imposition of the administrative penalty. Upon a timely request for a Director's hearing, the Director shall conduct an administrative hearing in accordance with Section 3426.9.

3426.8.2.1 Alternative penalty. The Director, in his or her discretion, may allow a responsible party found to be in violation of this section to attend a training course approved by the State of California Department of Health Services in lead-related construction supervision and project monitoring in lieu of paying an administrative penalty pursuant to Section 3426.8.1 in which case the penalty is stayed until such time that the responsible party provides proof of satisfactory completion of the course. The Director shall require proof of attendance and satisfactory completion of the course, including certification from the instructor or provider of the course before dismissing the penalty assessed against the person. Failure to provide such proof when requested by the Director shall result in the reinstatement of the assessed penalty against the responsible party.

3426.8.2.1.1 Applicability. The alternative penalty set forth in Section 3426.8.2.1 shall only be available to persons who have not previously completed such a training course and who have not been previously found by the Director to be in violation of this section.

3426.9 Administrative Enforcement Procedures.

3426.9.1 Action by the Director. If the responsible parties failed to comply with the notice of violation, Stop Work Order and/or notice of penalty issued pursuant to this code, the Director may:

3426.9.1.1 Refer the matter for a hearing in accordance to the provision of this subsection; or

3426.9.1.2 Issue another notice of violation, Stop Work Order, and/or notice of penalty, if appropriate; or

3426.9.1.3 In the case where the responsible party is a contractor, file a complaint with the State Contractor Licensing Board.

3426.9.2 Notice of hearing. Notice of any hearing conducted under this section shall be given in accordance with Chapter 1 of this code.

3426.9.3 Hearing. Any hearing held pursuant to this section shall be conducted in accordance with Chapter 1 of this code.

3426.9.4 Decision. Except as otherwise provided for in this subsection, any decision issued pursuant to this subsection shall be issued in accordance with Chapter 1A of this code.

3426.9.4.1 Where the order imposes administrative penalties, the order shall apprise the responsible parties of their rights to seek judicial review in the Superior Court of San Francisco pursuant to Section 1094.6 of the California Code of Civil Procedure.

3426.9.5 Posting and service of order. The Director's order shall be posted and served in accordance with Chapter 1A of this code.

3426.9.6 Appeal of order. Any person may appeal the nonmonetary portion of the Director's order issued pursuant to Section 3426.9.4, provided that such appeal is in writing and filed with the

Abatement Appeals Board pursuant to Chapter 1A of this code. Upon the determination of the Clerk of the Abatement Appeals Board that all requirements to make an appeal have been met, the monetary portion of the Director's order shall be stayed pending the appeal.

3426.9.6.1 A responsible party against whom administrative penalties are imposed may seek judicial review of the monetary portion of the order by filing a writ of mandate with the Superior Court of San Francisco pursuant to Section 1094.6 of the California Code of Civil Procedure.

3426.9.7 Referral to the City Attorney's Office. If the responsible parties fail to comply with a final and nonappealable order, the Director may refer the order to the City Attorney's Office for civil prosecution. In any action brought by the City Attorney's Office to enforce a final and nonappealable order, the responsible party shall be liable for all costs and fees including, but are not limited, to attorneys fees incurred by the City.

3426.10 Miscellaneous.

3426.10.1 Method of service. Unless otherwise specified, any notices and orders issued pursuant to this section shall be served in accordance with Chapter 1A of this code.

3426.10.2 Proof of service. The person serving the notice or order as provided herein shall file an affidavit or declaration thereof under the penalty of perjury, certifying the time and manner in which such notice was given. Such person shall also file therewith any receipt card of such notice or order if service was performed by certified mail.

3426.11 Remedies and Enforcement by City Officials.

3426.11.1 No obligation by City. In undertaking the enforcement of this section, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

3426.11.2 Discretionary duty. Subject to the limitations of due process, notwithstanding any other provision of this section, whenever the words "shall" or "must" are used in establishing a responsibility or duty of the City, its elected or appointed officers, employees or agents, it is the legislative intent that such words establish a discretionary responsibility or duty requiring the exercise of judgment and discretion.

3426.12 Severability. If any section, paragraph, sentence, clause or phrase of this section is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this section. The Board of Supervisors declares that it would have passed each section, paragraph, sentence, clause or phrase of this section irrespective of the fact that any portion of this section could be declared unconstitutional, invalid or ineffective.

SECTION 3427 – ASBESTOS INFORMATION AND NOTICE

Section 3427. Add the following section:

SECTION 3427 — ASBESTOS INFORMATION AND NOTICE

3427.1 Definitions. For the purpose of this chapter the following definitions shall apply:

ASBESTOS means naturally occurring fibrous hydrated mineral silicates, chrysotile, crocidolite, amosite, fibrous tremolite, fibrous anthophyllite and fibrous actinolite.

ASBESTOS-CONTAINING CON-STRUCTION MATERIAL means any manufactured construction material, including structural, mechanical and building material, which contains more than one percent asbestos by weight.

ASBESTOS-RELATED WORK means any activity which by disturbing asbestos-containing construction materials may release asbestos fibers into the air and which is not related to its manufacture, the mining or excavation of asbestos-bearing ore or materials, or the installation or repair of automotive materials containing asbestos.

MISCELLANEOUS MATERIAL means interior building material on structural components, structural members or fixtures, such as floor and ceiling tiles, and does not include surfacing material or thermal system insulation.

NONRESIDENTIAL BUILDING means any building as defined in this code except:

1. A building which is used exclusively as a single-dwelling unit or multiple-dwelling units and is not occupied as a mixed residential-commercial use;

2. A building owned or operated by the state or federal government and exempt from the building permit requirements under Section 106A.2;

3. A school building as defined in 15 U.S.C. 2642.

SURFACING MATERIAL means material in a building that is sprayed-on, troweled-on or otherwise applied to surfaces, such as acoustical plaster on ceilings and fireproofing materials on structural members or other materials on surfaces for acoustical, fireproofing or other purposes.

THERMAL SYSTEM INSULATION means material in a building applied to pipes, fittings, boilers, breeching, tanks, ducts or other interior structural components to prevent heat loss or gain, or water condensation, or for other purposes.

TRANSFER OF TITLE means the conveyance of title to real property by one or more persons as a result of sale or exchange, and including the execution of a real property sales contract as defined in Section 2985 of the California Civil Code and any change in ownership described in subdivisions (c) and (h) of Section 61 and subdivision (c) of Section 64 of the California Revenue and Taxation Code, with the following exceptions:

1. Transfers pursuant to court order, including, but not limited to, transfers ordered by a probate court in administration of an estate, transfers pursuant to a writ of execution, transfers by a trustee in bankruptcy, transfers by eminent domain or transfers resulting from a decree for specific performance;

2. Transfers to a mortgage by a mortgagor in default, transfers to a beneficiary of a deed of trust by a trustor in default, transfers by any foreclosure sale after default in an obligation secured by a mortgage, or transfer by a sale under a power of sale after a default in an obligation secured by a deed of trust or secured by any other instrument containing a power of sale;

3. Transfers by a fiduciary in the course of the administration of a guardianship, conservatorship or trust;

4. Transfers from one co-owner to one or more co-owners;

5. Transfers made to a spouse, or to a person or persons in the linear line of consanguinity of one or more of the transferors;

6. Transfers between spouses resulting from a decree of dissolution of a marriage or a decree of legal separation or from a property settlement agreement incidental to such decrees;

7. Transfers by the State Controller in the course of administering the Unclaimed Property Law, Chapter 7 (commencing with Section 1500) of Title 10 of Part 3 of the Code of Civil Procedure;

8. Transfers under the provisions of Chapter 7 (commencing with Section 3691) and Chapter 8 (commencing with Section 3771) of Part 6 of Division 1 of the Revenue and Taxation Code;

9. Transfers resulting by operation of law;

10. Transfers by which title to real property is reconveyed pursuant to a deed of trust.

3427.2 Asbestos Information Notice.

3427.2.1 Nonresidential disclosure. The seller of any nonresidential building, except a nonresidential building for which a building permit to erect the structure was filed with the Department on or after January 1, 1979, shall disclose to the buyer, prior to transfer of title, what efforts, if any, the seller has made to determine if the building contains asbestos-containing construction materials and provide relevant documentation of these efforts.

3427.2.2 Knowledge of seller. The seller of any nonresidential building, except a nonresidential building for which a building permit to erect the structure was filed with the Department on or after January 1, 1979, who knows that the nonresidential building contains asbestos-containing construction materials, shall provide notice to the buyer prior to transfer of title of the following:

1. The existence of, conclusions from and a description or list of the contents of any survey conducted to determine the existence and location of asbestos-containing construction materials within the nonresidential building. The seller shall provide copies of any documentation of the final survey results, including any documentation of the inspector's, laboratory's or consultant's asbestos inspection qualifications and state certification.

2. Locations within the nonresidential building identified by the survey or known to the seller where asbestos-containing construction materials in the form of surfacing material, thermal system insulation or miscellaneous material are present.

3. Any final operation and management plans prepared for the seller by consultants, agents or employees of the seller identifying procedures or handling restrictions to minimize or prevent disturbance, release or exposure to the asbestos-containing construction material.

4. Results of any bulk sample analysis or air monitoring conducted for or by the seller or within the seller's control, including reference to sampling and laboratory procedures utilized, and copies of the laboratory reports, monitoring data and sampling procedures.

5. Information in a final survey or other document prepared for the seller by consultants, agents or employees of the seller that (a) assesses the condition of asbestos-containing construction material in the form of surfacing material, thermal system insulation or miscellaneous material; or (b) evaluates the potential for exposure to building occupants.

3427.3 Asbestos-Related Work Sign Posting and Affidavits. In addition to any other requirements for notice set forth in this code, any person filing an application for a building permit to perform work in an apartment house or a residential hotel [as defined in Section 41.4(p) of the San Francisco Administrative Code], which work includes asbestos-related work as defined in this code, shall comply with the following requirements:

3427.3.1 Sign posting. Prior to commencement and for the duration of any asbestos-related work, post a sign readable at 20 feet (6.096 m) at each noncontiguous location where any asbestos-related work is performed in the apartment house or residential hotel, or in any appurtenant buildings thereto and facilities supplied in connection with the use or occupancy thereof, including garage and parking facilities, stating "Danger - Asbestos. Cancer and Lung Hazard. Keep Out." Notwithstanding this requirement, if an owner or contractor of the owner subject to the requirements of California Labor Code Sections 6501.5 et seq., and regulations promulgated pursuant there-to, is in compliance with the requirements for posting locations of asbestos-related work, such owner or contractor shall be deemed to have complied with this requirement.

3427.3.2 Time of posting. Unless the requirement for plans and specifications is waived by the Director of the Department pursuant to Section 106A.3.2, provide a notice at least 72 hours prior to commencement of any asbestos-related work to the residential tenants in the building. The notice shall advise the residential tenants of the nature of the asbestos-related work to be performed, the date and time the work is scheduled to commence, the specific location or locations in the building where the work will occur, the name and address of the person or firm performing the work and the name and telephone number of a person to contact on site if the residential tenant has questions or concerns. The notice shall be provided in one of the following ways: [Amended 10-7-2003 by Ord. No. 245-03]

1. At least 72 hours prior to commencement and for the duration of any asbestos-related work, post a notice containing the required information in a conspicuous common area of the apartment house or residential hotel measuring 15 inches by 15 inches (381 mm x 381 mm); or

2. Mail, by first-class registered mail, a notice containing the required information to each person who rents or leases residential space in the apartment house or residential hotel, postmarked at least five days plus 72 hours prior to commencement of any asbestos-related work; or

3. Personally deliver a notice containing the required information to each person who rents or leases residential space in the apartment house or residential hotel, at least 72 hours prior to commencement of the asbestos-related work.

3427.3.2.1 Affidavits. The applicant shall thereafter submit an affidavit signed under penalty of perjury stating that the notice has been posted in the building or mailed or personally delivered to each person who rents or leases residential space in the building. See Chapter 1A-L Fee Table for Affidavit Record Maintenance, for fee to defray the cost of maintaining records of said affidavits. If

there is reason to believe that the notice was not posted, mailed or personally delivered as required, the Director shall investigate the matter, shall provide the applicant an opportunity to respond to any complaint of noncompliance, shall determine whether the requirements of this section have been substantially met and shall revoke the permit if it is determined they have not been substantially met.

3427.3.3 Apartment house and residential hotel exclusions. Notwithstanding the definitions of apartment house or residential hotel [as defined in Section 41.4(p) of the San Francisco Administrative Code], those terms shall not include:

1. Any "school building" as defined in 15 U.S.C. Section 2642 as that section read on January 1, 1989;

2. Any "building" as defined in California Health and Safety Code Section 25920, as that section read on September 27, 1989; or

3. The residential area of any multi-use building where the asbestos-related work is to occur solely in a commercial area, the commercial and residential areas of the building do not share supply air or return air handling systems, and the commercial area does not contain facilities supplied in connection with the use or occupancy of the residential area.

NOTE: Contact Bay Area Air Quality Management District for pre-permit requirements for demolition and alteration work and other requirements for asbestos related work.

Chapter 34A
EXISTING STRUCTURES

Add the following chapter:

Chapter 34B
MANDATORY EARTHQUAKE RETROFIT OF WOOD FRAME BUILDINGS

SECTION 3401B – PURPOSE AND INTENT.

The purpose of this Chapter is to promote the health, safety, and welfare of San Francisco residents as well as the ability of the City and County of San Francisco to recover from a major earthquake by reducing the possibility of collapse, major structural damage, or risk of fire caused by an earthquake to certain wood-frame buildings.

In furtherance of this purpose, this Chapter establishes seismic retrofit requirements intended to significantly reduce the collapse risk of residential buildings with critically vulnerable lower stories and to increase the likelihood that these buildings will be structurally safe to occupy shortly after an earthquake. The engineering criteria established by this Chapter generally limit the structural retrofit work to the ground story or to a basement or underfloor area that extends above

grade where the most critical vulnerabilities are typically located, thereby improving building performance while limiting retrofit costs and impacts.

[Added 4-9-2013 by Ord. No. 66-13, effective 6-8-2013]

SECTION 3402B – SCOPE.

This Chapter shall apply to existing buildings, including mixed-occupancy buildings, that are Type V (wood-frame) construction of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, and containing five or more dwelling units and for which a permit for construction of a new building was applied for before January 1, 1978 or which is determined by the Department to have been originally constructed before January 1, 1978.

Exceptions:

1. A building that has been seismically strengthened to meet or exceed the standards of Section 1604.11 of this Code or its predecessor provisions within 15 years prior to the operative date of this Chapter is exempt from this Chapter upon the submittal of documentation showing that such work was properly permitted, completed, and maintained as required by this Code, and that the Department has approved such documentation.

2. A building that has completed voluntary seismic strengthening under the provisions of Administrative Bulletin AB-094 is exempt from the requirements of this Chapter.

[Added 4-9-2013 by Ord. No. 66-13, effective 6-8-2013]

SECTION 3403B – DEFINITIONS.

In addition to the definitions in Chapter 2 of this Code, the following definitions shall apply for purposes of this Chapter:

DWELLING UNIT. A dwelling unit shall include any individual residential unit within either an R-1 or an R-2 occupancy building. It shall also include a guestroom, with or without a kitchen, within either a tourist or residential hotel or motel but shall not include a "housekeeping room." A dwelling unit shall include an area that is occupied as a dwelling unit, whether such is approved or unapproved for residential use.

STORY. The first story of any building shall be considered a story, whether or not previously exempted from story count under an earlier edition of the San Francisco Building Code.

[Added 4-9-2013 by Ord. No. 66-13, effective 6-8-2013]

SECTION 3404B – COMPLIANCE REQUIREMENTS.

[xxi] 3404B.1. General. The owner of each building subject to this Chapter shall comply with the reporting requirements of this section. If the building is not exempt and does not meet the minimum criteria specified in this Chapter, the owner shall cause the building to be retrofitted to conform to such criteria according to the compliance deadlines set forth in Table 34B-A. Notice of the compliance requirements shall be given by the Department pursuant to Section 3405B.4.

3404B.2. Screening form. The owner of a building who has been notified that their building is within the scope of this Chapter as well as all other owners of buildings that may be subject to this Chapter shall engage an architect or engineer to submit to the Department within the time limits set forth in Table 34B-A a properly completed Screening Form.

Exception: Buildings exempt based on the exception in Section 3402B, Exception 2 of this Chapter may complete and submit the required Screening Form without engaging an architect or engineer.

3404B.2.1. Required information. The Screening Form to be developed by the Department shall be used to determine whether a building is or is not subject to the requirements of this Chapter, and to assign a building to the appropriate Compliance Tier. The Screening Form shall be completed by an architect as defined in Section 5500 of the California Business and Professions Code or by a civil or structural engineer registered pursuant to the provisions of Section 6700 et seq. of the California Business and Professions Code.

The submitted Screening Form shall include:

1. all information required by the Department to determine compliance

requirements, and

2. whether the building is exempt based on Section 3402B, Exception 1 of this Chapter, and

3. a Declaration, based on a review of building information, of:

(a) whether the building is exempt because it is outside the scope of this Chapter based on its date of original permit application or construction, number of dwelling units, or number of stories, or

(b) if not exempt, the appropriate Compliance Tier.

3404B.2.2. Optional evaluation form. The Optional Evaluation Form to be developed by the Department shall be used to determine if an existing building already meets the criteria of Section 3406B.2 of this Chapter. The Optional Evaluation Form shall be completed by an architect as defined in Section 5500 of the California Business and Professions Code or by a civil or structural engineer registered pursuant to the provisions of Section 6700 et seq. of the California Business and Professions Code. The Optional Evaluation Form shall be accompanied by a completed Screening Form and shall include:

1. dates and scope of any seismic retrofit work, and

2. plans and other information as the Department may require that are sufficient to support the Declaration below, and

3. a Declaration of whether the building satisfies the evaluation criteria given in Section 3406B.2 of this Chapter.

3404B.3. Compliance tiers. Each building not exempt from this Chapter shall be assigned to one of the following Compliance Tiers:

1. Tier I: Buildings that contain a Group A, E, R-2.1, R-3.1 or R-4 occupancy on any story.

2. Tier II: Buildings containing 15 or more dwelling units, except for buildings assigned to Tier I or Tier IV.

3. Tier III: Buildings not falling within the definition of another tier.

4. Tier IV: Buildings that contain a Group B or M occupancy on the first story or in a basement or underfloor area that has any portion extending above grade, and buildings that are in mapped liquefaction zones, except for buildings assigned to Tier I.

[xxii] 3404B.4. Application for a building permit. For each non-exempt and non-complying building, the owner or the owner's authorized agent shall submit to the Department an application for a building permit accompanied by the necessary permit submittal documents indicating the proposed seismic retrofit. A permit for this seismic retrofit work may include minor ancillary work but shall be separate from any other permits for building alterations or repairs unless such work is triggered by or integral to the seismic retrofit work. No work other than is required under current codes shall be triggered by this seismic retrofit work.

3404B4.1. Compliance deadlines. Compliance deadlines for the submission of the Screening Form, Optional Evaluation Form, building permit application, and for completion of seismic retrofit work are given in Table 34B-A. No transfer of title shall alter the time limits for compliance.

3404B4.2. Certificate of final completion and occupancy. A Certificate of Final Completion and Occupancy indicating completion of the required seismic retrofit work shall be obtained upon completion of required seismic retrofit work.

3404B4.3. Damaged buildings. Notwithstanding the provisions of the Table 34B-A Compliance Deadlines, if an as-yet unretrofitted building subject to this Chapter suffers damage from an earthquake or subsequent fire caused by the earthquake that renders the building uninhabitable, results in structural damage that triggers retrofit under regulations adopted by the Department of Building Inspection, or results in "disproportionate damage" as defined in this Code, such building shall comply with the requirements of this Chapter and other applicable Sections of this Code within one year of such damage. The Department may grant an extension of

this time period for good cause. Compliance with the provisions of this Chapter does not supersede the requirement to comply with Section 3405.3 of this Code when otherwise required by this Code.

3404B.5. Historic preservation. If any portion of the seismic retrofit work will be visible from the exterior of the subject property and the San Francisco Planning Department determines that the building is a historic resource, or if the interior of the building has been given landmark status, the seismic retrofit work shall be conducted in accordance with guidelines developed by the San Francisco Planning Department, taking into account provisions of the California Historical Building Code.

[Added 4-9-2013 by Ord. No. 66-13, effective 6-8-2013]

SECTION 3405B – PROGRAM IMPLEMENTATION AND ADMINISTRATION; FEE.

3405B.1. Administrative bulletin. The Department shall prepare an Administrative Bulletin detailing the procedural and implementation requirements for this Chapter. Such procedures shall be generally consistent with the requirements set forth in this Chapter. The Administrative Bulletin may require sign-posting and other public information that the Department determines is necessary or appropriate.

[xxiii] 3405B.2. Compliance deadlines.

TABLE 34B-A

Compliance Deadlines (in years [1] *).*

Compliance Tier	Submission of Screening Form and Optional Evaluation Form	Submittal of Permit Application with Plans for Seismic Retrofit Work	Completion of Work And Issuance of CFC [2]
I	1	2	4
II	1	3	5
III	1	4	6
IV	1	5	7

1 All time periods are in years measured from 90 days after the operative date of this Chapter.

2 All time limits and extensions of Chapter 1A of this Code are applicable, except that all work is to be completed by December 31, 2020, as recommended in California Health & Safety Code Section 19160(1).

3405B.3. Administrative fee. The fee for services provided by the Department under this Chapter shall be the Standard Hourly Rate for Plan Review and Administration set forth in Table 1A-D of this Code. There shall be no fee required for submittal or review of the Screening Form required by Section 3404B.2. A minimum fee corresponding to two hours for plan review and administration is payable upon submittal of a voluntary Optional Evaluation Form. Additional fees may be charged at the Standard Hourly Rate for additional work and will be payable within 30 days of the Department's notice that payment is due.

3405B.4. Notice.

3405B.4.1. Service of notice on owner. No later than 90 days after the operative date of this Chapter, the Department shall send a notice in accordance with Section 102A.4.2 of this Code to the owner of each building believed to be within the scope of this Chapter. The notice shall inform the owner of the requirement to comply with the provisions of this Chapter, and shall be accompanied by a Screening Form and an informational letter or brochure. Any person who believes that a building that is within the scope of this Chapter has not been so identified by the Department may notify the Department of the address or location of such building. If the Department determines upon review of the building and/or building records that the building may be within the scope of this Chapter, the Department shall provide notice to the owner as provided in this Section.

3405B.4.2. Failure to give or receive notice. If the owner of a building within the scope of this Chapter has knowledge that they own such a building, then the failure of the Department to issue the notice required by this Section, or the failure of the owner to receive such a notice, shall not relieve the owner of the obligation to comply with the requirements of this Chapter within the time limits set forth in Table 34B-A. For a building not known to the Department to be within the scope of this Chapter and whose owner or owners have no knowledge that the building is within the scope of this Chapter, the time limits set forth in Table 34B-A shall commence upon an owner having actual or constructive notice that the building may be within the scope of this Chapter. In no case, however, shall the final completion date be extended without the approval of the Board of Examiners after hearing an appeal pursuant to Section 3405B.5.

[xxiv] 3405B.4.3. Notice to public on Department's website. A list of the buildings by street address and by block and lot for which notice has been given under this Section shall be maintained and made public on the Department's website.

3405B.5. Appeals. The owner of any building subject to this Chapter may appeal to the Board of Examiners any determination made by the Department with respect to compliance with the technical requirements of this Chapter. Such appeal shall be in accordance with the provisions of Section 105A of this Code. The time limits for compliance established by Table 34B-A shall not be extended during any appeal period unless specifically approved by the Board of Examiners. Any person may appeal a determination of the Director related to this Chapter to the Building Inspection Commission pursuant to Chapter 77 of the San Francisco Administrative Code.

3405B.6. Enforcement. Whenever any required action has not been completed within the time limits set forth in Table 34B-A, the Department shall abate the violation in accordance with Section 102A of this Code.

3405B.6.1. Posting of notice. An enforcement action shall, in every case, include the Department posting of the building with a standard Department notice stating as follows:

"Earthquake Warning. This building is in violation of the requirements of the San Francisco Building Code regarding earthquake safety."

This notice shall not be removed until the building is in compliance with this Chapter. This notice shall also be recorded against the title of the building. The Building Official shall cause a release of such notice to be filed with the Assessor-Recorder's Office upon conformance with the requirements of this Chapter.

[Added 4-9-2013 by Ord. No. 66-13, effective 6-8-2013]

SECTION 3406B – ENGINEERING CRITERIA FOR EVALUATION AND RETROFIT.

3406B.1. General. This Chapter requires that evaluation and/or retrofit of buildings within its scope be undertaken using the engineering criteria established in this section.

3406B.2. Engineering criteria. A proposed seismic evaluation and/or retrofit plan shall demonstrate that the building satisfies one of the following:

1. FEMA P-807, *Seismic Evaluation and Retrofit of Multi-Unit Wood-Frame Buildings With Weak First Stories*, as detailed in an Administrative Bulletin to be prepared pursuant to 3406B.3 of this ordinance, with the performance objective of ~~50~~ 30 percent maximum

probability of exceedance of Onset of Strength Loss drift limits with a spectral demand equal to 0.50 SMS, or

2. ASCE 41-13, *Seismic Evaluation and Rehabilitation of Existing Buildings*, with the performance objective of Structural Life Safety in the BSE-1E earthquake, or

3. ASCE 41-06, *Seismic Rehabilitation of Existing Buildings*, with the performance objective of Structural Life Safety in the BSE-1 earthquake with earthquake loads multiplied by 75 percent, or

4. for evaluation only, ASCE 31-03, *Seismic Evaluation of Existing Buildings*, with the performance level of Life Safety, or

5. for retrofit only, *2012 International Existing Building Code (IEBC)* Appendix A-4, or

6. any other rational design basis deemed acceptable by the Department that meets or exceeds the intent of this Chapter.

For retrofits demonstrating compliance through the use of ASCE 41-06, ASCE 41-13, or IEBC Appendix A4, the strength of the retrofitted story need not exceed 1.3 times the strength of the story above. For Site Class E, a factor of 1.3 shall be required for the short-period spectral acceleration/demand.

3406B.3. Alternative retrofit criteria. A proposed seismic retrofit plan which fails to meet the criteria of 3406B.2(1) or 3406B.2(5) shall be deemed to comply with this Chapter if, with the approval of the Department, it satisfies the intent of FEMA P-807, Section 6.4.2 with a maximum acceptable Onset of Strength Loss drift limit probability of exceedance of ~~70~~ 50 percent.

[xxv] Exception: Alternative retrofit criteria shall not apply to buildings in which the critical stories, basements, or underfloor areas contain other than parking, storage, or utility uses or occupancies.

3406B.4. Administrative bulletin for technical requirements. The Department shall develop and publish one or more Administrative Bulletins that detail the technical requirements to be used for the evaluation and retrofitting of buildings required to meet the criteria established in Section 3406B.2.

3406B.5. Conformance period. Any building retrofitted in compliance with this Chapter and properly maintained, shall not, within a period of 15 years after the operative date of this Chapter, be identified as a seismic hazard pursuant to any local building standards adopted after the date of the building seismic retrofit unless the building incurred disproportionate damage, or otherwise has been damaged or altered so that it no longer meets the engineering criteria under which it was retrofitted.

3406B.6. Compliance with this Chapter does not supersede the requirements for compliance with Section 3401.B when otherwise required under Chapter 34 of this Code. A permit issued solely for compliance with the provisions of this Chapter shall not be considered a "substantial change" or "structural work" as defined in Chapter 34 and compliance with Section 3401.10 will not be required by such work.

[Added 4-9-2013 by Ord. No. 66-13, effective 6-8-2013]

Chapter 35
REFERENCED STANDARDS

No San Francisco Building Code Amendments

Add the following chapter:

Chapter 36
CALIFORNIA RESIDENTIAL CODE (CRC)

(CRC) CHAPTER 1
SCOPE AND APPLICATION
Replace this chapter with Chapter 1 & 1A of the San Francisco Building Code.
See Chapter 1A for the Administration provisions of the San Francisco Building Code.
(CRC) CHAPTER 2
DEFINITIONS
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code.
(CRC) CHAPTER 3
BUILDING PLANNING
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code
(CRC) CHAPTER 4
FOUNDATIONS
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code
(CRC) CHAPTER 5
FLOORS
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code
(CRC) CHAPTER 6
WALL CONSTRUCTION
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code
(CRC) CHAPTER 7
WALL COVERING
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code
(CRC) CHAPTER 8
ROOF CEILING CONSTRUCTION
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code
(CRC) CHAPTER 9
ROOF ASSEMBLIES
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code
(CRC) CHAPTER 10
CHIMNEYS AND FIREPLACES
Replace this chapter with Chapter 2 through 35 of the San Francisco Building Code
(CRC) CHAPTER 44
REFERENCED STANDARDS
Replace this chapter with Chapters 35 of the San Francisco Building Code
(CRC) APPENDIX A
SIZING AND CAPACITIES OF GAS PIPING
This appendix is not adopted in San Francisco
(CRC) APPENDIX B
SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY 1 APPLIANCES, AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS
This appendix is not adopted in San Francisco

(CRC) APPENDIX C
EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT-VENT VENTING SYSTEMS
This appendix is not adopted in San Francisco
(CRC) APPENDIX D
RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION
This appendix is not adopted in San Francisco
(CRC) APPENDIX E
MANUFACTURED HOUSING USED AS DWELLINGS
This appendix is not adopted in San Francisco
(CRC) APPENDIX F
RADON CONTROL METHODS
This appendix is not adopted in San Francisco
(CRC) APPENDIX G
SWIMMING POOLS, SPAS AND HOT TUBS
This appendix is not adopted in San Francisco
(CRC) APPENDIX H
PATIO COVERS
Replace this chapter with Appendix I of the San Francisco Building Code
(CRC) APPENDIX I
PRIVATE SEWAGE DISPOSAL
This appendix is not adopted in San Francisco
(CRC) APPENDIX J
EXISTING BUILDINGS AND STRUCTURES
This appendix is not adopted in San Francisco
(CRC) APPENDIX K
SOUND TRANSMISSION
This appendix is not adopted in San Francisco
(CRC) APPENDIX L
PERMIT FEES
This appendix is not adopted in San Francisco
(CRC) APPENDIX M
HOME DAY CARE R-3 OCCUPANCY
This appendix is not adopted in San Francisco or applicable in California
(CRC) APPENDIX N
VENTING METHODS
This appendix is not adopted in San Francisco
(CRC) APPENDIX O
GRAY WATER RECYCLING SYSTEMS
This appendix is not adopted in San Francisco
(CRC) APPENDIX P
SIZING OF WATER PIPING SYSTEM
This appendix is not adopted in San Francisco
(CRC) APPENDIX Q
ICC INTERNATIONAL RESIDENTIAL CODE ELECTRICAL PROVISIONS/NATIONAL ELECTRICAL CODE CROSS-REFERENCE
This appendix is not adopted in San Francisco
(CRC) APPENDIX R
AREAS PROTECTED BY THE FACILITIES OF THE CENTRAL VALLEY FLOOD PROTECTION PLAN
Replace this chapter with Appendix K of the San Francisco Building Code

Add the following appendices:

CALIFORNIA BUILDING CODE (CBC) APPENDICES

(CBC) APPENDIX A EMPLOYEE QUALIFICATIONS

This appendix is not adopted in San Francisco

(CBC) APPENDIX B BOARD OF APPEALS

This appendix is not adopted in San Francisco

(CBC) APPENDIX C GROUP U-AGRICULTURAL BUILDINGS

No San Francisco Building Code Amendments

(CBC) APPENDIX D FIRE DISTRICTS

This appendix is not adopted in San Francisco

(CBC) APPENDIX E RESERVED

This appendix is not adopted in San Francisco

(CBC) APPENDIX F RODENT PROOFING

This appendix is not adopted in San Francisco

(CBC) APPENDIX G FLOOD-RESISTANT CONSTRUCTION

This appendix is not adopted in San Francisco

(CBC) APPENDIX H
SIGNS

This appendix is not adopted in San Francisco

(CBC) APPENDIX I
PATIO COVERS

No San Francisco Building Code Amendments

APPENDIX J
GRADING

San Francisco adopts Appendix J as amended below for grading in San Francisco

SECTION J103 – PERMITS REQUIRED

JI03.2 Add the following five exemptions:

8. An excavation that (1) is less 2 feet (610 mm) in depth or (2) does not create a cut slope greater than 5 feet (1524 mm) in height and steeper than 1 unit vertical in 1-1/2 units horizontal (66.7% slope).

9. A fill less than 1 foot (305 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 3 feet (914 mm) in depth, not intended to support structures, that does not exceed 50 cubic yards (38.3 m^3) on any one lot and does not obstruct a drainage course.

10. Grading performed incidental to and in connection with the construction of a building or structure on a single lot, pursuant to a valid building permit issued therefor. The cost of such grading shall be included in the total valuation of the building for determining permit fees, and a separate grading permit will not be required.

11. Grading necessary for and incidental to and in connection with the construction of any parks, public streets or roadways, or the construction of sewers, or utilities under or within the boundaries of such roadways or streets when such work is under the direct supervision of the Recreation and Park Department, the Department of Public Works, the Public Utilities Commission or other governmental agencies.

12. Grading operations which in the opinion of the Director are of such a minor nature that the proposed work will not affect the adjoining land, or any existing structures, either those on the same or adjoining land. For such grading operations, the requirements of this chapter may be waived in whole or in part.

SECTION J104 – PERMIT APPLICATION AND SUBMITTALS

J104.3 Replace the exception as follows:

Exception: ~~A geotechnical report prepared by a registered design professional shall be provided. The report shall contain at least the following:~~ **Grading conforming to all of the following requirements:**

1. No cut section is greater than 10 feet (3.048 m) in vertical height.

2. No cut slope is steeper than 2 horizontal to 1 vertical.

3. The tops of cut banks are separated from any structure or major improvement by a distance, measured horizontally, equal to not less than the height of the bank.

4. Not more than 5,000 cubic yards (3825 m^3) shall be involved in grading.

5. Grading performed at a site outside the limits of known slide areas.

All other grading shall require soils report and the grading plans shall include, but not limited to, the following information:

(1) The design of retaining walls or other structures used to support cuts or fills. Such retaining walls or structures, except when part of a building, may be constructed under this permit, provided the cost of same is included in the valuation shown on the application.

(2) The sequencing of cut and fill operations in a manner that assures interim stability of the site.

SECTION J106 – EXCAVATIONS

J106.1 Delete all exceptions.

SECTION J109 – DRAINAGE AND TERRACING

J109 Add the following section:

J109.5 Surface Drainage. All areas which are surfaced with asphalt, concrete or other paving of similar imperviousness, and which exceed a total area of 200 square feet (18.58 m^2), shall have storm- and casual water drained directly to a public sewer or storm drain.

Drainage shall not be directed to flow onto adjacent property or to drain onto public sidewalks. See Section 1503.4 for roof drainage.

SECTION J113 – GRADING FEES

Add the following section:

SECTION J113 GRADING FEES

[Amended 10-7-2003 by Ord. No. 245-03]

The permit and the plan review fees shall be per Section 110A, Table 1A-F - Specialty Permit Fees, Table 1A-A - Building Permit Fees. The valuation shall be based on the volume of earthwork.

(CBC) APPENDIX K
GROUP R-3 AND GROUP R-3.1 OCCUPANCIES PROTECTED BY THE FACILITIES OF THE CENTRAL VALLEY FLOOD PROTECTION PLAN

This appendix is not adopted in San Francisco

(CBC) APPENDIX L
EARTHQUAKE RECORDING INSTRUMENTATION

No San Francisco Building Code Amendments

DRAFT

STATE OF CALIFORNIA – GOVERNMENT OPERATIONS AGENCY GOVERNOR EDMUND G. BROWN JR.

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

December 10, 2013

Angela Calvillo
Clerk of the Board
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance #155-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance received from your agency on November 13, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), complying with Health and Safety Code §§17958.7 and 18941.5. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city/county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

July 30, 2013

SENT CERTIFIED MAIL (Return Receipt Requested)

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendment

To Whom It May Concern:

Pursuant to California Health & Safety Code Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco on July 16, 2013 and approved by the Mayor on July 25, 2013:

- **Ordinance No. 155-13 (File No. 130369)** – Ordinance amending the Building and Health Codes to expand the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances; amending the Public Works Code to eliminate soil testing provisions; renumbering code sections in the Health Code; and making environmental findings.

If you have any questions or require additional information, please call (415) 554-4447 or email alisa.miller@sfgov.org.

Sincerely,

Angela Calvillo, Clerk of the Board

Alisa Miller

By: Alisa Miller, Assistant Clerk

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

130369 **[Building, Health, Public Works Codes - Soil and/or Groundwater Testing Requirements]**

Sponsor: Mayor

Ordinance amending the Building and Health Codes to expand the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances; amending the Public Works Code to eliminate soil testing provisions; renumbering code sections in the Health Code; and making environmental findings.

7/9/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

7/16/2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

7/25/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

July 30, 2013
Date

Alisa Miller for
Angela Calvillo
Clerk of the Board

FILE NO. 130369 SUBSTITUTED 5/14/2013 ORDINANCE NO. 155-13

[Building, Health, Public Works Codes - Soil and/or Groundwater Testing Requirements]

Ordinance amending the Building and Health Codes to expand the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances; amending the Public Works Code to eliminate soil testing provisions; renumbering code sections in the Health Code; and making environmental findings.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130369 and is incorporated herein by reference.

Section 2. The Building Code is hereby amended by amending Section 106A.3.2.4, (specifically, Sections 106A.3.2.4.1, 106A.3.2.4.2, and 106A.3.2.4.4) to read as follows:

106A.3.2.4 HAZARDOUS *SUBSTANCES*~~*WASTES*~~.

106A.3.2.4.1 Soil *and/or groundwater* sampling and analysis required. Applicants for any building or grading permit which involves the disturbance of at least 50 cubic yards (38.23 m3) of soil shall comply with the requirements for soil *and/or groundwater* sampling and analysis of Article 22A of the ~~*Public*~~ Health Code, *unless such property is subject to Health Code 22A.9*, when any part of the work will occur ~~*either*~~

(a) bayward of the 1851 high-tide line as indicated on the Map of the City and County of San Francisco (adopted June 27, 1986) (see Figure 1A-1) which is maintained for public distribution by the Building Official~~,~~;

(b) ~~*or*~~ *in any area of the City designated by the Director of Public Health under Article 22A of the Health Code;*

(c) on any lot within the City either presently or previously zoned for industrial use as defined in Article 22A of the Health Code;

(d) on any lot within the City either presently or previously permitted for industrial use;

(e) on any lot within the City within 150 feet of any of the elevated portions of the following highways: U.S. Highway 101, Interstate 80, Interstate 280;

(f) on any lot in the City known or suspected by the Department of Public Health to contain hazardous substances in the soil and/or groundwater, using the definition of hazardous substance contained in Article 22A of the Health Code, or;

(g) on any lot of the City known or suspected by the Department of Public Health to contain or to be within 100 feet of an underground storage tank. ~~*in any area of the City and County of San Francisco where the Director of Public Health has reason to believe that the soils may contain hazardous wastes.*~~

Note: Figure 1A-1 is included at the end of this chapter.

106A.3.2.4.2 Permit approval.

(a) Except as provided in subsection (b) no ~~*N*~~o building permit application subject to the requirements of this Section shall be *considered acceptable for review and* approved until the Department receives written notification from the Director of Public Health that the applicant has complied with all applicable provisions of Article 22A of the ~~*Public*~~ Health Code *that can be completed without a permit*, or that the requirements have been waived.

~~*Exception:*~~

(b) Subsection (a) does not apply to the following extent:

(1.) The Building Official may *consider an application acceptable for review and* issue a site permit pursuant to Section 106A.3.4.2 prior to the time an applicant complies with this Section.

(2.) The Building Official may consider an application acceptable for review and issue ~~*Site*~~ *site* permit addenda and other permit(s) ~~*may be issued*~~ to undertake soil sampling or mitigation measures to comply with this section.

106A.3.2.4.4 Permit Notification ***and Warning.***

(a) The Building Department shall provide information to all permit applicants of Bay Area Air Quality Management District and California Air Resources Board regulations, as well as San Francisco Health Code Article 22B and Building Code rrequirements regarding construction dust control to mitigate potential adverse public health effects from dust in general, and from naturally occurring asbestos that may be released during construction activities.

*(b)*All building permits and grading permits issued by the Building Department *under this Section 106A.3.2.4* shall bear ~~*notice of the above requirements and of the owner's responsibility of identifying and mitigating hazardous wastes*~~ *the following printed warning:*

WARNING

Under San Francisco Building Code Section 106A.3.2.4.2, certain building permits may be issued only after the permittee analyzes the soil and/or groundwater for the presence of hazardous substances and, where applicable, the Department of Public Health has approved the permittee's site mitigation plan. In issuing this permit, neither the City nor any of its officers or employees make any representation that the soil and/or groundwater on or about the site is free from the presence of hazardous substances. Nor does the City's implementation of this process relieve any person from their duties and responsibilities relating to hazardous substance contamination under state and federal law. Neither subsurface soil

analysis under Building Code Section 106A.3.2.4.2 nor the issuance of this permit is intended to alter, extinguish, or transfer these responsibilities.

~~*notification. All building permits and grading permits issued by the Department of Building Inspection shall bear notice of the above requirements and of the owner's responsibility for identifying and mitigating hazardous wastes.*~~

Section 3. The Health Code is hereby amended by adding Section 22A.1 and amending Sections 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, and 1237 to read as follows:

SEC. ~~1219~~22A.1. FINDINGS.

1. Health Code Article 22A and Building Code Section 106A.3.2.4 work in concert to provide an important City process for identifying, investigating, analyzing and, when deemed necessary, remediating or mitigating hazardous substances in soils within specified areas of the City and County of San Francisco ("City").

2. These codes provide a specific, well-explained and equitable City process for investigating, analyzing and, when deemed necessary, remediating or mitigating hazardous substances in soils, under the oversight and supervision of the Department of Public Health ("Department"), the City agency with expertise in these matters.

3. The Department has overseen the Article 22A process for many years and it is the experience of the Department, given the nature of contamination that has been found on City sites, that these sites can be remediated or mitigated through methods such as removal, treatment, installation of vapor barriers, or covers, or by placing restrictions on uses or activities on the site to protect the environment or public health.

4. Health Code Article 22A, Public Works Code Article 20, and Building Code Section 106A.3.2.4 were previously limited in terms of their geographic coverage throughout the City, applying

exclusively on the Eastern side of City, more specifically in areas near the Bay shoreline, and areas of known bay fill.

5. These Articles were also presently limited in terms of types of potential public health and safety hazards that they address.

6. There may be hazardous substances and conditions (e.g., groundwater contamination) that pose a potential threat to the public health and safety but were not previously within the scope of Article 22A.

7. Areas outside of the boundaries previously set in Health Code Article 22A, Public Works Code Article 20, and Building Code Section 106A.3.2.4 exist where, based upon historic zoning designation, land use, or site activity, there is a reasonable expectation of the potential for the soil and/or groundwater to contain hazardous substances that may pose public health or safety hazards during construction and with new uses authorized on the site.

8. In urban areas, emissions from paved roadways are a major source of atmospheric particulate matter. Paved road dust originates from pavement wear and decomposition, dustfall, litter, mud and dirt carryout, spills, biological debris, and erosion from adjacent areas. In an urban setting, vehicle exhaust and vehicle brake and tire wear are a source of zinc and copper in paved road dust. The authors of a 2006 study found that metal deposits increased in the immediate vicinity of a large freeway, and quickly reduced to urban background deposition rates between 10 meters (30 feet) and 150 meters (450 feet) downwind of the freeway, especially for copper, lead and zinc. Their results suggest: 1) the freeway is a significant source of copper, lead and zinc; and 2) these metals have substantial concentrations of larger particles emitted from the freeway due to the dispersion of road dust by vehicles traveling at high speeds. Lisa D. Sabin, et al., Dry Deposition and Resuspension of Particle-Associated Metals Near a Freeway in Los Angeles, Atmospheric Environment 40 (2006) 7528-7538.

9. The benefits of Health Code Article 22A to the City, the environment and the public health and safety can be expanded by broadening the geographic coverage and the types of potential contamination that fall within the scope of the law.

10. City departments that engage in regular maintenance and repair of City property and assets, long term capital projects, and emergency work are subject to these same public health and safety requirements with regard to soil and/or groundwater sampling and analysis. These departments will work with the Department of Public Health to develop protocols that use City resources efficiently and facilitate prompt response to emergencies, for any projects that may require soil and/or groundwater testing.

SEC. ~~1220~~22A.2. DEFINITIONS.

In addition to the general definitions applicable to this Code, whenever used in this Article, the following terms shall have the meanings set forth below:

~~(a)~~ "Applicant" means a person applying for any building permit as specified by Section 106.1 of the San Francisco Building Code.

~~(b)~~ "Certified laboratory" means a laboratory certified by the California Department of Health Services, pursuant to the provisions of Section 25198 of the California Health and Safety Code, for analyzing samples for the presence of hazardous *substances*~~waste~~.

~~(c)~~ "Director" means the Director of the San Francisco Department of Public Health or the Director's designee.

~~(d)~~ "Director of Building Inspection" means the Director of the Department of Building Inspection of the City and County of San Francisco.

~~(e)~~ "Hazardous *Substance*~~waste~~" means any hazardous substance *as defined in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §9601(14) and petroleum products and byproducts* ~~that meets the definition of hazardous waste in~~

~~*Section 25117 of the California Health and Safety Code or Appendix X of Division 4.5, Chapter 10, Article 5 of Title 22 California Administrative Code*~~.

~~*(f)*~~ *"Industrial Use" means a use described in the San Francisco Planning Code Sections 220 (Laundering, Cleaning and Pressing), 222 (Home and Business Services), 223 (Automotive), 224 (Animal Services), 225 (Wholesaling, Storage, Distribution, and Open-Air Handling of Materials and Equipment) and 226 (Manufacturing and Processing).*

~~*(g)*~~ *"Industrially Zoned (i.e. zoned for industrial use)" means one of the following zoning districts, as further described in Article 2 of the San Francisco Planning Code: M-1 (Light Industrial), M-2 (Heavy Industrial), PDR-1-B (Light Industrial Buffer), PDR-1-D (Light Industrial Design), PDR-1-G (Light Industrial General), PDR-2 (Core Production, Distribution and Repair), C-M (Heavy Commercial), SPD (South Park), RSD (Residential/Service Mixed Use), SLR (Service/Light Industrial/Residential Mixed Use), SLI (Service/Light Industrial), SSO (Service/Secondary Office), MUG (Mixed Use – General), MUR (Mixed Use – Residential), MUO (Mixed Use – Office), and UMU (Urban Mixed Use) or any other zoning district that allows for industrial uses, either as a principal permitted use or as a conditional use, as determined by the Zoning Administrator.*

"Intended Use" means the land uses allowed at the site under the building permit sought and any construction activities required to carry out the permitted work.

~~*(i)*~~ *"Qualified Person" means a professional geologist, licensed civil engineer, or engineering geologist.*

SEC. ~~1221~~*22A.3*. APPLICABILITY OF ARTICLE.

~~*Pursuant to Section 1001 of the San Francisco Public Works Code, an*~~*An* applicant shall comply with this Article *as specified by San Francisco Building Code Section 106A.3.2.4.*

SEC. ~~1222~~*22A.4*. WAIVER OF REQUIREMENTS FOR COMPLIANCE.

The Director may waive the requirements imposed by this Article if the applicant demonstrates that the property has been continuously zoned as residential under the City

Planning Code since 1921, has been in residential use since that time, and no evidence has been presented to create a reasonable belief that the soil *and/or groundwater* may contain hazardous *substances*~~wastes~~. ~~The~~ *In these circumstances, the* Director shall provide the applicant and the Director of Building Inspection with written notification that the requirements of this Article have been waived.

SEC. ~~1223~~22A.5. DIRECTOR'S DISCRETIONARY AUTHORITY TO REQUIRE COMPLIANCE.

In addition to those areas defined pursuant to Section ~~1221~~22A.3, the Director has authority to require soil *and/or groundwater* analysis pursuant to the provisions of this Article as part of any building permit application when the Director has reason to believe that *a* hazardous ~~wastes~~ *substance* may be present in the soil *and/or groundwater* at the property.

SEC. ~~1224~~22A.6. SITE HISTORY.

(a) The applicant shall provide to the Director a site history for the property, prepared by an individual with the requisite training and experience, *as* described in regulations adopted pursuant to Section ~~1232~~22A.14. The site history shall contain a statement indicating whether the property is listed on the National Priorities List, published by the United States Environmental Protection Agency pursuant to the federal Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. Section 9604(c)(3) or listed as a hazardous substance release site by the California Department of Toxic Substances Control or the State Water Resources Control Board pursuant to the California Hazardous Substances Account Act, *California* Health and Safety Code Section 25356, *which sites shall not be subject to San Francisco Department of Public Health jurisdiction. The site history shall also include results of a permit records search investigating the history of permitted uses on the site, as well as any known or discovered unpermitted uses or activities on site, to the extent such information is available, that would generate a reasonable expectation that hazardous substances may be present in*

the soil and/or groundwater. The applicant shall file the site history with the Director *and the Director shall accept the report if the requirements of this section are met~~and the certified laboratory~~. If the site history does not comply with the requirements of this Section, the Director shall notify the applicant in writing within 30 days of receipt of the report, indicating the reasons the report is unacceptable.*

(b) If the site history indicates that there is no information that hazardous substances may be present in the soil or groundwater at concentrations exceeding either the Department of Toxic Substances Control's or Regional Water Quality Control Board's health risk levels, or other applicable standards, given the intended use, the Director shall provide the applicant and the Director of Building Inspection with written notification that the applicant has complied with the requirements of this Article.

SEC. ~~1225~~22A.7. *SUBSURFACE* ~~SOIL~~ SAMPLING AND ANALYSIS.

(a) **Analysis of Sampled Soil** *and/or Groundwater. Unless the Director provides written notification that the applicant has complied with the requirements of this Article as provided in Section 22A.6(b) or 22A.9(a), the applicant shall submit a work plan to the Director for soil and/or groundwater sampling and testing. The applicant shall demonstrate in the work plan how the sampling and testing requirements of this Section will be satisfied, including the sampling locations, sampling protocol, laboratory analyses to be conducted on the samples, and any other information required by the Director to provide an accurate assessment of hazardous substances present at the site that may be disturbed, or may cause a public health or safety hazard given the intended use. Upon approval of the work plan by the Director, if so directed by the Department of Public Health, the ~~The~~*applicant shall cause a *Qualified Person ~~or a certified laboratory~~* to take, *or supervise the collection of soil* samples on the property to determine the presence of hazardous *substances~~wastes~~* in the soil *and/or samples of groundwater,as determined by the Department of Public Health .* The *applicant*

shall cause a qualified person to conduct tests for hazardous substances that will accurately assess the site, as determined by the Director.

(b) *Such tests as referenced in subsection (a), may include the* following types of *hazardous substances~~analyses shall be conducted, unless an alternative proposal is approved by the Director~~*:

(1) Inorganic persistent and bioaccumulative toxic substances as listed in Section 66261.24(a)(2)(A) of Title 22 of the California Administrative Code;

(2) Volatile organic toxic pollutants as listed in 40 Code of Federal Regulations, Part 122, Appendix D, Table II;

(3) PCBs;

(4) pH levels;

(5) Cyanides;

(6) Methane and other flammable *or volatile* gases;

(7) Total petroleum hydrocarbons;

(8) Semi-volatile compounds;

(9) Hazardous *substances~~wastes~~* designated by the Director pursuant to Section *22A.14*; and

(10) Any *~~other~~* hazardous *substance~~waste~~* that *~~either~~* the Director *~~or the certified laboratory~~*, after an examination of the site history, has reason to conclude may be present on the property. The Director shall make any such determination within 30 days of filing by the applicant *of the site history*.

(*~~b~~c*) **Procedures for Soil *and/or Groundwater* Sampling.** Soil *and/or groundwater* sampling shall be conducted in accordance with procedures for sampling soils *and/or groundwater* approved by the California Department of Toxic Substances Control or the State Water Resources Control Board and the San Francisco Bay Regional Water Quality Control Board. *The Director shall maintain a list of such approved sampling procedures.*

(*ed*) **Testing of** *Samplesd* ~~*Soil*~~. Samples shall be analyzed by a certified laboratory in accordance with methods for analyzing samples for the presence of hazardous *substances*~~*wastes*~~ approved by the California Department of Toxic Substances Control or the State Water Resources Control Board and the San Francisco Bay Regional Water Quality Control Board.

SEC. ~~*122622A.8*~~. *SUBSURFACE*~~*SOIL*~~ **ANALYSIS REPORT.**

(a) Contents. The Applicant shall *cause a Qualified Person to* submit a soil *and/or groundwater* analysis report prepared by the persons conducting the soil *and/or groundwater* sampling and analysis to the Director~~, *the California Department of Toxic Substances Control, the San Francisco Bay Regional Water Quality Control Board*~~ and to other agencies as directed by the Director. The report shall include the following information:

(1) The names and addresses of the *Qualified Personspersons* *who*~~*and the certified laboratory that*~~ conducted *or supervised* the soil *and/or groundwater* sampling, *and* the soil *and/or groundwater* analysis and *who* prepared the report;

(2) An explanation of the sampling and testing methodology;

(3) The results of the soil *and/or groundwater* analyses;

(4) Whether any of the analyses conducted indicate the presence of *a* hazardous *substance*~~*wastes*~~ and, for each, the level detected and the State and federal minimum standards *for public health risks*, if any;

~~*(5) The State and federal agencies to which the presence of the hazardous wastes has been reported and the date of the report;*~~

(5)~~*(6)*~~ If applicable, a statement that the *Qualified Person*~~*certified laboratory*~~, after examination of the site history *and sampling data*, has no reason to conclude that hazardous *substances*~~*wastes*~~, other than those listed in Section ~~*122522A.7*~~(a)(1) through (a)(*109*), ~~*were*~~ *are* likely to be present on the property;

(6) If applicable, a statement that the Qualified Person, based upon the analyses conducted, recommends site mitigation given the intended use of the site.

(b) Review by Director. The Director shall determine whether the ~~*site history,*~~ soil *and/or groundwater* sampling and analyses required by this Article were conducted *in accordance with the approved work plan* and whether the report required by this Section is complete. If the ~~*site history,*~~ soil *and/or groundwater* sampling or analyses were not conducted *in accordance with the approved work plan* or the report does not comply with the requirements of this Section, the Director shall notify the applicant in writing within 30 days of receipt of the report, indicating the reasons the report is unacceptable. A copy of the notification shall be sent to the Director of Building Inspection. *Until the Director certifies a report as final, the Director may require additional soil and/or groundwater sampling and analysis.*

(c) No *Hazardous Substances* ~~*Wastes*~~ Present. If the soil *and/or groundwater* sampling and analysis report indicates that there are no hazardous *substances*~~*wastes*~~ present in the soil *or groundwater that exceed the Department of Toxic Substances Control's or Regional Water Quality Control Board's public health risk levels,or other applicable standards, given the intended use*, the Director shall provide the applicant and the Director of Building Inspection with written notification that the applicant has complied with the requirements of this Article.

SEC. ~~*1227*~~*22A.9*. KNOWN HAZARDOUS *SUBSTANCE*~~*WASTE*~~ SITE; HUNTERS POINT SHIPYARD ~~*PARCEL A.*~~

(a) ~~*If the soil sampling and analysis report or site history indicates that the property is listed on the National Priorities List or the list of California Hazardous Substances Account Act release sites, the applicant shall provide to the Director certification or verification from the appropriate federal or State agency that any site mitigation required by the federal or State agency has been completed and complete the certification procedure set forth in Section 1229. Certification by a competent State or federal agency that mitigation measures have been properly completed shall constitute a conclusive*~~

~~*determination and shall be binding upon the Director*~~. *At the request of an applicant, the Director may determine that one or more of the requirements of this Article have been met if an applicant provides satisfactory documentation to the Director that the applicant or other party responsible for the site conditions, has completed a process equivalent to the process required by this Article under the oversight of a federal or state agency with jurisdiction to oversee the investigation and remediation of hazardous substances at the site and the process has taken into account the intended use for which the applicant seeks a building permit.*

(b) Applicant's activities on the Hunters Point Shipyard, as defined in Article 31, are governed by Article 31 of the Health Code and not by this Article.

SEC. ~~*1228*~~*22A.10*. APPLICANT'S RESPONSIBILITY UPON DISCOVERY OF HAZARDOUS *SUBSTANCES*~~*WASTES*~~.

Unless Section ~~*1227*~~*22A.9* is applicable, if ~~*the*~~ *a* soil *and/or groundwater* sampling and analysis report indicates that hazardous *substances*~~*wastes*~~ are present in the soil *or hazardous substances in groundwater exceed the Department of Toxic Substances Control's or Regional Water Quality Control Board's public health risk levels given the intended use*, the applicant shall:

~~*(a) For the purposes of this Section, a qualified person is defined as one or more of the following who is registered or certified by the State of California: soil engineer, civil engineer, chemical engineer, engineering geologist, geologist, hydrologist, industrial hygienist or environmental assessor.*~~

(*a*~~*b*~~) *Prepare a* ~~*The*~~ site mitigation *plan*~~*report shall*~~ *that* contain*s* the following information:

(1) A determination by the *Qualified Person*~~*qualified person*~~ as to whether the hazardous *substances*~~*wastes*~~ in the soil *and/or groundwater* are causing, or are likely to cause, significant ~~*environmental or*~~ health and safety risks *given the intended use. The Director may require additional soil and/or groundwater sampling and analysis before such a determination can be made.*

(2) If a determination of a significant health and safety risk is made under subsection (a)(1), a ~~*and if so,*~~ recommend*ation by the Qualified Person of* measures that will *assure that the intended use will not result in public health or safety hazards in excess of the acceptable public health risk levels established by the Department of Toxic Substances Control or the Regional Water Quality Control Board, or other applicable regulatory standards and, therefore, will* mitigate the significant health and safety risks caused or likely to be caused by the presence of the hazardous *substances*~~*waste*~~ in the soil *and/or groundwater given the intended use*. If the report recommends mitigation measures it shall identify any soil *and/or groundwater* sampling and analysis that it recommends the project applicant conduct following completion of the mitigation measures to verify that mitigation is complete;

(*2*~~*3*~~) A statement signed by the person who prepared the report certifying that the person is a *Qualified Person*~~*qualified person within the meaning of this Section*~~ and that in his or her judgment either no mitigation is required or the mitigation measures identified, if completed, will mitigate the significant ~~*environmental or*~~ health and safety risks caused by or likely to be caused by the hazardous *substances*~~*wastes*~~ in the soil *and/or groundwater given the intended use*;

(b)~~*(3)*~~ Complete the site mitigation measures identified by the *Qualified Person*~~*qualified person*~~ in the site mitigation report; ~~*and*~~

(c)~~*(4)*~~ Complete the certification required by Section ~~*122*~~*922A.11, and*.

(d) Complete and record a deed restriction approved by the Director if the Applicant chooses to mitigate public health or safety hazards from hazardous substances through land use or activity restrictions.

SEC. ~~*122*~~*922A.11*. ***FINAL REPORT AND*** **CERTIFICATION.**

(a) Contents. The applicant shall certify under penalty of perjury to the Director that:

(1) If Section ~~1227~~22A.9 is applicable, the applicant has received certification or verification from the appropriate State or federal agency that mitigation is complete.

(2) If Section ~~1228~~22A.10 is applicable:

(A) A *Qualified Person*~~qualified person~~ has determined in the site mitigation report that no hazardous *substance levels*~~wastes~~ in the soil *and/or groundwater* are causing or are likely to cause significant environmental or *public* health and safety risks *as set forth in Section 22A.8(c)*, and the *Qualified Person*~~qualified person~~ recommends no mitigation measures; or

(B) The applicant has performed all mitigation measures recommended in the site mitigation plan, and has verified that mitigation is complete by conducting follow-up soil *and/or groundwater* sampling and analysis, if recommended in the site mitigation report.

(b) Applicant Declarations. The certification shall state:

"The Applicant recognizes that it has a nondelegable duty to perform site mitigation; that it, and not the City, is responsible for site mitigation; that it, not the City, attests to and is responsible for the accuracy of the representations made in the certification, and that it will continue to remain liable and responsible, to the extent such liability or responsibility is imposed by State and federal law, for its failure to perform the site mitigation."

(c) Following successful completion of the final report and certification, and if applicable, a deed restriction, the Director shall issue a letter of no further action.

SEC. ~~1230~~22A.12. NOTIFICATION TO DIRECTOR OF BUILDING INSPECTION.

After receipt of the certification required by Section ~~1229~~22A.11, the Director shall provide the applicant and the Director of Building Inspection with written notification that the applicant has complied with the requirements of this Article.

SEC. ~~1231~~22A.13. MAINTENANCE OF REPORT BY DIRECTOR.

The site history, ~~*soil*~~ *subsurface sampling* analysis report, certification and related documents shall become a part of the file maintained by the Department.

SEC. ~~*123*~~*22A.14*. RULES AND REGULATIONS.

(a) Adoption of Rules. The Director may adopt, and may thereafter amend, rules, regulations and guidelines that the Director deems necessary to implement the provisions of this ordinance. For the purposes of this Article, a public hearing before the Health Commission shall be held prior to the adoption or any amendment of the rules, regulations and guidelines recommended for implementation. In addition to notices required by law, the Director shall send written notice, at least 15 days prior to the hearing, to any interested party who sends a written request to the Director for notice of hearings related to the adoption of rules, regulations and guidelines pursuant to this Section.

(b) Consideration of state and federal law. In developing such *rules,* regulations*, and guidelines,* the Director shall consider, ~~*inter alia*~~ *among other things*, State and federal statutes and regulations pertaining to hazardous *substances*~~*wastes*~~ with the purpose of coordinating local regulations with them.

(~~*b*~~*c*) Guidelines for Regulations. Rules, regulations and guidelines may address among others, the following subjects:

(1) Minimum standards for acceptable site histories. The minimum standards shall be designed to assist interested persons including, but not limited to, the Director of Building Inspection, *and* other state and local public agencies~~ *and certified testing laboratories*~~, to evaluate whether analyses, other than those required by Section ~~*122*~~*22A.7*(a)(1) through (a)(*10*~~*9*~~), must be conducted to detect the presence in the soil *and/or groundwater* of hazardous *substances*~~*wastes*~~ and to determine what analyses are appropriate. *These are the minimum standards and the Director may require additional information on the site.*

(2) Minimum education and experience requirements for the persons who prepare site histories pursuant to Section ~~1224~~22A.6. In making this determination, the Director shall consider relevant those academic disciplines and practical experience which would qualify an individual to evaluate a property in San Francisco and identify prior uses made of the property that may be relevant in determining whether there are hazardous substances~~wastes~~ in the soil and/or groundwater and what analyses, if any, are appropriate to identify them.

(3) Precautionary measures to minimize long-term exposure to hazardous substances~~wastes~~ that cannot be removed or are not required to be removed by the site mitigation plan.

(4) Designation of areas and analyses. Designation of areas in the City, in addition to the areas described in ~~Section 1001 of the San Francisco Public Works~~ San Francisco Building Code Section 106A.3.2.4. where the Director has reason to believe that the soils or groundwater may contain hazardous substances~~wastes~~ and the designation of the analyses specified in Section ~~1225~~22A.7 that shall be conducted in each area.

(5) Designation of additional hazardous substances~~wastes. The designation of additional hazardous substanceswastes, other than those listed in Section 1225(a)(1) through (a)(9),~~ for which analyses must be conducted. The designation shall be based on a determination by the Director that there is a reasonable basis to conclude that such other hazardous substances~~wastes~~ may be in the soil and/or groundwater. The designation may be made applicable to a specified area or areas of the City or city- wide as determined by the Director.

(6) Waiver from Requirements for Analyses. The exclusion of hazardous substances~~wastes~~ from the analysis requirements set forth in Section ~~1225~~22A.7 upon a determination that the hazardous substance~~waste~~ does not pose a significant present or potential hazard to ~~human~~ public health and safety or to the environment.

SEC. ~~123~~22A.15. NOTIFICATION TO BUYER.

The Director shall prepare and maintain for public distribution a summary of the requirements of this Article. The seller or the seller's agent involved in the sale or exchange of any real property located *on any parcel of land identified in San Francisco Building Code Sec. 106A.3.2.4 and* ~~*bayward of the high tide line as indicated on the Historic San Francisco Maps as described in Article 20 of the Public Works Code and as reflected on the map prepared and maintained for public distribution by the Director and*~~ in those areas designated by the Director pursuant to Section ~~123~~22A.5 shall provide a copy of the summary to the buyer or buyers and shall obtain a written receipt from the buyer or buyers acknowledging receipt of the summary. Failure to give notice as required by this Section shall not excuse or exempt the buyer of the property from compliance with the requirements of this Article.

SEC. ~~123~~22A.16. NONASSUMPTION OF LIABILITY.

In undertaking to require certain building or grading permits to include soil *and/or groundwater* analyses for the presence of hazardous *substances*~~*wastes*~~, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on itself or on its officers and employees, any obligation for breach of which it is liable for money damages to any person who claims that such breach proximately caused injury.

SEC. ~~123~~22A.17. CONSTRUCTION ON CITY PROPERTY.

The Department of Public Health shall work with a~~A~~ll departments boards, commissions and agencies of the City and County of San Francisco that authorize construction or improvements on land under their jurisdiction under circumstances where no building or grading permit needs to be obtained pursuant to the San Francisco Building Code ~~*shall adopt*~~ *to develop interdepartmental coordination protocols* ~~*rules and regulations*~~ to ~~*insure that the same site history, soil sampling, analyzing, reporting, site mitigation and certification procedures*~~ *ensure that the*

goals of this Article 22A to protect the environment and the public health and safety are achieved~~*as set forth in this Article are followed*~~. The Directors of Public Health and Building Inspection shall assist the departments, boards, commissions and agencies to ~~*insure*~~*ensure* that these *protocols* ~~*requirements*~~ are *followed*~~*met*~~. *Additionally, such protocols shall define and address emergency situations, and a process for waiving testing or procedures that may delay emergency work. Compliance by a City department or agency with this section shall constitute compliance with the requirements of this Article 22A.*

SEC. ~~*123*~~*22A.18*. SEVERABILITY.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article or any part thereof, is for any reason to be held unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Section or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, causes or phrases be declared unconstitutional or invalid or ineffective.

SEC. ~~*1237*~~*22A.19*. FEES.

(a) The Director is authorized to charge the following fees to defray the costs of document processing and review, consultation with applicants, and administration of this Article: (1) an initial fee of ~~*$501*~~*609.51*, payable to the Department, upon filing a site history report with the Department; and (2) an additional fee of $~~*167*~~*203.17* per hour for document processing and review and applicant consultation exceeding three hours or portion thereof, payable to the Department, upon filing of the certification required pursuant to Section ~~*1229*~~*22A.11*.

(b) Beginning with fiscal year 2008-2009 and annually thereafter, the fees set forth in this Section may be adjusted each year, without further action by the Board of Supervisors, as set forth in this Section.

Not later than April 1, the Director shall report to the Controller the revenues generated by the fees for the prior fiscal year and the prior fiscal year's costs of operation, as well as any other information that the Controller determines appropriate to the performance of the duties set forth in this Section.

Not later than May 15, the Controller shall determine whether the current fees have produced or are projected to produce revenues sufficient to support the costs of providing the services for which the fees are assessed and that the fees will not produce revenue which is significantly more than the costs of providing the services for which the fees are assessed.

The Controller shall, if necessary, adjust the fees upward or downward for the upcoming fiscal year as appropriate to ensure that the program recovers the costs of operation without producing revenue which is significantly more than such costs. The adjusted rates shall become operative on July 1.

Section 4. The Public Works Code is hereby amended by repealing Article 20 in its entirety, including Sections 1000, 1001, 1004, 1006, 1012, and 1014, to read as follows:

~~***ARTICLE 20: ANALYZING THE SOILS FOR HAZARDOUS WASTES***~~

~~***SEC. 1000. DEFINITIONS.***~~

~~*For the purposes of this Article the following definitions shall apply:*~~

~~*"Certified laboratory" mean a laboratory certified by the California Department of Health Services, pursuant to the provisions of Section 25198 of the California Health and Safety Code, for analyzing samples for the presence of hazardous waste.*~~

~~*"Director" means the Director of the Department of Public Works of the City and County of San Francisco.*~~

~~*"Director of Public Health" shall means the Director of the Department of Public Health of the City and County of San Francisco.*~~

~~***SEC. 1001. ANALYSIS REQUIRED.***~~

~~*(a) Applicants for any building permit shall comply with the requirements of Article 22A of the San Francisco Public Health Code when:*~~

~~*1. The permit is for a construction project that involves the disturbance of at least 50 cubic yards of soil; and*~~

~~*2. The parcel of land or part thereof on which the construction or part thereof will occur is located:*~~

~~*(A) Bayward of the high tide line as indicated on the Historic San Francisco Maps, prepared by the State of California, State Lands Commission, State Lands Division and filed with the Recorder of the City and County of San Francisco pursuant to Chapter 1333 of the 1968 Statutes, as amended by the California Legislature, for reference in conjunction with the map and description of lands, situated in the City and County of San Francisco, that were transferred to the City and County of San Francisco under Chapter 1333. The Director of Public Health shall prepare and maintain for public distribution a map that reflects this line.*~~

~~*(B) In any area of the City and County of San Francisco designated by the Director of Public Health pursuant to Section 1232 of the Health Code.*~~

~~***SEC. 1004. PERMIT APPROVAL.***~~

~~*(a) Except for site permits issued pursuant to San Francisco Building Code Section 303(g), once the Director of Public Health has determined that the required site history, soil sampling and analyses were conducted and the report contains the information required by Section 1003, the Director of Public Works may approve or disapprove the application subject to the terms and*~~

~~*limitations of this Section. The Director of Public Works may issue a site permit pursuant to San Francisco Building Code Section 303(g) prior to the time an applicant complies with this Article, provided, however, that the Director of Public Works shall not issue any addenda pursuant to Building Code Section 303(g), except addenda necessary to carry out the soil sampling or site mitigation measures required by this Article, until the applicant has complied with all applicable provisions of this Article. The holder of a site permit and any addenda necessary to comply with this Article shall proceed with approved addenda work at his own risk, without assurance that approvals for the remaining addenda or for the entire building will be granted.*~~

~~*(b) For the purposes of completing the requirements of this Article, the time limitations set forth in Section 303(a)(1)(B) of the San Francisco Building Code do not apply.*~~

~~***SEC. 1006. COMPLETED APPLICATION.***~~

~~*No building permit application subject to the requirements of this Article shall be complete, for the purposes of Government Code Sections 65950 et seq., until the applicant submits to the Department of Public Works written notification from the Director of Public Health that:*~~

~~*(a) The Director of Public Health has reviewed and accepted as complete the soil analysis report required by Section 1003, and*~~

~~*(b) One of the following conditions is satisfied:*~~

~~*1. The report indicates that no hazardous wastes are present in the soil, or*~~

~~*2. The report indicates that hazardous wastes are present in the soil and the applicant has submitted certification in accordance with the provisions of Section 1005 that site mitigation, if necessary, is complete.*~~

~~***SEC. 1012. PERMIT WARNING.***~~

~~*All building permits issued by the Central Permit Bureau shall bear the following printed warning:*~~

~~*WARNING*~~

~~*Pursuant to Article 20 of Chapter 10, Part II of the San Francisco Municipal Code (Public Works Code), certain building permits may be issued only after the permittee analyzes the soil for the presence of hazardous wastes and, where applicable, certifies that it has completed site mitigation. No officer, employee, or agency of the City conducted the soil sampling and analyses, recommended site mitigation measures, conducted the site mitigation or checked or verified the reports submitted or work performed for accuracy, reliability or adherence to protocols. In issuing this permit, neither the City nor any of its officers or employees make any representation that the soil on or about the site is free from the presence of hazardous wastes. Nor does the City's implementation of this process relieve any person from their duties and responsibilities relating to hazardous contamination under state and federal law. Neither soil analysis pursuant to Article 20 of the Public Works Code nor the issuance of this permit is intended to alter, extinguish, or transfer these responsibilities.*~~

~~***SEC. 1014. SEVERABILITY***~~

~~*If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Article or any part thereof, is for any reason to be held unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Article or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.*~~

Section 5. Effective Date. This ordinance shall become effective 30 days from the date of passage.

Section 6. This section is uncodified. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the Health Code, Building Code, or Public Works Code that are explicitly shown in this legislation as additions, deletions,

Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
VIRGINIA DARIO ELIZONDO
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130369 **Date Passed:** July 16, 2013

Ordinance amending the Building and Health Codes to expand the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances; amending the Public Works Code to eliminate soil testing provisions; renumbering code sections in the Health Code; and making environmental findings.

June 24, 2013 Land Use and Economic Development Committee - RECOMMENDED

July 09, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

July 16, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130369

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/16/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

7/25/2013
Date Approved

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

November 21, 2013

Angela Calvillo
City Hall
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance #199-13 and #200-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on October 10, 2013.

Our review finds the submittal to contain two ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city and county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

October 7, 2013

RECEIVED
2013 OCT 10 A 11:16
CALIFORNIA BUILDING STANDARDS COMMISSION

SENT CERTIFIED MAIL (Return Receipt Requested)

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendment

To Whom It May Concern:

Pursuant to California Health & Safety Code, Section 17958.7, enclosed please find certified copies of the following legislation, which were finally passed by the Board of Supervisors of the City and County of San Francisco on September 24, 2013, and approved by the Mayor on October 4, 2013:

- **Ordinance No. 199-13 (File No. 130782)** – Ordinance amending the Building Code to modify some of the evaluation and retrofit criteria for the Mandatory Earthquake Retrofit Program and add seismic members to the Board of Examiners; amending the Housing Code to require a Report of Residential Building Record (3R Report) to include information on whether a building is included in the program and whether the required upgrade has been completed; adopting environmental findings and findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board to forward the legislation to specified State agencies.

- **Ordinance No. 200-13 (File No. 130786)** – Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 San Francisco Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward the legislation and associated materials to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

If you have any questions or require additional information, please call (415) 554-4447 or email alisa.miller@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

130782 **[Building, Housing Codes - Mandatory Seismic Retrofit Program - Wood-Frame Buildings]**

Sponsors: Mayor; Chiu, Wiener, Yee, Tang, Farrell, Breed, Mar and Cohen

Ordinance amending the Building Code to modify some of the evaluation and retrofit criteria for the Mandatory Earthquake Retrofit Program and add seismic members to the Board of Examiners; amending the Housing Code to require a Report of Residential Building Record (3R Report) to include information on whether a building is included in the program and whether the required upgrade has been completed; adopting environmental findings and findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board to forward the legislation to specified State agencies.

9/17/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

9/24/2013 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang and Wiener

Absent: 1 - Yee

10/3/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

October 07, 2013
Date

Angela Calvillo
Clerk of the Board

FILE NO. 130782 ORDINANCE NO. 199-13

[Building, Housing Codes - Mandatory Seismic Retrofit Program - Wood-Frame Buildings]

Ordinance amending the Building Code to modify some of the evaluation and retrofit criteria for the Mandatory Earthquake Retrofit Program and add seismic members to the Board of Examiners; amending the Housing Code to require a Report of Residential Building Record (3R Report) to include information on whether a building is included in the program and whether the required upgrade has been completed; adopting environmental findings and findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board to forward the legislation to specified State agencies.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. General Findings.

(a) At a duly noticed public hearing held on August 22, 2013, the Building Inspection Commission considered this ordinance.

(b) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130782 and is incorporated herein by reference.

Section 2. Findings of Local Conditions Under California Health and Safety Code Section 17958.7.

(a) Section 19162 of the California Health and Safety Code authorizes the governing body of any city, city and county, or county to establish by ordinance seismic retrofit standards for buildings within its jurisdiction that have been identified as hazardous to life in the event of an earthquake. On April 18, 2013, the City and County of San Francisco enacted Ordinance 66-13, which added Chapter 34B to the San Francisco Building Code. As required by State law, the Clerk of the Board forwarded Ordinance 66-13 with the required local findings to the State Building Standards Commission and the California Department of Housing and Community Development, as required by State law.

(b) Chapter 34B established the Mandatory Earthquake Retrofit Program for the mandatory seismic strengthening of existing buildings, including mixed-occupancy buildings, that: (1) are Type V (wood-frame) construction of three or more stories or two stories over a basement or underfloor area that has any portion extending above grade, (2) contain five or more dwelling units, (3) were constructed as a new building under an application filed before January 1, 1978 or which is determined by the Department of Building Inspection to have been originally constructed before January 1, 1978, and (4) has not been seismically strengthened to meet or exceed the standards of Building Code Section 1604.11 or its predecessor provisions within 15 years prior to the operative date of Chapter 34B.

(c) In Section 3406B, Chapter 34B establishes engineering criteria for evaluation and retrofit of buildings within the scope of the mandatory retrofit program. This ordinance modifies some of the criteria. These changes do not alter the scope, intention, or operation of Chapter 34B, but rather provide important technical clarifications, enhanced reporting, and a clear appeals process.

Section 3. The Building Code is hereby amended by amending Section 3406B, to read as follows:

SECTION 3406B – ENGINEERING CRITERIA FOR EVALUATION AND RETROFIT.

3406B.1. **General.** This Chapter requires that evaluation and/or retrofit of buildings within its scope be undertaken using the engineering criteria established in this section.

3406B.2. **Engineering criteria.** A proposed seismic evaluation and/or retrofit plan shall demonstrate that the building satisfies one of the following:

1. FEMA P-807, Seismic Evaluation and Retrofit of Multi-Unit Wood-Frame Buildings With Weak First Stories, as detailed in an Administrative Bulletin to be prepared pursuant to 3406B.3 of this ordinance, with the performance objective of ~~50~~ *30* percent maximum probability of exceedance of Onset of Strength Loss drift limits with a spectral demand equal to 0.50 SMS, or

2. ASCE 41-13, Seismic Evaluation and Rehabilitation of Existing Buildings, with the performance objective of Structural Life Safety in the BSE-1E earthquake, or

3. ASCE 41-06, Seismic Rehabilitation of Existing Buildings, with the performance objective of Structural Life Safety in the BSE-1 earthquake with earthquake loads multiplied by 75 percent, or

4. for evaluation only, ASCE 31-03, Seismic Evaluation of Existing Buildings, with the performance level of Life Safety, or

5. for retrofit only, 2012 International Existing Building Code (IEBC) Appendix A-4, or

6. any other rational design basis deemed acceptable by the Department that meets or exceeds the intent of this Chapter.

For retrofits demonstrating compliance through the use of ASCE 41-06, ASCE-41-13, or IEBC Appendix A4, the strength of the retrofitted story need not exceed 1.3 times the strength of the story

above. For Site Class E, a factor of 1.3 shall be required for the short-period spectral acceleration/demand.

3406B.3. **Alternative retrofit criteria.** A proposed seismic retrofit plan which fails to meet the criteria of 3406B.2(1) or 3406B.2(5) shall be deemed to comply with this Chapter if, with the approval of the Department, it satisfies the intent of FEMA P-807, Section 6.4.2 with a maximum acceptable Onset of Strength Loss drift limit probability of exceedance of ~~70~~ *50* percent.

Exception: Alternative retrofit criteria shall not apply to buildings in which the critical stories, basements, or underfloor areas contain other than parking, storage, or utility uses or occupancies.

3406B.4. **Administrative bulletin for technical requirements.** The Department shall develop and publish one or more Administrative Bulletins that detail the technical requirements to be used for the evaluation and retrofitting of buildings required to meet the criteria established in Section 3406B.2.

3406B.5. **Conformance period.** Any building retrofitted in compliance with this Chapter and properly maintained, shall not, within a period of 15 years after the operative date of this Chapter, be identified as a seismic hazard pursuant to any local building standards adopted after the date of the building seismic retrofit unless the building incurred disproportionate damage, or otherwise has been damaged or altered so that it no longer meets the engineering criteria under which it was retrofitted.

3406B.6. Compliance with this Chapter does not supersede the requirements for compliance with Section 3401.B when otherwise *required* under Chapter 34 of this Code. A permit issued solely for compliance with the provisions of this Chapter shall not be considered a "substantial change" or "structural work" as defined in Chapter 34 and compliance with Section 3401.10 will not be required by such work.

Section 4. The Building Code is hereby amended by adding Section 3404.8, to read as follows:

SECTION 3404 – ALTERATIONS

Add the following section

3404.8 ***Mandatory Seismic Retrofit.*** *Submittal documents shall include plans indicating locations and construction of existing, new, and modified building elements used to comply with Chapter 34B.*

Section 5. The Building Code is hereby amended by amending Section 105A.1, to read as follows:

SECTION 105A – BOARDS, COMMISSIONS AND COMMITTEES

105A.1 **Board of Examiners.**

105A.1.1 **Establishment.** There is hereby created a Board of Examiners who are qualified by experience and training to pass upon matters pertaining to building design and construction. The functions of the Board of Examiners shall be:

105A.1.1.1 To determine whether specific new materials, new methods and types of construction comply with the standards of safety established by this code, and to recommend the approval or disapproval of such new materials, new methods and types of construction.

105A.1.1.2 To determine whether variances from the requirements of this code should be approved for specific cases where new materials, new methods and types of construction are not involved, and where the enforcement of compliance therewith would result in unreasonable hardship.

105A.1.1.3 To recommend to the Building Official reasonable interpretations of the provisions of this code.

105A.1.1.4 To hear appeals from any Abatement Order of the Building Official involving construction methods, assemblies or materials or where safety is involved.

A copy of the findings of the Board of Examiners shall be forwarded to the Abatement Appeals Board.

Matters involving compliance with Chapters 16B and 16C and other related structural provisions of this code regulating the strengthening of unreinforced masonry bearing wall buildings shall be heard by the Board of Examiners as provided in Section 105A.1.

105A.1.2 **Definition.** The term "standard of safety," as used in this section, shall mean the general degree of safety conforming to the provisions of this code as required to safeguard life or limb, health and public welfare.

105A.1.3 **Intent.** It is the intent of this section that new materials, new methods and types of construction which do not comply with the standards of safety established by this code shall in no event be approved; but that the requirements of this code, other than those involving such standards of safety, may be modified or waived under the circumstances set forth in this section.

105A.1.4 **Membership.** The Board of Examiners shall consist of ~~*10*~~ *13* members, which shall include one plumbing member and one electrical member, who shall serve only when cases related to plumbing or electrical code issues are being considered, and one high-rise sprinkler member who shall serve only when cases related to high-rise sprinkler issues are being considered, *and three seismic improvement members who shall serve only when cases related to Chapter 34B seismic retrofit issues are being considered*. All members are to be appointed by the Building Inspection Commission and shall serve at the Building Inspection Commission's pleasure for a three-year term or until a successor is appointed. The present members shall be continued in office until the expiration of their terms.

In the event a vacancy occurs during the term of office of any member of the Board of Examiners, a new appointment shall be made in a manner similar to that described herein for new members.

The membership shall consist of:

1. A registered structural engineer.
2. A registered mechanical engineer.
3. A registered electrical engineer.
4. A registered fire protection engineer.
5. A licensed general contractor.
6. A licensed architect.
7. A building trades representative.
8. As the plumbing member, a licensed plumbing contractor.
9. As the electrical member, a licensed electrical contractor.
10. As a high-rise sprinkler member, one building owner representative.

11. As a Seismic Improvement member, one tenant also a licensed or registered architect, civil or structural engineer.

12. As a Seismic Improvement member, one property owner also a licensed or registered architect, civil or structural engineer.

13. As a Seismic Improvement member, one registered structural engineer specializing in seismic improvement.

The terms "registered" and "licensed" shall be understood to mean by the State of California. The Building Inspection Commission shall make such appointments after giving careful consideration to nominations made by technical associations and general contractor organizations including the Consulting Engineers Association of California, the Structural Engineers Association of Northern California, the San Francisco District of the Associated General Contractors of California, the Plumbing and Mechanical Cooling Contractors of San Francisco, the San Francisco Electrical Contractors Association, the San Francisco Chapter

of the American Institute of Architects, and the San Francisco Building Trades Council. Each member of the Board of Examiners shall receive compensation of $125 per meeting attended.

The following shall constitute ex officio members of the Board of Examiners, without vote and without compensation: The Building Official, who shall act as Secretary of the Board of Examiners, and the Fire Marshal.

In the event a member cannot attend meetings of the Board of Examiners for a period of three or more consecutive meetings due to illness, work away from San Francisco, or any other valid reason, the Building Inspection Commission may appoint an alternate member representing the same profession or trade as the absent member and meeting the same registration or licensing requirements as the absent member. The appointment of such alternate need not require solicitation of nominees from the respective organizations. The alternate shall serve on the Board of Examiners until the return of the absent member or until the expiration of the absent member's term, whichever comes first. The compensation indicated in section 4 above shall be paid the alternate member for each meetings attended. The alternate member shall, during the time of service on the Board of Examiners, have all the rights, duties, and privileges of a duly appointed member of the Board of Examiners.

* * * *

Section 6. The Housing Code is hereby amended by amending Section 351, to read as follows:

SEC. 351. REPORT.

(a) **Report of Residential Building Record Required.** Prior to the sale or exchange of any residential building, except the first sale or exchange, if this occurs within one year of the date of the Certificate of Final Completion of the construction of the building, the owner thereof, or their authorized agent, shall obtain from the Department of Building Inspection, a Report of Residential Building Record. Said report shall set forth the existing authorized

occupancy or use of said residential building and the other information prescribed in Section 351(c) herein below.

Such Report of Residential Building Record shall be delivered by the owner, or the authorized agent of said owner, to the buyer or transferee of said residential building prior to the consummation of the sale or exchange thereof, and the buyer shall file with the Department of Building Inspection, a receipt therefor, on a form furnished by said Department.

It shall be unlawful for the owner of such residential building to sell or exchange same without first having obtained and delivered to the buyer the Report of Residential Building Record herein provided for.

In addition to the foregoing, any person licensed by the State of California to sell property shall provide upon request, to any prospective buyer a copy of the Report of Residential Building Record issued in the manner herein above required for any residential property which the real estate broker has listed for sale.

(b) **Residential Building Defined.** A residential building, as used in this chapter, is a building or a portion thereof containing one or more dwelling units but not including hotels containing 30 or more guest rooms, or motels.

(c) **Contents of Report of Residential Building Record.** The Department of Building Inspection shall, upon application in the manner hereinafter provided, issue a Report of Residential Building Record to the owner which shall contain, in respect to said residential building, the following information, insofar as ascertainable from City records:

(1) (a) Present authorized occupancy or use.

(b) Is this building classified as a residential condominium?

Yes_____No_____

(c) Does this building contain any Residential Hotel Guest Rooms as defined in Chapter 41, San Francisco Administrative Code?

Yes_____No_____

(2) Zoning district in which located.

(3) Building Code Occupancy Classification.

(4) Do records of the Planning Department reveal an expiration date for any nonconforming use of this property?

Yes_____No_____

If yes, what date? _____

(5) Building construction date.

(6) Original occupancy or use.

(7) Construction, conversion, or alteration permits issued, if any.

(8) (a) Is there an active Franchise Tax Board Referral on file?

Yes_____No_____

(b) Is this property currently under abatement proceedings for code violations?

Yes_____No_____

(9) Number of residential structures on property.

(10) (a) Has an energy inspection been completed?

Yes_____No_____

(b) If yes, has a proof of compliance been issued?

Yes_____No_____

(11) (a) Is the building in the Mandatory Earthquake Retrofit of Wood-Frame Building Program.

Yes_____No_____

(b) If yes, has the required upgrade work been completed?

Yes_____No_____

On the face of the report shall appear the following note in bold 10-point type:

Beware. This report describes the current legal use of this property as compiled from records of City Departments. There has been no physical examination of the property itself. This record contains no history of any plumbing or electrical permits. The report makes no representation that the property is in compliance with the law. Any occupancy or use of the property other than that listed as authorized in this report may be illegal and subject to removal or abatement, and should be reviewed with the Planning Department and the Department of Building Inspection. Errors or omissions in this report shall not bind or stop the City from enforcing any and all building and zoning codes against the seller, buyer and any subsequent owner. The preparation or delivery of this report shall not impose any liability on the City for any errors or omissions contained in said report, nor shall the City bear any liability not otherwise imposed by law.

Section 7. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 8. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section 9. Directions to Clerk of the Board. The Clerk of the Board is directed to forward this ordinance to the State Building Standards Commission after final passage, as required by Health and Safety Code Section 17958.7. The Clerk is further directed to send a

copy of the finally-passed ordinance to the California Department of Housing and Community Development for informational purposes, as required by Health and Safety Code Section 19165.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130782 **Date Passed:** September 24, 2013

Ordinance amending the Building Code to modify some of the evaluation and retrofit criteria for the Mandatory Earthquake Retrofit Program and add seismic members to the Board of Examiners; amending the Housing Code to require a Report of Residential Building Record (3R Report) to include information on whether a building is included in the program and whether the required upgrade has been completed; adopting environmental findings and findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board to forward the legislation to specified State agencies.

September 09, 2013 Land Use and Economic Development Committee - RECOMMENDED

September 17, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

September 24, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang and Wiener
Absent: 1 - Yee

File No. 130782

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/24/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

10/3/2013
Date Approved

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

130786 **[Fire Code - Repealing, Replacing, and Amending]**

Sponsors: Chiu; Farrell

Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 San Francisco Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward the legislation and associated materials to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

9/17/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

9/24/2013 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang and Wiener
Absent: 1 - Yee

10/3/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

October 07, 2013
Date

Angela Calvillo
Clerk of the Board

FILE NO. 130786 ORDINANCE NO. 200-13

[Fire Code - Repealing, Replacing, and Amending]

Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 San Francisco Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward the legislation and associated materials to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings.

The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources

Code sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130786 and is incorporated herein by reference.

Section 2. General Findings for Repealing and Replacing the Fire Code.

The 2013 San Francisco Fire Code is designed to regulate and govern the safeguarding of life and property from fire and explosions hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises. The 2013 San Francisco Fire Code is also designed to provide for the issuance of permits, inspections, and other Fire Department services, as well as the assessment and collection of fees for those permits, inspections, and services.

Generally, the State of California adopts a new California Fire Code every three (3) years, with the new code going into effect 180 days after publication. The California Fire Code consists of a base model code with amendments made by various State agencies with jurisdiction over the California Fire Code. The 2013 California Fire Code is based on the 2012 International Fire Code.

Local jurisdictions are required to enforce the California Fire Code. In addition, local jurisdictions may enact more restrictive building standards than those set in the California Fire Code, where those more restrictive standards are reasonably necessary because of local conditions caused by climate, geology, or topography. For San Francisco to enact more restrictive standards, the Board of Supervisors must make express findings regarding the local conditions to support the more restrictive provisions. Local amendments to building standards are not effective until the required findings are locally adopted and sent to the California Building Standards Commission.

The California Building Standards Commission recently issued the 2013 California Fire Code. That Code will go into effect on January 1, 2014. A copy of the 2013 California Fire Code is on file with the Clerk of the Board of Supervisors in File No. 130786 and is incorporated herein by reference. The San Francisco Fire Department must enforce the California Fire Code. If San Francisco wishes to impose more restrictive building standards than those set in the California Fire Code, it must do so before the effective date of the 2013 California Fire Code. In addition, State and local law allow local amendments in the interim between code adoptions.

As in past code cycles, San Francisco will repeal its existing Fire Code and enact a new 2013 Fire Code. The current San Francisco Fire Code incorporates by reference the 2010 California Fire Code (Title 24, California Code of Regulations, Part 9) and those portions of the 2009 International Fire Code not promulgated by the California Building Standards Commission, with local amendments adopted by San Francisco.

The 2013 San Francisco Fire Code incorporates by reference the 2013 California Fire Code (Title 24, California Code of Regulations, Part 9), including appendices adopted by the State. In addition, except as expressly deleted, modified, or amended, the 2013 San Francisco Fire Code incorporates by reference those portions of the 2012 International Fire Code that were not adopted by the California Building Standards Commission in the California Fire Code. The 2013 San Francisco Fire Code also includes local amendments specific to San Francisco.

Section 3. Findings Regarding Local Conditions and Directions to Clerk.

The City and County of San Francisco is unique among California communities with respect to local climatic, geological, topographical, and other conditions. Among other things, (1) certain buildings/occupancies in San Francisco are at increased risk for earthquake-

induced structural failure and consequent fire due to local hazardous microzones, slide areas, and local liquefaction hazards; (2) certain buildings/occupancies in San Francisco are at increased risk of fire due to high density of buildings on very small lots, with many buildings built up to the property lines; (3) the topography of San Francisco has led to development of a high density of buildings on small lots, necessitating special provisions for exiting, fire separation, or fire-resistive construction; (4) many buildings are built on steep hills and narrow streets, requiring special safety considerations; (5) additional fire, structural and other protection is required due to high building density and crowded occupancy; and (6) the City is experiencing a surge in high-rise and super-high-rise development, requiring special safety considerations. Because of the great density of buildings, occupants, and pedestrians in San Francisco, fires in San Francisco can be especially devastating.

California Health and Safety Code sections 17958 and 17958.5 allow the City and County to change or modify requirements contained in the provisions published in the California Building Standards Code, including the California Fire Code, when the City determines that those changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions. California Health and Safety Code section 17958.7 provides that before making any such changes or modifications, the governing body must make an express finding that such changes or modifications are reasonably necessary because of specified local conditions, and those findings shall be filed with the California Building Standards Commission. A list of the "Standard Findings for San Francisco Fire Code Amendments" and a "2013 San Francisco Fire Code Findings" providing a section-by-section statement of the reasons for each deviation from the 2013 California Fire Code is set forth in the document entitled "Exhibit A," which is on file in the Board of Supervisor's File No. 130786, and which is hereby declared to be a part of this ordinance as if set forth fully herein.

Pursuant to the applicable California Health and Safety Code sections, the Board of Supervisors finds and determines that the local climatic, geological, and topographical conditions described above constitute a general summary of the most significant local conditions compelling variance from the California Fire Code and any other applicable provisions published by the California Building Standards Commission. Further, the Board of Supervisors finds and determines that, as set forth in Exhibit A, the proposed variances are reasonably necessary based on these local conditions and that these conditions justify more restrictive standards applicable to buildings and occupancies in San Francisco.

Upon enactment of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit this ordinance, including Exhibit A, to the California Building Standards Commission and the State Fire Marshal for filing, pursuant to the applicable provisions of California law.

Section 4. Repeal of 2010 San Francisco Fire Code; Adoption of 2013 San Francisco Fire Code.

The San Francisco Fire Code is hereby repealed in its entirety. The 2010 San Francisco Fire Code being repealed consists of Ordinance 277-10, as amended by Ordinance 238-11, Ordinance 169-12, Ordinance 116-13, and Section 5 of this ordinance if it is enacted. These ordinances are available on the website of the Board of Supervisors.

The repealed 2010 San Francisco Fire Code is being replaced with the following 2013 San Francisco Fire Code. The 2013 San Francisco Fire Code incorporates by reference Title 24, California Code of Regulations, Part 9 (California Fire Code), including appendices adopted by the State. In addition, except as expressly deleted, modified or amended herein, the 2013 San Francisco Fire Code incorporates by reference those portions of the 2012 International Fire Code that were not adopted by the California Building Standards

Commission in the California Fire Code. The San Francisco Fire Code being repealed consists of Ordinance 277-10, as amended by Ordinance 238-11, Ordinance 169-12, and Ordinance 116-13. These ordinances are available on the website of the Board of Supervisors.

The 2013 San Francisco Fire Code is adopted to regulate and govern the safeguarding of life and property from fire and explosions hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided. The 2013 San Francisco Fire Code is also designed to provide for the issuance of permits, inspections, and other Fire Department services, as well as the assessment and collection of fees for those permits, inspections, and services.

The following sections supplement, modify, amend, or delete specified provisions of the 2013 California Fire Code and the 2012 International Fire Code, as follows:

CHAPTER 1 — SAN FRANCISCO GENERAL CODE PROVISIONS

DIVISION 1 – SAN FRANCISCO ADMINISTRATION

The following 2013 San Francisco section replaces the corresponding 2013 California Fire Code section:

1.1.1 [For SF] Title.

These regulations shall be known as the 2013 San Francisco Fire Code, may be cited as such, and will be referred to herein as "this code." This code incorporates by reference the 2013 California Fire Code (Title 24, California Code of Regulations, Part 9), including appendices adopted by the

State. In addition, this code incorporates by reference those portions of the 2012 International Fire Code that were not adopted by the California Building Standards Commission in the California Fire Code, except those portions of the 2012 International Fire Code that are expressly deleted, modified, or amended herein.

1.1.2.1 [For SF] Promotion of General Welfare.

In undertaking the adoption and enforcement of this code, the City and County of San Francisco is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on itself or its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

1.1.8.2 [For SF] Adoption of New Code.

The Chief of the Fire Department shall review all adoptions of the California Fire Code by the California Building Standards Commission. Within 180 days of publication of such adoptions, the Chief shall recommend, through the Fire Commission, to the Board of Supervisors more restrictive standards of this code as are reasonably necessary to accommodate local climate, geological, or topographical conditions. This section does not prohibit amendments to this code in the interim between code adoptions by the California Building Standards Commission.

DIVISION II – ADMINISTRATION

PART 1-GENERAL PROVISIONS

Section 101 is deleted from the International Fire Code.

Sections 102.6 through 102.8, and 102.10 through 102.12 are deleted from the International Fire Code.

Sections 103.1 through 103.3 are deleted from the International Fire Code.

SECTION 104—GENERAL AUTHORITY AND RESPONSIBILITIES

104.1.1 [For SF] Administrative Bulletins.

The Fire Department is authorized to issue Administrative Bulletins that establish or clarify requirements under this code, provide interpretations of this code, and set policies and procedures of the Bureau of Fire Prevention. These bulletins shall be posted on the Fire Department's website.

104.1.2 [For SF] New Administrative Bulletins; Revisions to Existing Administrative Bulletins.

When the fire code official determines that it is appropriate to develop or revise an Administrative Bulletin ("Bulletin"), the Fire Department shall post the proposed new or revised Bulletin on its website for 30 days, and provide notice of that Bulletin to parties who have registered to receive notice on the Department's website. The posting shall include instructions for providing written comments on the proposed Bulletin and notice of a public hearing regarding the proposed Bulletin. The fire code official shall conduct a public hearing on the proposed Bulletin, to obtain public comment. The hearing shall be held after the 30 day posting period. The Fire Commission shall approve any proposed new or revised Bulletin at a noticed meeting. A Bulletin shall not be effective until approved by the Fire Commission. The fire code official and the Fire Commission may amend the proposed Bulletin during the approval process without re-posting the Bulletin for 30 days.

104.6.2.1 [For SF] Inspection Photographs.

The fire code official is authorized to take photographs during inspections as deemed appropriate by the fire code official.

104.10.2 [For SF] Investigation Photographs.

The fire code official is authorized to take photographs during fire investigations as deemed appropriate by the fire code official.

104.10.3 [For SF] Reward.

The Mayor is authorized to offer a reward for the arrest and conviction of any person found guilty of arson or attempted arson according to the California Penal Code.

SECTION 105--PERMITS

The following San Francisco section replaces the corresponding California Fire Code section:

105.1.1 [For SF] Permits Required.

Any person who engages in an activity for which an operational permit is required under section 105.6 shall obtain the appropriate permit from the fire code official prior to engaging in the activity. Any person installing or modifying systems or equipment that require construction permits under section 105.7 shall obtain a building permit from the San Francisco Department of Building Inspection prior to the start of work. Any person applying for a permit shall pay permit fees, as required by section 113, and any fees required by other departments as applicable, prior to the applicable Department issuing the permit. The permit holder shall keep the permit on the premises

designated therein at all times and shall make the permit readily available for inspection by the fire code official.

The following San Francisco section replaces the corresponding California Fire Code section:

105.1.3 [For SF] Multiple Permits for the Same Location.

When more than one Fire Department permit is required for the same location, the fire code official may consolidate the permits into a single permit at the time of issuance. The applicant shall pay a fee for permit consolidation is specified in section 113.2.1.

The following San Francisco section replaces the corresponding International Fire Code section:

105.2.3 [For SF] Time Limitation of Application.

The fire code official is authorized to cancel a permit application when the applicant fails to make corrections or to provide additional information required by the fire code official within 180 days after filing the application.

105.2.5 [For SF] Hearing for Certain Permits.

Certain permit applications are subject to hearings in accordance with San Francisco Business and Tax Regulation Code, Article 1, section 22.

The following San Francisco section replaces the corresponding International Fire Code section:

105.3.1 [For SF] Expiration.

An operational permit shall remain in effect until re-issued, renewed, or revoked or for such a period of time as specified in the permit. Construction permits shall be administered through the San Francisco building permit process in accordance with the San Francisco Building Code. Permits are not transferable and a new permit is required for any change in occupancy, operation, tenancy, or ownership.

105.3.9 [For SF] License.

When San Francisco Business and Tax Regulation Code, Article 1, section 23, requires a license in conjunction with the issuance of a permit, the fire code official shall forward an approved permit to the Tax Collector for issuance.

***Exception**: Permits for permitted activities occurring on Port of San Francisco property are administered separately.*

The following San Francisco section replaces the corresponding California Fire Code section:

105.4.1 [For SF] Submittals.

Construction permit applicants shall submit documents and supporting data in accordance with procedures established in the 2013 San Francisco Building Code and San Francisco Fire Department Administrative Bulletins when applicable.

The following San Francisco section replaces the corresponding California Fire Code section:

105.4.6 [For SF] Retention of Construction Documents.

The building official shall be the custodian of approved construction documents in accordance with procedure established in the San Francisco Building Code.

The following San Francisco section replaces the corresponding California Fire Code section:

105.6.23 [For SF] Hot Work Operations.

An operational permit is required for hot work including, but not limited to:

1. *Public exhibitions and demonstrations where hot work is conducted.*
2. *Use of portable hot work equipment inside a structure.*

   ***Exception:** Work that is conducted under a construction permit.*
3. *Fixed-site hot work equipment such as welding booths.*
4. *Hot work conducted within a wildfire risk area.*
5. *Application of roof coverings and any other associated work while roofing or waterproofing the exterior surfaces of a building with the use of an open-flame device.*
6. *When approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employee or hot work operations under their supervision.*

The following San Francisco section replaces the corresponding International Fire Code section:

105.6.27 [For SF] LP-Gas.

An operational permit is required for storage and use of LP-gas.

***Exception**: A permit is not required to use one LP-fueled cooking device per building or to store one additional cylinder with a 20 lb. (9.1-kg) aggregate water capacity outside of the building of residential occupancies. See section 308.1.4 for additional requirements.*

The following San Francisco section replaces the corresponding International Fire Code section:

105.6.31 [For SF] Open Flame and Torches.

An operational permit is required to use a torch or open-flame device in a wildfire risk area.

105.6.48. [For SF] Operational Permits for Battery Systems.

An operational permit is required for stationary storage systems having a liquid capacity of more than 50 gallons (189L). See section 608.

105.7.17 [For SF] Car Stacking Parking Systems.

A construction permit is required to install car stacking parking systems in buildings.

Section 108 is deleted from the International Fire Code.

SECTION 109 –VIOLATIONS

Section 109 of the California Fire Code is replaced with the following San Francisco section:

109.1 [For SF] Unlawful Acts.

(a) It shall be unlawful for a person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain a building, occupancy, premises, system, or vehicle, or any portion thereof, or cause the same to be done, in violation of any of the provisions of ***this code.***

(b) It shall be unlawful for a person to engage in any activity for which a permit is required under this code without the required permit, or to engage in any activity in violation of conditions set in a permit issued under this code.

109.2 [For SF] Person Responsible.

(a) Except as provided in subsection (c), the person responsible for a violation that pertains to a building, occupancy, premises, system, or vehicle is the owner of the building, occupancy, premises, system, or vehicle.

(b) The person responsible for a violation that pertains to an activity conducted without a permit required under this code or in violation of a permit issued under this code is the person engaging in that activity, except that if the person engaging in the activity is the employee of a business and is performing the activity in the course and scope of his or her employment, and/or the owner of the business is the person responsible.

(c) The person responsible for a violation of section 107.5 or section 1030.2 is the owner of the business operating at the building or premises.

109.3 [For SF] Remedies Available.

The fire code official may enforce the provisions of this code by: issuing a notice of violation under section 109.4; issuing an administrative citation under section 109.5; and issuing criminal penalties under section 109.6.

109.4 [For SF] Notice of Violation.

(a) When the fire code official finds a building, occupancy, premises, system, or vehicle, or any portion thereof, that is in violation of this code, the fire code official may prepare a written notice of violation, which shall identify the code sections violated, describe the violation, and, where applicable, require correction of the violation. When correction is not immediate, the notice of violation shall specify a time for compliance and re-inspection.

(b) When the fire code official finds a person performing any activity requiring a permit under this code without the required permit, or conducting an activity in violation of conditions set in a permit issued under this code, the fire code official may prepare a written notice of violation, which shall identify the code sections violated and describe the violation. In addition, the fire code official may issue a stop work order under section 111, requiring the person to immediately cease performing the activity.

109.4.1 [For SF] Service of Notice of Violation.

(a) When a notice of violation pertains to a specific building, occupancy, premises, system, or vehicle, the fire code official shall serve the notice of violation upon the owner of the building, occupancy, premises, system, or vehicle as follows: by personal service, by regular U.S. mail and certified or registered mail, or by leaving it with a person of responsibility at the building or premises.

(b) When a notice of violation pertains to a person engaged in an activity for which a permit is required without the required permit, or in violation of a permit issued under this code is the person

engaging in that activity, the fire code official shall serve the notice of violation upon the person responsible for the activity as follows: by personal service, by regular U.S. mail and certified mail, or by leaving it with a person of responsibility at site of the activity.

(c) Service by certified or registered mail is effective on the date of mailing if the certified or registered letter is mailed, postage prepaid, return receipt requested, to the person responsible at that person's current address as listed with the Assessor's Office. If the Assessor's Office records do not include an address for a person entitled to notice, then the fire code official shall serve that person by mailing the letter to the address of the building, occupancy, premises, or system involved in the proceedings.

109.4.2 [For SF] Re-Inspection Fee.

When the fire code official issues a notice of violation and sets a date for compliance and re-inspection to certify compliance with code requirements, the fire code official shall charge a fee for the re-inspection and the person responsible shall pay that fee.

109.4.3 [For SF] Hearing on Notice of Violation.

(a) If the person responsible to correct a violation fails to do so within the time period specified in the notice of violation, the fire code official may set the matter for hearing.

(b) Notice of hearing. If the fire code official determines to set the matter for hearing, the fire code official shall serve a notice of hearing that provides at least 30 day notice of the hearing. The notice shall include the following information: (1) the street address of the building, occupancy, premises, or system that is in violation of the code, or the date and location of any activity conducted without a required permit or in violation of permit conditions; (2) the date, hour and place of the hearing; (3) a statement that the hearing is an opportunity to appear before the fire code official to show cause why the fire code official should not order the building, occupancy, premises, or system

repaired or altered to be brought into compliance with code, or vacated or demolished, or require a permit or compliance with permit requirements; (4) a warning that describes the penalties for violation as set forth in subsection (k) below and section 109.4.4; and (5) a copy of the notice of violation.

(c) Service of hearing notice. The fire code official shall serve the notice of hearing on each of the following persons: (1) the person, if any, in real or apparent charge and control of the building, occupancy, premises, or system, or responsible for any activity; (2) the owner of record of any building, occupancy, premises, or system, or where an activity occurred; (3) the holder of any mortgage, deed of trust, lien or encumbrance of record; (4) the owner or holder of any recorded lease; and (5) the holder of any other recorded estate or interest in the building, occupancy, premises, or system, or the land upon which it is located. The fire code official shall include an affidavit or declaration under penalty of perjury, certifying to the time and manner in which the notice was served. The fire code official shall serve the notice of hearing as follows: by personal service; or by regular U.S. mail and certified or registered mail. Service by certified or registered mail is effective on the date of mailing if the certified or registered letter is mailed, postage prepaid, return receipt requested, to each person entitled to notice as that person's address appears on the last annual tax roll of the county or at the address to which the Tax Collector mailed the most recent real property tax bill for the building, occupancy, premises, or system. If the annual tax roll or the Tax Collector records do not include an address for a particular person entitled to notice, then the fire code official shall serve the notice to that person at the address of the building, occupancy, premises, or system involved in the proceedings. The failure of any owner or other person to receive a notice of hearing shall not affect in any manner the validity of any proceeding taken or order issued under this section.

(d) Posting of notice. The fire code official shall ensure that a copy of the notice of hearing and notice of violation is posted in a conspicuous place on the building or property, and at the location of the hearing. The notice shall be posted at both locations at least 10 days before the date set for the hearing.

(f) Hearing. The fire code official or designee shall conduct a public hearing on the matter, at the date, time and location specified in the notice of hearing. The fire code official or designee may continue the hearing for good cause, except that any continuance shall not exceed 30 days, and only one continuance is allowed. Subject to any procedures prescribed by the fire code official for the orderly conduct of the hearing, the fire code official may permit persons with an interest in the building, occupancy, premises, or system, or with knowledge of facts material to the allegations of the notice of violation, to present evidence for the fire code official to consider. The fire code official shall promulgate procedures for implementation of the hearing.

(g) Decision and order. The fire code official shall give full and fair consideration to the evidence received at the hearing, and within 30 days of the conclusion of the hearing, shall issue a written decision either: (1) finding no violation and issuing an Order of Rescission that withdraws the notice of violation and dismisses the proceedings; or (2) finding that the building, occupancy, premises, or system, or any portion thereof, is in violation of this code and ordering that the person responsible take action as ordered by the fire code official to bring the building, occupancy, premises, or system into compliance with this code. The order may also direct that the building, occupancy, or premises be vacated pending compliance with the requirements of this code. Any order to correct a violation of this code or to vacate a building, occupancy or premises shall include the following: the street address of the building, occupancy, premises, or system; findings and conclusions about the specifics of the violations and the code section violated; a statement of work the person responsible must perform to remedy the violation and, if applicable, an order to vacate; and time requirements for compliance with the order. The fire code official shall require the person responsible to commence work required under the order within not more than 30 days from the date of the decision, and shall set a reasonable period of time, not to exceed six months from commencement, for the person responsible to complete the required work.

(h) Service of, posting, and recording decision. The fire code official shall serve the decision and order on the persons and in the manner specified in subsection (c) above. The fire code official shall post the decision and order in the manner specified in subsection (d) above. The fire code official shall record the decision and order in the Assessor-Recorder's Office.

(i) The person responsible may submit a written application to extend the date to commence work required under the decision and order or to extend the date to complete required work. The fire code official may grant a request to extend the time to commence or to complete work, for good cause shown, only where there is no imminent risk to life or property, and for a time not to exceed 90 days.

(j) Compliance, Order of Compliance. When the fire code official determines that the person responsible has completed all work required under the order, and that the building, occupancy, premises, or system complies with the requirements of this code, the fire code official shall issue an Order of Compliance, acknowledging that the person responsible has complied with the original order. The fire code official shall serve and post the Order of Compliance, and file it in the Assessor-Recorder's Office.

(k) Penalties for disregarding order. Any person responsible who fails to comply with an order under this section shall be guilty of a misdemeanor as set forth in section 109.6. Any person in possession who fails to comply with an order to vacate shall be guilty of a misdemeanor as provided in section 109.6. Any person who removes any notice or order posted as required in this section shall be guilty of a misdemeanor as provide in section 109.6.

109.4.4 [For SF] Civil Action and Penalties.

Any person violating this code, or who violates, disobeys, omits, neglects or refuses to comply with any notice of violation or decision and order under this code, shall be liable for a civil penalty of up to $1,000 for each day the violation is committed or permitted to continue, in addition to attorney's fees and costs, which penalty shall be assessed and recovered in a civil action brought by the City and

County of San Francisco in any court of competent jurisdiction. In assessing the amount of the civil penalty, the court shall consider any one or more of the relevant circumstances presented by any of the parties to the case, including but not limited to, the following: the nature and seriousness of the misconduct, the number of violations, the persistence of the misconduct, the length of time over which the misconduct occurred, the willfulness of the defendant's misconduct, and the defendant's assets, liabilities and net worth. Any penalties imposed pursuant to this section shall be paid to the City Treasurer and credited to the Fire Department. The remedies in this section are in addition to any other remedies provided by law. No provision in this section shall preclude prosecution of actions for criminal penalties concurrently, sequentially, or individually.

109.4.5 [For SF] Presumption of Noncompliance.

Notwithstanding any other provision of this code, any person served with a notice of violation that sets a date to correct the violations shall be presumed, in civil proceedings, to have failed to comply with that notice of violation if the date to correct the violation has passed without correction of the violation.

109.5 [For SF] Administrative Citations.

Violations of this code may be punishable by administrative citation. Chapter 100 of the San Francisco Administrative Code is herein incorporated in its entirety and shall govern the amount of fees and the procedure for imposition, enforcement, collection and administrative review of administrative citations under this section, except that the amount of the penalties for the code sections set in section 109.5.2 shall be the amount specified in that section, and all fines shall be allocated as specified in section 109.5.3.

109.5.1 [For SF] City Employees Who May Issue Administrative Citations.

The City employees specified in section 109.7 may issue administrative citations for any violation of this code.

109.5.2 [For SF] Fines for Administrative Citations for Specific Code Violations.

The fine for violation of sections 105.1.1, 107.5, 111.4, 907.7.4 and 1030.2shall be ***$1000.***

109.5.3 [For SF] Allocation of Administrative Citation Fines.

All fines and late payment fees shall be payable to the Fire Department and shall be used to support fire safety and prevention programs.

109.6 [For SF] Criminal Penalties.

Pursuant to California Government Code section 36900, any person who violates, disobeys, omits, neglects, or refuses to comply with any of the provisions of this code or any lawful order issued under this code shall be guilty of an infraction or a misdemeanor. The fire code official shall determine, and the citation shall specify, whether the violation charged is a misdemeanor or an infraction. If charged as an infraction, the penalty shall be a fine not to exceed $100 for a first violation, not to exceed $500 for a second violation of the same section or subsection within one year of the date of the first violation, and not to exceed $1,000 for each additional violation of the same section or subsection within one year of the date of the second or any subsequent violation. If charged as a misdemeanor, the penalty shall be a fine of not less than $500 or more than $1,000 or imprisonment in the county jail not exceeding six (6) months, or both fine and imprisonment, no part of which may be suspended. Every day such violation, disobedience, omission, neglect or refusal continues is a new offense. Any person engaging in any work in violation of the provisions of this code, and any person having charge of such work who permits it to be done, shall be liable for the penalty provided.

109.7 [For SF] Designated Officers and Employees.

Pursuant to California Penal Code section 836.5, the classes of officers or employees of the City and County of San Francisco listed below are empowered to enforce all provisions of this code against violations as a misdemeanor or infraction by exercising arrest and citation authority:

Classification No.	*Class Title*
H-51	*Assistant Deputy Chief II*
H-50	*Assistant Chief*
H-40	*Battalion Chief*
H-32	*Captain Division of Fire Prevention and Investigation*
H-30	*Captain*
H-24	*Lieutenant Bureau of Fire Investigation*
H-22	*Lieutenant Bureau of Fire Prevention*
H-20	*Lieutenant*
H-10	*Chief's Aide*
H-6	*Investigator*
H-4	*Fire Inspector*
6281	*Fire Safety Inspector II*
5215	*Fire Protection Engineer*

109.8 [For SF] Civil Action to Recover Costs.

Under California Health and Safety Code section 13009, any person who negligently, or in violation of the law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to escape onto any public or private property is liable for the fire suppression costs incurred in fighting the fire and for the cost of providing rescue or emergency medical services, and those costs shall be

charged against that person. The City and County of San Francisco may initiate a civil action in any court of competent jurisdiction to recover all amounts authorized under Health and Safety Code section 13009 and section 13009.1. Any amounts recovered shall be paid to the City Treasurer and credited to the Fire Department.

SECTION 111—STOP WORK ORDER

The following San Francisco section replaces the corresponding California Fire Code section:

111.4 [For SF] Failure to Comply.

Any person who continues any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this code.

SECTION 112 — SERVICE UTILITIES

The following San Francisco section replaces the corresponding International Fire Code section:

112.1 [For SF] Authority to Disconnect Service Utilities.

The fire code official may order disconnection of utility service to a building, structure, or system in order to safely execute emergency operations or to eliminate an immediate hazard.

SECTION 113 – FEES

The following San Francisco section 113 replaces the corresponding International Fire Code section 113:

113.1 [For SF] General.

The Fire Department shall assess fees in accordance with the provisions of this section.

113.2 [For SF] Operational Permit Filing Fees.

The filing fee for operational permits is set forth in Table 113-A. Inspections necessary for permit issuance that require more than two hours to complete shall be subject to an additional fee of $115.00 for each hour. The Fire Department shall not issue a permit until the fees are paid.

113.2.1 [For SF] Consolidation of Operational Permits Fee.

The fee for consolidation of operational permits is $90.00 for each activity added to the original permit.

113.2.2 [For SF] Posting Fee.

The fee for posting notice of application for certain permits are set in the San Francisco Business and Tax Regulation Code, Article I, section 27.

113.2.3 [For SF] Permit Fees for Vendors at Street Fairs Involving Temporary Street Closures (ISCOTT).

Permit fees for vendors at street fairs involving temporary street closures are set in the San Francisco Transportation Code, Division 1, Article 6, section 6.6.

113.3 [For SF] Construction Permit Fees.

The Central Permit Bureau at the Department of Building Inspection collects construction permit (building permit) fees in accordance with the San Francisco Building Code. When the Fire Department conducts plan review for buildings or portions of buildings under its authority, the Department will assess plan review fees in accordance with section 113.4. When the Fire Department conducts inspections for buildings or portions of buildings under its authority, the Department will assess inspection fees in accordance with section 113.5.

113.4 [For SF] Plan Review Fees.

Upon application for a permit for the erection of a new building or for alteration work for which plans are required by the Department of Building Inspection, the Central Permit Bureau shall charge and collect a fee to compensate the Fire Department for its costs of reviewing plans submitted with building permit applications for compliance with fire safety regulations. The fee shall be based on the valuation of the work as determined by the Department of Building Inspection. The fee for each permit is set in Table 113-B. The Fire Department shall assess a fee in the amount of $115.00 per hour to review revisions to any previously approved plans. The Central Permit Bureau shall collect the fee before issuing the permit.

113.5 [For SF] Field Inspection Fees.

When the Fire Department determines a field inspection is required to verify that building construction is in compliance with fire safety regulations and this code, it shall notate the application accordingly to provide notice to the Central Permit Bureau. The Central Permit Bureau shall collect the inspection fee due, before issuing a building permit. The fee for each permit is set in Table 113-C. Initial field inspection fees will be charged for inspections of new fire alarm, sprinkler, and gaseous suppression systems per the notation in Table 113-C.

After building permit issuance, when the fire code official notifies the applicant that additional inspection time is required over the amount of time set in Table 113-C, the applicant shall purchase additional inspection time before the inspector schedules additional inspections. The Fire Department shall collect a fee of $115.00 per hour for the cost of providing the inspection service.

113.6 [For SF] Pre-Application Plan Review.

When an applicant wishes to discuss specific design issues or submit preliminary designs for review and comment by the Fire Department before the applicant submits a formal application for permit, the Fire Department shall asses a fee of $230.00. This fee provides the applicant with up to two hours for research and meeting with Fire Department personnel. When the time spent by the Fire Department exceeds two hours, the Department shall assess additional fees at the rate of $115.00 per hour.

113.7 [For SF] Re-Inspection of Violation Fees.

If the fire code official issues a notice of violation under this code, the notice of violation may set a period of time that is reasonable to remedy the violation and the fire code official may re-inspect the property to verify that the person responsible has made the required correction. The Fire Department shall collect a fee in the amount of $230.00 for re-inspections. If the time required for the re-inspection exceeds one hour, the Fire Department shall assess an additional fee at the rate of $115.00 per hour.

113.8 [For SF] High-Rise Inspection Fees.

For inspections of high-rise structures pursuant to section 13217 of the California Health and Safety Code, the owner of the structure shall pay a fee to cover the Fire Department's costs of

inspection. The Department shall calculate the fee on the basis of $12.00 per 1000 square feet of gross floor area.

113.8.1 [For SF] Gross Floor Area.

For purposes of this section, the term "gross floor area" is defined as the entire area of each floor, attic, basement or shaft of a building included within the exterior walls of a building, including any portion not included within the exterior walls that is under the horizontal projection of the roof or floor above.

113.9 [For SF] Referral Fees.

If a government agency requests a preliminary site inspection or survey of a premise for compliance with this code or other regulatory codes enforced by the Fire Department, the Fire Department shall collect a service fee of $115.00 per hour for the on-site inspections and consultations. When the referral inspection is requested by another San Francisco agency, the requesting agency shall transfer the fee to the Fire Department through electronic transfer. The requesting agency shall pay the fee before scheduling the inspection or consultation. Fees referenced in the California Health and Safety Code take precedence over this fee.

113.10 [For SF] Overtime Fee.

If a person requests an inspection or other service that requires the assigned Fire Department employee to work outside of the employee's normal working schedule, the Department will charge an overtime fee of $133.00 per hour. The person requesting the services shall pay the fee before the inspection or other service is performed. The minimum compensation is four hours.

113.11 [For SF] Collection of Other Fees.

The fire code official may collect fees as required by other portions of the San Francisco Municipal Code for services by other City departments pertinent to the issuance of permits required by this code.

113.12 [For SF] Water Flow Request Fee.

Upon a request from a person for water flow information, the Department will charge a water flow fee of $115.00. If the information requested requires that Fire Department employees perform an on-site water flow test, the Department will charge a fee of $230.00.

113.13 [For SF] False Alarm Fees.

The Fire Department shall charge a service fee of $250 for each false fire alarm to which the Department responds after the first two false fire alarms at that address within any calendar year. The Fire Department shall charge a service fee of $500 for each false fire alarm to which the Department responds after the first five false fire alarms at that address within any calendar year. The fire code official may waive the false alarm fee for good cause as determined by the Chief. The Fire Department shall send notice of the fee to the responsible person, requiring payment within 30 days of the date of the notice.

113.14 [For SF] Residential Apartment/Hotel Inspection Fee.

The Fire Department shall charge an inspection fee of $157.00 to inspect buildings under the R1 and R2 Residential Apartment/Hotel Inspection Program.

113.15 [For SF] Voluntary Seismic Retrofit Fee Waiver.

Notwithstanding the fees established herein, if a project involves voluntary seismic retrofit upgrades to soft-story, wood-frame buildings, as defined by the Director of the Department of Building Inspection, the project applicant is exempt from the proportionate share of plan review fees specified under this code that related to the retrofit work.

113.16 [For SF] Cost Recovery Related to Vehicle Incidents.

(a) The Fire Department may submit a claim to recover its reasonable costs incurred responding to a motor vehicle incident in the City and County of San Francisco where a person has willfully or negligently caused or permitted the contents of a motor vehicle to be deposited on a street or highway, or its appurtenances, and the Fire Department removes those vehicle contents from the street or highway, or its appurtenances. Vehicle contents may include gas, oil and vehicle debris. The Fire Department shall submit the claim to the insurance company of the person responsible for willfully or negligently causing or permitting the vehicle contents to be deposited on the street or highway, or its appurtenances.

(b) The Fire Department shall submit claims in the following amounts:

Description of Incident	*Charge*
One suppression unit provided vehicle content removal (one hour or less)	*$249*
Two or more suppression units provided vehicle content removal (one hour or less)	*$498*
Any incident where the vehicle content removal exceeds one hour	*An amount based on the reasonable time and materials costs incurred*

(c) After a noticed hearing, the Chief of the Fire Department may promulgate rules to effectuate the purposes of this section or to facilitate the claim process.

113.17 reserved.

113.18 reserved.

113.19 reserved.

113.20 reserved

113. 21 [For SF] Fee-Setting Procedure.

No later than a date that the Controller shall prescribe, the Chief of the Department shall annually report the revenues received from each type of fee the Department collects. The report shall include the costs, both direct and indirect, the Department incurs in providing the services for which each fee is assessed, the anticipated costs for the ensuing fiscal year, the level of service the Department anticipates it will provide for each service for which it charges a fee, and the rate that would be necessary to support each service. The Controller shall file the report with the Board of Supervisors no later than July 1st of each year. If the fees are insufficient to recover SFFD costs, or if the fee recovers more than the actual costs, the Controller shall submit legislation to the Board of Supervisors to ensure that over time the City fees do not exceed the cost of providing the service for which the City charges the fee. The amount of the license fee for the Fire Department permit for the 2011-2012 fiscal year shall be as set forth in the Business and Tax Regulations Code Section 75 et seq.

TABLE 113-A — OPERATIONAL PERMIT FEES

TYPE OF PERMIT	*FEE*
Aerosol Products, Regulated Activities	*$330.00*
Amusement Buildings, Operation	*$330.00*
Aviation Facilities, Regulated Activities	*$330.00*
Aviation Facilities, Aircraft Refueling Vehicle	*$330.00*
Battery System, Operation	*$330.00*

Carnivals and Fairs, Operation		*$330.00*
Cellulose Nitrate Film, Regulated Activities		*$330.00*
Combustible Dust-Producing Operations		*$330.00*
Combustible Fiber, Regulated Activities		*$330.00*
Combustible Material, Regulated Activities		*$330.00*
Compressed Gas, Regulated Activities		***$330.00***
~~*Conditional Use*~~		~~*$90.00*~~
Covered Mall Buildings, Operation		*$330.00*
Cryogenic Fluids, Regulated Activities		*$330.00*
Dry Cleaning Plant, Operation		*$330.00*
Exhibits and Trade Shows, Operation		*$330.00*
Explosives, Regulated Activities		*$330.00*
Fireworks, Display		*$330.00*
Firefighter Air Systems, Maintenance		*$330.00*
Flammable and Combustible Finishes, Application of		*$330.00*
(Including Floor Finishes)		
Flammable or Combustible Liquids, Regulated Activities		***$330.00***
Fruit and Crop Ripening		*$330.00*
Fumigation and Thermal Insecticidal Fogging		*$330.00*
Hazardous Materials, Regulated Activities		*$330.00*
Hazardous Production Material (HPM) Facilities		*$330.00*
High-Piled Storage		*$330.00*
Hot Work Operations, Regulated Activities		*$330.00*
Industrial Ovens		*$330.00*
Liquefied Petroleum Gases, Regulated Activities		*$330.00*

Live Audience, Production Facility, Studio, Sound Stage	*$330.00*
Lumberyards and Woodworking Plants	*$330.00*
Magnesium Processing	*$330.00*
Open Burning	*$330.00*
Open Flame and Candles in Assembly Areas	*$330.00*
Organic Coating, Manufacturing	***$330.00***
~~*Place of Assembly*~~	~~*$330.00*~~
Place of Assembly-Permanent Occupancy for Non-Profit Group	*$0.00*
Pyrotechnic Special Effects Material	*$330.00*
Pyroxylin Plastics	*$330.00*
Refrigeration Equipment	*$330.00*
Repair Garages and Motor Fuel Dispensing Facilities	*$330.00*
Rooftop Heliports	*$330.00*
Temporary Membrane Structures and Tents	*$330.00*
Tire Storage	*$330.00*
Tire Rebuilding Plants	*$330.00*
Waste Handling, Regulated Activities	*$330.00*

TABLE 113-B — PLAN REVIEW FEES

VALUATION	*FEE*
$1.00 TO $2,000	*$65.46 for the First $1,000 or less plus $64.472 for each additional $1,000.00 or fraction thereof, to and including $2,000.00*

$2,001 TO $50,000	*$129.93 for the First $2,000 or less plus $12.451 for each additional $1,000.00 or fraction thereof, to and including $50,000.00*
$50,001 TO $200,000	*$727.56 for the First $50,000 or less plus $4.996 for each additional $1,000.00 or fraction thereof, to and including $200,000.00*
~~*$200,001 TO $500,000*~~	~~*$1,477.03 for the First $200,000 or less plus $2.329 for each additional $1,000.00 or fraction thereof, to and including $500,000.00*~~
$500,001 TO $1,000,000	*$2,175.71 for the First $500,000 or less plus $1.554 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00*
$1,000,001 TO $5,000,000	*$2,952.95 for the First $1,000,000 or less plus $1.1818 for each additional $1,000.00 or fraction thereof, to and including $5,000,000.00*
$5,000,001	*$7,680.20 for the First $5,000,000 or less plus $0.596 for each additional $1,000.00 or fraction thereof*

NOTATION TO TABLE 113-B:

EVACUATION SIGNAGE: Plan review beyond thirty minutes will be assessed at an hourly rate of $115.00 per hour.

TABLE 113-C — FIELD INSPECTION FEES (See notation for additional fees)

VALUATION		*FEE/INSP. TIME CREDIT*
Over	*Not More Than*	
$0	*$10,000*	*$115.00 ONE HOUR*
$10,001	*$50,000*	*$230.00 TWO HOURS*
$50,001	*$500,000*	*$345.00 THREE HOURS*
$500,001	*$5,000,000*	*$575.00 FIVE HOURS*
$5,000,001	*$10,000,000*	*$1150.00 TEN HOURS*
$10,000,001	*$25,000,000*	*$2300.00 TWENTY HOURS*
$25,000,000		*$3450.00 THIRTY HOURS*

NOTATION TO TABLE 113-C:

NEW FIRE ALARM SYSTEMS	*$230.00 TWO HOURS*
NEW SPRINKLER SYSTEMS	*$345.00 THREE HOURS*
NEW GASEOUS SUPPRESSION SYSTEMS	*$230.00 TWO HOURS*

This initial minimum inspection fee covers all inspections up to the hours specified above. If the inspections for the new system exceed the hours specified above, additional hourly fees will be assessed.

SECTION 114 [For SF] — FEE COLLECTION

This section does not exist in the California Fire Code or International Fire Code.

114.1 [For SF] Collection of Fees.

For services that are conducted before the collection of fees, the Department shall proceed in accordance with this section.

114.1.1 [For SF] First Notice.

***When fees are due under sections 113.7, 113.8, 113.13, or 113.14, the Department shall send** the responsible person a notice of payment due.*

114.1.2 [For SF] Second Notice.

If the Fire Department does not receive full payment within 60 days after it sent a notice of payment due pursuant to section 114.1.1, the Department shall sent a second notice of payment due to the responsible person. That written notice shall state that the responsible person is liable for the payment of the fee indicated on the notice and provide notice that if payment of the Fire Department does not receive the fee within 30 days of the mailing date of the second notice, a penalty of 10 percent plus interest at the rate of one percent per month on the outstanding balance shall be added to the fee indicated on the notice from the date that notice of payment due was sent under section 113.

114.1.3 [For SF] Report to Bureau of Delinquent Revenue Collection.

If the Department does not receive payment within 30 days following mailing of the second notice, the Department may report all accounts receivable over $300 to the Bureau of Delinquent Revenue Collection in accordance with San Francisco Administrative Code, Chapter 10, Article V. Accounts receivable under $300 shall be administered in accordance with Administrative Code section 10.41-1.

CHAPTER 2 — DEFINITIONS

The following San Francisco definition replaces the corresponding International Fire Code definition in section 202:

[For SF] STANDPIPE SYSTEM, CLASSES OF. A standpipe system is a wet system of piping, valves, outlets and related equipment designed to provide water at specified pressures and installed exclusively for the fighting of fires, including the following:

Class I is a standpipe system equipped with 3-inch (76.2 mm) outlets.

Class II is a standpipe system directly connected to a water supply and equipped with 1½-inch (38.1 mm) outlets and hose.

Class III is a standpipe system directly connected to a water supply and equipped with 3-inch (76.2 mm) outlets or 3-inch (76.2 mm) and 1½-inch (38.1 mm) outlets when a 1½-inch (38.1 mm) hose is required. Hose connections for Class III systems may be made through 3-inch (76.2 mm) hose valves with easily removable 3-inch by 1½-inch (76.2 mm by 38.1 mm) reducers.

CHAPTER 3 — GENERAL PRECAUTIONS AGAINST FIRE

SECTION 308—OPEN FLAMES

The following San Francisco section replaces the corresponding International Fire Code section:

308.1.3 [For SF] Torches for Removing Paint.

The use of torches or other flame-producing devices to remove paint is prohibited.

The following San Francisco section replaces the corresponding International Fire Code section:

308.1.6.2 [For SF] Portable Fueled Open-Flame Devices.

Portable open-flame devices fueled by flammable or combustible gases or liquids shall be ***enclosed or installed in such a manner as to prevent the flame from contacting combustible material.***

Exceptions:

1. LP-gas-fueled devices used for sweating pipe joints in accordance with Chapter 61.

2. Hot work and cutting and welding operations in accordance with Chapter 35.

3. Candles and open-flame decorative devices in accordance with section 308.3.

Section 308.2 is deleted from the International Fire Code.

SECTION 316—HAZARDS TO FIREFIGHTERS

316.3.1 [For SF] Barbed or Razor Wire.

Barbed or razor wire shall not be on or attached to any fire escape, dry standpipe or other fire extinguishing facility, fence, parapet, roof surface, or any other place on a building or structure where it might hinder or obstruct firefighters in performing their duties. Where barbed or razor wire is on or attached to any location, structure or surface specified in this section, it shall be removed.

***Exception**: Barbed or razor wire may be installed on fences provided it does not obstruct or hinder egress, rescue operations, or access to hazardous areas, as determined by the fire code official, in the event of fire or other emergency.*

316.7 [For SF] Signage for Buildings with Certain Types of Construction.

If a building has roofs or floors of composite wood joist or truss construction, the owner shall post a sign specifying this type of construction. The sign shall be located adjacent to the main entrance door or in a location(s) as required by the fire code official. The sign shall comply with San Francisco Fire Department Administrative Bulletin 5.05.

CHAPTER 4 — EMERGENCY PLANNING AND PREPAREDNESS

Sections 404, 405, 406, and 408 of the International Fire Code and California Fire Code are deleted.

The following three San Francisco sections replace the corresponding International Fire Code sections:

404.1 [For SF] State of California Requirements.

Emergency plans and preparedness shall be provided in accordance with Title 19, California Code of Regulations, and California Health and Safety Code, section 13220.

404.2 [For SF] Fire Safety Director.

Owners of buildings having floors used for human occupancy located more than 75 feet above the lowest level of Fire Department access are responsible to provide or employ a fire safety director. The fire safety director shall possess a current and valid certificate of completion of an approved fire safety director training program. A certificate of completion shall be valid for not more than five years.

404.3 [For SF] Emergency Procedures Information.

Emergency procedures information required by the California Code of Regulations, Title 19, section 3.09, shall comply with San Francisco Fire Department Administrative Bulletin 2.11.

CHAPTER 5 — FIRE SERVICE FEATURES

SECTION 503 —FIRE APPARATUS ACCESS ROADS

503.4 [For SF] Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Subject to Health and Safety Code Sections 13104, 13108, 13114. 18941.5, and California Fire Code Sections 1.11.2, 104.1 and 503, the portion of the sidewalk or median, immediately adjoining and extending into a roadway that has no utility pole, street light, street furniture, fire hydrant, trees, shrubbery, or other structure or natural growth attached thereto and that has a height that does not exceed six inches above the roadway shall not constitute an obstruction of a fire apparatus access road. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

SECTION 504—ACCESS TO BUILDING OPENINGS AND ROOFS

504.2.1 [For SF] Breakable Window Marking.

Red reflectors shall be installed to indicate the location of existing breakable, tempered glass windows required under previous codes. Reflectors inside buildings shall be at least 1½ inches (381 mm) in the least dimension. They shall be on the glass and within 6 inches (1524 mm) of a lower corner of the pane. Reflectors outside buildings shall be at least 3 inches (762 mm) in the least dimension.

They shall be placed on the wall below the lowest window in each vertical line of windows containing tempered glass. A 24-inch (609-mm) clear space shall be maintained around the reflectors.

504.3.1 [For SF] Access to Roofs With Doors and Hatches.

Doors and hatches to a roof must be able to be opened from the inside without the use of a key, code or any special knowledge.

Exceptions:

1. Doors that can be unlocked upon a signal from a central control station or other unlocking system approved by the fire code official. Upon failure of electrical power, the locking mechanisms shall retract to the unlocked position.

2. Doors may be locked when approved by the fire code official.

504.5 [For SF] Identification on Steel Doors.

When rolling steel shutters or similar steel doors are located on any building or structure and there is no easily accessible opening giving access to the building or structure within 25 feet (7620 mm) of the shutter or door, an approved marking shall be affixed on the shutter or door designating or outlining an area which, when removed by burning or cutting, will give access to locking devices, hoisting chains or other devices that control the operation of the shutter or door.

SECTION 506—KEY BOXES

506.2.1 [For SF] Key Box Installation and Maintenance.

Key boxes shall be installed and maintained in accordance with San Francisco Fire Department Administrative Bulletin 5.09.

SECTION 507—FIRE PROTECTION WATER SUPPLIES

The following San Francisco section replaces the corresponding California Fire Code section:

507.4 [For SF] Water Flow and Supply Information.

The Fire Department will provide water flow and supply information when requested by the applicant. The Department shall assess fees for this service as stated in section 113.12.

507.6 [For SF] Other Water Supplies.

Water tanks or pools within, on or about any building premises shall be connected with approved 6-inch (152-mm) pipe leading from the bottom of the tank to a point designated by the fire code official. Piping for tanks located at or below grade shall be designed and installed for drafting by Fire Department apparatus.

Exceptions:

1. Industrial process water tanks.

2. Tanks or pools with a capacity of less than 75,000 gallons (94.6 m3).

3. Tanks or pools used to supply automatic fire sprinkler systems.

4. Water tanks or pools installed in R3 Occupancies.

SECTION 508—FIRE COMMAND CENTER

508.1.5.1 [For SF] Local Additional Features.

The fire command center shall contain the following additional features:

1. The stock of spare sprinklers required by National Fire Protection Association ("NFPA") 13 (2013).

2. Permanent signage with the name and telephone number of the applicable elevator service company.

3. Building contact phone numbers.

4. Utility shut-off location map.

5. Public address system instructions.

6. Smoke control system procedures.

7. Sprinkler shut-off valve and standpipe isolation valve locations.

8 . Emergency evacuation/relocation procedures, location of tenant areas of refuge, and location of any tenants requiring evacuation assistance.

9. Hazardous materials inventory statement and management plan, when required by the fire code official.

SECTION 511 — LOCAL FIRE SAFETY FEATURE REQUIREMENTS

511.2 [For SF] Local Standards for High-Rise Buildings and Tunnels.

Except as stated in the next paragraph, an approved air replenishment system shall be installed in all buildings having floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of Fire Department vehicle access. This requirement shall apply for all buildings meeting this definition when the building permit application for construction was made after March 30, 2004.

***Exception**: All buildings that are covered by this section but that are equipped with a fire service access elevator pursuant to California Building Code section 3007 are not required to install an air replenishment system.*

The air replenishment system will provide a means for firefighters to refill air bottles for self-contained breathing apparatus (SCBA) through a permanently installed piping distribution system.

The system shall be tested and maintained in accordance with San Francisco Fire Department Administrative Bulletin 5.07.

The air replenishment system may be installed in all new underground transportation or pedestrian tunnels exceeding 300 feet (91 440 mm).

CHAPTER 6 — BUILDING SERVICES AND SYSTEMS

SECTION 607—ELEVATOR RECALL AND MAINTENANCE

607.7 [For SF] Maintenance of Elevators.

At least one passenger elevator shall be maintained in working order and accessible for immediate use by the Fire Department at all times.

CHAPTER 9 — FIRE-PROTECTION SYSTEMS

SECTION 901—GENERAL

901.8.2 [For SF] Subsurface Construction.

Any person performing any subsurface work in close proximity or adjacent to any valve, gate, hydrant, main, street cistern, or other part of the auxiliary water supply system (high pressure system), any hydrant, hydrant piping, or hydrant gate valve connected to the mains of the San Francisco Water Department shall comply with all Fire Department regulations and specifications, which are on file with the Department of Public Works Bureau of Engineering.

SECTION 902–DEFINITIONS

The following definition shall be added to section 902.1 of the California Fire Code:

[For SF] CERTIFICATED FIRE ALARM SYSTEM is a fire alarm system for which a serially numbered certificate has been issued to the property owner by an organization that is part of the Occupational Safety and Health Administration Nationally Recognized Testing Laboratory Program. The certificate is a tool for assuring the reliability of fire alarm systems and is the alarm company's declaration that the system will be installed, maintained, tested and monitored in accordance with the applicable codes and standards. San Francisco Fire Department Administrative Bulletin 3.03 contains details of the fire alarm certification program.

SECTION 903—AUTOMATIC SPRINKLER SYSTEMS

903.3.6.1 [For SF] Fire Department Hose Connection Type.

Fire Department connections shall have 3-inch national standard hose thread.

SECTION 904—ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS

The following San Francisco section replaces the corresponding California Fire Code section:

904.11.6.2 [For SF] Extinguishing System Service.

Automatic fire-extinguishing systems shall be serviced at least every 6 months and after activation of the system. Inspection shall be by qualified individuals, and the owner shall maintain the certificate of inspection on site for at least 1 year following the inspection.

SECTION 905—STANDPIPE SYSTEMS

905.2.1 [For SF] Local Installation Standard.

Standpipe systems shall be installed using 3-inch (76.2 mm) national standard hose thread. ***Each standpipe outlet shall be placed to provide a minimum of six inches on all sides of the handle and*** *18 inches on all sides of the outlet, or located as approved by the fire code official.*

905.3.12 [For SF] Buildings with Limited Fire Department Access.

Horizontal and/or vertical Class I standpipes shall be installed and maintained in any building, regardless of the height thereof, wherever, in the opinion of the fire code official, standpipes are necessary to make hose connections available to firefighters.

905.4.3 [For SF] Local Requirement for Location of Class I Standpipe Hose Connections.

There shall be at least one two-way outlet above the roofline when the roof has a slope of less than 4 units vertical in 12 units horizontal (33.3% slope).

SECTION 907—FIRE ALARM AND DETECTION SYSTEMS

The following San Francisco section replaces the corresponding California Fire Code section:

907.2.8.2 [For SF] Automatic Smoke Detection System.

An automatic smoke detection system that activates the occupant notification system in accordance with section 907.5 shall be installed throughout all interior corridors serving sleeping units.

Exceptions:

1. An automatic smoke detection system is not required in buildings that do not have interior corridors serving sleeping units and where each sleeping unit has a means of egress door opening directly to an exit or to an exterior exit access that leads directly to an exit.

2. An automatic smoke detection system is not required in buildings when all of the following conditions are met:

2.1. The building is equipped throughout with a supervised automatic sprinkler system installed in accordance with section 903.3.1.1 or 903.3.1.2;

2.2. The notification devices will activate upon sprinkler water flow; and

2.3. At least one manual fire alarm box is installed in an approved location.

907.5.2.2.6 [For SF] Local Requirements for Emergency Voice Alarm-Signaling System.

Multichannel capability is required for new emergency voice/alarm communication systems in high-rise buildings.

907.6.3.1.2 [For SF] Local Annunciation Requirement.

Building fire alarm systems shall include visible annunciation in buildings with more than four floors, or when required by the fire code official. Visible annunciation shall be a light-emitting diode (LED) type display. The annunciator panel shall indicate the type of device by floor, zone or other approved designation from which the signal originated.

907.6.3.1.3 [For SF] Graphic Annunciation.

Graphic annunciation shall be installed when required by the fire code official.

907.6.3.2.1 [For SF] High-Rise Building Fire Alarm Annunciation.

All high-rise buildings shall include visible annunciation. Visible annunciation shall be a light-emitting diode (LED) type display. All initiating devices shall be annunciated on an annunciator panel located in the building's fire command center, and shall indicate the type of device by floor, zone or other approved designation from which the signal originated. Visible annunciation shall indicate the status of emergency equipment such as the emergency generator, fire pump, and secondary water supply.

907.7.4 [For SF] Fire Alarm Certification Required.

All new fire alarm systems shall be certificated. Fire alarm systems providing service that complies with all requirements of this code shall be certificated by an organization that is part of the Occupational Safety and Health Administration Nationally Recognized Testing Laboratory Program. A document attesting to the certification shall be located on or near the fire alarm system control unit or, if no control unit exists, on or near a fire alarm system component.

Exceptions:

1. Household fire-warning systems and fire alarm systems in one- or two-family dwellings or three-unit apartment houses.

2. Fire alarm control panels whose primary function is to monitor a sprinkler system.

The following San Francisco section replaces the corresponding California Fire Code section:

907.8.5 [For SF] Maintenance, Inspection, and Testing.

The building owner is responsible to maintain the fire and life safety systems in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 for maintaining, inspecting, and testing of the systems. Written records of inspection and testing, as specified in NFPA 72 shall be provided to the fire code official upon request. Records shall be maintained until the next test and for 1 year thereafter. Service personnel shall place a sticker on the fire alarm control panel cover that includes the company name, phone number, and the date of the last inspection or testing.

907.8.6 [For SF] Certificated Fire Alarm System for Existing Buildings.

Existing buildings are required to have certificated fire alarm systems in accordance with section 1103.7.10.

SECTION 914—FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND OCCUPANCY

The following San Francisco section replaces the corresponding California Fire Code section:

914.3.1.1 [For SF] Number of Sprinkler Risers and System Design.

Each zone of the sprinkler system shall connect to at least two risers on each floor. Hydraulic calculations shall be based solely on the riser with the greatest hydraulic demand.

914.3.1.3 [For SF] Fire Department Connections.

A Fire Department connection shall be located on each side of a building that fronts a street, and shall provide four inlets for each connection.

914.3.1.4 [For SF] Fire Pumps.

Buildings 200 feet (76 200 mm) or more in height above the lowest level of Fire Department vehicle access shall have a minimum of two fire pumps installed. Each pump shall provide at least the minimum water supply required by NFPA 14. The drive for each pump (including power sources, power supply lines, transformers, motors or engines, fuel supplies, and controllers) shall be independent of the drive for the other pump.

914.12 [For SF] Piers.

Group A Occupancies located on piers of combustible construction shall include an approved installed automatic sprinkler system.

CHAPTER 10 — MEANS OF EGRESS

SECTION 1030— MAINTENANCE OF THE MEANS OF EGRESS

1030.2.2 [For SF] Fire Escape Obstructions.

Fire escapes and related balconies, ladders, landings, and operating devices shall not be obstructed in any manner. No object shall be stored on or attached to a fire escape without the approval of the fire code official.

CHAPTER 11 — CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

Sections 1101.1 through 1103.4.7 are deleted from the International Fire Code.

SECTION 1103 — FIRE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS

The following three San Francisco sections replace the corresponding International Fire Code sections:

1103.5 [For SF] Sprinkler Systems.

An automatic sprinkler system shall be provided and maintained in accordance with sections 1103.5.1, 1103.5.2, and 1103.5.3.

1103.5.1 [For SF] Automatic Sprinkler System for Existing SRO Hotel Buildings.

Every residential hotel building existing on October 16, 2001, that contains twenty (20) or more guest rooms, as defined in the California Building Code, shall provide and maintain an automatic sprinkler system installed to comply with San Francisco Ordinance 170-02 throughout the residential occupancy, including accessory areas. For purposes of this section, "Residential Hotel" means each and every hotel for which a Certificate of Use for any residential units has been issued pursuant to San Francisco Administrative Code Chapter 41. Any Residential Hotel that does not maintain an installed automatic sprinkler system throughout the residential occupancy is out of compliance and subject to immediate code enforcement action. The owner shall maintain the sprinkler system in accordance with Title 19 of the California Code of Regulations.

1103.5.2 [For SF] Automatic Sprinkler System for Existing High-Rise Buildings.

All existing high-rise buildings shall maintain an automatic sprinkler systems installed to comply with San Francisco Ordinance 377-93.

Exceptions:

1. Qualified historical buildings as defined in the California Health and Safety Code section 18950.

2. Apartment houses, condominiums, or other R-2 Occupancies.

3. A mixed-use occupancy building containing an R-2 Occupancy.

Any existing high-rise not exempted from this section that does not provide an automatic sprinkler system throughout the residential occupancy is out of compliance and subject to immediate code enforcement action. The owner shall maintain the sprinkler system in accordance with Title 19 of the California Code of Regulations.

1103.5.3 [For SF] Automatic Sprinkler System for Existing Hotels.

All hotels described in San Francisco Ordinance 319-86 shall maintain an automatic sprinkler system installed to comply with San Francisco Ordinance 319-86 throughout all common areas of the hotel. Any existing hotel that does not provide an automatic sprinkler system in accordance with the ordinance is out of compliance and subject to immediate code enforcement action. The owner shall maintain the sprinkler system in accordance with Title 19 of the California Code of Regulations.

Section 1103.6 is deleted from the International Fire Code.

Section 1103.7.1 and 1103.7.2 are deleted from the California Fire Code.

Sections 1103.7.4 through 1103.7.7 are deleted from the California Fire Code.

1103.7.10 [For SF] Certificated Fire Alarm Systems for Existing Buildings.

The fire code official may require owners to obtain a certificate for existing fire alarm systems based on severity of life safety hazards or problems identified with a system. Occupancies required to install certificated fire alarm systems are as follows:

1. Tourist and residential hotels with twenty (20) or more guest rooms or three (3) or more stories in height.

2. Apartment houses with sixteen (16) or more units.

3. Public assembly occupancies with an occupant load greater than 300 persons.

4. Day care facilities with fifty (50) or more occupants.

Sections 1104 and 1105 are deleted from the International Fire Code.

CHAPTER 35 — HOT WORK

SECTION 3510— HOT WORK ON PIERS

3510.1 [For SF] Scope.

Burning or hot work conducted on marine terminals, piers, and wharves or moored vessels shall be in accordance with this section.

3510.2 [For SF] Repairs on Vessels.

An applicant for a permit to perform hot work on a vessel shall provide a copy of a Marine Chemist's Certificate authorizing hot work with the permit application. If a permit is issue, the permit holder shall post a copy of the Certificate in a conspicuous place near the gangway of the vessel under repair. The permit holder shall perform all work in accordance with NFPA 306, Control of Gas Hazards on Vessels. Hot work is prohibited while a vessel is fueling, loading or unloading hazardous materials, or when Class "A" or "B" explosives are on board or within 100 feet (30 480 mm) of the vessel.

3510.3 [For SF] Repairs on Piers.

Hot work is prohibited at marine terminals and on piers, wharves, or moored vessels under any of the follow conditions:

1. During gas freeing operations;

2. Within 100 feet (30 480 mm) of bulk cargo operations involving the loading or unloading of flammable or combustible materials;

3. Within 100 feet (30 480 mm) of fueling (bunkering) operations; and

4. Within 100 feet (30 480 mm) of explosives or 50 feet (15 240 mm) of other hazardous materials.

3510.4 [For SF] Requirements for Hot Work.

Any person performing hot work shall perform the work in compliance with this code and the regulations of the U.S. Department of Transportation, U.S. Department of Labor, and U.S. Coast Guard.

CHAPTER 56 — EXPLOSIVES AND FIREWORKS

SECTION 5601—GENERAL

The following San Francisco section replaces the corresponding International Fire Code section:

5601.2 [For SF] Permit Required for Explosives, Explosive Materials, Fireworks, and Pyrotechnics.

No person may manufacture, assemble, test, use, possess, handle, store, or sell explosives, explosive materials, fireworks, and pyrotechnic materials within the City and County unless the person has obtained a permit from the fire code official.

The following San Francisco section replaces the corresponding International Fire Code section:

5601.2.4 [For SF] Financial Responsibility and Insurance.

Before a permit is issued to use explosives, explosive materials, fireworks, or pyrotechnic special effects, the applicant shall submit to the fire code official a certificate evidencing Commercial General Liability insurance with limits not less than $1,000,000 each occurrence, $2,000,000 general aggregate, combined single limit for bodily injury and property damage, including coverage for Contractual Liability, independent contractors, Explosion, Collapse, and Underground (XCU), Personal Injury, Broadform Property Damage, products, and completed operations, along with an additional insured endorsement naming the City and County of San Francisco, its officers, agents and employees as an additional insured. The insurance policy and endorsement shall be from an insurer approved by the City's Risk Manager and in a form approved by the Risk Manager. In consultation with the Risk Manager, the fire code official may specify a greater or lesser amount for the policy when, in the fire code official's opinion, conditions at the location of use indicate a greater or lesser amount is required.

***Exception**: Government entities are exempt from this requirement.*

CHAPTER 81 [For SF] — PARKING LOTS AND GARAGES

This Chapter does not exist in the California Fire Code or International Fire Code.

8101 [For SF] — Scope.

Premises used for parking of motor vehicles and classified as Group S, Division 2 occupancies or as a parking lot shall be in accordance with Chapter 81. See the Building Code for construction requirements. Garages used to service or repair motor vehicles shall comply with Chapter 23.

8102 [For SF] — Definitions.

PARKING LOTS AND GARAGES are lots and garages where the operator charges a fee for the storage of motor vehicles. Parking lots shall include those premises that are open to the sky.

8103 [For SF] — General Requirements.

8103.1 [For SF] Aisles.

A parking lot or garage shall include at least one aisle with a minimum width of 30 inches (762 mm) and arranged to provide access to all portions of the parking lot or garage.

8103.2 [For SF] Exit Width.

Vehicle exits and entrances shall be at least 15 feet (4572 mm) wide.

8103.3 [For SF] Vehicle Barriers.

The operator of a parking lot or garage shall install approved vehicle barriers to prevent encroachment on any public right of way and to prevent damage to adjoining property.

8103.4 [For SF] Illumination.

The operator of a parking lot shall illuminate the entire lot with light having intensity of not less than 1 footcandle (10.76 lx) at the pavement.

8103.5 [For SF] Sign.

The operator of any unattended parking lot shall post a sign in a conspicuous location, stating the name and telephone number of the operator.

8103.6 [For SF] Vehicle Servicing.

Service or repair of motor vehicles is prohibited in parking lots.

Section 5. Amendments to 2010 San Francisco Fire Code Regarding Air Replenishment Systems.

The San Francisco Fire Code is hereby amended by revising section 511.2, to read as follows:

SECTION 511 – LOCAL FIRE SAFETY FEATURE REQUIREMENTS

511.2 [For SF] Local standards for high-rise buildings and tunnels.

Except as stated in the next paragraph, a~~A~~n approved air replenishment system shall be installed in all buildings having floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of Fire Department vehicle access. This requirement shall apply for all buildings meeting this definition when the building permit application for construction was made after March 30, 2004.

Exception: All buildings that are covered by this section but that are equipped with a fire service access elevator pursuant to California Building Code section 3007 are not required to install an air replenishment system.

The air replenishment system will provide a means for firefighters to refill air bottles for self-contained breathing apparatus (SCBA) through a permanently installed piping distribution system. The system shall be tested and maintained in accordance with San Francisco Fire Department Administrative Bulletin 5.07.

The air replenishment system ~~shall~~ *may* be installed in all new underground transportation or pedestrian tunnels exceeding 300 feet (91 440 mm).

Section 6. Abatement.

Nothing contained in this ordinance shall be construed as abating any action now pending under or by virtue of any ordinance of the City herein repealed; or as discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City under any ordinance in force at the time of passage of this ordinance regulating the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, or from conditions hazardous to life or property in the use or occupancy of buildings or premises.

Section 7. Severability.

If any section, subsection, sentence, clause, phrase, or word of this ordinance is, for any reason, held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this ordinance would be subsequently declared invalid or unconstitutional.

Section 8. Effective and Operative Dates.

This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

The operative date of Section 4 of this ordinance shall be January 1, 2014, consistent with the operative date of the 2013 California Fire Code.

Section 9. Scope of Ordinance.

In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
Alicia Cabrera
Deputy City Attorney

n:\pubpro\as2013\0700303\00863544.doc

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130786 **Date Passed:** September 24, 2013

Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 San Francisco Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward the legislation and associated materials to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

September 09, 2013 Land Use and Economic Development Committee - RECOMMENDED

September 17, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

September 24, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang and Wiener
Absent: 1 - Yee

File No. 130786

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/24/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

10/3/2013
Date Approved

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

January 22, 2014

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Cariton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance 255-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city/county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

November 19, 2013

SENT CERTIFIED MAIL (Return Receipt Requested)

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendment

To Whom It May Concern:

Pursuant to California Health & Safety Code Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco on November 5, 2013 and approved by the Mayor on November 14, 2013:

- **Ordinance No. 255-13 (File No. 130837)** – Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

If you have any questions or require additional information, please call (415) 554-4442 or email andrea.ausberry@sfgov.org.

Sincerely,

Angela Calvillo, Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102-4689

130837 **[Building Code - Residential Building Requirements]**

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

10/29/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/5/2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/14/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

November 19, 2013
Date

Angela Calvillo
Clerk of the Board

FILE NO. 130837 ORDINANCE NO. 255-13

[Building Code - Residential Building Requirements]

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130837 and is incorporated herein by reference.

Section 2. General Findings.

A. The State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. The

California Building Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several parts that are based upon model codes with amendments made by various State agencies. The California Residential Code is Part 2.5 of Title 24 of the California Code of Regulations. The 2013 California Residential Code will go into effect throughout California on January 1, 2014.

B. Local jurisdictions are required to enforce the California Residential Code but they may also enact more stringent standards when reasonably necessary because of local conditions caused by climate, geology or topography.

C. San Francisco's residential building standards are contained in the San Francisco Building Code. In this ordinance, San Francisco incorporates the provisions of the 2013 California Residential Code into various chapters of the San Francisco Building Code with local amendments, and adds Chapter 36 to serve as a directory of where such provisions may be found in the San Francisco Building Code.

D. On August 21, 2013, at a duly noticed public hearing, the Building Inspection Commission considered this legislation.

Section 3. Findings regarding Local Conditions.

A. California Health & Safety Code Section 17958.7 provides that before making any changes or modifications to the California Residential Code and any other applicable provisions published by the State Building Standards Commission, the governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions, and the findings must be filed with the State Building Standards Commission before the local changes or modifications can go into effect.

B. The City and County of San Francisco is unique among California communities with respect to local climatic, geological, topographical, and other conditions. A specific list of findings that support San Francisco's modifications to the 2013 California Residential Code

and a section-by-section correlation of each modification with a specific numbered finding are contained in Exhibit A entitled "Standard Findings for San Francisco Amendments" to the ordinance enacting the San Francisco Building Code, on file with the Clerk of the Board of Supervisors in File No. 130836, which is hereby declared to be part of this ordinance as if set forth fully therein.

C. Pursuant to California Health and Safety Code Section 17958.7, the Board of Supervisors finds and determines that the local conditions described in Exhibit A to the ordinance enacting the 2013 San Francisco Building Code constitute a general summary of the most significant local conditions giving rise to the need for modification of the 2013 California Residential Code provisions published by the State Building Standards Commission. The Board of Supervisors further finds and determines that the proposed modifications are reasonably necessary based upon the local conditions set forth in said Exhibit A.

Section 4. The provisions of the 2013 California Residential Code as amended by San Francisco are hereby incorporated into various chapters of the San Francisco Building Code and Chapter 36 is added to serve as a directory of where such provisions may be found in the San Francisco Building Code.

Section 5. Continuance of Actions Under Prior Code. Nothing contained in this ordinance shall be construed as abating any action now pending under or by virtue of any ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance be construed as discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City under any such ordinance.

Section 6. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares

that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 7. Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall take effect and be in full force on and after either January 1, 2014 or its effective date if the effective date is later.

Section 8. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit this ordinance to the State Building Standards Commission pursuant to the applicable provisions of State law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130837 **Date Passed:** November 05, 2013

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law.

October 21, 2013 Land Use and Economic Development Committee - RECOMMENDED

October 29, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 05, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130837

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/5/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/14/2013
Date Approved

2013
San Francisco Residential Code

Amendments to the

2013 California Residential Code

Operative date: January 1, 2014

The 2013 California Residential Code (CRC) as amended by the City & County of San Francisco is herein printed as Chapter 36 of the San Francisco Building Code which serves as a directory of where such provisions may be found in the other chapters of the San Francisco Building Code. Provisions of the California Residential Code have been relocated as amendments to the 2013 California Building Code under the specific applicable sections and are noted and referenced to the CRC.

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

January 22, 2014

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance 256-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city/county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

November 19, 2013

SENT CERTIFIED MAIL (Return Receipt Requested)

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendment

To Whom It May Concern:

Pursuant to California Health & Safety Code Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco on November 5, 2013 and approved by the Mayor on November 14, 2013:

- **Ordinance No. 256-13 (File No. 130838)** – Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

If you have any questions or require additional information, please call (415) 554-4442 or email andrea.ausberry@sfgov.org.

Sincerely,

Angela Calvillo, Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

130838 **[Electrical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]**

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

10/29/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/5/2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/14/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

November 19, 2013
Date

Angela Calvillo
Clerk of the Board

FILE NO. 130838 ORDINANCE NO. 256-13

[Electrical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130838 and is incorporated herein by reference.

Section 2. General Findings.

A. The State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. The California Building Standards Code is contained in Title 24 of the California Code of

Regulations, and consists of several parts that are based upon model codes with amendments made by various State agencies. The California Electrical Code is Part 3 of Title 24 of the California Code of Regulations. The 2013 California Electrical Code will go into effect throughout California on January 1, 2014.

B. Local jurisdictions are required to enforce the California Electrical Code but they may also enact more stringent standards when reasonably necessary because of local conditions caused by climate, geology or topography.

C. As in past State code adoption cycles, in this ordinance San Francisco repeals its existing Electrical Code in its entirety and enacts a new Electrical Code consisting of the new model code, as amended by the California Electrical Code, and as further amended by San Francisco.

D. On August 21, 2013, at a duly noticed public hearing, the Building Inspection Commission considered this legislation.

Section 3. Findings regarding Local Conditions.

A. California Health & Safety Code Section 17958.7 provides that before making any changes or modifications to the California Electrical Code and any other applicable provisions published by the State Building Standards Commission, the governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions, and the findings must be filed with the State Building Standards Commission before the local changes or modifications can go into effect.

B. The City and County of San Francisco is unique among California communities with respect to local climatic, geological, topographical, and other conditions. A specific list of findings that support San Francisco's modifications to the 2013 California Electrical Code and a section-by-section correlation of each modification with a specific numbered finding are contained in Exhibit A entitled "Standard Findings for San Francisco Amendments," on file

with the Clerk of the Board of Supervisors in File No. 130838, which is hereby declared to be part of this ordinance as if set forth fully therein.

C. Pursuant to California Health and Safety Code Section 17958.7, the Board of Supervisors finds and determines that the local conditions described in Exhibit A constitute a general summary of the most significant local conditions giving rise to the need for modification of the 2013 California Electrical Code provisions published by the State Building Standards Commission. The Board of Supervisors further finds and determines that the proposed modifications are reasonably necessary based upon the local conditions set forth in Exhibit A.

Section 4. The 2010 San Francisco Electrical Code is hereby repealed in its entirety. The Electrical Code being repealed was enacted by Ordinance 274-10, which is available on the website of the Board of Supervisors. There have been no subsequent amendments.

Section 5. The 2013 San Francisco Electrical Code is hereby enacted. The Electrical Code being enacted consists of the new model code, as amended by the 2013 California Electrical Code, and as further amended by the San Francisco amendments. A copy of the new model code, as amended by the 2013 California Electrical Code, together with the San Francisco amendments, is on file with the Clerk of the Board of Supervisors in File No. 130838 all of which is hereby declared to be part of this ordinance as if set forth fully therein. Additions to the 2013 California Electrical Code are shown in bold underlined type; deletions are shown with strikethrough.

Section 6. Continuance of Actions Under Prior Code. Nothing contained in this ordinance shall be construed as abating any action now pending under or by virtue of any ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance be construed as discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City under any such ordinance.

Section 7. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 8. Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall take effect and be in full force on and after either January 1, 2014 or its effective date if the effective date is later.

Section 9. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit this ordinance with the Exhibit A attachment and the San Francisco modifications to the 2013 California Electrical Code to the State Building Standards Commission pursuant to the applicable provisions of State law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130838 **Date Passed:** November 05, 2013

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law.

October 21, 2013 Land Use and Economic Development Committee - RECOMMENDED

October 29, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 05, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130838

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/5/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/14/2013
Date Approved

EXHIBIT A

STANDARD FINDINGS FOR SAN FRANCISCO BUILDING STANDARDS CODE AMENDMENTS:

1. Certain buildings/occupancies in San Francisco are at increased risk for earthquake-induced failure and consequent fire due to local hazardous microzones, slide areas, and local liquefaction hazards. (Geology)

2. Certain buildings/occupancies in San Francisco are at increased risk of fire due to high density of buildings on very small lots, with many buildings built up to the property lines. (Topography)

3. Topography of San Francisco has let to development of a high density of buildings on small lots, necessitating special provisions for exiting, fire separation, or fire-resistive construction. (Topography)

4. Many buildings are built on steep hills and narrow streets, requiring special safety consideration. (Topography)

5. Additional fire, structural and other protection is required due to high building density and crowded occupancy. (Topography)

6. San Francisco has narrow, crowded sidewalks due to building and population density and unusual topography. (Topography)

7. All rain water in San Francisco drains to the building drains and sewer; unusual geology, occasional extremely high local rainfall amounts, and the configuration of the City as a peninsula restrict the installation of separate storm water and sewer systems. (Topography, Climate, Geology)

8. Moist, corrosive atmosphere of salt-laden fog in San Francisco necessitates additional requirements. (Climate)

9. Not a building standard; no local findings required.

10. Soil conditions in this region induce adverse reactions with some materials, leading to premature failures and subsequent unsanitary conditions. (Climate)

11. The region is subject to fluctuating rainfall due to changes in climatic conditions. (Climate)

12. San Francisco is a peninsula surrounded on three sides by water at sea level;

mitigation of climate change impacts, including sea level rise, is critical to the long term protection of the local built environment and local infrastructure. (Topography)

13. Climate and potential climate change impacts San Francisco's water resources, including reservoirs and distribution facilities. (Climate)

14. Organic material in San Francisco's waste breaks down into methane gas which is a significant contributor to climate change. (Climate)

15. San Francisco is topographically constrained and its built environment occupies most available land, requiring minimization of debris and solid waste. (Topography)

16. Prevailing winds, coastal mountain ranges, and periodic seasonal high temperatures contribute to photochemical reactions that produce smog and ozone; limiting the emission of smog's chemical precursors - volatile organic chemicals and oxides of nitrogen - is necessary to health and safety. (Climate, Topography)

17. The aquifers underlying San Francisco are small relative to local population, necessitating ongoing water imports and special provisions to ensure efficient use of water in local buildings. (Geology)

2013 San Francisco Electrical Code Findings

Section #	Finding #	Section #	Finding #	Section #	Finding #
ARTICLE 89		110.26(A)	4	330.108	5
89.101.1	9	110.26(B)	4	334.10	5
89.115	9			334.12	2
89.116	9	**CHAPTER 2**		340.10	5
89.117	9	210.5(C)	5	348.10	5
89.118	9	215.12(C)	5	350.10	5
89.119	9	230.43	5	352.10	5
89.120	9	230.43 (B)	5	355.10	5
89.121	9	230.56	5	356.10	5
89.122	9	230.71(A)	11	356.12(4)	5
89.123	9	250.50	8	358.10(B)	8
89.124	9	250.64(A)	1, 8	358.12	8
89.125	9	250.64(B)	1, 8	362.10	5
89.126	9			378.12	5
89.127	9	**CHAPTER 3**			
89.128	9	300.3(C)1	5		
89.129	9	300.4(I)	5		
ARTICLE 90		320.108	5		
CHAPTER 1					
110.15	5	330.40	5		

Section #	Finding #	Section #	Finding #	Section #	Finding #
CHAPTER 4		**CHAPTER 7**		**CHAPTER 8 NO S.F. AMENDMENTS**	
410.36(B)	5,9	700.12(F)	5	**CHAPTER 9 NO S.F. AMENDMENTS**	
411.4	5	700.16	1, 5		
CHAPTER 5 NO S.F. AMENDMENTS		760.46	5		
CHAPTER 6		760.130(A)	5		
645.5(E)(2)	5	760.130(B)	5		
		760.180	5		

PROPOSED SAN FRANCISCO ELECTRICAL CODE AMENDMENTS 2013 Edition

ARTICLE 89 – GENERAL CODE PROVISIONS

89.101.1. Replace the first sentence of this section with the following:

89.101.1. Title. ~~These regulations shall be known as the California Electrical Code, may be cited as such and will be referred to herein as "this code".~~ **The provisions contained in this Code shall be known as the 2010 San Francisco Electrical Code, and may be cited as such and will be referred to as "this code".**

89.115. Add the following new section:

89.115. Suppression: This code shall supersede all previous Electrical Codes and ordinances in the City and County of San Francisco. Nothing herein shall require the revision of electrical installation plans submitted prior to the adoption date of this code. Electrical permits obtained prior to the effective date of this code shall comply with the provisions of the Electrical Code, ordinances, regulations and rulings in effect when the permit was granted.

89.116. Add the following new section:

89.116. Maintenance. All electrical equipment, wiring and systems and installations shall be maintained in a safe operating and code-complying condition. The owner or the owner's designated agent, or both, shall be legally responsible for the maintenance of all electrical wiring systems and installations.

Nothing contained in this code shall be construed to require any existing electrical equipment, wiring or systems regulated by this code to be altered, reconstructed, removed or demolished, providing such existing electrical equipment, wiring or system was installed and maintained in accordance with the adopted code in effect at the time of installation or subsequent alteration.

Unused conductors and cables shall be either removed or suitably identified and terminated in an approved manner.

89.117. Add the following new section:

89.117. Alternate Materials, Design and Methods of Construction.

A) Alternates Require Approval: The provisions of this code are not intended to prevent the use of a product or method of construction not specifically prescribed by this code, provided any such alternate has been approved and the use authorized by the Building Official.

(B) Equivalency of Alternates. The Building Official may authorize an alternate, provided the Building Official finds the proposed design is satisfactory for the intended use and complies with the provisions of this code and that the product, method or work offered is, for the purpose intended, at least equivalent to that prescribed by this code in suitability, strength, effectiveness, fire resistivity, durability and safety.

(C) Evidence Required. The Building Official shall require sufficient evidence or proof be submitted to substantiate any claims made regarding the use of alternates. The details of any action granting approval of an alternate shall be recorded and shall be entered in the files of the Department of Building Inspection.

(D) Conditions and Fees. See Building Code Section 104A.2.8 for conditions and Section 110A, Table IA-J --Miscellaneous Fees --for applicable fees.

89.118. Add the following new section:

89.118. Change in Occupancy. Electrical equipment, wiring and systems which are part of any building or structure, or portion thereof, undergoing a change in occupancy or use, as defined in the Building Code, shall comply with all requirements of this code which may be applicable to the new occupancy or use.

Exception: The provisions of this section shall not require the change of existing electrical equipment, wiring and systems where such electrical equipment, wiring and systems are deemed adequate for the new occupancy involved.

89.119. Add the following new section:

89.119. Modifications. When there are practical difficulties involved in carrying out the provisions of this code, the Building Official may grant modifications for individual cases. The Building Official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen health, life-safety and fire-safety requirements. The details of any action granting modifications shall be recorded and entered in the files of the Department of Building Inspection.

89.120. Add the following new section:

89.120. Permits Required.

(A) General. It shall be unlawful for any person to install, construct, alter, move, add to or replace any electrical installation regulated by this code, except as permitted in Section 89.121, without first obtaining a permit from the Department of Building Inspection.

(B) Nonliability of City and County of San Francisco. Permits issued under the provisions of this code shall contain or be construed to contain an agreement by the owner of the building, structure or premises, or the owner's authorized agent, to save City and County of San Francisco officials and employees harmless from all costs, liability and damages resulting, whether directly or indirectly, from anything in connection with the work included in the permit, including equipment, methods of construction, inspections and approvals.

(C) Application For Permit. Permit applicants shall file with the Department of Building Inspection an application form furnished for that purpose. The permit application shall show a complete itemization of the proposed electrical installation and the correct address of the job site. Electrical permits may be issued to duly licensed contractors who have registered with the Central Permit Bureau by having their

state contractor's license verified by the Department of Building Inspection, or issued to a homeowner subject to Section 89.120(E). A separate permit shall be obtained for each separate building or structure.

See Section 110A, Table 1A-E -Electrical Permit Fees -of the Building Code for the applicable fees.

(D) Illegal Use of Permit. No person, firm, corporation, or state licensed contractor shall file an application for a permit to install any electrical wiring system unless such person, firm, corporation, or state licensed contractor shall perform such work. The Building Official or the Building Official's authorized representative shall have the authority to cancel any permit upon finding that it is contrary to this section. The permittee shall be responsible for all work performed.

(E) Homeowner's Permit. A permit for electrical work in or about a single-family dwelling may be issued by the Building Official to a homeowner, provided the work to be done will be performed by the homeowner. If the electrical work performed under the homeowner's permit does not comply with the requirements of this code and if the corrections are not made as required by the Department of Building Inspection, then the deficiencies shall be corrected by a State licensed electrical contractor under a separate permit.

(F) Emergency Work. Emergency electrical work for the protection of persons or property shall have a permit obtained within one business day of commencing such work.

89.121. Add the following new section:

89.121. Work Exempt from Permits. Electrical permits and fees shall not be required for the following:

(A) Repair or replacement of luminaires where:

(1) the luminaire(s) are not installed to provide emergency illumination required by San Francisco Building Code, and

(2) no change in existing wiring is involved, and

(3) luminaires weigh 22.68 Kg (50 pounds) or less.

(B) Repair or replacement of a domestic appliance where no change in existing wiring is involved.

(C) Replacement of fuses, controls, motors of less than 2 horsepower, and switches and receptacles of not more than 20 amperes rating, where no change in existing wiring is involved.

(D) Replacement of circuit breakers, externally operated switches and fuse holders of the same type and rating as the defective unit or component, if not rated in excess of 100 amperes. Exception: Replacement of main service disconnecting means are subject to permit and inspection regardless of rating.

(E) Wiring for temporary theater stages and platforms, motion picture and television studio sets supplied from approved electrical outlets installed for the purpose.

(F) Replacement of component parts for electric signs or gas-tube lighting systems of the same size and rating.

(G) Installation of up to 10 data/ communications cable and/or outlets that do not monitor or control electrical utilization equipment and/or life safety functions.

(H) Installation of data/communications cable and/or outlets in R-3 occupancies and within individual residential units, provided they do not monitor or control electrical utilization equipment and/or life safety functions.

89.122. Add the following new section:

89.122. Permit Issuance.

(A) General. An issued permit entitles the permittee to proceed with the installation described therein. Work done in excess of that shown on the application will be subject to extra permit fees as set forth in Section 110A, Table 1A-F -Specialty Permit Fees -of the Building Code. The issuance of a permit does not constitute an approval or an authorization of the work specified therein. Neither the issuance of a permit, nor the approval by the Building Official of any document, shall constitute an approval of a violation of any provision of this code or any law or ordinance. A permit or other document purporting to give authority to violate any code, law or ordinance shall not be valid with respect thereto. Permits shall not be transferable. Proposed electrical installations delineated on a permit application shall be performed only by the permittee or bona fide employee thereof in accordance with the California Code of Regulations, Title 8, Chapter 2, Part IV. The permit shall be posted on the job site where the work is to be done.

(B) Permit Expiration. Electrical permits expire per Section 106A.4.4 of the San Francisco Building Code. Permit fees may be partially refunded if cancellation request is made to the Building Official prior to commencement of the permitted work and within 90 days of the date of permit issuance. See Section 110A, Table 1A-R -Refunds -of the Building Code for refund.

(C) Commencement of Work on Permit Expired Due to Work Not Started. Before work may be commenced on an expired permit on which no work was performed, a new permit shall be obtained.

(D) Recommencement of Work on Permit Expired Due to Work Not Completed. The applicant shall secure a new permit for the work notcompleted. The permit fee shall be based uponitems or work remaining to be done.

(E) Cancellation of Permit: Permits may be canceled by the Building Official:

(1) If after inspection, it is judged by a senior inspector that the permit holder is unable or unwilling to correct an unsafe condition or Code violations.
(2) If the permit was obtained fraudulently or under false pretenses.

89.123. Add the following new section:

89.123. Fees

(A) General. Permit and inspection fees, as set forth in Section 110A, Table 1A-E -Electrical Permit Fees --of the Building Code, shall be paid prior to permit issuance. When additional permit or inspection fees are due, they shall be payable prior to issuance of Permission to Connect Current, Certificate of Occupancy, or Declaration of Inspection.

(B) Other Fees. A standard hourly inspection fee shall be charged for services provided by Electrical Inspection Division personnel which are not otherwise detailed. See Section 110A, Table 1A-G -Inspections, Surveys and Reports -of the Building Code.

(C) Work Without Permit -Investigation Fee. If the Building Official finds that a person, company or entity has performed electrical installation work for which a permit is required, without first obtaining an electrical permit and payment of fees,the Building Official shall require the paymentof an investigative fee in addition to the prescribed permit fee. See Section 110A, Table 1A-K-Penalties, Hearings, Code Enforcement Assessments-of the Building Code for the applicable fees. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code, nor from any penalty prescribed by law. The Building Official may reduce the investigation fee to two times the amount of the permit fee as called for in Section 110A, Table 1A-E -Electrical Permit Fees -of the Building Code for work that was constructed prior to the current building ownership if the

owner files with the Building Official notarized affidavit together with documents substantiating such dates of work.

Appeal of such investigative fee may be filed with the Board of Appeals in the manner provided in Part III of the San Francisco Municipal Code. Such filing shall be subject to the fees and rules of the Board of Appeals. The Board of Appeals, in reviewing the appeal may reduce the appealed amount to not less than two times (2x) the permit fee as set forth in Section 110A, Table 1A-E--Electrical Permit Fees --of the Building Code.

89.124. Add the following new section:

89.124. Powers and Duties of the Building Official.

(A) General. The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the Building Official shall have the powers of a law enforcement officer. The Building Official, when necessary, may call upon the Police Department and other city agencies for aid or assistance in carrying out or enforcing any of the provisions of this code.

(B) Right of Entry. When it is necessary to make an inspection to enforce the provisions of this code or other codes or ordinances, or when the Building Official has reasonable cause to believe that there exists in a building or upon a premises a condition that is contrary to, or in violation of, this code or other codes or ordinances that makes the building or premises unsafe, dangerous or hazardous, the Building Official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code or other codes or ordinances, provided that if such building or premises be occupied, credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

(C) Stop Orders. Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

(D) Temporary Use of Electrical Energy. The Building Official may permit the temporary use of electrical energy by any person, firm or corporation in cases where it does not create a hazard to life or property.

(E) Building Official may adopt rules and regulations. The Building Official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code. Such rules and regulations, commonly referred to as Code Rulings and Administrative Bulletins, supplemental to this code, shall not take effect until approved by the Building Inspection Commission and signed by the Building Official except in unusual circumstances where the Building Official has determined there is an immediate need to protect the public health and safety. When the Building Official finds that such circumstances exist, the Building Official may order immediate enforcement of a particular rule or regulation. The Building Official shall arrange for a subscription service to such rules and regulations, the entire cost of which is to be borne by the subscribers.

(F) Code Revisions. The Building Official shall transmit to the Building Inspection Commission, at intervals not exceeding three years, recommendations for changes to this code, based on studies of the

following:

(1) Requests of the Board of Examiners for variances from this code, and for approvals of alternate materials, alternate designs and methods of construction.

(2) Code changes recommended by the Board of Examiners.

(3) Code changes recommended by the Code Advisory Committee or other bodies subordinate to the Building Inspection Commission.

(4) Results obtained and problems encountered from legal actions taken to correct code violations.

(5) Changes or improvements in materials, methods of construction or design, and changes proposed by interested persons.

(6) Investigations of fire and structural damage buildings, and of complaints of unsatisfactory electrical system performance.

(7) Periodic changes to the California Electrical Code and other State regulations which may affect this code.

(8) Administrative Bulletins and Code Rulings currently in effect.

(9) Violations of this code found on inspections and investigations.

(G) Disconnection of Electric Service due to Serious and Imminent Hazards. The building Official shall have the authority to disconnect electric service to a building, structure, property or equipment regulated by this code when it is necessary to abate a serious and imminent hazard to the life, health or safety of the occupant or other persons, or such building, structure or property. See Section 102A of the Building Code. Persons shall not reconnect such electrical supply until authorized in writing by the Building Official.

89.125. Add the following new section:

89.125. Violation.

Any person, the owner or the owner's authorized agent, who violates, disobeys, omits, neglects, or refuses to comply with, or resists or opposes the execution of any of the provisions of this code, shall be liable for a civil penalty, not to exceed $500 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco by the City Attorney in any court of competent jurisdiction. Any penalty assessed and recovered in an action brought pursuant to this paragraph shall be paid to the City Treasurer and credited to the Department of Building Inspection's Special Fund.

Any person, the owner or the owner's authorized agent, who violates, disobeys, omits, neglects, or refuses to comply with, or who resists or opposes the execution of any of the provisions of this code, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment, unless otherwise provided in this code, and shall be deemed guilty of a separate offense for every day such violation, disobedience, omission, neglect or refusal shall continue. Any person who shall do any work in violation of any of the provisions of this code, and any person having charge of such work who shall permit it to be done, shall be liable for the penalty provided.

It shall be unlawful for any person to interfere with the posting of any notice provided for in this code, or to tear down or mutilate any such notice so posted by the Department of Building Inspection

89.126. Add the following new section:

89.126. Unsafe Buildings or Structures.

Any buildings, structures, or parts thereof, shall be considered unsafe when any of the following conditions are present:

(A) Electrical equipment, wiring and systems deemed hazardous to human life or structure safety;

(B) Electrical equipment, wiring and systems that are in violation of the code that was in effect at the time of construction or installation or such work was performed without permit or approval;

(C) Change in occupancy without complying with the provision of Section 89.118 of this code.

Such unsafe building, structure, property or portion shall be vacated, repaired, altered or demolished in accordance with Section 102A of the Building Code.

89.127. Add the following new section:

89.127. Inspection.

(A) General. All electrical equipment, wiring and systems, regulated by this code and for which a permit is required shall be subject to inspection to insure compliance with this code. Upon the completion and final approval of the permitted installation and payment of all permit and inspection fees, a Declaration of Inspection shall be issued. Said declaration shall indicate in concise terms the electrical installation thus approved and the date of approval.
(B) Unlawful Use of Electrical Energy. It shall be unlawful to energize an electrical installation in, on or about any building, structure or property in the City and County of San Francisco unless a Certificate to Connect Current (Green Tag) has been issued. The Certificate to Connect Current authorizes the owner of the structure to energize the permitted installation.

(C) Inspection Requests. It shall be the responsibility of the permit holder to notify the Electrical Inspection Division orally or in writing when the permitted installation will be ready for inspection. Such notification shall be given at least 24 hours before any inspection is desired. Inspections may be performed outside of normal inspection hours by prior arrangement and prepayment. See Section 110A, Table 1A-G -Off-hours Inspections -of the Building Code for the applicable fees.

(D) Required Inspections. Required inspections shall include:

(1) Pre-Cover Inspection. Electrical equipment, wiring and systems authorized by permit shall be inspected for code compliance prior to covering or concealing.

(2) Final Inspection. Final inspection and demonstration of satisfactory operation shall be made after the installation authorized by permit has been completed.

(3) Other Inspection. As may be required to insure compliance with the provisions of this code.

(E) Electrical Wiring or Installation Unlawful to Conceal. It shall be unlawful to conceal, cover, or put into use electrical wiring, installations, or parts thereof, until such has been inspected and accepted as prescribed in this code. Whenever such work is concealed or covered before first having been inspected

and approved, or whenever electrical wiring or systems are installed and concealed or covered without a permit, the Building Official may require, by written notice to the responsible person(s) that such wiring or installation be exposed for inspection. The work of exposing and reconstructing portions of a structure for such work shall not entail expense to the City and County of San Francisco or any of its officials or employees.

(F) Reinspections. Reinspections shall be required when any of the following conditions occurs:

(1) When the portion of the work for which inspection is requested is incomplete or not code complying.

(2) When previously identified deficiencies in the work are not properly corrected.

(3) When the approved construction documents are not available to the inspector.

(4) When access is not provided on the date and time of the inspection appointment.

(5) When there are deviations from the approved construction documents.

The first reinspection for failure to comply with code requirements shall not be assessed a re-inspection fee. All subsequent reinspections on a job for the same or subsequent errors or omissions shall be charged with a reinspection fee. A Certificate of Final Completion and Occupancy or final approval shall not be granted until the required fees are paid. See Section 110A, Table 1A-G -Inspections, Surveys and Reports -of the Building Code for applicable reinspection fees.

89.128. Add the following new section:

89.128. Survey. An electrical survey may be requested when an electrical inspector's assistance is desired to establish code compliance of existing or proposed electrical equipment, wiring and installations. See Section 110A, Table 1A-G of the Building Code for applicable fees.

89.129. Add the following new section:

89.129. Board of Examiners. Application may be made to the Board of Examiners for approval of alternate materials, methods and types of construction and for variances from the provisions of this code. See Building Code, Section 105A.1.

ARTICLE 90 – INTRODUCTION.

No San Francisco Electrical Code Amendments.

Chapter 1. General

ARTICLE 110 – REQUIREMENTS FOR ELECTRICAL INSTALLATIONS

110.15. Revise this section as follows:

110.15 High-Leg Marking. On a 4-wire, delta-connected system where the midpoint of one phase winding is grounded, only the conductor or busbar having the higher phase voltage to ground shall be durably and permanently marked by an outer finish that is ~~orange~~ **purple** in color or by other effective means. Such identification shall be placed at each point on the system where a connection is made if the grounded conductor is also present. **Identification of ungrounded feeder conductors shall comply with Section 210-5(C).**

110.26 (A) (3) Revise this section as follows:

(3) Height of Working Space. The work space shall be clear and extend from the grade, floor, or platform to a height of 2.0 m (6½ ft) or the height of the equipment, whichever is greater. Within the height requirements of this section, other equipment that is associated with the electrical installation and is located above or below the electrical equipment shall be permitted to extend not more than 150 mm (6 in.) beyond the front of the electrical equipment.

~~*Exception No. 1: In existing dwelling units, service equipment or panelboards that do not exceed 200 amperes shall be permitted in spaces where the height of the working space is less than 2.0 m (6½ ft).*~~

Exception No. 2: Meters that are installed in meter sockets shall be allowed to extend beyond the other equipment. The meter socket shall be required to follow the rules of this section.

110.26(B). Revise this section as follows:

(B) Clear Spaces. Working space required by this section shall not be used for storage. When normally enclosed live parts are exposed for inspection or servicing, the working space, if in a passageway or general open space, shall be suitably guarded. **The standing area of the workspace shall not contain obstructions, abrupt changes in grade, or irregularities.**

Chapter 2. Wiring and Protection

ARTICLE 210 – BRANCH CIRCUITS

210.5(C)(1) *Revise this section as follows*:

210.5(C)(1) Identification of ungrounded conductors. Application. ~~Where the premises wiring system has branch circuits supplied from more than one nominal voltage system,~~ Each ungrounded conductor of a branch circuit shall be identified by phase or line and system at all termination, connection, and splice points.

210.5(C)(2). Revise this section as follows:

(2) Means of Identification. The means of identification **for conductors #8AWG or larger** shall be permitted to be by separate color coding, marking tape, tagging, or other approved means. **Conductors of any size in cable assemblies may be suitably identified at all termination, connection and splice points. Conductor insulation in raceways shall contain continuous color pigment for circuit wire sizes # 10 AWG and smaller.**

Phase identification colors shall be:

(1) 120/240 volt single phase systems "A" phase black, "B" phase red; 120/208 volt 4-wire 3-phase wye systems -"A" phase black, "B" phase red, "C" phase blue; 120/240 volt 3-phase delta systems -"A" phase black, "B" (high leg) phase purple, "C" phase red; 277/480 volt 4-wire 3-phase wye systems -"A" phase brown, "B" phase orange, "C" phase yellow. Ungrounded conductors for other voltages shall be identified by different color coding, marking tape, tagging, or other approved means.

(2) Conductors for switch legs may be of a different color than the ungrounded circuit conductor when suitably identified at pull, junction and outlet boxes with marking tape, tagging or other equally effective means.

Exception No 1: Extensions of existing non-color coded wiring systems need not be color coded.

Exception No 2: In multi-family dwelling unit buildings supplied by 3 phase 120/208 volt systems, within dwelling units supplied by 120/208 volt single phase systems, ungrounded conductor phase or line identification shall be permitted to be A phase Black, B phase Red.

Informational Note: See Section 200.7 for limitations on re-identification of white or grey conductors, and 250.119 for prohibition on using green for ungrounded conductors.

ARTICLE 215 – FEEDERS

215.12 (C) Revise this section as follows:

215.12(C). Ungrounded Conductors. ~~Where the premises wiring system has feeders supplied from more than one nominal voltage system,~~ Each ungrounded conductor of a feeder shall be identified by phase or line and system at all termination, connection and splice points. The means of identification shall be permitted to be by separate color coding, marking tape, tagging, or other approved means. The method utilized for conductors originating within each feeder panelboard or similar feeder distribution equipment shall be documented in a manner that is readily available or shall be permanently posted at each feeder panelboard or similar feeder distribution equipment.

ARTICLE 230 – SERVICES

230.43. Revise this section as follows:

230.43. Wiring Methods for 600 Volts, Nominal, or Less.

(A) General. Service-entrance conductors shall be installed in accordance with the applicable requirements of this *Code* covering the type of wiring method used and shall be limited to the following methods:

(1) ~~Open wiring on insulators~~ **Reserved;**
(2) ~~Type IGS Cable~~ **Reserved;**
(3) Rigid metal conduit;
(4) Intermediate metal conduit;
(5) ~~Electrical metallic tubing~~ **Reserved;**
(6) ~~Electrical nonmetallic tubing~~ **Reserved;**
(7) ~~Service-entrance cables~~ **Reserved;**
(8) ~~Wireways~~ **Reserved;**
(9) Busways;
(10) Auxiliary gutters;
(11) Rigid polyvinyl chloride conduit (PVC)
(12) ~~Cablebus~~ **Reserved;**

(13) ~~Type MC Cable~~ **Reserved;**
(14) Mineral-insulated, metal sheathed cable;
(15) ~~Flexible metal conduit not over 1.8 m (6ft) long or liquidtight flexible metal conduit not over 1.8 m (6 ft) long between raceways, or between raceway and service equipment, with equipment bonding jumper routed with the flexible metal conduit or the liquidtight flexible metal conduit or the liquidtight flexible metal conduit according to the provisions of 250.102 (A), (B), (C), and (E)~~ **Reserved;**
(16) ~~Liquidtight flexible nonmetallic conduit~~ **Reserved;**
(17) High Density Polyethylene Conduit (HDPE)
(18) Non-metallic Underground Conduit with Conductors (NUCC)
(19) Reinforced Thermosetting Resin Conduit (RTRC)

230.43(B) Raceway Size. Minimum raceway size shall comply with the following:

(1) Except as provided in Section 230.43(B)(2) and (3) the minimum size raceway installed for service entrance conductor shall be 1-1/4 inch (31.8 mm).

(2) Raceways for service entrance conductors for sign or billboard lighting shall not be smaller than 3/4 inch (19.1 mm) conduit.

(3) Installations consisting of not more than two 2-wire branch circuits may be supplied by No. 8 conductors in 3/4 inch (19.1 mm) conduit.

Exception: New service entrance conductors may be repulled in previously approved service raceways, provided the installation complies with the requirements of SFEC Section 89.116 and Chapters 1, 2 and 3.

Informational Note: Refer to electric utility service requirements for raceway sizes.

230.56. Revise this section as follows:

230.56. Service Conductor with the Higher Voltage to Ground. On a four-wire delta-connected service where the midpoint of one phase winding is grounded, the service conductor having the higher phase voltage to ground shall be durably and permanently marked by an outer finish that is ~~orange~~ **purple** in color, or by other effective means, at each termination or junction point.

230.71(A). Revise this section and add an exception as follows:

230.71 Maximum Number of Disconnects.

(A) General. The service disconnecting means for each service permitted by 230.2, or for each set of service-entrance conductors permitted by 230.40, Exception Nos. 1, 3, 4, or 5, shall consist of ~~not more than six switches or sets of circuit breakers, or a combination of not more than six switches and sets of circuit breakers, mounted in a single enclosure, in a group of separate enclosures, or in or on a switchboard. There shall not be more than six sets of disconnects per service grouped at any one location.~~**a single circuit breaker or switch and set of fuses.**

For the purpose of this section, disconnecting means installed as part of listed equipment and used solely for the following shall not be considered a service disconnecting means:

(1) Power monitoring equipment

(2) Surge-protective device(s)

(3) Control circuit of the ground-fault protection system

(4) Power-operable service disconnecting means.

Exception: In buildings with only residential occupancies not more than six switches or sets of circuit-breakers, or a combination of not more than six switches and sets of circuit breakers, mounted in a single enclosure, in a group of separate enclosures, or in or on a switchboard shall be allowed. There shall be not more than six sets of disconnects per service grouped in any one location. A single circuit breaker or set of fuses shall be provided for each dwelling unit.

ARTICLE 250 – GROUNDING AND BONDING

250.50. Revise the first paragraph of this section as follows:

250.50 Grounding Electrode System. All grounding electrodes as described in 250.52(A)(1) through (A)(7) that are present at each building or structure served shall be bonded together to form the grounding electrode system. **A concrete encased electrode as defined by Section 250.52(A)(3) shall be installed at each new building or structure, and for existing buildings or structures when a new or replacement foundation or footing with a perimeter length of 6.0 m (20 ft) or more is installed in direct contact with the earth.** Where none of these electrodes exist, one or more of the grounding electrodes specified in 250.52(A)(4) through (A)(8) shall be installed and used.

Exception: Concrete-encased electrodes of existing buildings or structures shall not be required to be part of the grounding electrode system where the steel reinforcing bars or rods are not accessible for use without disturbing the concrete.

250.64(A). Revise this section as follows:

250.64 (A). Aluminum or Copper-Clad Aluminum Conductors. Bare aluminum or copper-clad aluminum grounding ~~electrode~~ conductors shall not be used where in direct contact with masonry or the earth or where subject to corrosive conditions. ~~Where used outside,~~ Aluminum or copper-clad aluminum grounding ~~electrode~~ conductors shall not be ~~terminated within 450 mm (18 in.) of the earth~~ **installed on the outside of a building or structure.**

250.64(B). Revise this section as follows:

250.64(B) Securing and Protection Against Physical Damage. Where exposed, a grounding electrode conductor or its enclosure shall be securely fastened to the surface on which it is carried. Grounding electrode conductors shall be permitted to be installed on or through framing members. A 4 AWG or larger copper or aluminum grounding electrode conductor shall be protected if exposed to physical damage. A 6 AWG grounding electrode conductor that is free from exposure to physical damage shall be permitted to be run along the surface of the building construction without metal covering or protection if it is securely fastened to the construction; otherwise, it shall be protected in rigid metal conduit (RMC), intermediate metal conduit (IMC), rigid polyvinyl chloride conduit (PVC), reinforced thermosetting resin conduit (RTRC), electrical metallic tubing (EMT), or cable armor. Grounding electrode conductors smaller than 6 AWG shall be protected in RMC, IMC, PVC, RTRC, EMT or cable armor. **Exposed grounding electrode conductors that are accessible to the general public shall be installed in approved metallic raceway. 6 AWG or smaller grounding electrode conductors shall not be installed exposed below 5 feet.**

Chapter 3. Wiring Methods and Materials

ARTICLE 300 – WIRING METHODS

300.3(C) Revise this section as follows:

300.3(C) Conductors of Different Systems.

(1) 600 Volts, Nominal or Less. Conductors of ac and dc circuits, rated ~~600 volts nominal or less shall be permitted~~ **from separately derived systems, from separate services, or from separate utility meters shall not be permitted** to occupy the same equipment wiring enclosure, cable or raceway **with conductors from other systems, services, or meters.** All conductors shall have an insulation rating equal to at least the maximum circuit voltage applied to any conductor within the enclosure, cable, or raceway.

Informational Note No. 1: See 725.136(A) for Class 2 and 3 circuit conductors

Informational Note No. 2: See 690.4(B) for photovoltaic source and output circuits

Exception No 1: For solar photovoltaic systems in accordance with Section 690.4(B)

Exception No. 2: Conductors installed in accordance with Section 700.9.

Exception No. 3 : Class 1, 2 or 3 conductors installed in accordance with Article 725.

Exception No 4. : Conductors in auxiliary gutters connected to the separately derived systems, service equipment, or meter bank.

300.4(I) Add this section as follows:

300.4(I). Subject to Physical Damage. Premises wiring systems installed less than 2.44 m (8 feet) above a walking surface or finished floor are considered subject to physical damage.

ARTICLE 320 – ARMORED CABLE: TYPE AC

320.108. Revise this section as follows:

320.108. Equipment Grounding Conductor. Type AC cable shall provide an adequate path for fault current as required by 250.4(A)(5) or (B)(4) to act as an equipment grounding conductor. **An equipment grounding conductor, sized as required by Table 250.122, shall be provided within the cable assembly.**

ARTICLE 330 – METAL-CLAD CABLE: TYPEMC

320.40. Revise this section as follows:

330.40. Boxes and Fitting. Fittings used for connecting Type MC cable to boxes, cabinets, or other equipment shall be listed and identified for such use. **An approved insulating bushing shall be installed between the conductors and the sheath of MC Cable where the manufacturer recommends their use.**

330.108. Revise this section as follows:

330.108. Equipment Grounding Conductor. Where Type MC cable is used to provide an equipment grounding conductor, it shall comply with 250.118(10) and 250.122. **An equipment grounding conductor, sized as required by Table 250.122, shall be provided within the cable assembly.**

ARTICLE 334 – NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC, AND NMS

334.10. Revise Item (2) as follows:

334.10. Uses permitted.

(2) Multi-family dwellings permitted to be of Types III, IV, and V construction **not exceeding 6 stories as defined by the San Francisco Building Code** except as prohibited in 334.12.

334.12. Add Item (11) as follows:

334.12. Uses Not Permitted.

(11) In any nonresidential structure or occupancy.

ARTICLE 340 – UNDERGROUND FEEDER AND BRANCH-CIRCUIT CABLE: TYPE UF

340.10. Revise Item (1) as follows:

340.10. Uses Permitted.

(1) For use underground **in systems not exceeding 50 volts,** including direct burial in the earth. For underground requirements see 300.5.

ARTICLE 348 – FLEXIBLE METAL CONDUIT:TYPE FMC

348.10. Revise this section as follows:

348.10. Uses Permitted. FMC shall be permitted to be used in ~~exposed and~~ concealed locations **and where necessary for flexibility in lengths not to exceed 1.829 m (6 feet).**

ARTICLE 350 – LIQUIDTIGHT FLEXIBLE METAL CONDUIT: TYPE LFMC

350.10. Revise the first sentence as follows:

350.10. Uses Permitted. LFMC shall be permitted to be used ~~in~~ exposed **where necessary for flexibility in lengths not to exceed 1.829 m (6 feet) locations** or concealed locations as follows:

ARTICLE 352 – RIGID POLYVINYL CHLORIDE CONDUIT: TYPE PVC

352.10. Revise Item (A) as follows:

352.10. Uses Permitted.

(A) Concealed. PVC conduit shall be permitted ~~in~~ **embedded in concrete** walls, floors, and ceilings. **The conduit may emerge not more than 3 inches from the concrete within wiring enclosures, otherwise metal raceways shall be provided where emerging from the concrete.**

ARTICLE 355 – REINFORCED THERMOSETTING RESIN CONDUIT: TYPE RTRC

355.10. Revise Item (A) as follows:

355.10. Uses Permitted

(A) Concealed. RTRC conduit shall be permitted ~~in~~ **embedded in concrete** walls, floors, and ceilings. **The conduit may emerge not more than 3 inches from the concrete within wiring enclosures, otherwise metal raceways shall be provided where emerging from the concrete.**

ARTICLE 356 – LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT: TYPE LFNC

356.10 Revise the first sentence of this section as follows:

356.10. Uses Permitted. LFNC shall be permitted to be used in exposed or concealed locations **for systems not exceeding 50 volts** for the following purposes:

356.12. Revise item 4 of this section as follows:

356.12. Uses Not Permitted.

(4) Where the operating voltage of the contained conductors is in excess of 600 **50** volts, nominal, except as permitted in 600.32(A).

ARTICLE 358 – ELECTRICAL METALLIC TUBING: TYPE EMT

358.10(B) Add a second paragraph as follows:

358.10(B). Corrosion Protection.

Where EMT emerges from concrete in a damp or wet location, it shall be protected against corrosion at the point of emergence by wrapping of PVC tape, or by other approved means.

358.12 Add Item (7) as follows:

358.12. Uses Not Permitted

(7) In concrete slabs on grade.

ARTICLE 362 – ELECTRICAL NONMETALLICTUBING: TYPE ENT

362.10. Revise Item 6 and delete Items 1,2,4,5,7, and 8 as follows:

362.10. Uses Permitted.

(1) **Reserved.** ~~In any building not exceeding three floors above grade as follows:~~

~~a. For exposed work, where not prohibited by 362.12~~

~~b. Concealed within walls, floors, and ceilings~~

(2) **Reserved.** ~~In any building exceeding three floors above grade, ENT shall be concealed within walls, floors, and ceilings where the walls, floors, and ceilings provide a thermal barrier of material that has at least a 15-minute finish rated thermal barrier shall be permitted to be used for combustible or noncombustible walls, floors, and ceilings.~~

~~*Exception to (2): Where a fire sprinkler system(s) is installed in accordance with NFPA 13-2010, Standard for the Installation of Sprinkler Systems, on all floors, ENT shall be permitted to be used within walls, floors, and ceilings, exposed or concealed, in buildings exceeding three floors above grade.*~~

~~Informational Note: A finish rating is established for assemblies containing combustible (wood) supports. The finish ratings is defined as the time at which the wood stud or wood joist reaches an average temperature rise of 121°C (250°F) or an individual temperature of 163°C (325°F) as measured on the plane of the wood nearest the fire. A finish rating is not intended to represent a rating for a membrane ceiling.~~

(4) **Reserved.** ~~In concealed, dry, and damp locations not prohibited by 362.12.~~

(5) **Reserved.** ~~Above suspended ceilings where the suspended ceilings provide a thermal barrier of material that that has at least a 15-minute finish as identified in listings of fire-rated assemblies, except as permitted in 362.10(1)(a).~~

~~*Exception to (5): ENT shall be permitted to be used above suspended ceilings in buildings exceeding three floors above grade where the building is protected throughout by a fire sprinkler system installed in accordance with NFPA 13-2010, Standard for the Installation of Sprinkler Systems.*~~

(6) Encased in poured concrete, or embedded in a concrete slab on grade where ENT is placed on sand or approved screenings, provided fittings identified for this purpose are used for connections. **Metal raceways shall be provided where emerging from the concrete.**

(7) **Reserved.** ~~For wet locations indoors as permitted in this section or in a concrete slab on or belowgrade, with fittings listed for the purpose.~~

(8) **Reserved.** ~~Metric designator 16 through 27 (trade size ½ through 1) as listed manufactured prewired assembly.~~

~~Informational Note: Extreme cold may cause some types of nonmetallic conduits to become brittle and therefore more susceptible to damage from physical contact.~~

ARTICLE 378 – NONMETALLIC WIREWAYS

378.12 Add Item (6) as follows:

378.12. Uses Not Permitted.

(6) Where the voltage of the contained conductors is in excess of 50 volts.

Chapter 4. Equipment for General Use

ARTICLE 410 – LUMINAIRES (LIGHTING FIXTURES), LAMPHOLDERS, AND LAMPS

410.36(B) Revise this section as follows:

410.36(B) Suspended Ceilings. Framing members of suspended ceiling systems used to support luminaires shall be securely fastened to each other and shall be securely attached to the building structure at appropriate intervals. Luminaires shall be securely fastened to the ceiling framing member by mechanical means, such as bolts, screws, or rivets. Listed clips identified for use with the type of ceiling framing member(s) and luminaire(s) shall also be permitted. **All luminaires or luminaire outlets supported by suspended ceiling systems shall have supplemental support wires (minimum #12 gauge) connected from the fixture housing or fixture support bracket to the structure above. Recessed lighting fixtures measuring 610 mm (2 feet) nominal or larger in any dimension shall have two (minimum #12 gauge) support wires. See IBC Section 808.1.1.1 and ASTM standards C635 and C636.**

Exception: Supplemental support wires shall not be required when listed clips identified to be used without supplemental ceiling wires in compliance with IBC Section 808.1.1.1 are installed.

ARTICLE 411 – LIGHTING SYSTEMS OPERATING AT 30 VOLTS OR LESS

411.4 Revise Section Title and Item (A) as follows:

411.4 ~~Specific Location Requirements.~~ Locations not Permitted

(A) Walls Floors and Ceilings. Conductors concealed or extended through a wall, floor ceiling, **or suspended ceiling**, shall be in accordance with (1) or (2):

(1) Installed using any of the wiring methods specified in Chapter 3
(2) Installed using wiring supplied by a listed Class 2 power source and installed in accordance with 725.130

Chapter 5. Special Occupancies

No San Francisco Electrical Code Amendments.

Chapter 6. Special Equipment

ARTICLE 645 – INFORMATION TECHNOLOGY EQUIPMENT

645.5(E) Revise Item (2) as follows:

645.5(E)(2). Under Raised Floors

(2) The branch-circuit supply conductors to receptacles or field-wired equipment are in rigid metal conduit, ~~rigid nonmetallic conduit~~, intermediate metal conduit, electrical metallic tubing, ~~electrical nonmetallic tubing~~, metal wireway, nonmetallic wireway, surface metal raceway with metal cover, nonmetallic surface raceway, flexible metal conduit, liquidtight flexible metal conduit, or liquidtight flexible nonmetallic conduit, Type MI cable, Type MC cable, or Type AC cable and associated metallic and nonmetallic boxes or enclosures. These supply conductors shall be installed in accordance with the requirements of Section 300.11.

Chapter 7. Special Conditions

ARTICLE 700 – EMERGENCY SYSTEMS

700.12(F) Revise the last paragraph of this section as follows:

700.12(F). Unit Equipment.

Unit equipment shall be permanently fixed in place (i.e., not portable) and shall have all wiring to each unit installed in accordance with the requirements of any of the wiring methods in Chapter 3. Flexible cord-and-plug connection shall **not** be permitted, ~~provided that the cord does not exceed 900 mm (3ft) in length.~~ The branch circuit feeding the unit equipment shall be the same branch circuit as that serving the normal lighting in the area and connected ahead of any local switches. The branch circuit that feeds unit equipment shall be clearly identified at the distribution panel. Emergency luminaires **(illumination fixtures)** that obtain power from a unit equipment and are not part of the unit equipment shall be wired to the unit equipment as required by 700.10 and by one of the wiring methods of Chapter 3.

700.16 Revise the first paragraph of this section as follows:

700.16. Emergency Illumination. Emergency illumination shall include all required means of egress lighting, illuminated exit signs, and all other lights specified as necessary to provide required illumination. **Emergency illumination shall be provided at the location of transfer switches, switchboards and panelboards that supply emergency and legally required stand-by loads.**

ARTICLE 760 – FIRE ALARM SYSTEMS

760.46. Revise this section as follows:

760.46. NPLFA Circuit Wiring. Installation of non-power-limited fire alarm circuits shall be in accordance with 110.3(B), ~~300.7~~ 300.11, 300.15, 300.17, 300.19(B) and other appropriate articles of Chapter 3. **Conductors shall be installed in metallic raceways or concrete-encased nonmetallic raceways.**

Exception No. 1: As provided in Sections 760.48 through 760.53.

~~*Exception No. 2 Where other articles of this Code required other methods.*~~

760.130(A) Revise this section as follows:

(A). NPLFA Wiring Methods and Materials. Installation shall be in accordance with 760.46, and conductors shall be solid or stranded copper.

Exception No. 1: The ampacity adjustment factors given in 310.15(B)(3)(a) shall not apply.

Exception No. 2: Conductors and multiconductor cables described in and installed in accordance with 760.49 ~~and 760.53~~ shall be permitted.

Exception No. 3: Power-limited circuits shall be permitted to be reclassified and installed as non-power-limited circuits if the power-limited fire alarm circuit markings required by 760.124 are eliminated and the entire circuit is installed using the wiring methods and materials in accordance with Part II, Non-Power-Limited Fire Alarm Circuits.

Informational Note: Power-limited circuits reclassified and installed as non-power-limited circuits are no longer power-limited circuits, regardless of the continued connection to a power-limited source.

760.130(B). Revise this section as follows:

760.130(B). PLFA Wiring Methods and Materials.

Power-limited fire alarm conductors and cables described in 760.179 shall be installed ~~as detailed in 760.130(B)(1), (B)(2), or (B)(3) of this section and 300.7~~ **in metallic raceway in accordance with 760.46.** Devices shall be installed in accordance with 110.3(B), 300.11 (A), 300.15.

760.180 Add the following new section:

760.180. System Requirements.

(A) Supervising Station Fire Alarm Systems. Supervising station fire alarm system wiring installed within or on buildings shall be installed in metallic raceways.

Exception: Communication conductors installed entirely within a dedicated telephone equipment room, switchboard area or fire control room.

(B) Source of Power. Circuits supplying fire alarm control units that are not monitored by an approved supervising station, or a constantly attended location approved by the fire code official shall be connected to either the line or load side of the service disconnect. Circuits shall be protected by means of an externally operated fused safety switch or a circuit breaker either in a separate enclosure or within a switchboard entirely separate from other circuit breakers. The switch and/or circuit breaker shall be clearly labeled and locked in the on position.

Informational Note: See SFEC(2013) 760.41& 760.121; CBC(2013) 903.4; NFPA 72(2010)10.5.3 ; NFPA 13(2010) 6.9.4.1;

Chapter 8. Communications Systems

Chapter 9. Tables and Examples

No San Francisco Electrical Code Amendments.

STATE OF CALIFORNIA – GOVERNMENT OPERATIONS AGENCY GOVERNOR EDMUND G. BROWN JR.

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

January 22, 2014

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance 257-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city/county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

November 19, 2013

SENT CERTIFIED MAIL (Return Receipt Requested)

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendment

To Whom It May Concern:

Pursuant to California Health & Safety Code Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco on November 5, 2013 and approved by the Mayor on November 14, 2013:

- **Ordinance No. 257-13 (File No. 130839)** – Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

If you have any questions or require additional information, please call (415) 554-4442 or email andrea.ausberry@sfgov.org.

Sincerely,

Angela Calvillo, Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

130839 **[Mechanical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]**

Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

10/29/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/5/2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/14/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

November 19, 2013
Date

Angela Calvillo
Clerk of the Board

FILE NO. 130839 ORDINANCE NO. 257-13

[Mechanical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130839 and is incorporated herein by reference.

Section 2. General Findings.

A. The State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. The California Building Standards Code is contained in Title 24 of the California Code of

Regulations, and consists of several parts that are based upon model codes with amendments made by various State agencies. The California Mechanical Code is Part 4 of Title 24 of the California Code of Regulations. The 2013 California Mechanical Code will go into effect throughout California on January 1, 2014.

B. Local jurisdictions are required to enforce the California Mechanical Code but they may also enact more stringent standards when reasonably necessary because of local conditions caused by climate, geology or topography.

C. As in past State code adoption cycles, in this ordinance San Francisco repeals its existing Mechanical Code in its entirety and enacts a new Mechanical Code consisting of the new model code, as amended by the California Mechanical Code, and as further amended by San Francisco.

D. On August 21, 2013, at a duly noticed public hearing, the Building Inspection Commission considered this legislation.

Section 3. Findings regarding Local Conditions.

A. California Health & Safety Code Section 17958.7 provides that before making any changes or modifications to the California Mechanical Code and any other applicable provisions published by the State Building Standards Commission, the governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions, and the findings must be filed with the State Building Standards Commission before the local changes or modifications can go into effect.

B. The City and County of San Francisco is unique among California communities with respect to local climatic, geological, topographical, and other conditions. A specific list of findings that support San Francisco's modifications to the 2013 California Mechanical Code and a section-by-section correlation of each modification with a specific numbered finding are contained in Exhibit A entitled "Standard Findings for San Francisco Amendments," on file

with the Clerk of the Board of Supervisors in File No. 130839, which is hereby declared to be part of this ordinance as if set forth fully therein.

C. Pursuant to California Health and Safety Code Section 17958.7, the Board of Supervisors finds and determines that the local conditions described in Exhibit A constitute a general summary of the most significant local conditions giving rise to the need for modification of the 2013 California Mechanical Code provisions published by the State Building Standards Commission. The Board of Supervisors further finds and determines that the proposed modifications are reasonably necessary based upon the local conditions set forth in Exhibit A.

Section 4. The 2010 San Francisco Mechanical Code is hereby repealed in its entirety. The Mechanical Code being repealed was enacted by Ordinance 273-10, which is available on the website of the Board of Supervisors. There have been no subsequent amendments.

Section 5. The 2013 San Francisco Mechanical Code is hereby enacted. The Mechanical Code being enacted consists of the new model code, as amended by the 2013 California Mechanical Code, and as further amended by the San Francisco amendments. A copy of the new model code, as amended by the 2013 California Mechanical Code, together with the San Francisco amendments, is on file with the Clerk of the Board of Supervisors in File No. 130839 all of which is hereby declared to be part of this ordinance as if set forth fully therein. Additions to the 2013 California Mechanical Code are shown in bold underlined type; deletions are shown with strikethrough.

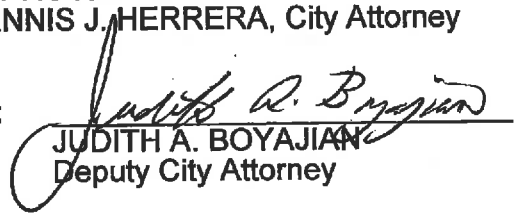
Section 6. Continuance of Actions Under Prior Code. Nothing contained in this ordinance shall be construed as abating any action now pending under or by virtue of any ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance be construed as discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City under any such ordinance.

Section 7. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 8. Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall take effect and be in full force on and after either January 1, 2014 or its effective date if the effective date is later.

Section 9. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit this ordinance with the Exhibit A attachment and the San Francisco modifications to the 2013 California Mechanical Code to the State Building Standards Commission pursuant to the applicable provisions of State law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
JUDITH A. BOYAJIAN
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130839 **Date Passed:** November 05, 2013

Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law.

October 21, 2013 Land Use and Economic Development Committee - RECOMMENDED

October 29, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 05, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130839

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/5/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/14/2013
Date Approved

EXHIBIT A

STANDARD FINDINGS FOR SAN FRANCISCO BUILDING STANDARDS CODE AMENDMENTS:

1. Certain buildings/occupancies in San Francisco are at increased risk for earthquake-induced failure and consequent fire due to local hazardous microzones, slide areas, and local liquefaction hazards. (Geology)

2. Certain buildings/occupancies in San Francisco are at increased risk of fire due to high density of buildings on very small lots, with many buildings built up to the property lines. (Topography)

3. Topography of San Francisco has let to development of a high density of buildings on small lots, necessitating special provisions for exiting, fire separation, or fire-resistive construction. (Topography)

4. Many buildings are built on steep hills and narrow streets, requiring special safety consideration. (Topography)

5. Additional fire, structural and other protection is required due to high building density and crowded occupancy. (Topography)

6. San Francisco has narrow, crowded sidewalks due to building and population density and unusual topography. (Topography)

7. All rain water in San Francisco drains to the building drains and sewer; unusual geology, occasional extremely high local rainfall amounts, and the configuration of the City as a peninsula restrict the installation of separate storm water and sewer systems. (Topography, Climate, Geology)

8. Moist, corrosive atmosphere of salt-laden fog in San Francisco necessitates additional requirements. (Climate)

9. Not a building standard; no local findings required.

10. Soil conditions in this region induce adverse reactions with some materials, leading to premature failures and subsequent unsanitary conditions. (Climate)

11. The region is subject to fluctuating rainfall due to changes in climatic conditions. (Climate)

12. San Francisco is a peninsula surrounded on three sides by water at sea level;

mitigation of climate change impacts, including sea level rise, is critical to the long term protection of the local built environment and local infrastructure. (Topography)

13. Climate and potential climate change impacts San Francisco's water resources, including reservoirs and distribution facilities. (Climate)

14. Organic material in San Francisco's waste breaks down into methane gas which is a significant contributor to climate change. (Climate)

15. San Francisco is topographically constrained and its built environment occupies most available land, requiring minimization of debris and solid waste. (Topography)

16. Prevailing winds, coastal mountain ranges, and periodic seasonal high temperatures contribute to photochemical reactions that produce smog and ozone; limiting the emission of smog's chemical precursors - volatile organic chemicals and oxides of nitrogen - is necessary to health and safety. (Climate, Topography)

17. The aquifers underlying San Francisco are small relative to local population, necessitating ongoing water imports and special provisions to ensure efficient use of water in local buildings. (Geology)

2013 San Francisco Mechanical Code Findings

CHAPTER 1	
Section #	**Finding #**
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101.3	9
103.2	9
106.1	9
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NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

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Section #	**Finding #**
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510.9	5
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CHAPTERS 6, 7
NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

CHAPTER 8	
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CHAPTER 9	
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918.1	5

CHAPTER 10	
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1023.5	9

CHAPTERS 11, 12, 13, 14, 15, 16, 17
NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

APPENDICES B, C, & D
NO SAN FRANCISCO MECHANICAL CODE AMENDMENTS

PROPOSED SAN FRANCISCO MECHANICAL CODE AMENDMENTS 2013 Edition

CHAPTER 1 ADMINISTRATION

DIVISION I CALIFORNIA ADMINISTRATION

See Division II Administration for San Francisco Mechanical Code administrative provisions.
No San Francisco Mechanical Code Amendments

DIVISION II ADMINISTRATION

PART I – GENERAL

SECTION 101.0 – TITLE

101.1 Revise this section as follows:

101.1 Title These regulations shall be known as the ~~Uniform~~ **2013 San Francisco** Mechanical Code, may be cited as such, and will be referred to herein as "this code."

101.3 Add the following paragraph:

Wherever in this code reference is made to the appendix, the provisions of the appendix shall not apply unless specifically adopted.

SECTION 103.0 – ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION EQUIVALENCY

103.2 Add the following section:

103.2 Fees. See Building Code Section 110A, Table 1A-J - Miscellaneous Fees - for applicable fees.

PART II – ORGANIZATION AND ENFORCEMENT

SECTION 106.0 – POWERS AND DUTIES OF THE AUTHORITY HAVING JURISDICTION

106.1 Revise this section as follows:

106.1 General. The Authority Having Jurisdiction is hereby authorized and directed to enforce **all** ~~the~~ provisions of this code. For such purposes, the Authority Having Jurisdiction shall have the powers of a law enforcement officer. **The Authority Having Jurisdiction, when necessary, may call upon the Police Department and other city agencies for aid or assistance in carrying out or enforcing any of the provisions of this code.**

106.3 Revise this section as follows:

106.3 Right of Entry. When ~~Where~~ it is necessary to make an inspection to enforce the provisions of this code **or other codes or ordinances**, or **when** ~~where~~ the Authority Having Jurisdiction has ~~a~~ reasonable cause to believe that there exists in a building or upon a premises a condition **which** ~~that~~ is contrary to or in violation of this code **or other codes or ordinances** that makes the building or premises unsafe, dangerous or hazardous, the Authority Having Jurisdiction shall be permitted to enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code **or other codes or ordinances**, provided that where such building or premises be occupied that credentials be presented to the occupant and entry requested. Where such building or premises be unoccupied, the Authority Having Jurisdiction shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. Where entry is refused, the Authority Having Jurisdiction shall have recourse to the remedies provided by law to secure entry.

106.10 Add the following section:

106.10 Authority Having Jurisdiction May Adopt Rules and Regulations. The Authority Having Jurisdiction shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code. Such rules and regulations, commonly referred to as "Code Rulings" and "Administrative Bulletins," supplemental to this code, shall not take effect until approved by the Building Inspection Commission and signed by the Authority Having Jurisdiction except in unusual circumstances where the Authority Having Jurisdiction has determined there is an immediate need to protect the public health and safety. When the Director finds that such circumstances exist, the Authority Having Jurisdiction may order immediate enforcement of a particular rule or regulation. The Authority Having Jurisdiction shall arrange for a subscription service to such rules and regulations, the entire cost of which is to be borne by the subscribers.

106.11 Add the following section:

106.11 Code Revisions. The Authority Having Jurisdiction shall transmit to the Building Inspection Commission, at intervals not exceeding three years, recommendations for changes to this code, based on studies of the following:

1. Requests of the Board of Examiners for variances from this code, and for approvals of alternate materials, alternate designs and methods of construction.

2. Code changes recommended by the Board of Examiners.

3. Code changes recommended by the Code Advisory Committee or other bodies subordinate to the Building Inspection Commission.

4. Results obtained and problems encountered from legal actions taken to correct code violations.

5. Changes or improvements in materials, methods of construction or design and changes proposed by interested persons.

6. Investigations of fire and structural damage to buildings, and of complaints of unsatisfactory mechanical system performance.

7. Periodic changes to the California Mechanical Code and other State regulations which may affect this code.

8. Administrative Bulletins and Code Rulings currently in effect.

9. Violations of this code found on inspections or investigations.

SECTION 108.0 – BOARD OF APPEALS

108.0 Replace this title and entire section as follows:

108.0 Board of Examiners.

Applicants may appeal decisions made by the Department of Building Inspection to the Board of Examiners regarding approval of alternate materials, methods and types of construction and for variances from the provisions of this code. See Building Code Section 105A.1.

SECTION 109.0 – VIOLATIONS

109.0 Add the following three sections:

109.2 Violations. Any person, the owner or the owner's authorized agent, who violates, disobeys, omits, neglects or refuses to comply with, or resists or opposes the execution of any of the provisions of this code, shall be liable for a civil penalty, not to exceed $500 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco by the City Attorney in any court of competent jurisdiction. Any penalty assessed and recovered in an action brought pursuant to this paragraph shall be paid to the City Treasurer and credited to the Department of Building Inspection's Special Fund.

109.3 Any person, the owner or the owner's authorized agent, who violates, disobeys, omits, neglects or refuses to comply with, or who resists or opposes the execution of any of the provisions of this code, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not exceeding six months, or by both such fine and imprisonment, unless otherwise provided in this code, and shall be deemed guilty of a separate offense for every day such violation, disobedience, omission, neglect or refusal shall continue. Any person who shall do any work in violation of any of the provisions of this code, and any person having charge of such work who shall permit it to be done, shall be liable for the penalty provided.

109.4 It shall be unlawful for any person to interfere with the posting of any notice provided for in this code, or to tear down or mutilate any such notice so posted by the Department of Building Inspection.

PART III – PERMITS AND INSPECTIONS

SECTION 111.0 – PERMITS

111.2 Add the following item:

111.2(6) Replacement water heaters of not more than 100 gallons (378.54 liters) capacity are exempt from building permits when a new flue is not installed, but shall require plumbing permits.

SECTION 112.0 – APPLICATION FOR PERMIT

112.1 Replace this section as follows:

112.1 Application. Applications for permits to perform regulated mechanical work shall conform to the applicable requirements as set forth in Chapter 1A of the Building Code and Chapter 1, Division II of the Plumbing Code.

SECTION 113.0 – PERMIT ISSUANCE

113.1 Replace this section as follows:

113.1 General. Permit processing and issuance for regulated mechanical work shall conform to the applicable requirements as set forth in Chapter 1A of the Building Code and Chapter 1, Division II of the Plumbing Code.

113.4 Replace this section as follows:

113.4 Permit Expiration. Mechanical permits expire per Section 106A.4.4 of the San Francisco Building Code. Permit fees may be partially refunded if a written cancellation request is made to the Building Official prior to commencement of the permitted work and within 90 days of the date of permit issuance. See Section 110A, Table 1A-R - Refunds - of the Building Code for refunds.

SECTION 114.0 – FEES

114.0.6 Replace this entire section with the following section:

114.1 General. Fees for regulated mechanical work shall be as set forth in Chapter 1A of the Building Code and in Chapter 1, Division II of the Plumbing Code.

CHAPTER 2
DEFINITIONS

No San Francisco Mechanical Code Amendments

CHAPTER 3
GENERAL REQUIREMENTS

No San Francisco Mechanical Code Amendments.

CHAPTER 4
VENTILATION AIR SUPPLY

No San Francisco Mechanical Code Amendments.

CHAPTER 5
EXHAUST SYSTEMS

SECTION 510.0 — EXHAUST DUCT SYSTEMS

510.8 modify title of this section as follows:

510.8 Termination of <u>Type I</u> Exhaust System

510.9 add a new section as follows:

<u>510.9 Termination of Type II Exhaust System. Exhaust outlets for ducts serving Type II hoods over heat-processing equipment shall terminate at least 10 feet (3048 mm) from adjacent property lines or air intake openings into any building, and shall be located at least 10 feet (3048) above adjoining grade level.</u>

510.9 renumber section as follows:

~~510.9~~ <u>510.10</u> Solid-Fuel Duct Systems.

CHAPTER 6
DUCT SYSTEMS

No San Francisco Mechanical Code Amendments.

CHAPTER 7
COMBUSTION AIR

No San Francisco Mechanical Code Amendments.

CHAPTER 8
CHIMNEYS AND VENTS

SECTION 802.6 — GAS VENTS

802.6.2 modify the first sentence of this section as follows:

802.6.2 Additional Termination Requirements. As gas vent shall terminate **at least four (4) feet (1219 mm) from a property line, except a public way and** in accordance with one of the following:

SECTION 802.8 — THROUGH-THE-WALL VENT TERMINATIONS

802.8.1 modify the first sentence of this section as follows:

802.8.1 Termination. A mechanical draft venting system shall terminate **at least four (4) feet (1219 mm) from a property line, except a public way and** not less than 3 feet (914 mm) above a forced air inlet located within 10 feet (3048 mm).

CHAPTER 9
INSTALLATION OF SPECIFIC APPLIANCES

SECTION 918.0 – INCINERATORS, COMMERCIAL - INDUSTRIAL

918.1 Add the following sentence as a second paragraph:

The operation and installation of incinerators shall also comply with the regulations of the Bay Area Air Quality Management District.

CHAPTER 10
STEAM AND HOT WATER BOILERS

SECTION 1021.0 – INSPECTIONS AND TESTS

1021.1 Revise this section as follows:

1021.1 General

An installation for which a permit is required shall not be put into service until it has been ~~inspected and approved by the Authority Having Jurisdiction~~ **certified by a licensed boiler contractor or inspected by an approved insuring company inspector and an operating permit has been issued.**

It shall be the duty of the owner or his authorized representative to notify the Authority Having Jurisdiction that the installation ~~is ready for inspection and test~~ **has been certified or inspected**. It also shall be the duty of the owner or his authorized representative to post in a conspicuous position on the installation a notice in substantially the following form: "Warning! This installation has not been inspected and approved by the Authority Having Jurisdiction and shall not be covered or concealed until so inspected and approved," and it shall be unlawful for anyone other than the Authority Having Jurisdiction to remove such notice. The Authority Having Jurisdiction shall require such tests as it deems necessary to determine that the installation ~~is in accordance~~ **complies** with the provision of this section. Such test shall be made by the owner or his authorized representative in the presence of the Authority Having Jurisdiction.

Exception: On installations designed and supervised by a registered professional engineer, the Authority Having Jurisdiction shall have the authority to permit inspection and testing by such engineer.

~~Where the owner or his authorized representative requests inspection of a boiler prior to its installation, the Authority Having Jurisdiction shall make such inspection.~~

SECTION 1022.0 – OPERATING PERMIT

1022.1 Revise this section as follows:

1022.1 General

It shall be unlawful to operate a boiler or pressure vessel without first obtaining a valid operating permit to do so from the Authority Having Jurisdiction. Such permit shall be displayed in a conspicuous place adjacent to the boiler or **pressure** vessel. The operating permit shall not be issued until the equipment has been ~~inspected and approved by the Authority Having Jurisdiction~~ **certified as complying with State of California Building Safety Orders by a licensed boiler contractor, by employees of an approved insuring company holding commissions from the National Board of Boiler and Pressure Vessel Inspectors or by a registered professional engineer.**

Exception: The operation **only** of steam-heating boilers, low-pressure hot-water-heating boilers, hot-water supply boilers, and pressure vessels in Group R Occupancies of less than six ~~dwelling~~ units and in Group U occupancies.

SECTION 1023.0 – MAINTENANCE INSPECTION

1023.1 Revise this section as follows:

1023.1 General The Authority Having Jurisdiction shall ~~inspect~~ **require an inspection of** boilers and pressure vessels operated under permit in accordance with ASHRAE/ACCA 180 at such intervals as deemed necessary, but not less frequently than noted below.

1023.5 Revise the second paragraph as follows:

Inspection of boilers and pressure vessels **may be made by licensed C-4 Boiler Contractors and, when** covered by insurance shall be permitted to be made by employees of the insuring company holding commissions from the National Board of Boiler and Pressure Vessel Inspectors, subject to approval of the Authority Having Jurisdiction. Approved insuring company inspectors shall make reports on prescribed forms on inspections authorized by the Authority Having Jurisdiction. The reports shall be filed in the Authority Having Jurisdiction office. Company inspectors shall notify the Authority Having Jurisdiction of suspension of insurance because of dangerous conditions, new insurance in effect, and discontinuance of insurance coverage**, or any unsafe conditions requiring correction.**

CHAPTER 11
REFRIGERATION

No San Francisco Mechanical Code Amendments.

CHAPTER 12
HYDRONICS

No San Francisco Mechanical Code Amendments.

CHAPTER 13
FUEL GAS PIPING

No San Francisco Mechanical Code Amendments.

CHAPTER 14
PROCESS PIPING

No San Francisco Mechanical Code Amendments.

CHAPTER 15
SOLAR SYSTEMS

No San Francisco Mechanical Code Amendments.

CHAPTER 16
STATIONARY POWER PLANTS

No San Francisco Mechanical Code Amendments.

CHAPTER 17
REFERENCED STANDARDS

No San Francisco Mechanical Code Amendments.

APPENDIX B
PROCEDURES TO BE FOLLOWED TO PLACE GAS EQUIPMENT IN OPERATION

No San Francisco Mechanical Code Amendments.

APPENDIX C
INSTALLATION AND TESTING OF OIL (LIQUID) FUEL-FIRED EQUIPMENT

No San Francisco Mechanical Code Amendments.

APPENDIX D
UNIT CONVERSION TABLES

No San Francisco Mechanical Code Amendments.

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

January 22, 2014

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance 258-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city/county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

November 19, 2013

SENT CERTIFIED MAIL (Return Receipt Requested)

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendment

To Whom It May Concern:

Pursuant to California Health & Safety Code Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco on November 5, 2013 and approved by the Mayor on November 14, 2013:

- **Ordinance No. 258-13 (File No. 130840)** – Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

If you have any questions or require additional information, please call (415) 554-4442 or email andrea.ausberry@sfgov.org.

Sincerely,

Angela Calvillo, Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

130840 **[Plumbing Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]**

Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

10/29/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/5/2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/14/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

November 19, 2013
Date

Angela Calvillo
Clerk of the Board

FILE NO. 130840 ORDINANCE NO. 258-13

[Plumbing Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130840 and is incorporated herein by reference.

Section 2. General Findings.

A. The State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. The California Building Standards Code is contained in Title 24 of the California Code of

Regulations, and consists of several parts that are based upon model codes with amendments made by various State agencies. The California Plumbing Code is Part 5 of Title 24 of the California Code of Regulations. The 2013 California Plumbing Code will go into effect throughout California on January 1, 2014.

B. Local jurisdictions are required to enforce the California Plumbing Code but they may also enact more stringent standards when reasonably necessary because of local conditions caused by climate, geology or topography.

C. As in past State code adoption cycles, in this ordinance San Francisco repeals its existing Plumbing Code in its entirety and enacts a new Plumbing Code consisting of the new model code, as amended by the California Plumbing Code, and as further amended by San Francisco.

D. On August 21, 2013, at a duly noticed public hearing, the Building Inspection Commission considered this legislation.

Section 3. Findings regarding Local Conditions.

A. California Health & Safety Code Section 17958.7 provides that before making any changes or modifications to the California Plumbing Code and any other applicable provisions published by the State Building Standards Commission, the governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions, and the findings must be filed with the State Building Standards Commission before the local changes or modifications can go into effect.

B. The City and County of San Francisco is unique among California communities with respect to local climatic, geological, topographical, and other conditions. A specific list of findings that support San Francisco's modifications to the 2013 California Plumbing Code and a section-by-section correlation of each modification with a specific numbered finding are contained in Exhibit A entitled "Standard Findings for San Francisco Amendments," on file

with the Clerk of the Board of Supervisors in File No. 130840, which is hereby declared to be part of this ordinance as if set forth fully therein.

C. Pursuant to California Health and Safety Code Section 17958.7, the Board of Supervisors finds and determines that the local conditions described in Exhibit A constitute a general summary of the most significant local conditions giving rise to the need for modification of the 2013 California Plumbing Code provisions published by the State Building Standards Commission. The Board of Supervisors further finds and determines that the proposed modifications are reasonably necessary based upon the local conditions set forth in Exhibit A.

Section 4. The 2010 San Francisco Plumbing Code is hereby repealed in its entirety. The San Francisco Plumbing Code being repealed consists of Ordinance 272-10, which is available on the website of the Board of Supervisors. There have been no subsequent amendments.

Section 5. The 2013 San Francisco Plumbing Code is hereby enacted. The Plumbing Code being enacted consists of the new model code, as amended by the 2013 California Plumbing Code, and as further amended by the San Francisco amendments. A copy of the new model code, as amended by the 2013 California Plumbing Code, together with the San Francisco amendments, is on file with the Clerk of the Board of Supervisors in File No. 130840 all of which is hereby declared to be part of this ordinance as if set forth fully therein. Additions to the 2013 California Plumbing Code are shown in bold underlined type; deletions are shown with strikethrough.

Section 6. Continuance of Actions Under Prior Code. Nothing contained in this ordinance shall be construed as abating any action now pending under or by virtue of any ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance

be construed as discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City under any such ordinance.

Section 7. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 8. Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall take effect and be in full force on and after either January 1, 2014 or its effective date if the effective date is later.

Section 9. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit this ordinance with the Exhibit A attachment and the San Francisco modifications to the 2013 California Plumbing Code to the State Building Standards Commission pursuant to the applicable provisions of State law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

n:\legana\as2013\1400074\00866315.doc

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130840 **Date Passed:** November 05, 2013

Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law.

October 21, 2013 Land Use and Economic Development Committee - RECOMMENDED

October 29, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 05, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130840

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/5/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/14/2013
Date Approved

EXHIBIT A

STANDARD FINDINGS FOR SAN FRANCISCO BUILDING STANDARDS CODE AMENDMENTS:

1. Certain buildings/occupancies in San Francisco are at increased risk for earthquake-induced failure and consequent fire due to local hazardous microzones, slide areas, and local liquefaction hazards. (Geology)

2. Certain buildings/occupancies in San Francisco are at increased risk of fire due to high density of buildings on very small lots, with many buildings built up to the property lines. (Topography)

3. Topography of San Francisco has let to development of a high density of buildings on small lots, necessitating special provisions for exiting, fire separation, or fire-resistive construction. (Topography)

4. Many buildings are built on steep hills and narrow streets, requiring special safety consideration. (Topography)

5. Additional fire, structural and other protection is required due to high building density and crowded occupancy. (Topography)

6. San Francisco has narrow, crowded sidewalks due to building and population density and unusual topography. (Topography)

7. All rain water in San Francisco drains to the building drains and sewer; unusual geology, occasional extremely high local rainfall amounts, and the configuration of the City as a peninsula restrict the installation of separate storm water and sewer systems. (Topography, Climate, Geology)

8. Moist, corrosive atmosphere of salt-laden fog in San Francisco necessitates additional requirements. (Climate)

9. Not a building standard; no local findings required.

10. Soil conditions in this region induce adverse reactions with some materials, leading to premature failures and subsequent unsanitary conditions. (Climate)

11. The region is subject to fluctuating rainfall due to changes in climatic conditions. (Climate)

12. San Francisco is a peninsula surrounded on three sides by water at sea level;

mitigation of climate change impacts, including sea level rise, is critical to the long term protection of the local built environment and local infrastructure. (Topography)

13. Climate and potential climate change impacts San Francisco's water resources, including reservoirs and distribution facilities. (Climate)

14. Organic material in San Francisco's waste breaks down into methane gas which is a significant contributor to climate change. (Climate)

15. San Francisco is topographically constrained and its built environment occupies most available land, requiring minimization of debris and solid waste. (Topography)

16. Prevailing winds, coastal mountain ranges, and periodic seasonal high temperatures contribute to photochemical reactions that produce smog and ozone; limiting the emission of smog's chemical precursors - volatile organic chemicals and oxides of nitrogen - is necessary to health and safety. (Climate, Topography)

17. The aquifers underlying San Francisco are small relative to local population, necessitating ongoing water imports and special provisions to ensure efficient use of water in local buildings. (Geology)

2013 San Francisco Plumbing Code Findings

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PROPOSED SAN FRANCISCO PLUMBING CODE AMENDMENTS 2013 Edition

CHAPTER 1
ADMINISTRATION

DIVISION I
CALIFORNIA ADMINISTRATION

No San Francisco Plumbing Code Amendments.

DIVISION II
ADMINISTRATION

SECTION 101.0 – GENERAL

101.1 Revise this section as follows:

101.1 Title. This document shall be known as the "~~Uniform~~ **2013 San Francisco** Plumbing Code," may be cited as such, and will be referred to herein as "this code."

SECTION 102.0 – ORGANIZATION AND ENFORCEMENT

102.2 Add the following to the end of this section:

The Authority Having Jurisdiction, when necessary, may call upon the Police Department and other City and County of San Francisco agencies for aid or assistance in carrying out or enforcing any of the provisions of this code.

102.2.1 Revise the first paragraph of this section as follows:

102.2.1 Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code **or other codes or ordinances**, or where the Authority Having Jurisdiction has reasonable cause to believe that there exists in a building or upon a premises a condition or violation of this code **or other codes or ordinances** that makes the building or premises unsafe, insanitary, dangerous or hazardous, the Authority Having Jurisdiction shall be permitted to enter the building or premises at reasonable times to

inspect or to perform the duties imposed upon the Authority Having Jurisdiction by this code **or other codes or ordinances**, provided that where such building or premises is occupied, the Authority Having Jurisdiction shall present credentials to the occupant and request entry. Where such building or premises is unoccupied, the Authority Having Jurisdiction shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. Where entry is refused, the Authority Having Jurisdiction has recourse to every remedy provided by law to secure entry.

102.2.3 Revise this section as follows:

102.2.3 Authority to Disconnect Utilities in Emergencies. The Authority Having Jurisdiction shall have the authority to disconnect a plumbing system to a building, structure or equipment regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property. **For notification procedures, see Section 102A.16 of the Building Code.**

102.2.6 Add the following section:

102.2.6 Rules and Regulations. The Authority Having Jurisdiction shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code. Such rules and regulations, commonly referred to as "Code Rulings" and "Administrative Bulletins" supplemental to this code, shall not take effect until approved by the Building Inspection Commission and signed by the Authority Having Jurisdiction except in unusual circumstances where the Authority Having Jurisdiction has determined that there is an immediate need to protect the public health and safety. When the Authority Having Jurisdiction finds that such circumstances exist, the Authority Having Jurisdiction may order immediate enforcement of a particular rule or regulation. The Authority Having Jurisdiction shall arrange for a subscription service to such rules and regulations, the entire cost of which is to be borne by the subscribers.

102.2.7 Add the following section:

102.2.7 Code Revisions. The Authority Having Jurisdiction shall transmit to the Building Inspection Commission, at intervals not exceeding three years, recommendations for changes to this code, based on studies of the following:

1. Requests of the Board of Examiners for variances from this code, and for approvals of alternate materials, alternate designs and methods of construction.

2. Code changes recommended by the Board of Examiners.

3. Code changes recommended by the Code Advisory Committee or other bodies subordinate to the Building Inspection Commission.

4. Results obtained and problems encountered in legal actions taken to correct code violations.

5. Changes or improvements in materials, methods of construction or design, and changes proposed by interested persons.

6. Investigations of fire and structural damage to buildings, and of determination of

unsatisfactory building performance.

7. Periodic changes to the California Plumbing Code and other State regulations which may affect this code.

8. Administrative Bulletins and Code Rulings currently in effect.

9. Violations of the code found on inspections or investigations.

102.2.8 Add the following section:

102.2.8 Modifications. When there are practical difficulties involved in carrying out the provisions of this code, the Authority Having Jurisdiction may grant modifications for individual cases. The Authority Having Jurisdiction shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen the standard of this code to safeguard life or limb, health, property, or public welfare. The details of any action granting modifications shall be recorded and entered in the files of the Department of Building Inspection.

102.5 Replace this section as follows:

102.5 Penalties. Any person, the owner or the owner's authorized agent, who violates, disobeys, omits, neglects or refuses to comply with, or resists or opposes the execution of any of the provisions of this code, shall be liable for a civil penalty, not to exceed $500 for each day such violation is committed or permitted to continue, which penalty shall be assessed and recovered in a civil action brought in the name of the people of the City and County of San Francisco by the City Attorney in any court of competent jurisdiction. Any penalty assessed and recovered in an action brought pursuant to this paragraph shall be paid to the City Treasurer and credited to the Department of Building Inspection's Special Fund.

Any person, the owner or the owner's authorized agent, who violates, disobeys, omits, neglects or refuses to comply with, or who resists or opposes the execution of any of the provisions of this code, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not exceeding six months, or by both such fine and imprisonment, unless otherwise provided in this code, and shall be deemed guilty of a separate offense for every day such violation, disobedience, omission, neglect or refusal shall continue. Any person who shall do any work in violation of any of the provisions of this code, and any person having charge of such work who shall permit it to be done, shall be liable for the penalty provided.

It shall be unlawful for any person to interfere with the posting of any notice provided for in this code or to tear down or mutilate any such notice posted by the Department of Building Inspection.

SECTION 103.0 – PERMITS AND INSPECTIONS

103.1 Add the following second paragraph of this section:

Emergency work for the protection of life or limb, health, property and public welfare shall

have a permit obtained within one day of commencing such work, excluding Saturdays, Sundays and legal holidays.

103.1.1 Replace Section 103.1.1(1) and the first paragraph of Section 103.1.1(2) as follows:

103.1.1 Exempt Work. A permit shall not be required for the following:

(1) Repair of leaks not requiring cutting into or removing piping.

(2) Unstopping of traps, sewers, vents or waste pipes not requiring cutting into or removal of traps or piping.

(3) Replacement, repair or maintenance of faucets, valves, hose bibbs or roof drain not requiring cutting into or removal of piping.

(4) Replacement of toilets ~~with 1.6 gallon (6.06 liter) per flush toilet fixtures~~ except in structures with alternate water piping.

(5) Replacement of furnace filters.

(6) Removal of drainage, water or gas piping from a building when the water supply, gas and drainage lines have been disconnected in an approved manner under a permit.

(7) Work involved in setting up for display of plumbing fixtures or appliances, when not connected to any supply or drainage lines, in a sales establishment.

~~(8) Installation of plumbing systems installed by a utility in the operation of their utility business.~~

~~(9)~~ (8) Replacement of water conservation devices not requiring cutting into or removal of piping.

~~(10)~~ (9) Work performed in buildings or structures owned and occupied by the State and Federal governments.

103.1.3 Add the following section:

103.1.3 Homeowner's Permit. A permit for plumbing work in, on or about a single-family dwelling may be issued by the Authority Having Jurisdiction, provided said work is done by the owner or a family member who has demonstrated, to the satisfaction of the administrative authority, his or her qualifications to satisfactorily perform the plumbing work in the dwelling which is, or is intended to be, occupied by the owner. If the plumbing work performed under the homeowner's permit does not comply with the requirements of this code and if the corrections are not made as required by the Department of Building Inspection, then the work shall be corrected by a State-licensed plumbing contractor under a separate permit.

Such State-licensed plumbing contractor shall be required to pay only the permit issuance fee as set forth in Section 110A, Table 1A-C – Plumbing/Mechanical Permit Issuance and Inspection Fees - of the Building Code. If additional inspection is required, the appropriate fees as set forth in

Section 110A, Table 1A-C - Plumbing/Mechanical Permit Issuance and Inspection Fees and Table 1A-G - Inspection, Surveys and Reports - of the Building Code shall apply.

103.1.4 Add the following section:

103.1.4 Amending Applications. After a permit has been issued and an inspection of the work has been made, the scope of the permit may be altered by filing an amended permit application and paying fees for any additional work as set forth in Table 1A-C - Plumbing/Mechanical Permit Issuance and Inspection Fees and Table 1A-G - Inspections, Survey, and Reports of Section 110A of the Building Code.

103.2 Replace this section as follows:

103.2 Application. Permit applicants shall file with the Department of Building Inspection an application on a form furnished for that purpose.

A permit for inspection of the proposed plumbing work set forth in the application will be issued to State-licensed contractors or to homeowners subject to the requirements of Section 103.1.3 A separate permit shall be obtained for each separate building, structure or property.

103.3 Replace this section as follows:

103.3 Permit Issuance. An issued permit entitles the permittee to proceed with the work described therein. The issuance of a permit does not constitute approval of any work done under that permit. Permits shall not be transferable.

103.3.3 Replace this section as follows:

103.3.3 Permit Expiration. Plumbing permits expire per Section 106A.4.4 of the San Francisco Building Code. Permit fees may be partially refunded if a written cancellation request is made to the Building Official prior to commencement of the permitted work and within 90 days of the date of permit issuance. See Section 110A, Table 1A-R - Refunds - of the Building Code for refunds.

103.3.3.1 Add the following section:

103.3.3.1 Commencement of Work on Permit Expired Due to Work Not Started. A new permit shall be obtained to undertake the work described on an expired permit on which no work was performed. If not more than one year has elapsed since the expiration of the original permit, the applicant is eligible for reduced fees. See Section 110A, Table 1A- B – Other Building Permit and Plan Review Fees - of the Building Code for applicable fees.

If a refund has been granted per Section 103.3.3, the applicant shall not be eligible for the reduced fees as set forth in Section 110A, Table 1A-B - Other Building Permit and Plan Review Fees - of the Building Code.

103.3.3.2 Add the following section:

103.3.3.2 Recommencement of Work on Permit Expired Due to Work Not Completed. The applicant shall obtain a new permit for the work not completed. The permit fee shall be based on

work remaining to be done. Fees shall be as set forth in Section 110A, Table 1A-C – Plumbing/Mechanical Permit Issuance and Inspection Fees - of the Building Code.

103.4 Replace this section as follows:

103.4 Permit Fees. Before any permit is issued, the applicant shall pay to the Central Permit Bureau the fees as set forth in Section 110A, Table 1A-C – Plumbing/Mechanical Permit Issuance and Inspection Fees - of the Building Code. The replacement of a plumbing fixture or a gas appliance without a change in drainage, piping or venting shall not require the payment of permit issuance fee. A separate permit issuance fee shall be paid for each class of work, i.e., sewers and drainage, gas and water.

Final inspection will not be made unless all outstanding fees related to the permit work have been paid.

103.4.1 Replace the following section:

103.4.1 Inspections Not Covered by Permit Fees.

103.4.1.1 Off Hours of Inspection. Off-hour inspection may be performed outside normal inspection hours by prior arrangement and prepayment of fees as set forth in Section 110A, Table 1A-G - Inspections, Surveys and Reports - of the Building Code.

103.4.1.2 Reinspections. A reinspection fee shall be assessed for each inspection or reinspection made necessary by any of the following conditions:

(1) When the portion of the work for which the inspection is requested is not complete or code complying.

(2) When previously identified deficiencies in the work are not properly corrected.

(3) When the approved construction documents are not available to the inspector.

(4) When access is not provided on the date and time of the inspection appointment.

(5) When work deviates from the approved construction documents.

The first reinspection for failure to comply with code requirements shall not be assessed a reinspection fee. All subsequent reinspections for the same or subsequent errors or omissions shall be charged a reinspection fee.

Subsequent to inspector determination of reinspection fee requirements, no required or requested inspections shall be made nor shall the job be given a certificate of final completion and occupancy or final approval until the required reinspection fees are paid. See Section 110A, Table 1A-G - Inspections, Surveys and Reports - of the Building Code for applicable fees.

103.4.1.3 Survey. A plumbing survey may be requested when a plumbing inspector's assistance is desired to establish code compliance of existing or proposed plumbing system requirements. See Section 110A, Table 1A-G - Inspections, Surveys and Reports - of the Building Code for applicable

fees.

103.4.3.1 Revise this section as follows:

103.4.3.1 Fees. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. **See Section 110A, Table 1A-C – Plumbing/Mechanical Permit Issuance and Inspection Fees, and Table 1A-K - Penalties, Hearings, Code Enforcement Assessments- of the Building Code for applicable fees.** ~~The investigation fee shall be equal to the amount of the permit fee that is required by this code if a permit were to be issued.~~ The payment of such investigation fee shall not exempt a person from compliance with other provisions of this code, nor from a penalty prescribed by law.

The Director may reduce the investigation fee to two times the amount of the permit fee as called for in Section 110A, Table 1A-C - Plumbing/Mechanical Permit Issuance and Inspection Fees - of the Building Code for work that was constructed prior to the current building ownership or for work without permit which was done prior to January 1, 1967, if the owner files with the Director a notarized affidavit together with documents substantiating such dates of work.

Appeals of investigation fees may be filed with the Board of Appeals in the manner provided in Part III of the San Francisco Municipal Code. Such filing shall be subject to the fees and rules of the Board of Appeals. The Board of Appeals, in reviewing the appeal, may reduce the appealed amount to not less than two times the permit fee as set forth in Section 110A, Table 1A-C- Plumbing/Mechanical Permit Issuance and Inspection Fees - of the Building Code.

103.4.4 Replace this section as follows:

103.4.4 Fee Refunds. ~~The Authority Having Jurisdiction shall be permitted to authorize the refunding of a fee paid hereunder that was erroneously paid or collected.~~ **For fee refunds, see Section 107A.6 of the Building Code.**

103.5.9 Revise the fourth paragraph as follows:

To obtain reinspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with ~~Table 103.4~~ **Section 110A, Table 1A-G - Inspections, Surveys and Reports - of the Building Code.**

SECTION 104.0 – ABATEMENT OF PUBLIC NUISANCE

104.0 Add the following section:

104.0 Abatement of Public Nuisance

In order to abate a nuisance as defined in Section 216.0 of this code, the inspection and abatement procedures as set forth in Section 102A of the Building Code shall apply.

SECTION 105.0 – BOARD OF EXAMINERS

105.0 Add the following section:

105.0 Board of Examiners

Application may be made to the Board of Examiners for approval of alternate materials, methods and types of construction and for variances from the provisions of this code. See Building Code, Section 105A.1.

SECTION 106.0 – REPAIRS TO DEFECTIVE BUILDING SEWERS

106.0 Add the following section:

106.0 Repairs to Defective Building Sewers

106.1 General. Any defective building sewer found to be a nuisance or hazardous to the public shall be repaired at the owner's expense by a licensed plumbing contractor in accordance with this code. In the event the owner fails to repair the defective building sewer after written notice has been sent the owner by the Authority Having Jurisdiction, the Authority Having Jurisdiction shall abate the condition in accordance with Section 102A of the Building Code.

106.2 Cost of Repairs by City and County of San Francisco. Whenever the Authority Having Jurisdiction, pursuant to the authority conferred by this code and the Building Code, shall cause a building sewer to be repaired or replaced, the cost thereof shall be paid from the "Plumbing Building Sewer Revolving Fund" and assessed against the property served by said building sewer.

106.3 Plumbing Building Sewer Revolving Fund. A special revolving fund, to be known as the "Plumbing Building Sewer Revolving Fund," is hereby created for the purpose of defraying the costs and expenses which may be incurred by the Department of Building Inspection in carrying out the authority conferred by this code to repair or replace defective building sewers.

The Board of Supervisors shall transfer one half of the funds appropriated to the "Side Sewer Repair" fund of the Department of Building Inspection or shall appropriate, establish or increase the special revolving fund with such funds as it may deem necessary in order to expedite performance of the work of repairing or replacing defective building sewers. The special revolving fund shall be replenished with all funds collected under the proceeding hereinafter provided for, either upon voluntary payments or as a result of the sale of the property after delinquency, or otherwise. Balances remaining in the Plumbing Building Sewer Revolving Fund at the close of any fiscal year shall be carried forward in such fund.

106.4 Assessment for Costs. The Authority Having Jurisdiction shall take action to have the costs of all work done or caused to be done pursuant to this section assessed against the parcel or parcels of land upon which said building is served by the building sewer per Section 102A of the Building Code. Such costs shall include, in addition to all costs related to repairing or replacing the building sewer or demolishing and clearing the site, the City and County of San Francisco's costs in administering the required work. See Section 110A, Table 1A-K - Penalties, Hearings, Code Enforcement Assessments - of the Building Code for the applicable fee.

CHAPTER 2
DEFINITIONS

SECTION 201.0 – GENERAL

201.1 Add the following to the end of the first sentence:

Where words, terms and phrases are not defined, they shall have their ordinary accepted meaning within the context with which they are used.

SECTION 204.0 – B

204.0 Add the following definition:

Boiler - A closed vessel used for heating water or liquid, or for generating steam or vapor by direct application of heat from combustible fuels or electricity.

SECTION 208.0 – F

208.0 Add the following definition:

Foot Vent - See "Relief Vent," Section 220.0.

SECTION 216.0 – N

216.0 Add the following items after Item (3) under definition of "Nuisance":

(4) Open, unsecured, leaking, plugged or otherwise defective sewer, gas or water lines.

(5) Inadequate plumbing system maintenance, dilapidation, obsolescence, or damage.

(6) Plumbing or plumbing fixtures, gas appliances or piping installed in violation of this code or without permit.

(7) Where a change in occupancy classification is made without complying with the applicable provisions of this code and the Building Code.

SECTION 218.0 – P

218.0 Revise this definition as follows:

Plumbing System. Includes all potable water, building supply, and distribution pipes; all plumbing fixtures and traps; all drainage and vent pipes; and all building drains and building sewers, including their respective joints and connections, devices, receptors, and appurtenances within the property lines of the premises and shall include potable water piping, potable water treating or using equipment, medical gas and medical vacuum systems, liquid and fuel gas piping, and water heaters and vents for same**, and fire sprinkler systems. Plumbing systems shall include all plumbing appliances, plumbing appurtenances and plumbing fixtures.**

SECTION 221.0 – S

221.0 Add the following definition:

Story - That portion of a building included between the upper surface of any floor and the upper surface of the floor next above. For the purposes of this code, balcony, loft and mezzanine levels that contain plumbing outlets are also to be considered as stories.

CHAPTER 3
GENERAL REGULATIONS

SECTION 313.0 – HANGERS AND SUPPORTS

313.8 Add the following section:

313.8 Materials

313.8.1 Plumber's tape hanger iron may be used to secure pipe not greater than 2 inches (50.8 mm) in diameter.

313.8.2 Hanger iron shall be galvanized and not thinner than 22 gauge, 1/32-inch thick (0.8 mm) and 3/4-inch (19.05 mm) wide, securely nailed or screwed to the structure. When the strap-iron is formed around the pipe, it shall be secured with a 1/4-inch (6.35 mm) stove bolt.

CHAPTER 4
PLUMBING FIXTURES AND FIXTURE FITTINGS

SECTION 403.3 – URINALS

403.3.1 Revise this section as follows:

403.3.1 Nonwater Urinals. Nonwater urinals shall be listed and comply with the applicable standards referenced in Table 1401.1. Nonwater urinals shall have a barrier liquid sealant to maintain a trap seal. Nonwater urinals shall permit the uninhibited flow of waste through the urinal to the sanitary drainage system. Nonwater urinals shall permit the uninhibited flow of waste through the urinal to the sanitary drainage system. Nonwater urinals shall be cleaned and maintained in accordance with the manufacturer's instructions after installation. **Where nonwater urinals are installed, not less than one water supplied fixture rated at not less than 1 water supply fixture unit (WSFU) shall be installed upstream on the same drain line to facilitate drain line flow and rinsing.** Where nonwater urinals are installed they shall have a water distribution line rough-in to the urinal location to allow for the

installation of an approved backflow prevention device in the event of a retrofit.

SECTION 406.0 – PROHIBITED FIXTURES

406.0 Add the following section:

406.4 Watercloset-Sink Combinations. Watercloset-Sink combinations are not allowed in structures with treated alternate water piping.

SECTION 422.0 – MINIMUM NUMBER OF REQUIRED FIXTURES

422.1 Replace this section as follows:

422.1 **Fixture Count.** Plumbing fixtures shall be provided ~~for the type of building occupancy and in the minimum number shown in table 422.1. The total occupant load and occupancy classification shall be determined in accordance with the building code. Occupancy classification not shown in table 422.1 shall be considered separately by the Authority Having Jurisdiction.~~ **in accordance with Section 2902 of the Building Code.**

Table 422.1 Add a note under the title as follows:

TABLE 422.1

Minimum Plumbing Facilities

NOTE : This Table is not applicable in San Francisco.

Refer to Table 2902.1 of the Building code.

EXCERPT FROM THE 2013 SAN FRANCISCO BUILDING CODE

Table 2902.1 of the San Francisco Building code has been inserted below for your convenience.

TABLE 2902.1 – MINIMUM PLUMBING FIXTURES [1, 2, 3]

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
For the occupancies listed below, use 30 square feet (2.78 m^2) per occupant for the minimum number of plumbing fixtures.					
Group A					

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
Conference rooms, dining rooms, drinking establishments, exhibit rooms, gymnasiums, lounges, stages and similar uses including restaurants classified as Group B occupancies	1:1-25	1:1-25	one for each water closet up to four; then one for each two additional water closets		
	2:26-75	2:26-75			
	3:76-125	3:76-125			
	4:126-200	4:126-200			
	5:201-300	5:201-300			
	6:301-400	6:301-400			
Over 400, add one fixture for each additional 200 males or 150 females.					
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 15 square feet (1.39 m2) per occupant for the minimum number of plumbing fixtures.					
Assembly places– Auditoriums, convention halls, dance floors, lodge rooms, stadiums and casinos	1:1-50	3:1-50	1:1-200	1:1-200	
	2:51-100	4:51-100	2:201-400	2:201-400	
	3:101-150	6:101-200	3:401-750	3:401-750	
	4:151-300	8:201-400	Over 750, add one fixture for each additional 500 persons		
	Over 300 males, add one fixture for each additional 200, and over 400 females add one for each 125.				
For the assembly occupancies listed below, use the number of fixed seating or, where no fixed seating is provided, use 30 square feet (2.29 m2) per occupant for the minimum number of plumbing fixtures.					
Worship places					
Principal assembly area	one per 150	one per 75	one per two water closets		
Worship places					
Educational and activity unit	one per 125	one per 75	one per two water closets		

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
For the occupancies listed below, use 200 square feet (18.58 m^2) per occupant for the minimum number of plumbing fixtures.					
Group B					
Offices or public buildings	1:1-15	1:1-15	one per two water closets		
	2:16-35	2:16-35			
	3:36-55	3:36-55			
	Over 55, add one for each 50 persons.				
For the occupancies listed below, use 50 square feet (4.65 m^2) per occupant for the minimum number of plumbing fixtures.					
Group E	1:1-15	1:1-15	one per 40	one per 40	
Schools–for staff use	2:16-35	2:16-35			
All schools	3:36-55	3:36-55			
	Over 55, add one fixture for each additional 40 persons.				
Schools–for student use	1:1-20	1:1-20	1:1-25	1:1-25	
Day care	2:21-50	2:21-50	2:26-50	2:26-50	
	Over 50, add one fixture for each additional 50 persons.		Over 50, add one fixture for each additional 50 persons.		
Elementary	one per 30	one per 25	one per 35	one per 35	
Secondary	one per 40	one per 30	one per 40	one per 40	

(Continued)

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
For the occupancies listed below, use 50 square feet (4.65 m^2) per occupant for the minimum number of plumbing fixtures.					
Education Facilities other than Group E					
Others (colleges, universities, adult centers, etc.)	one per 40	one per 30	one per 40	one per 40	
For the occupancies listed below, use 2,000 square feet (185.8 m^2) per occupant for the minimum number of plumbing fixtures.					
Group F	1:1-10	1:1-10	one for each two water closets		one shower for each 15 persons exposed to excessive heat or to skin contamination with irritating materials
Workshop, foundries and similar establishments, and Group H Occupancies	2:11-25	2:11-25			
	3:26-50	3:26-50			
	4:51-75	4:51-75			
	5:76-100	5:76-100			
	Over 100, add one fixture for each additional 300 persons.				
For the occupancies listed below, use the designated application and 200 square feet (18.58 m^2) per occupant of the general use area for the minimum number of plumbing fixtures.					
Group I					
Hospital waiting rooms	one per room (usable by either sex)		one per room		
Hospital general use areas	1:1-15	1:1-15	one per each two water closets		
	2:16-35	3:16-35			
	3:36-55	4:36-55			
	Over 55, add one fixture				

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
	for each additional 40 persons.				
Hospital patient room	one per room		one per room		one per room
Hospital ward room	one per eight patients		one per 10 patients		one per 20 patients
Jails and reformatories					
Cell	one per cell		one per cell		
Exercise room	one per exercise room		one per exercise room		
Other institutions (on each occupied floor)	one per 25	one per 25	one per 10	one per 10	one per eight
For the occupancies listed below, use 200 square feet (18.58 m^2) per occupant for the minimum number of plumbing fixtures.					
Group M					
Retail or wholesale stores	1:1-50	1:1-50	one for each two water closets		
	2:51-~~200~~100	2:51-100			
	3:101-400	~~2~~3:101-200			
		4:201-300			
		5:301-400			
	Over 400, add one fixture for each additional 500 males and one for each 150 females.				
For Group R Occupancies, dwelling units and hotel guest rooms, use the chart. For congregate residences, use 200 square feet (18.58 m^2) for Group R, Division I Occupancies and 300 square feet (27.87 m^2) for Group R, Division 3 Occupancies for the minimum plumbing fixtures.					
Group R					

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)		BATHTUB OR SHOWER (Fixtures per person)
	Male	Female	Male	Female	
Dwelling units	one per dwelling unit		one per dwelling unit		one per dwelling unit
Hotel guest rooms	one per guest room		one per guest room		one per guest room
Congregate residences	one per 10	one per 8	one per 12	one per 12	one per eight
	Add one fixture for each additional 25 males and one for each additional 20 females.		Over 12, add one fixture for each additional 20 males and one for each additional 15 females.		For females, add one bathtub per 30. Over 150, add one per 20.

(Continued)

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)	
	Male	Female	Male	Female
For the occupancies listed below, use 5,000 square feet (464.5 m2) per occupant for the minimum number of plumbing fixtures.				
Group S Warehouses	1:1-10	1:1-10	one per 40 occupants of each sex	one shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious or irritating materials
	2:11-25	2:11-25		
	3:26-50	3:26-50		
	4:51-75	4:51-75		
	5:76-100	5:76-100		
	Over 100, add one for each 300 males and females.			

NOTE: Occupant loads over 30 shall have one drinking fountain for each 150 occupants.

1 The figures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction thereof.

TYPE OF BUILDING OR OCCUPANCY[4]	WATER CLOSETS[5] (Fixtures per person)		LAVATORIES[5] (Fixtures per person)	
	Male	Female	Male	Female

2 Drinking fountains shall not be installed in toilet rooms.

3 When the design occupant load is less than 10 persons, a facility usable by either sex may be approved by the building official.

4 Any category not mentioned specifically or about which there are any questions shall be classified by the building official and included in the category which it most nearly resembles, based on the expected use of the plumbing facilities.

5 Where urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than one half of the minimum specified.

6 Twenty-four inches (610 mm) of wash sink or 18 inches (457 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one lavatory.

CHAPTER 5
WATER HEATERS

SECTION 604.0 – WATER HEATER REQUIREMENTS

504.1 Add the first paragraph to the section:

504.1 Location. Water Heaters mounted on the exterior of a building and located 7' or more above grade shall require an approved means for service or replacement.

CHAPTER 6
WATER SUPPLY AND DISTRIBUTION

SECTION 603.0 – CROSS-CONNECTION CONTROL

603.1 Add a new third paragraph to this section as follows:

Structures with alternate water piping shall have an Reduced-Pressure Principle Backflow

Prevention Assembly installed on the domestic supply as close as practical to the meter.

603.5.6.4 Add the following section:

603.5.6.4 All such installations shall be approved in writing by the San Francisco Water Department prior to installation.

SECTION 604.0 – MATERIALS

604.1 Add the following sentence to the end of the second paragraph:

Connections between copper water piping and ferrous materials shall be made with dielectric or insulated fittings or brass nipples of 6 inches (152.4 mm) minimum length.

SECTION 606.0 – VALVES

606.8 Add the following section:

606.8 All buildings four stories or more in height or water supply greater than 40 feet above the water meter shall have an approved backflow assembly installed as near as possible to the water meter and before the first fitting or branch line. The backflow assembly installed shall be in accordance to the degree of hazard within the building, but in no case less than an approved double check assembly. See Table 603.2.

SECTION 609.0 – INSTALLATION, TESTING, UNIONS AND LOCATION

609.10.2 Add the following section:

609.10.2 Air Chambers. Air chambers shall be installed on all hot and cold water outlets supplying quick-acting valves to provide water hammer relief. The size of each air chamber shall be 24 times the diameter of the fixture supply.

609.10.3 Add the following section:

609.10.3 Quick-Acting Valves. The following valves shall be considered quick-acting: flushometers, single-handle faucets, single- handle tub and tub/shower combination control valves, single-handle shower control valves, rapid response electric solenoid valves (such as used on ice-makers, clothes washers, etc.) and any other appliance or fixture that dispenses water in a quick open and close method in its operation.

CHAPTER 7
SANITARY DRAINAGE

SECTION 701.0 – MATERIALS

701.1(2) (A) Revise this section as follows:

(A) ~~[HCD1 & HCD 2]~~ ABS and PVC installations are limited to not more than two stories of **Commercial or private ~~areas of~~** residential accommodation**s**.

701.1(3) Revise this section as follows:

701.1(3) No vitrified clay pipe or fittings shall be used above-ground or where pressurized by a pump or ejector **or underground within the foundation line of the building.** They shall be kept not less than 12 inches (305 mm) belowground.

701.1(7) Add the following section:

701.1(7) Copper tubing shall not be used for urinal drainage or applications which are detrimental to the integrity of copper tubing.

SECTION 706.0 – CHANGES IN DIRECTION OF DRAINAGE FLOW

706.4 Revise this section as follows:

706.4 Vertical drainage lines connecting with horizontal drainage lines shall enter through 45 degree (0.79 rad) wye branches, combination wye and one-eighth bend branches, or other approved fittings of equivalent sweep. Branches or offsets of 60 degrees (1.05 rad) shall be permitted to be used where installed in a true vertical position. **In buildings more than three stories in height, any fixture within 10 feet (304 mm) of the connection of the vertical to horizontal change shall enter the horizontal drainage line at least 10 feet (304 mm) downstream from the change or may connect into the next vertical downstream line.**

SECTION 710.0 – DRAINAGE OF FIXTURES LOCATED BELOW THE NEXT UPSTREAM MANHOLE OR BELOW THE MAIN SEWER LEVEL

710.1.1 Add the following section:

710.1.1 Drainage of Fixtures Located Below the Fresh Air Inlet. Where a fixture is installed with the flood rim level equal to or lower than the elevation of the fresh air inlet serving the house trap, the piping serving the fixture shall be protected by installing an approved type of backwater valve. Where a fixture is installed with the flood rim level higher than the elevation of the fresh air inlet serving the house trap, the fixture shall not discharge through such backwater valve.

CHAPTER 8
INDIRECT WASTES

No San Francisco Plumbing Code Amendments.

CHAPTER 9
VENTS

SECTION 901.0 – GENERAL

901.1. Add second paragraph to this section as follows:

No mechanical device shall be installed in any venting system. Such venting system shall remain unobstructed to an approved termination.

SECTION 907.0 – VENT STACKS AND RELIEF VENTS

907.1 Revise this section as follows:

907.1 Drainage Stack. Each drainage stack that extends ~~10~~ **six (6)** or more stories above the building drain or other horizontal drain, shall be served by a parallel vent stack, which shall extend undiminished in size from its upper terminal and connect to the drainage stack at or immediately below the lowest fixture drain. Each such vent stack shall also be connected to the drainage stack at each fifth floor, counting down from the uppermost fixture drain, by means of a yoke vent, the size of which shall be not less in diameter than either the drainage or the vent stack, whichever is smaller.

907.3 Add the following section:

907.3 Vent Stacks and Relief Vents. Every building in which plumbing is installed shall have at least one main stack which shall run undiminished in size and as directly as possible from each building drain serving said building through to the open air above the roof.

For the purposes of this section, the main stack shall be defined as the largest size stack that is connected to a building drain or sewer.

A vent stack shall be installed with a soil or waste stack whenever relief vents or other branch vents are required in two or more branch intervals. A vent stack shall be installed in accordance with Section 706.1.

The size of the soil stack shall be determined by the total fixture units on that stack as per Table 703.2.

CHAPTER 10
TRAPS AND INTERCEPTORS

SECTION 1008.0 – BUILDING TRAPS

1008.1 Revise this section as follows:

1008.1 General

Building traps shall not be installed except where required by the Authority Having Jurisdiction. Each building trap where installed shall be provided with a cleanout and with a relieving vent or fresh-air intake on the inlet side of the trap~~, which need not be larger than one-half the diameter of the drain to which it connects. Such relieving vent or fresh air intake shall be carried above grade and terminate in a screened outlet located outside the building~~. **Such trap shall have a fresh air inlet of not less than 4 inch (101.6 mm) diameter pipe. The inlet shall be covered by an approved perforated plate not less than 16 square inches (102323.mm^2). Perforations shall be not more than 3/8 inch (9.6 mm) diameter and provide an aggregate open area of not less than one-half the cross-sectional area of the sewer trap. The air inlet shall be connected to the building side of the trap and shall lead to the open air, terminating at a point not less than 10 feet (304 mm) from any window or door.**

SECTION 1016.0 – SAND INTERCEPTORS

1016.3 Add the following section:

1016.3.1 When drains are provided for planter boxes, such drains shall enter into the sanitary or storm drainage plumbing system by discharging into an approved sump, receiving tank or sand settling tank. No trap shall be installed between the planter box and any approved receptor. Sizes of drains shall conform to Table 703.2.

Catch basins or sumps to drain surface water or collect subsoil drainage shall meet the following requirements:

(1) The catch basin or sump shall be poured in place, and all sides and bottom shall be watertight.

(2) A removable metal grill approved for applied design loads shall be placed on top.

(3) Each catch basin shall be served with its own trap and cleanout, and shall connect to the storm or sanitary system independently.

(4) If inlet is located below the building sewer or drain, a sump pump minimum of 1-1/2" (38.1 mm) outlet may be used. The bottom of sump shall maintain a 1'- 0" (25.4 mm) distance from the inlet, creating a 1' - 0" (25.4 mm) sand trap.

(5) If the depth of the sump is over 5' - 0" (1.52 m) a larger catch basin shall be required with a permanent ladder securely bolted to the interior to provide access for maintenance. A minimum clear space of 30" × 30" (762 mm × 762 mm) shall be provided.

(6) A listed and approved plastic catch basin may be installed in areas of residential buildings that are not subjected to any vehicular traffic and shall be installed on a concrete base to prevent settling, provided all other code requirements of this section and the listing and installation requirements of such catch basin are met.

CHAPTER 11
STORM DRAINAGE

SECTION 1101.0 – GENERAL

1101.1.1 Add the following section:

1101.1.1 Leaders, Connection to Drain. All storm water or casual water from roof areas, balconies, lightwells, courtyards or similar areas which total more than 200 square feet (18.4 square meters) aggregate shall drain or be conveyed directly to the building drain, or building sewer, or to an approved alternate location based on approved geotechnical and engineering designs. Such drainage shall not be directed to flow onto adjacent property or over public way, including sidewalks. The opening of the leader shall meet the same requirements as Section 1106.0 of the California Plumbing Code.

1101.1.2 Add the following section:

1101.1.2 Temporary Provisions. When the stormwater sewer is not yet installed, the building stormwater drainage system may discharge into the sewer on the street side of the main trap as near to the curbline as possible.

1101.1.3 Add the following section:

1101.1.3 Temporary Provisions Drain Trap. When, under the provisions of Section 1101.1.2 the building stormwater drainage system discharges to the sewer, a trap shall be placed in that drain at a point near where it branches into the sewer. The trap shall be supplied with clean water by an approved means such as a hose bibb or trap primer.

CHAPTER 12
FUEL GAS PIPING

SECTION 1208.0 – GAS PIPING SYSTEM DESIGN, MATERIALS, AND COMPONENTS

1208.5.1.1 Add a second paragraph as follows:

Gas piping in exterior locations, except as otherwise regulated by this code, shall be of galvanized iron or steel, with galvanized fittings.

CHAPTER 13
HEALTH CARE FACILITIES AND MEDICAL GAS AND VACUUM SYSTEMS

No San Francisco Plumbing Code Amendments.

CHAPTER 14
REFERENCED STANDARDS

No San Francisco Plumbing Code Amendments.

CHAPTER 15
FIRESTOP PROTECTION

No San Francisco Plumbing Code Amendments.

CHAPTER 16
ALTERNATE WATER SOURCES FOR NONPOTABLE APPLICATIONS

No San Francisco Plumbing Code Amendments.

CHAPTER 17
NONPOTABLE RAINWATER CATCHMENT SYSTEMS

No San Francisco Plumbing Code Amendments.

Appendix A
RECOMMENDED RULES FOR SIZING THE WATER SUPPLY SYSTEM

No San Francisco Plumbing Code Amendments.

Appendix B
EXPLANATORY NOTES ON COMBINATION WASTE AND VENT SYSTEMS

No San Francisco Plumbing Code Amendments.

Appendix D
SIZING STORMWATER DRAINAGE SYSTEMS

No San Francisco Plumbing Code Amendments.

Appendix G
SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY 1 APPLIANCES, AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS

No San Francisco Plumbing Code Amendments.

Appendix H
PRIVATE SEWAGE DISPOSAL SYSTEMS

No San Francisco Plumbing Code Amendments.

Appendix I
INSTALLATION STANDARDS

No San Francisco Plumbing Code Amendments.

Appendix J
COMBINATION OF INDOOR AND OUTDOOR COMBUSTION AND VENTILATION OPENING DESIGN

No San Francisco Plumbing Code Amendments.

STATE OF CALIFORNIA – GOVERNMENT OPERATIONS AGENCY GOVERNOR EDMUND G. BROWN JR.

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

January 23, 2014

Angela Calvillo, Clerk of the Board
City Hall
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Rm 224
San Francisco, CA 94102-4689

RE: Ordinance #259-13

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on December 5, 2013.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code §§17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the Commission. The Commission is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with the Commission in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code §13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than this Commission. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code §25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

November 19, 2013

SENT CERTIFIED MAIL (Return Receipt Requested)

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendment

To Whom It May Concern:

Pursuant to California Health & Safety Code Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco on November 5, 2013 and approved by the Mayor on November 14, 2013:

- **Ordinance No. 259-13 (File No. 130841)** – Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

If you have any questions or require additional information, please call (415) 554-4442 or email andrea.ausberry@sfgov.org.

Sincerely,

Angela Calvillo, Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

130841 **[Green Building Code - Enactment of New Code]**

Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

10/29/2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/5/2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/14/2013 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

November 19, 2013
Date

Angela Calvillo
Clerk of the Board

FILE NO. 130841 ORDINANCE NO. 259-13

[Green Building Code - Enactment of New Code]

Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 130841 and is incorporated herein by reference.

Section 2. General Findings.

A. The State of California adopts a new California Building Standards Code every three years that goes into effect throughout the State 180 days after publication. The California Building Standards Code is contained in Title 24 of the California Code of

Regulations, and consists of several parts that are based upon model codes with amendments made by various State agencies. The California Green Building Standards Code, also known as the CALGreen Code, is Part 11 of Title 24 of the California Code of Regulations. The 2013 California Green Building Standards Code will go into effect throughout California on January 1, 2014.

B. Local jurisdictions are required to enforce the California Green Building Standards Code but they may also enact more stringent standards when reasonably necessary because of local conditions caused by climate, geology or topography.

C. When California first adopted green building standards in the 2010 Code adoption cycle, San Francisco already had existing green building requirements that were codified as Chapter 13C of the San Francisco Building Code. These local requirements were retained as amendments to the 2010 California Building Code. In this Code cycle, San Francisco's green building requirements will be repealed from the San Francisco Building Code and re-enacted into a new San Francisco Green Building Code as amendments to the 2013 California Green Building Standards Code.

D. On August 21, 2013, at a duly noticed public hearing, the Building Inspection Commission considered this legislation.

Section 3. Findings regarding Local Conditions required by the California Health & Safety Code.

A. California Health & Safety Code Section 17958.7 provides that before making any changes or modifications to the California Green Building Standards Code and any other applicable provisions published by the State Building Standards Commission, the governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions, and the findings must be filed with the State Building Standards Commission before the local changes or modifications can go into effect.

B. The City and County of San Francisco is unique among California communities with respect to local climatic, geological, topographical, and other conditions. A specific list of findings that support San Francisco's modifications to the 2013 California Green Building Standards Code and a section-by-section correlation of each modification with a specific numbered finding are contained in Exhibit A entitled "Standard Findings for San Francisco Amendments," on file with the Clerk of the Board of Supervisors in File No. 130841, which is hereby declared to be part of this ordinance as if set forth fully therein.

C. Pursuant to California Health and Safety Code Section 17958.7, the Board of Supervisors finds and determines that the local conditions described in Exhibit A constitute a general summary of the most significant local conditions giving rise to the need for modification of the 2013 California Green Building Standards Code provisions published by the State Building Standards Commission. The Board of Supervisors further finds and determines that the proposed modifications are reasonably necessary based upon the local conditions set forth in Exhibit A.

Section 4. Findings required by the California Public Resources Code and Title 24 of the California Code of Regulations.

A. Public Resources Code Section 25402.1(h)(2) and Section 10-106 of the California Code of Regulations, Title 24, Part 1, Locally Adopted Energy Standards, authorize a local jurisdiction to adopt and enforce more stringent local energy standards, provided that the local jurisdiction makes a determination that the local standards are cost effective and will save more energy than the current Statewide standards and provided further that the local jurisdiction files an application for approval with the California Energy Commission together with documentation supporting the cost-effectiveness determination. These local energy standards may take effect only after the California Energy Commission has reviewed and formally approved them.

B. Based upon the findings of a cost-effectiveness study performed on the more stringent local standards contained in the City's proposed 2013 San Francisco Green Building Code, the Board of Supervisors hereby determines that these local energy standards are cost effective and will save more energy than the standards contained in the 2013 California Green Building Standards (CALGreen) Code. A copy of the cost-effectiveness study is on file with the Clerk of the Board of Supervisors in File No. 130841.

Section 5. The 2013 San Francisco Green Building Code is hereby enacted. The Green Building Code being enacted consists of the 2013 California Green Building Standards Code as amended by the San Francisco amendments. A copy of the 2013 California Green Building Standards Code, together with the San Francisco amendments, is on file with the Clerk of the Board of Supervisors in File No. 130941 all of which is hereby declared to be part of this ordinance as if set forth fully therein. Additions to the 2013 California Green Building Standards Code are shown in bold underlined type; deletions are shown with strikethrough.

Section 6. Continuance of Actions Under Prior Code. Nothing contained in this ordinance shall be construed as abating any action now pending under or by virtue of any ordinance of the City and County of San Francisco hereby repealed, nor shall this ordinance be construed as discontinuing, abating, modifying or altering any penalties accruing, or to accrue, or as waiving any right of the City under any such ordinance.

Section 7. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 8. Effective and Operative Dates. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall take effect and be in full force on and after either January 1, 2014 or its effective date if the effective date is later.

Section 9. Directions to Clerk. Upon final passage of this ordinance, the Clerk of the Board of Supervisors is hereby directed to transmit this ordinance with the Exhibit A attachment and the San Francisco modifications to the 2013 California Green Building Standards Code to the State Building Standards Commission pursuant to the applicable provisions of State law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

n:\legana\as2013\1400074\00866342.doc

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 130841 **Date Passed:** November 05, 2013

Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law.

October 21, 2013 Land Use and Economic Development Committee - RECOMMENDED

October 29, 2013 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

November 05, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130841

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/5/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/14/2013
Date Approved

EXHIBIT A

STANDARD FINDINGS FOR SAN FRANCISCO BUILDING STANDARDS CODE AMENDMENTS:

1. Certain buildings/occupancies in San Francisco are at increased risk for earthquake-induced failure and consequent fire due to local hazardous microzones, slide areas, and local liquefaction hazards. (Geology)

2. Certain buildings/occupancies in San Francisco are at increased risk of fire due to high density of buildings on very small lots, with many buildings built up to the property lines. (Topography)

3. Topography of San Francisco has let to development of a high density of buildings on small lots, necessitating special provisions for exiting, fire separation, or fire-resistive construction. (Topography)

4. Many buildings are built on steep hills and narrow streets, requiring special safety consideration. (Topography)

5. Additional fire, structural and other protection is required due to high building density and crowded occupancy. (Topography)

6. San Francisco has narrow, crowded sidewalks due to building and population density and unusual topography. (Topography)

7. All rain water in San Francisco drains to the building drains and sewer; unusual geology, occasional extremely high local rainfall amounts, and the configuration of the City as a peninsula restrict the installation of separate storm water and sewer systems. (Topography, Climate, Geology)

8. Moist, corrosive atmosphere of salt-laden fog in San Francisco necessitates additional requirements. (Climate)

9. Not a building standard; no local findings required.

10. Soil conditions in this region induce adverse reactions with some materials, leading to premature failures and subsequent unsanitary conditions. (Climate)

11. The region is subject to fluctuating rainfall due to changes in climatic conditions. (Climate)

12. San Francisco is a peninsula surrounded on three sides by water at sea level;

mitigation of climate change impacts, including sea level rise, is critical to the long term protection of the local built environment and local infrastructure. (Topography)

13. Climate and potential climate change impacts San Francisco's water resources, including reservoirs and distribution facilities. (Climate)

14. Organic material in San Francisco's waste breaks down into methane gas which is a significant contributor to climate change. (Climate)

15. San Francisco is topographically constrained and its built environment occupies most available land, requiring minimization of debris and solid waste. (Topography)

16. Prevailing winds, coastal mountain ranges, and periodic seasonal high temperatures contribute to photochemical reactions that produce smog and ozone; limiting the emission of smog's chemical precursors - volatile organic chemicals and oxides of nitrogen - is necessary to health and safety. (Climate, Topography)

17. The aquifers underlying San Francisco are small relative to local population, necessitating ongoing water imports and special provisions to ensure efficient use of water in local buildings. (Geology)

2013 San Francisco Green Building Code Findings

Section #	Finding #	Section #	Finding #	Section #	Finding #

CHAPTER 1

Section #	Finding #	Section #	Finding#	Section #	Finding #
101.1	9	101.4	9	101.10	9
101.2	9	101.6.1	9	101.11	9
101.3	9	101.6.3	9		
101.3.1	9	101.7	9		

CHAPTER 2

Section #	Finding #	Section #	Finding #	Section #	Finding #
202	9				

CHAPTER 3

Section #	Finding #	Section #	Finding #	Section #	Finding #
301.1	9	304.1.1	9	306.1	9
302.1	9	305.1	9	306.1.1	9
303.1.1.1	9	305.1.1	9		
304.1	9	305.1.2	9		

CHAPTER 4

Section #	Finding #	Section #	Finding #	Section #	Finding #
4.101.1	9	4.103.2.3	14,15	TABLE 4.104.A	12,14,15
4.103.1	9	4.103.2.4	7,11	4.105	9
4.103.1.1	5,7,11,12,13, 14,15,16,17	4.103.2.4.1	7,11	4.105.1	12,14,15
4.103.1.2	7,11	4.103.3	9	4.105.1.1	12,14,15
4.103.2	9	4.103.3.1	5,7,11,12,13, 14,15,16,17	4.105.1.2	12,14,15
4.103.2.1	5,7,11,12,13, 14,15,16,17	4.103.3.2	4,5,17	4.201.1	9
4.103.2.2	11,13,17	4.104.1	12,14,15		

CHAPTER 5

Section #	Finding #	Section #	Finding #	Section #	Finding #
5.101	9	5.103.1.9	5,8,14,15,16	5.103.4.1	5,7,11,12,13, 14,15,16,17
5.103.1	9	5.103.1.10	9	5.103.4.2	5,8,14,15,16
5.103.1.1	5, 7,11,12,13, 14,15,16,17	5.103.2	9	5.104.1	14,15
5.103.1.2	11,13,17	5.103.2.2	14,15	Table 5.104.A	14,15
5.103.1.3	14,15	5.103.2.3	12	5.105.1	14,15
5.103.1.4	12	5.103.2.5	9	5.105.1.1	14,15

5.103.1.5	12	5.103.3	9	5.105.1.2	14,15
5.103.1.6	7,11	5.103.3.1	5,7,11,12,13, 14,15,16,17	5.201.1	9
5.103.1.7	9	5.103.3.2	5,8,14,15,16		
5.103.1.8	5,8,14,15,16	5.103.4	9		

CHAPTER 6
NO S.F. AMENDMENTS

CHAPTER 7

Section #	Finding #	Section #	Finding #	Section #	Finding #
701	9	702.3	5	7.703.1	9
702.2	9				

PROPOSED SAN FRANCISCO GREEN BUILDING CODE AMENDMENTS 2013 Edition

Chapter 1
GENERAL

SECTION 101 – GENERAL

Revise this section as follows:

101.1 Title. These regulations shall be known as the ~~California~~ **San Francisco** Green Building ~~Standards~~ Code and may be cited as such and will be referred to herein as "this code". ~~It is intended that it shall also be known as the CALGreen Code.~~ The ~~California~~ **San Francisco** Green Building ~~Standards~~ Code consists **of the combination of** ~~is~~ Part 11 ~~of twelve parts~~ of the official compilation and publication of the adoption, amendment and repeal of building regulations to the California Code of Regulations, Title 24, **and Chapter 13C of San Francisco Building Inspection Commission Amendments to** ~~as~~ the California Building Standards Code.

Revise this section as follows:

101.2 Purpose. The purpose of this ~~code~~ **chapter** is to ~~improve public~~ **promote the** health, safety and ~~general~~ welfare **of San Francisco residents, workers, and visitors** by **minimizing waste of energy, water, and other resources in the construction and operation of buildings in the City and County of San Francisco and by providing a healthy indoor environment. The green building practices required by this chapter will also further the goal of reducing the greenhouse gas emissions in the City and County of San Francisco to 25 percent below 1990 levels by the year 2017, as stated in Board of Supervisors Resolution No. 158-02 and San Francisco Environment Code Chapter 9.** ~~enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact, or positive environmental impact~~ and ~~encouraging sustainable construction practices in the following categories:~~

~~1. Planning and design.~~
~~2. Energy efficiency.~~
~~3. Water efficiency and conservation.~~
~~4. Material conservation and resource efficiency.~~
~~5. Environmental quality.~~

Revise this section as follows:

101.3 Scope. The provisions of this code shall apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in this code, **as well as alterations to existing buildings** throughout the ~~State of California.~~ **the City and County of San Francisco**.

~~It is not the intent that~~ **While** this code ~~substitute or be identified as meeting~~ **references green building programs,** the **City and County of San Francisco does not confer** certification ~~requirements of~~ **under** any green building program.

Revise this section as follows:

101.3.1 ~~State regulated~~ **Regulated** buildings, structures and applications. Provisions of this code shall apply to the following buildings, structures, and applications regulated by state agencies as specified in Sections 103 through 106 of California Green Building Standards Code Title 24 Part 11, ~~except where~~ modified by local ordinance **with supplemental requirements applicable to occupancy types A, B, I, M, and R as defined by California Building Code Title 24 Section 302 (2013) as amended** pursuant to Section 101.7. When adopted by a state agency, the provisions of this code shall be enforced by the appropriate enforcing agency, but only to the extent of authority granted to such agency by statute.

Revise this section as follows:

101.4 Appendices. ~~Provisions contained in the appendices of this code are not mandatory unless specifically adopted by a State agency or adopted by a city, county, or city and county in compliance with Health and Safety Code Sections 18930 and 18941.5, respectively, for Building Standards Law; Health and Safety Code Section 17950 for State Housing Law; and Health and Safety Code Section 13869.7 for Fire Protection Districts. See Section 101.7 of this code.~~ **[Reserved]**

Revise this section as follows:

101.6.1 Differences. In the event of any differences between these building standards and the standard reference documents, the text of ~~these building standards~~ **this Chapter** shall govern. ~~In the event a local amendment to this code results in differences between these building standards and the amendment, the text of the amendment shall govern.~~

Revise this section as follows:

101.6.3 Conflicts. When the requirements of this code conflict with the requirements of any other part of the California Building Standards Code, Title 24, ~~the most restrictive requirement shall prevail.~~ **any provision contained elsewhere in the San Francisco Municipal Code, or any regulation or requirement adopted by the Public Utilities Commission or other City agency under its Charter authority, the most restrictive requirement shall prevail.**

Revise this section as follows:

101.7 City~~, county, or city~~ and county amendments, additions ~~or~~ and deletions. ~~This code is intended to set mandatory minimum Green Building Standards and includes optional tiers that may, at the discretion of any city, county or city and county, be applied.~~ **This code includes the amendments, deletions, and additions to California green building requirements which maintain stricter local green building standards.**

Revise this section as follows:

101.10 ~~Mandatory requirements. This code contains both mandatory and voluntary green building measures. Mandatory and voluntary measures are identified in the appropriate application checklist contained in this code.~~ **Equivalency. Wherever reference is made to the LEED® or GreenPoint Rated systems, a comparable equivalent rating system may be used if approved by the Director. The applicable LEED®, GreenPoint Rated or equivalent versions of performance standards for applications subject to this chapter are:**

LEED® for Green Interior Design and Construction v2009
LEED® for Building Design and Construction v2009
LEED® for Homes v2008
GreenPoint Rated (GPR) Single Family New Home Construction – v6
GreenPoint Rated (GPR) Multifamily New Home Construction – v6
GreenPoint Rated (GPR) Existing Multifamily – v6

Wherever specific LEED® prerequisites or credits are cited, such references are to LEED® BD&C 2009. More recent LEED® and GreenPoint Rated versions may be used, provided the credits and points achieved are as or at least as stringent as LEED® BD&C 2009 or GPR v6.

Wherever the LEED® or GreenPoint Rated systems include a minimum energy or other performance requirement, the permit applicant may choose to meet the minimum performance requirements with an alternative equivalent method approved by the Director.

Compliance with any of these requirements may be verified and/or certified by any means, including third-party review, as approved by the Director.

Revise this section as follows:

101.11 Effective use of this code. The following steps may be used to establish which provisions of this code are applicable to a specific occupancy:

1. Establish the type of occupancy.
~~2. Verify which state agency has authority for the established occupancy by reviewing the authorities list in Sections103 through 106.~~
2. ~~3. Once the appropriate agency has been identified, find~~ **Find** the section which covers the established occupancy.
3. ~~4. The Matrix Adoption Tables at the beginning of Chapters 4 and 5 i~~ **Identify** ~~the mandatory green building measures necessary to meet~~ the minimum requirements of this code for the established occupancy **in Sections 4 and 5**.
~~5. Voluntary tier measures are contained in Appendix Chapters A4 and A5. A Checklist containing each green building measure, both required and voluntary is provided at the end of each appendix chapter. Each measure listed in the application checklist has a section number which correlates to a section where more information about the specific measure is available.~~
~~6. The Application Checklist identifies which measures are required by this code and allows users to check off which voluntary items have been selected to meet voluntary tier levels if desired or mandated by a city, county, or city and county.~~
4. Administrative Bulletin 93, provided by the Department of Building Inspection, summarizes how the requirements of San Francisco Green Building Code and relevant local requirements may be met. Appendices to Administrative Bulletin 93 include tabular summaries of required measures, and provide submittal forms.

Chapter 2
DEFINITIONS

SECTION 202 – DEFINITIONS

Add and amend the following definitions:

GREENPOINT RATED, GREENPOINTS and GREENPOINTS CHECKLIST. The residential green building rating system and checklist and certification methodology of the non-profit organization Build It Green.

HIGH-RISE RESIDENTIAL BUILDING. For the purposes of **this code**~~CalGreen~~, a building that is of Occupancy Group R and is four stories or greater.

HISTORICAL RESOURCE. A property that meets the terms of the definitions in Section 21084.1 of the CEQA Statute (The California Environmental Quality Act [Public Resources Code Section 21084.1]) and Section 15064.5 of the CEQA Guidelines, as determined by the San Francisco Planning Department.

LARGE COMMERCIAL BUILDING. A commercial building or addition of Group B, M, A, or I occupancy that is 25,000 gross square feet or more.

LEED® and LEED® Checklist The Leadership in Energy and Environment Design rating system, certification methodology, and checklist of the United States Green Building Council (USGBC).

LOW-RISE RESIDENTIAL BUILDING. For the purposes of **this code**~~CalGreen~~, a building that is of Occupancy Group R and is three stories or less **or that is a one or two family dwelling or townhouse**.

MAJOR ALTERATIONS. Alterations where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed where areas of such construction are 25,000 gross square feet or more in Group B, M or R occupancies of existing buildings.

MID-SIZE COMMERCIAL BUILDING. A commercial building of Group B or M occupancy that is 5,000 or more and less than 25,000 gross square feet, and is not a high-rise building.

NEWLY CONSTRUCTED (or NEW CONSTRUCTION). A newly constructed building (or new construction) **is a building that has never before been used or occupied for any purpose and** does not include additions, alterations or repairs.

NEW LARGE COMMERCIAL INTERIORS. First-time tenant improvements where areas of such construction are over 25,000 gross square feet or more in Group B or M occupancy areas of existing buildings.

Chapter 3
GREEN BUILDING

SECTION 301 –GENERAL

Revise this section as follows:

301.1 Scope. Buildings **in the City and County of San Francisco** shall be designed to include the green building measures specified as mandatory ~~in the application checklists contained in this code. Voluntary green building measures are also included in~~ under the ~~application checklists and may be included~~ **California Green Building Standards Code (CalGreen).** ~~in the design and construction of structures covered by this code but are not required unless adopted by a city, county or city and county as specified in Section 101.7~~

Additional green building requirements established by the City and County of San Francisco are mandatory for:

(1) Newly constructed Group R occupancy buildings,
(2) Newly constructed buildings of Group B, M, A, and I occupancies that are 25,000 gross square feet or more,
(3) New first-time build-outs of commercial interiors that are 25,000 gross square feet or more in buildings of Group B or M occupancies, and
(4) Major alterations that are 25,000 gross square feet or more in existing buildings of Group B, M or R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed.

Exempt from additional local requirements of this chapter, unless otherwise noted, are:

(1) Any new building in which laboratory use of any occupancy classification is the primary use, and
(2) Any building undergoing renovation in which the area of renovation will be primarily for laboratory use of any occupancy classification.

SECTION 302 – MIXED OCCUPANCY BUILDINGS

Revise this section as follows:

302.1 Mixed occupancy buildings. In mixed occupancy buildings, each portion of a building shall comply with the specific ~~green building~~ **California Title 24 Part 11 required** measures applicable to each specific occupancy. **However, to fulfill any additional local green building requirements, the project sponsor may apply a single required green building standard to the entire building.**

SECTION 303 – PHASED PROJECTS

Add the following section:

303.1.1.1 Maintenance of required features. Any structure subject to this chapter shall maintain the green building features required herein, or equivalent, regardless of subsequent alterations, additions, or changes of use, unless subject to subsequent or more stringent requirements.

Modify the following section:

SECTION 304 – VOULUNTARY TIERS

This section not applicable in San Francisco.

~~304.1 Purpose. Voluntary tiers are intended to further encourage building practices that improve public health, safety and general welfare by promoting the use of building concepts which minimize the building's impact on the environment and promote a more sustainable design.~~

~~304.1.1 Tiers. The provisions of Divisions A4.6 and A5.6 outline means, in the form of voluntary tiers, of achieving enhanced construction levels by incorporating additional measures for residential and nonresidential new construction. Voluntary tiers may be adopted by local governments and, when adopted, enforced by local enforcing agencies. Buildings complying with tiers specified for each occupancy contain additional prerequisite and elective green building measures necessary to meet the threshold of each tier. See section 101.7 of this code for procedures and requirements related to local amendments, additions or deletions, including changes to energy standards.~~

~~[BSC] Where there are practical difficulties involved in complying with the threshold levels of a tier, the enforcing agency may grant modifications for individual cases. The enforcing agency shall first find that a special individual reason makes the strict letter of the tier impractical and that modification is in conformance with the intent and purpose of the measure. The details of any action granting modification shall be recorded and entered in the files of the enforcing agency.~~

Modify the following section:

SECTION 305 [OSHPD 1] – CALGREEN TIER 1 AND CALGREEN TIER 2

This section not applicable in San Francisco.

~~305.1 CALGreen Tier 1 and CALGreen Tier 2 buildings contain voluntary green building measures necessary to meet the threshold of each level.~~

~~305.1.1 CALGREEN Tier 1. To achieve CALGreen Tier I, buildings must comply with the latest edition of "Savings By Design, Healthcare Modeling Procedures" found online at http://www/energysoft.com/ep/2007SBDHProcedures.pdf~~

~~305.1.2 CALGREEN Tier 2. To achieve CALGreen Tier 2, buildings must exceed the latest edition of "Savings By Design, Healthcare Modeling Procedures" by a minimum of 15%.~~

Modify the following section:

SECTION 306 – VOLUNTARY MEASURES

This section not applicable in San Francisco.

~~306.1 Purpose. Voluntary measures are intended to further encourage building practices that improve public health, safety and general welfare by promoting the use of building concepts which minimize the building's impact on the environment, promote a more sustainable design, and high performance educational facilities.~~

~~306.1.1 The provisions of Appendix A5 outline means of achieving enhanced construction levels by incorporating additional measures.~~

Chapter 4
RESIDENTIAL REQUIREMENTS

Division 4.1
PLANNING AND DESIGN

SECTION 4.101 –GENERAL

Modify the following section:

4.101.1 Scope. The provisions of this division outline planning, design and development methods that include environmentally responsible site selection, building design, building siting and development to protect, restore, enhance the environmental quality of the site, ~~and~~ respect the integrity of adjacent properties**, and promote the health, safety and welfare of San Francisco residents.**

Add the following section:

SECTION 4.103 – REQUIREMENTS FOR GROUP R OCCUPANCY BUILDINGS

4.103.1 New low-rise residential buildings.

4.103.1.1 Rating requirements
New low-rise residential buildings must be GreenPoint Rated and applicants must submit documentation demonstrating that a minimum of 75 GreenPoints from the GreenPoints Single Family New Construction Checklist or the GreenPoints Multifamily New Construction Checklist will be achieved. Alternatively, this rating requirement may be met by obtaining LEED Silver certification.

4.103.1.2 Stormwater management
Projects subject to this section shall meet the San Francisco Public Utilities Commission stormwater management requirements.

4.103.2 New high-rise residential buildings

4.103.2.1 Rating requirement

Permit applicants must submit documentation to achieve LEED® "Silver" certification. Alternatively, this rating requirement may be met by obtaining the GreenPoint Rated designation and submitting documentation demonstrating that a minimum of 75 GreenPoints from the GreenPoint Rated Multifamily New Construction checklist will be achieved.

4.103.2.2 Indoor water use reduction. Permit applicants must submit documentation verifying that a minimum 30 percent reduction in the use of indoor potable water is achieved, as calculated to meet LEED® credit WE3.2. Projects applying GreenPoint Rated or other equivalent rating systems may alternately use the CALGreen Performance Method (Title 24 Part 11 Section 4.301.1.2) to demonstrate 30% reduction.

4.103.2.3 Construction debris management. Permit applicants must submit documentation verifying the diversion of a minimum 75 percent of the projects construction and demolition debris, as calculated to meet LEED® credit MR2.2. The waste management plan necessary to meet this requirement shall be updated as necessary and shall be accessible during construction for examination by the Department of Building Inspection. Permit applicants must also meet the requirements of San Francisco Environment Code Chapter 14 and San Francisco Building Code Chapter 13B (Construction and Demolition Debris Recovery Program.)

4.103.2.4 Stormwater management. Projects subject to this section shall meet the San Francisco Public Utilities Commission stormwater management requirements.

4.103.2.4.1 Construction activity stormwater pollution prevention. All projects, whether greater or lesser than one acre, must develop and implement construction activity pollution prevention and site run-off controls adopted by the San Francisco Public Utilities Commission, as well as LEED® prerequisite SSp1, as applicable.

4.103.3 MAJOR ALTERATIONS TO EXISTING GROUP R OCCUPANCY BUILDINGS

4.103.3.1 RATING REQUIREMENT
Permit applicants must submit documentation to achieve a LEED® Gold rating. Alternatively, this rating requirement may be met by obtaining the GreenPoint Rated designation and submitting documentation demonstrating that a minimum of 75 GreenPoints from the GreenPoint Rated Multifamily checklist will be achieved. Major alterations applying to less than 80% of the building's gross floor area may alternately obtain the GreenPoint Rated Elements designation and submit documentation demonstrating that 49 points from the GreenPoint Rated Multifamily checklist have been achieved.

4.103.3.2 LOW-EMITTING MATERIALS
Alterations utilizing LEED® must submit documentation to verify the use of low-emitting materials meeting the LEED® credits EQ 4.1 (adhesives and sealants), EQ 4.2 (paints and coatings), and EQ 4.3 (carpet systems) where applicable.

Alterations utilizing GreenPoint Rated must submit documentation to verify the use of low-emitting materials meeting the GreenPoint Rated Multifamily New Homes measures for low-emitting coatings, adhesives and sealants, and carpet systems.

Add the following section:

SECTION 4.104 – HISTORIC PRESERVATION

4.104.1 On-site retention of historical features. For alterations of buildings determined to be historical resources, after demonstrating compliance with all applicable codes, including the 2013 California Building Energy Efficiency Standards (Title 24, Part 6) and the 2013 California Historical Building Code (Title 24, Part 8), the minimum points or credits required under this chapter shall be reduced for retention and in-situ reuse or restoration of certain character defining features, as follows:

TABLE 4.104.A

SIGNIFICANT HISTORICAL ARCHITECTURAL FEATURES	PERCENT RETAINED*	ADJUSTMENT TO MINIMUM LEED POINT REQUIREMENT	ADJUSTMENT TO MINIMUM GREENPOINTS REQUIREMENT
Windows @ principal façade(s)	At least 50%	2	7
Windows @ principal façade(s)	At least 75%	3	11
Windows @ principal façade(s)	100%	4	15
Other windows	At least 50%	1	3
Other windows	100%	2	6
Exterior doors @ principal façade(s)	100%	1	3
Siding or wall finish @ principal façade(s)	80%	1	4
Trim & casing @ wall openings on principal façade(s)	100%	1	3
Roof cornices or decorative eaves visible from right-of-way	100%	1	3
Sub-cornices, belt courses, water tables, and running trim visible from right-of-way	80%	1	3
Character-defining elements of significant interior spaces	At least 50%	2	7
Character-defining elements of significant interior spaces	100%	4	15
Other exterior ornamentation (e.g. cartouches, corbels, quoins, etc.) visible from right-of-way	80%	1	3

*** Retention includes the rehabilitation and repair of character-defining features that conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties.**

Add the following section:

SECTION 4.105 – DEMOLITION OF EXISTING STRUCTURES

4.105.1 Adjustments to Rating Requirements for Building Demolition and Density. Applications subject to the San Francisco Green Building Code, whereby construction of a new building is proposed within five years of the demolition of a building on the site, where such demolition occurred after the effective date of the Green Building Ordinance - November 3, 2008 - the sustainability requirements for new buildings pursuant to the San Francisco Green Building Code shall be increased as follows:

4.105.1.1 LEED® Projects. For projects attaining a LEED® certification:

(1) Where the building demolished was an historical resource, the required points shall be increased by 10 points.

(2) Where the building demolished was not an historical resource, the required points shall be increased by 6 additional points.

(3) Where the building demolished was not an historical resource and the number of dwellings in the residential portion of the replacement structure are tripled, the required points shall be increased by 5 additional points.

4.105.1.2 GreenPoint Rated Projects. For projects attaining GreenPoint Rated:

(1) Where the building demolished was an historical resource, the required points shall be increased by 25 additional points.

(2) Where the building demolished was not an historical resource, the required points shall be increased by 20 additional points.

(3) Where the building demolished was not an historical resource and the number of dwellings in the residential portion of the replacement structure are tripled, the required points shall be increased by 17 additional points.

Division 4.2
ENERGY EFFICIENCY

SECTION4.201– GENERAL

Add the following section:

4.201.1 Energy Performance. [Reserved]

Chapter 5
NONRESIDENTIAL REQUIREMENTS

Division 5.1
PLANNING AND DESIGN

SECTION 5.101 –GENERAL

Modify the section as follows:

5.101 Scope. The provisions of this chapter outline planning, design and development methods that include environmentally responsible site selection, building design, building siting and development to protect, restore, and enhance the environmental quality of the site, ~~and~~ respect the integrity of adjacent properties**, and promote the health, safety and welfare of San Francisco residents.**

Add the following section:

SECTION 5.103 – REQUIREMENTS FOR GROUP A, B, I, and M BUILDINGS

5.103.1 New large commercial buildings

5.103.1.1 Rating Requirement. Permit applicants must submit documentation to achieve LEED® "Gold" certification.

5.103.1.2 Indoor water use reduction . Permit applicants must submit documentation verifying that a minimum 30 percent reduction in the use of indoor potable water is achieved, as calculated to meet LEED® credit WE3.2.

5.103.1.3 Construction debris management. Permit applicants must submit documentation verifying the diversion of a minimum 75 percent of the projects construction and demolition debris, as calculated to meet LEED® credit MR2.2. Permit applicants must also meet the requirements of San Francisco Environment Code Chapter 14 and San Francisco Building Code Chapter 13B (Construction and Demolition Debris Recovery Program.) The waste management plan necessary to meet this requirement shall be updated as necessary and shall be accessible during construction for examination by the Department of Building Inspection.

5.103.1.4 Commissioning . Permit applicants must submit documentation verifying that the facility has been or will meet the criteria necessary to meet LEED® credit EA 3.0 (Enhanced Commissioning), in addition to LEED® prerequisite EAp1 (Fundamental Commissioning of Building Energy Systems.)

5.103.1.5 Renewable energy . Effective January 1, 2012, permit applicants must submit documentation verifying either:

(1) Acquisition of renewable on-site energy or purchase of green energy credits in accord with LEED EA2 or EA6, OR

(2) Achieve a 10% compliance margin over Title 24 Part 6 2013 California Energy Standards.

5.103.1.6 Stormwater Management. Projects subject to this section shall meet the San Francisco Public Utilities Commission stormwater management requirements. All new building projects must develop and implement an Erosion and Sediment Control Plan or Stormwater Pollution Prevention Plan and implement site run-off controls adopted by the San Francisco Public Utilities Commission as applicable.

5.103.1.7 ENERGY PERFORMANCE [Reserved]

5.103.1.8 Temporary ventilation and IAQ Management During construction Permit applicants must submit documentation verifying that an Indoor Air Quality Management Plan is prepared and implemented which meets LEED® credit EQ 3.1. and Title 24 Part 11 5.504.1.3.

5.103.1.9 Low Emitting Materials. Permit applicants must submit documentation verifying that low-emitting materials are used, subject to on-site verification, meeting LEED® credits EQ 4.1, EQ 4.2, EQ 4.3, and EQ 4.4 wherever applicable.

Exceptions: 100% reused or 100% post consumer recycled hard surface flooring may be exempted from this requirement. Projects exercising this exemption must otherwise be eligible for LEED® credit EQ 4.3.

Interior composite wood and agrifiber products shall meet LEED® credit EQ 4.4 by containing no added urea formaldehyde resins. Interior and exterior hardwood plywood, particleboard, and medium density fiberboard composite wood products shall additionally meet California Air Resources Board Air Toxics Control Measure for Composite Wood (17 CCR 93120 et seq.), by or before the dates specified in those sections.

5.103.1.10 CALGreen Mandatory Measures. The following measures are mandatory in California for new non-residential buildings. Optionally, relevant LEED® credits can be used as alternative compliance paths, as noted below:

Title 24 Part 11 Section(s)	Topic/Requirement	Alternate Compliance Option:
5.106.4	Bicycle Parking	N/A
5.106.5	Fuel efficient vehicle and carpool parking	Meet LEED® SSc4.3 and/or SSc4.4, and demonstrate that 8% of parking is designated for fuel efficient vehicle and carpool parking.
5.106.8	Light pollution reduction	Meet LEED® credit SS 8
5.106.10	Drainage management plan	N/A
5.303.1	Water submeters	N/A
5.303.3.3.2	Multiple showerheads in one shower stall must not exceed maximum flow rate for	N/A

	single showerhead	
5.503.1	Fireplaces in non-residential occupancy must meet residential efficiency and emissions requirements,	N/A
5.407.2.2 5.504.5.3	Indoor chemical and pollutant source control	Meet LEED® credit EQ 5
5.507.4 5.507.4.1 5.507.4.2	Acoustical control and noise transmission	N/A
5.508.1.2	Halons not allowed in HVAC, refrigeration and fire suppression equipment.	Meet LEED® credit EA 4, and additionally document that all HVAC&R systems do not contain CFCs or halons.

5.103.2 New mid-size commercial buildings

5.103.2.2 Construction debris management. Permit applicants must submit documentation verifying the diversion of a minimum 75 percent of the projects construction and demolition debris, as calculated either to meet LEED® credit MR2.2 or equivalent. Permit applicants must also meet the requirements of San Francisco Environment Code Chapter 14 and San Francisco Building Code Chapter 13B (Construction and Demolition Debris Recovery Program.) The waste management plan necessary to meet this requirement shall be updated as necessary and shall be accessible during construction for examination by the Department of Building Inspection.

5.103.2.3 Renewable energy . Effective January 1, 2012, permit applicants must submit documentation verifying that either:

(1) Acquisition of renewable on-site energy or purchase of green energy credits in accord with LEED EA2 or EA6, OR

(2) In addition to meeting 5.103.2.5 Energy Performance requirement, achieve an additional 10% compliance margin over Title 24 Part 6 (2013) California Energy Standards,

5.103.2.5 Energy Performance [Reserved]

5.103.3 Major alterations to existing non residential buildings.

5.103.3.1 Rating Requirement. Permit applicants must submit documentation to achieve LEED® "Gold" certification.

5.103.3.2 Low Emitting Materials. Permit applicants must submit documentation to verify the use of low-emitting materials meeting LEED® EQ4.1, EQ4.2, EQ 4.3 and EQ4.4 wherever applicable.

5.103.4 New large commercial interiors

5.103.4.1 Rating Requirement. Permit applicants must submit documentation to achieve LEED®

LEED® "Gold" certification.

5.103.4.2 Low Emitting Materials. Permit applicants must submit documentation verifying that low-emitting materials are used, subject to in-site verification, meeting LEED® credits EQ4.1, EQ4.2, EQ4.3 and EQ 4.4 wherever applicable.

Add the following section:

SECTION 5.104– HISTORIC PRESERVATION

5.104.1 On-site retention of historical features. For alterations of buildings determined to be historical resources, after demonstrating compliance with all applicable codes, including the 2013 California Building energy Efficiency Standards (Title 24, Part 6) and the 2013 California Historical Building Code (Title 24, Part 8), the minimum points or credits required under this chapter shall be reduced for retention and in-situ reuse or restoration of certain character defining features, as follows:

TABLE 5.104.A

SIGNIFICANT HISTORICAL ARCHITECTURAL FEATURES	PERCENT RETAINED*	ADJUSTMENT TO MINIMUM LEED POINT REQUIREMENT	ADJUSTMENT TO MINIMUM GREENPOINTS REQUIREMENT
Windows @ principal façade(s)	At least 50%	2	7
Windows @ principal façade(s)	At least 75%	3	11
Windows @ principal façade(s)	100%	4	15
Other windows	At least 50%	1	3
Other windows	100%	2	6
Exterior doors @ principal façade(s)	100%	1	3
Siding or wall finish @ principal façade(s)	80%	1	4
Trim & casing @ wall openings on principal façade(s)	100%	1	3
Roof cornices or decorative eaves visible from right-of-way	100%	1	3
Sub-cornices, belt courses, water tables, and running trim visible from right-of-way	80%	1	3
Character-defining elements of significant interior spaces	At least 50%	2	7
Character-defining elements of significant interior spaces	100%	4	15

Other exterior ornamentation (e.g. cartouches, corbels, quoins, etc.) visible from right-of-way	80%	1	3

* Retention includes the rehabilitation and repair of character-defining features that conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Add the following section:

SECTION 5.105 – DEMOLITION OF EXISTING STRUCTURES

5.105.1 Adjustments to Rating Requirements. Applications subject to the San Francisco Green Building Code, whereby construction of a new building is proposed within five years of the demolition of a building on the site, where such demolition occurred after November 3, 2008, the sustainability requirements for new buildings pursuant to the San Francisco Green Building Code shall be increased as follows:

5.105.1.1 LEED® Projects. For projects attaining a LEED® certification:

(1) **Where the building demolished was an historical resource, the required points shall be increased by 10 points, which is 10% of the total available in the LEED® rating system, absent demolition.**

(2) **Where the building demolished was not an historical resource, the required points shall be increased by 6 additional points, which is 10% of the maximum total required points under this chapter, absent demolition.**

(3) **Where the building demolished was not an historical resource and the number of dwellings in the residential portion of the replacement structure are tripled, the required points shall be increased by 5 additional points, which is 8% of the maximum total required points under this chapter, absent demolition.**

5.105.1.2 GreenPoint Rated Projects. For projects attaining GreenPoint Rated:

(1) **Where the building demolished was an historical resource, the required points shall be increased by 25 additional points.**

(2) **Where the building demolished was not an historical resource, the required points shall be increased by 20 additional points.**

(3) **Where the building demolished was not an historical resource and the number of dwellings in the residential portion of the replacement structure are tripled, the required points shall be increased by 17 additional points.**

Division 5.2
ENERGY EFFICIENCY

SECTION 5.201 –GENERAL

Add the following section:

5.201.1.1 Energy performance. [Reserved]

Chapter 7
INSTALLER AND SPECIAL INSPECTOR QUALIFICATIONS

SECTION 701–GENERAL

Add the following section:

701.1 These requirements apply to installers and Special inspectors with regards to the requirements of this chapter.

SECTION 702 – QUALIFICATIONS

Modify the following section:

702.2 Special inspection. …

2. Certification by a statewide energy consulting or verification organization, such as HERS raters, building performance contractors, ~~and~~ home energy auditors, **and ICC Certified CALGreen Inspectors**.

Add the section as follows:

702.3 Special inspection. The Director of the Department of Building Inspection may require special inspection to verify compliance with this code or other laws that are enforced by the agency. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the Director of the Department of Building Inspection, for inspection of the particular type of construction or operation requiring special inspection. In addition, the special inspector shall have a certification from a recognized state, national, or international association, as determined by the Director of the Department of Building Inspection. The area of certification shall be closely related to the primary job function, as determined by the local agency.

SECTION 7.703 – VERIFICATIONS

Modify the section as follows:

7.703.1 Documentation. Documentation used to show compliance with this code shall include but is not limited to, construction documents, plans, specifications, builder or installer certification, inspection reports, or other methods acceptable to the ~~enforcing agency~~ **Director of the Department of Building Inspection** which demonstrate substantial conformance. When specific documentation or special inspection is necessary to verify compliance, that method of compliance will be specified in ~~the appropriate section or identified in the application checklist~~ **Administrative Bulletin 93**.

City and County of San Francisco

2013 San Francisco Green Building Code

Analysis of Cost Effectiveness of Energy Requirements

Version 1 | October 17, 2013

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 214757

Arup North America Ltd
560 Mission Street
Suite 700
San Francisco 94105
United States of America

Prepared for:

SF Environment
Our home. Our city. Our planet.

ARUP

ARUP

Job title	2013 San Francisco Green Building Code	Job number 214757
Document title	Analysis of Cost Effectiveness of Energy Requirements	File reference

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1 Summary

This report presents the results of an energy savings and cost-effectiveness analysis conducted for the City and County of San Francisco, examining the cost-effectiveness of energy efficiency requirements of the San Francisco Green Building Code (2013). The San Francisco Green Building Code (2013) consists of California Green Building Standards Code Title 24 Part 11 (2013), known as CalGreen, and stricter local requirements established for San Francisco in 2008 and updated in 2010.

This report summarizes the cost-effectiveness of energy efficiency requirements for new low-rise residential buildings in San Francisco (or any community located in "Climate Zone 3" as defined by the California Energy Commission.) It is limited to new low-rise residential because the proposed San Francisco Green Building Code (2013) would continue to require such projects to achieve 75 points in GreenPoint Rated and all GreenPoint Rated prerequisites – including a significant cost-effective compliance margin over California's Title 24 Part 6 Energy Standards consistent with this analysis. Build It Green has confirmed that the prescriptive package of cost-effective measures in this report will be accepted as one cost-effective way to meet the minimum requirements of GreenPoint Rated. In practice, projects would continue to have the option of meeting this requirement through a performance-based energy model prepared in California Energy Commission approved energy modeling software, which allows tradeoffs among measures, provided that the resulting designed will consume at least 10% less energy than a similar building which minimally complies with the code.

This report is a part of the application from City of San Francisco to the California Energy Commission (CEC). It is intended to meet the requirements specified in Section 10-106 of the Title 24, Part 6: Locally Adopted Energy Standards, as follows:

> (a) Requirements. Local governmental agencies may adopt and enforce energy standards for newly constructed buildings, additions, alterations, and repairs to existing buildings provided the Energy Commission finds that the standards will require buildings to be designed to consume no more energy than permitted by Title 24, Part 6.
>
> (b) Documentation Application. Local governmental agencies wishing to enforce locally adopted energy standards shall submit an application with the following materials to the Executive Director:
>
> 1. The proposed energy standards.
>
> 2. The local governmental agency's findings and supporting analyses on the energy savings and cost effectiveness of the proposed energy standards.
>
> 3. A statement or finding by the local governmental agency that the local energy standards will require buildings to be designed to consume no more energy than permitted by Part 6.
>
> 4. Any findings, determinations, declarations or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Pub. Resources Code Section 21000 et seq.

This report is also the first part of a broader analysis of the potential for cost effective energy efficiency in new construction in general under the 2013 Energy Standards. SF Environment and the Department of Building Inspection will share results of the broader analysis as they become available, as well as technical analysis of LEED v4, which will be optional until at least July 1, 2015. SF Environment prioritized analysis of energy efficiency opportunities in low-rise residential for two reasons:

1. Energy modeling software approved by the California Energy Commission was not available until September, while it was necessary to finalize the draft code by July 2013 in order for the San Francisco Green Building Code to be effective January 1, 2014. The 2013 California Energy Standards are more than 20% stricter than the prior 2010 Energy Standards – so every

project built to the 2013 Energy Standards will be held to a higher efficiency requirement than projects subject to San Francisco's 2010 green building requirements.

2. The San Francisco Green Building Code as proposed would continue to require LEED for Building Design & Construction (BD&C) v2009 rating system (or LEED Core & Shell, etc.) for any applicable non-residential new construction project.[1] In all cases, all projects applying for building permit on or after January 1, 2014 must meet the 2013 California Title 24 Energy Standards. However, for purposes of additionally meeting San Francisco's green building requirements (which extend to many considerations in addition to energy efficiency), LEED BD&C v2009 continues to allow energy efficiency calculations based on ASHRAE 90.1 (2007) or CA Title 24 (2005).[2] As a result, California's Title 24 (2013) Energy Standards are significantly stricter than the minimum requirements of LEED v2009. However, GreenPoint Rated New Home and LEED for Homes are the two rating systems applicable to new residential buildings of 3 floors or less, and both require energy efficiency beyond code compliance.

2 Costs and Savings Analysis

2.1 Base Building Models

Arup is performing a comparative analysis of energy savings and costs using four representative building energy models. Four key building types – single family residential, multifamily, large high-rise office, and low-rise retail – were chosen as representative of anticipated new construction in San Francisco. The baseline models have critical attributes consistent with Title 24 2013, which will become effective on January 1, 2014. Key building characteristics are described in Table 2 in Appendix 0.

2.2 Methods and Assumptions

Energy savings data was developed from energy modeling using an adapted version of EnergyPlus customized for the *Technical Feasibility of Zero Net Energy Buildings in California* Study (ZNE Tool), and cross-verified against results from Codes and Standards Enhancement (CASE) research done for Title 24 2013 development. Energy savings were estimated for a set of sample measures for each model in terms of the CEC approved 2013 Time Dependent Value energy (TDV). Energy and cost savings were scaled to a per-square-foot basis.

Incremental cost data was developed from existing CASE research, from RS Means, and from other sources where CASE data was not available. Cost data was scaled to a per-square-foot basis. Measures such as LED lighting, with long useful lives, were compared against the initial purchase price and eventual replacement cost of comparable equipment (such as a compact fluorescent lamp).

3 Results

3.1 Single Family and Multi-Family Residence

Table 1 shows the feasible energy savings measures beyond code that could be implemented in a low-rise residential building in San Francisco (CZ3). The analysis looked at both single family and multi-

[1] In the case of new high-rise residential, the San Francisco Green Building Code as proposed would continue to allow LEED BD&C v2009 or GreenPoint Rated as compliance options. For the reasons stated, projects that opt for LEED BD&C v2009 would not have mandatory energy efficiency requirements beyond Title 24 (2013) at this time.
[2] LEED v4 references ASHRAE 90.1 (2010), a substantially higher energy efficiency standard.

family prototypes. Percent savings are based off of a housing unit baseline energy consumption of 185,346 TDV kbtu. The group of measures is cost effective.

Table 1: Low-Rise Residence Energy Results

Prescriptive Measure List Description	Lifecycle Savings			First Costs	Lifecycle Benefit : Cost Ratio
	TDV kbtu	TDV Percent %	TDV $/sq ft.	$/sq. ft.	
Wall Insulation R-19 w/R-4ci, 2x6	2,321	1.3%	$0.19	$0.41	0.5
Showerheads 2.0 to 1.8 GPM	1,483	0.8%	$0.12	$0.02	5.1
Kitchen Sinks 1.5 to 1.4 GPM	556	0.3%	$0.05	$0.02	1.9
All Building LED High-Efficacy Lighting	4,887	2.6%	$0.40	$0.05	8.0
Natural Ventilation	3,707	2.0%	$0.30	$0.00	Large
Ducts in conditioned space*	1,199	0.6%	$0.10	$0.40	0.2
Reduced infiltration: 5 ACH50 to 3 ACH50*	4,032	2.2%	$0.33	$0.52	0.6
DHW Heat Recovery**	5,321	2.9%	$0.87	$0.22	4.1
Total Savings	23,506	13%	$2.36	$1.43	1.7

* Single Family Residential focused measures
** Multi-Family Residential focused measures

The package of measures in Table 1 represents one cost-effective path to attaining a substantial compliance margin over 2013 Title 24 Part 6 Energy Standards. Plumbing fitting flow rates, whole building LED high efficacy lighting, and natural ventilation are each anticipated to be afforded prescriptive credit toward the compliance margin due to limitations of commonly available compliance software.[3] In practice, projects may meet the requirement via other design solutions, which could for example include improved efficiency of mechanical equipment, on-site renewable energy generation,[4] or envelope improvements to Passive House standards.

3.2 High-Rise Office

High-Rise Office analysis is underway. Preliminary results indicate an energy efficiency compliance margin in excess of 10% is cost-effective. High rise residential will also be considered in this analysis.

3.3 Small Retail

Small retail analysis is underway. Preliminary results indicate an energy efficiency compliance margin in excess of 10% is cost-effective.

[3] Prescriptive compliance credit would solely be applicable to the required compliance margin, not to minimum compliance with Title 24 2013 Energy Standards.
[4] Photovoltaics and solar hot water heating have been recognized methods to meet San Francisco's supplemental energy performance requirements under the Green Building Ordinance since 2008.

A1 References

Arup. The Technical Feasibility of Zero Net Energy Buildings in California. Prepared for Pacific Gas and Electric Company. December 31, 2012. http://www.energydataweb.com/cpucFiles/pdaDocs/904/California_ZNE_Technical_Feasibility_Report_Final.pdf

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National Renewable Energy Laboratory (NREL). National Residential Efficiency Measures Database. Accessed October 2013. http://www.nrel.gov/ap/retrofits/measures.cfm

RS Means Online. Accessed October 2013. www.meanscostworks.com

Measure Description	Data Source	URL
Wall Insulation: R-19 w/R-4ci, 2x6	Residential Increased Wall Insulation: 2013 California Building Energy Efficiency Standards California Utilities Statewide Codes and Standards Team. October 2011.	http://www.energy.ca.gov/title24/2013standards/prerulemaking/documents/current/Reports/Residential/Envelope/2013_CASE_R_Increased_Wall_Insulation_Oct_2011.pdf
Showerhead: 2.0 to 1.8 GPM	Multi-Head Showers and Lower-Flow Shower Heads: 2013 California Building Energy Efficiency Standards California Utilities Statewide Codes and Standards Team. October 2011.	http://www.energy.ca.gov/title24/2013standards/prerulemaking/documents/current/Reports/Residential/Water_Heating/2013_CASE_R_Shower_Heads_Sept_2011.pdf
Kitchen faucet: 1.5 to 1.4 GPM	Original calculation.	
Ducts in conditioned space	Davis Energy Group research: SFD-Residential EEM Cost_v2.xlsx	
Improve indoor lighting from 50 lm/W to 100 lm/W	Measure Information Template – Residential Lighting, California Building Energy Efficiency Standards California Utilities Statewide Codes and Standards Team. March 2011.	http://www.h-m-g.com/T24/Lighting/draft%20presentations%202011.03.11/Residential%20Lighting%20%20Draft%20CASE%20Report.pdf
Natural Ventilation	Remove cooling load.	
Reduced infiltration: 1.8 SLA / 3.15 ACH50	National Renewable Energy Laboratory (NREL). National Residential Efficiency Measures Database. Accessed October 2013.	http://www.nrel.gov/ap/retrofits/measures.cfm
Drain water heat recovery added	Are potential savings going down the drain? – Clean Energy Resource Team. July 2013.	http://s3.amazonaws.com/zanran_storage/www.duluthenergydesign.com/ContentPages/2489554523.pdf http://www.cleanenergyresourceteams.org/blog/are-potential-savings-going-down-drain

A2 Baseline Building Models

Table 2: Representative Baseline Buildings for Energy Reach Code Analysis

	Single-Family Residence	Multifamily	High-Rise Office	Small Retail
Area (sq. ft.)	2,116	84,360	498,600	22,500
Dimensions	46 ft x 46 ft	152 ft x 56 ft	240 ft x 160 ft	300 ft x 75 ft
Number of Levels	1	10	10 + 2 basement	1
Walls	2'x4', 16" o.c., R-15 w/R-4 rigid c.i. U = 0.065	R-13.0 + R-7.5 c.i. U = 0.064	R-13.0 + R-3.8 c.i. U = 0.084	R-13.0 + R-3.8 c.i. U = 0.084
Window to Wall Ratio (%)	25%	14.9%	40% above-grade	10.5% over all 26% south-facing
Window	U = 0.32 SHGC = 0.25	U = 0.65 SHGC = 0.25	U = 0.65 SHGC = 0.25	U = 0.65 SHGC = 0.25
Skylight	None	None	None	None
Roof	R-30 U = 0.031	R-20.0 c.i. U = 0.048	R-20.0 c.i. U = 0.048	R-20.0 c.i. U = 0.048
Heating System	Gas Furnace	WSHP with CAV	Boiler Hot Water VAV	Gas Furnace
Cooling System	DX PTAC	WHSP with CAV	Water-Cooled Chiller Chilled Water VAV	Packaged SZ CAV DX RTU
Interior Lighting Power Density (LPD)	NA High-efficacy lighting mandatory in many spaces Dimming or vacancy sensor mandatory in many spaces	Apartment: 0.35 W/sf Corridors: 0.55 W/sf Weighted: 0.38 W/sf	1.0 W/sf	High Retail: 2.28 W/sf Mid Retail: 1.7 W/sf Low Retail: 1.3 W/sf Weighted: 1.64 W/sf
Interior Plug Load Density (EPD)	NA	Weighted: 0.80 w/sf	Office: 0.75 W/sf Weighted: 0.727 W/sf	1.0 W/sf
Exterior Lighting Power Density (LPD)	None	13.58 kW installed	60.216 kW installed	9.153 kW installed
Base Total EUI (kbtu / sq. ft.)	24.9	30.4	26.8	45.0

STATE OF CALIFORNIA – GOVERNMENT OPERATIONS AGENCY GOVERNOR EDMUND G. BROWN JR.

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

October 9, 2015

Angela Calvillo
Clerk of the Board
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RE: Ordinance #070-15

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on October 7, 2015.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: CBSC Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

October 5, 2015

SENT CERTIFIED MAIL (Return Receipt Requested)

RECEIVED
2015 OCT -7 A 10:11
CALIFORNIA BUILDING STANDARDS COMMISSION

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendments

To Whom It May Concern:

Pursuant to California Health & Safety Code, Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco, and approved by the Mayor, on the dates specified below:

1. **Ordinance No. 070-15 (File No. 141298)** – Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) not become a public or private nuisance on the basis of noise for nearby residents of residential structures constructed or converted on or after January 1, 2005; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POEs; to require that such disclosure requirements be recorded against all newly approved residential projects in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the State Building Standards Commission upon final passage.

   (Board of Supervisors - Finally Passed 5/12/2015) (Mayor - Approved 5/21/2015)

If you have any questions or require additional information, please call (415) 554-4447 or email alisa.somera@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

RECEIVED
2015 OCT -7 A 10:11
CALIFORNIA BUILDING STANDARDS COMMISSION

AMENDED IN BOARD
5/5/15

FILE NO. 141298 ORDINANCE NO. 70-15

[Various Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment]

Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) not become a public or private nuisance on the basis of noise for nearby residents of residential structures constructed or converted on or after January 1, 2005; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POEs; to require that such disclosure requirements be recorded against all newly approved residential projects in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the State Building Standards Commission upon final passage.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental and Other Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 141298 and is incorporated herein by reference. The Board hereby affirms this determination.

(b) On March 19, 2015, the Planning Commission, in Resolution No. 19336, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 141298, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code Amendment will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 19336 and the Board incorporates such reasons herein by reference.

(d) At a duly noticed hearing held on March 18, 2015, the Building Inspection Commission considered this ordinance, pursuant to San Francisco Charter § 4, Appendix D.3.750-5.

Section 2. Findings of Local Conditions Under California Health and Safety Code Section 17958.7.

(a) San Francisco is a small and unusually dense city, in which residential, commercial, and industrial uses are often located close to each other. San Francisco is approximately 49 square miles, located on a peninsula and bounded on three sides by water. Therefore, the opportunities for new development are largely limited to vertical development. To accommodate all desirable uses, San Francisco has many mixed use zoning districts. Modification of the State Building Code is necessary to maximize the compatibility of those diverse uses.

(b) San Francisco is currently experiencing a high demand for housing. Residential vacancy rates are approximately 7%. As a result, in recent years there has been a significant increase in residential development in the City, including in areas that traditionally have not had substantial residential development.

(c) Due to the unusual density and topography of San Francisco's built environment, including the proximity of residential, commercial, and industrial uses, as well as the design and zoning of San Francisco's neighborhoods, new residential developments may be located close to existing Places of Entertainment, which may generate nighttime noise.

(d) In San Francisco, current California building standards for new residential development often do not adequately attenuate interior noise created by or associated with nearby Places of Entertainment.

(e) The City's Entertainment Commission and Department of Public Health have received numerous complaints from residents who have moved into new developments near existing licensed Places of Entertainment about nighttime noise created by or associated with those Places of Entertainment.

(f) Because of San Francisco's topography, the modifications to the California Building Code contained in this ordinance are reasonably necessary to increase compatibility between existing Places of Entertainment and new residential development, and to promote the health, safety, and welfare of the residents of San Francisco.

Section 3. Legislative Findings.

(a) During evening and nighttime hours, noise generated by or associated with permitted Places of Entertainment may sometimes be heard by nearby residents in their homes, and, from time to time, levels of interior noise may reach undesirable levels for some residents.

(b) Even so, many residents of San Francisco wish to live close to commercial uses, including Places of Entertainment, and the City's zoning regulations allow for mixed uses in the same zoning district in many areas.

(c) Places of Entertainment are an important part of the City's cultural fabric and provide an important amenity to its residents.

(d) In addition, according to a 2012 report by the Office of the Controller, "The Economic Impact of San Francisco's Nightlife Businesses," Places of Entertainment and other nightlife businesses are a major source of employment, economic activity, and tax revenue for San Francisco, as well as an economic driver, drawing new visitors and spending to San Francisco. In 2010, nightlife establishments, including live music venues, nightclubs, restaurants, bars, live theater and other performance venues, and art galleries, generated $4.2 billion in spending within San Francisco. Furthermore, in 2010, live music venues, nightclubs, bars, and theaters hosted approximately 16 million customers and generated $820 million in spending within San Francisco; 43% of Bay Area residents who visited the City did

so primarily to patronize live music venues, nightclubs, bars, and theaters; and 47% of tourists from outside the Bay Area visited the City for that reason.

(e) Some Places of Entertainment have been the subject of numerous noise complaints and as a result have been required to undertake costly noise attenuation measures. The imposition of these requirements may impose a significant financial burden on those Places of Entertainment, threatening their continued operation.

(f) Developers of residential projects routinely communicate with and perform outreach to neighbors and neighborhood groups prior to construction of the projects, but do not always similarly engage with or about neighboring Places of Entertainment.

Section 4. The Building Code is hereby amended by adding new Sections 1207.4 through 1207.9, to read as follows:

SECTION 1207.4. RESERVED.

SECTION 1207.5. Definitions.

The following definitions apply to Sections 1207.4 through 1207.8 of this Code.

COMMUNITY NOISE EQUIVALENT LEVEL (CNEL) *is a metric similar to the Ldn, except that a 5 dB adjustment is added to the equivalent continuous sound exposure level for evening hours (7 p.m. to 10 p.m.) in addition to the 10 dB nighttime adjustment used in the Ldn.*

DAY-NIGHT AVERAGE SOUND LEVEL (Ldn) *is the A-weighted equivalent continuous sound exposure level for a 24-hour period with a 10 dB adjustment added to sound levels occurring during nighttime hours (10 p.m. to 7 a.m.).*

NORMALIZED A-WEIGHTED SOUND LEVEL DIFFERENCE (Dn) *means for a specified source room sound spectrum, the difference, in decibels, between the average sound levels produced in*

two rooms after adjustment to the expected acoustical conditions when the receiving room under test is normally furnished.

SECTION 1207.6. Exterior sound transmission control.

1207.6.1 Application. *Residential structures located in noise critical areas, such as in proximity to highways, county roads, city streets, railroads, rapid transit lines, airports, nighttime entertainment venues, or industrial areas, shall be designed to prevent the intrusion of exterior noises beyond levels prescribed by the Municipal Code. Proper design to accomplish this goal shall include, but not be limited to, orientation of the residential structure, setbacks, shielding, and sound insulation of the building.*

1207.6.2. Allowable interior noise levels. *Interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric shall be either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), whichever results in a higher measurement of noise level.*

1207.6.3. Other noise sources. *Residential structures to be located where the Ldn or CNEL exceeds 60 dB shall require an acoustical analysis showing that the proposed design will limit exterior noise to the prescribed allowable interior level. The Planning Department's map titled Areas Potentially Requiring Noise Insulations, and similar maps and guidance produced by the Planning Department, shall be used where possible to identify sites with noise levels potentially greater than 60 dB.*

SECTION 1207.7. Compliance.

(a) Evidence of compliance with Section 1207.6 shall consist of submittal of an acoustical analysis report, prepared under the supervision of a person experienced in the field of acoustical engineering, with the application for a building permit. The report shall show topographical

relationships of noise sources and dwelling sites, identification of noise sources and their characteristics, predicted noise spectra and levels at the exterior of the proposed dwelling structure considering present and future land usage, the basis or bases for the prediction (measured or obtained from published data), noise attenuation measures to be applied, and an analysis of the noise insulation effectiveness of the proposed construction showing that the prescribed interior noise level requirements are met.

(b) If interior allowable noise levels are met by requiring that windows be unopenable or closed, the design for the structure must also specify a ventilation or air-conditioning system to provide a habitable interior environment. The ventilation system must not compromise the dwelling unit or guest room noise reduction.

SECTION 1207.8. Field testing.

(a) When inspection indicates that the construction is not in accordance with the approved design, or that the noise reduction is compromised due to sound leaks or flanking paths, field testing may be required. A test report showing compliance or noncompliance with prescribed interior allowable levels shall be submitted to the building official.

(b) Field measurements of outdoor sound levels shall generally follow the guidelines prepared by the American Society for Testing and Materials (ASTM) in ASTM E 1014.

(c) Field measurements of the A-weighted airborne sound insulation of buildings from exterior sources shall generally follow the guidelines prepared by the American Society for Testing and Materials (ASTM) in ASTM E 966.

(d) For the purpose of this Section 1207.7, sound level differences measured in unoccupied units shall be normalized to a receiving room reverberation time of one-half second. Sound level differences measured in occupied units shall not be normalized to a standard reverberation time.

SECTION 1207.9. *The Department of Building Inspection shall consult with the Planning Department to ensure that notice to sponsors of residential development projects affected by Sections 1207.5 through 1207.8 are provided with notice of the requirements of this Section as soon as practicable in the project approval process.*

Section 5. The Administrative Code is hereby amended by adding new Chapter 116, consisting of Sections 116.1 through 116.10, to read as follows:

CHAPTER 116: COMPATIBILITY AND PROTECTION FOR RESIDENTIAL USES AND PLACES OF ENTERTAINMENT

SECTION 116.1. DECLARATION OF POLICY.

It shall be the policy of the City to protect existing Places of Entertainment from potential conflicts with adjacent and nearby residential development uses, provided that such Places of Entertainment are operated and maintained in accordance with all applicable federal, state, and local laws and regulations, including applicable noise restrictions. The City encourages the use by developers of residential projects of best available noise control technologies and best management practices whenever possible to reduce the potential for conflict with Places of Entertainment.

Furthermore, it shall be the policy of the City to protect the future residents of industrial, commercial, and mixed-use neighborhoods in which Places of Entertainment operate, by providing notification processes to inform such residents of the possible noise levels in such neighborhoods and by requiring design features in new residential construction to promote the compatibility of residential uses and entertainment uses in adjacent or nearby Places of Entertainment.

SECTION 116.2. DEFINITIONS.

For the purposes of this Chapter 116, the following definitions shall apply.

"City" means the City and County of San Francisco.

"Development Permit" means any land use permit or entitlement, including but not limited to any building permit, site permit, Conditional Use authorization, variance, or decision based on discretionary review of a proposed project , where the project meets at least one of the following criteria:

(1) the project is subject to the Planning Department's requirement for a Preliminary Project Assessment for residential use, pursuant to Planning Department policy;

(2) the project is subject to the Planning Department's requirement that a Pre-Application Meeting be held for new construction, pursuant to Planning Department policy; or

(3) the project proposes a conversion of a structure from non-residential use to residential use.

"Place of Entertainment" is defined in Section 1060 of the Police Code.

"Project" means a structure for Residential Use, where the structure's exterior boundaries are within 300 radial feet of a Place of Entertainment that has been permitted for 12 or more consecutive months prior to the filing of the first complete application for a Development Permit for construction of the Project structure or for its conversion to Residential Use.

"Project Site" means the lot or lots on which a Project is located.

"Residential Use" means the use of any real property as a dwelling unit or units, regardless of whether it is a primary residence or a mixed use property.

"Transfer" means sale or lease.

"Transferee" means a purchaser or lessee of all or any portion of a structure for Residential Use, the exterior boundaries of which are within 300 radial feet of a Place of Entertainment, and includes but is not limited to the purchaser or lessee's partners, employees, assigns, successors, representatives, and heirs.

"Transferor" means an owner of a structure for Residential Use, the exterior boundaries of which are within 300 radial feet of a Place of Entertainment, who sells or leases all or any portion of the structure to a Transferee, and includes but is not limited to the owner's partners, employees, assigns, successors, representatives, and heirs.

SECTION 116.3. EXEMPTIONS AND NONAPPLICATION.

(a) This Chapter 116 does not supersede or limit any other provision of the Municipal Code, including but not limited to the Police Code, Building Code, Health Code and Planning Code, regarding the regulation and control of Nighttime Entertainment Uses as defined in the Planning Code.

(b) This Chapter 116 does not authorize a change in use or uses where such is otherwise controlled or prohibited by the Municipal Code or state or federal law.

(c) This Chapter 116 does not authorize the continuation or expansion of a nonconforming use where such is otherwise controlled or prohibited by the Municipal Code.

SECTION 116.4. PROTECTION FOR EXISTING PLACES OF ENTERTAINMENT.

No establishment that has held a permit to operate as a Place of Entertainment within 300 radial feet of a building for which construction or conversion for Residential Use was completed on or after January 1, 2005, shall be or become a public or private nuisance on the basis of noise disturbance for a resident of that building, if the Place of Entertainment operates in compliance with the Municipal Code and the terms of its permits.

SECTION 116.5. PLANNING DEPARTMENT NOTIFICATION TO PROJECT SPONSORS AND ACCEPTANCE OF DEVELOPMENT PERMITS.

(a) The Planning Department shall maintain a list of permitted Places of Entertainment, available to the public on its website, received from and updated by the Entertainment Commission pursuant to Police Code Section 1060.5.

(b) Based on the list described in subsection (a), the Planning Department shall notify a sponsor of a proposed Project that the Project is within 300 radial feet of a Place of Entertainment at the earliest practicable time.

(c) For any application for a Development Permit submitted after the effective date of this Chapter 116, *The Planning Department will not consider an application for a Development Permit to be complete until the following has occurred:*

(1) pursuant to Section 116.7, the Entertainment Commission has provided written notification to the Planning Department either that the Entertainment Commission did not hold a hearing, or that it held a hearing and the Project sponsor attended the hearing; and

(2) pursuant to Section 116.7, the Entertainment Commission has provided written comments and recommendations, if any, or the time provided in this Section 116.7 for doing so has elapsed.

SECTION 116.6. ACOUSTICAL MEASUREMENTS BY ENTERTAINMENT COMMISSION STAFF.

(a) In addition to any acoustical analysis required by the Building Code, prior to any hearing by the Entertainment Commission on a Project pursuant to Section 116.7, Entertainment Commission staff may take exterior acoustical measurements of conditions at the Project Site, to determine normal daytime conditions, normal nighttime conditions when no performance is taking place at any Place of Entertainment within 300 radial feet of the proposed Project, and conditions during a performance at

any Place of Entertainment within 300 radial feet of the proposed Project. The Project sponsor shall provide Entertainment Commission staff with reasonable access to the Project Site for this purpose. This information may be made available to the Entertainment Commission to inform the Entertainment Commission's consideration of the Project pursuant to Section 116.7.

(b) The acoustical measurements required by this Section 116.6 shall not constitute determinations or findings of the Entertainment Commission.

(c) A report of the acoustical measurements required by this Section 116.6 shall be forwarded to the Department of Public Health within five business days after the measurements are taken, and at least five business days prior to any Entertainment Commission hearing on the Project.

SECTION 116.7. ENTERTAINMENT COMMISSION HEARING.

(a) Prior to submitting an application for a Development Permit to the Planning Department, the Project sponsor shall notify the Entertainment Commission of its intent to submit such an application, and may provide materials describing the proposed Project.

(b) Upon receipt of the notice described in subsection (a), the Entertainment Commission shall determine whether to hold a hearing on noise issues related to the proposed Project and any Place of Entertainment within 300 radial feet of the proposed Project. The Entertainment Commission, or its staff as delegated by the Entertainment Commission, may, in its discretion, determine that a hearing is not required, if the available evidence indicates that noise from the Place of Entertainment is not likely to create a significant disturbance for residents of the Project.

(c) If the Entertainment Commission determines that a hearing is required, it shall hold that hearing within 30 calendar days after a Project sponsor provides notice to the Entertainment Commission pursuant to subsection (a). The Entertainment Commission, or its staff as delegated by the Commission, may extend this 30-day period for up to 15 additional days to accommodate scheduling conflicts between the Entertainment Commission and Project sponsor.

(d) For any such hearing:

(1) the Entertainment Commission shall invite any Place of Entertainment that is within 300 radial feet of the Project to attend the hearing and present evidence, including testimony, regarding noise issues related to the Place of Entertainment and the Project; and

(2) the Project sponsor shall attend the hearing and present evidence, including testimony, regarding current noise levels in the area of the proposed Project, including all acoustical analysis conducted to date; the Project's proposed noise attenuation features; other possible noise attenuation measures, including voluntary collaboration with the Place of Entertainment; the projected level of interior noise for residential units in the Project; and the Project sponsor's engagement or plans for engagement with the Place(s) of Entertainment.

(e) Within two business days after the Entertainment Commission holds a hearing pursuant to this Section 116.7, or if no hearing is to be held, within 30 calendar days after receiving notice pursuant to subsection (a) of this Section 116.7, the Entertainment Commission shall provide in writing to the Planning Department and/or Department of Building Inspection, as appropriate, a notice regarding whether a hearing was held and whether the Project sponsor attended the hearing, and shall provide written comments and recommendations, if any, pertaining to noise issues for the proposed Project, including but not limited to the following:

(A) a report of any acoustical measurements taken pursuant to Section 116.6, and

(B) any recommendations regarding whether Development Permits should be issued and whether conditions relating to noise attenuation should be imposed.

(f) The Project sponsor shall indicate its compliance with Section 116.7(b) on the face of any building plans submitted to the Planning Department and Department of Building Inspection.

(g) The Project sponsor shall include with its application for a Development Permit any date(s) on which an Entertainment Commission hearing on the proposed Project was held, and shall include a

copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project.

(h) For purposes of this Section 116.7, any required writing by the Entertainment Commission may be transmitted by electronic means.

(i) This Section 116.7 does not give the Entertainment Commission approval authority over any Development Permit.

SECTION 116.8. DISCLOSURE REQUIREMENTS FOR TRANSFER OF REAL PROPERTY FOR RESIDENTIAL USE.

(a) Disclosure Requirement.

Any Transferor shall provide a disclosure notice to any Transferee as follows:

(1) Timing of Disclosure.

The Transferor shall provide the disclosure notice described in this Section 116.8 on a separate written document. This disclosure notice shall be provided as follows:

(A) for a lease, prior to the Transferee(s) signing the lease; and

(B) for a purchase agreement, at the time required by California Civil Code Section 1102.3.

(2) Contents of Disclosure Notice.

The disclosure notice shall include a citation to this Chapter 116 and a statement containing substantially the following language in at least 12-point font, with appropriate terms to be inserted in place of the bracketed language:

"DISCLOSURE OF NEIGHBORING PLACE OF ENTERTAINMENT.

You are purchasing or leasing property that is adjacent or nearby to [name and address of the Place(s) of Entertainment]. This venue is an existing Place of Entertainment, as defined in Police Code Section 1060, which includes establishments such as live music venues, nightclubs and theaters. This

establishment may subject you to inconveniences or discomfort arising from or associated with its operations, which may include, but are not limited to, nighttime noise, odors, and litter. One or more of the inconveniences or discomforts may occur even if the Place of Entertainment is operating in conformance with existing laws and regulations and locally accepted customs and standards for operations of such use. If you live near a Place of Entertainment, you should be prepared to accept such inconveniences or discomforts as a normal and necessary aspect of living in a neighborhood with mixed commercial and residential uses."

(3) Copy of Chapter 116 to Be Provided.

The Transferor shall provide each Transferee with a copy of this Chapter 116 as is in effect when the disclosure notice required by this Section 116.8 is provided.

(4) Affidavit of Disclosure.

(A) Contents of Affidavit.

The Transferor shall sign, upon penalty of perjury, an affidavit containing the following information, with appropriate terms to be inserted in place of the bracketed language, as specified:

(i) the identity of the Transferor, and any entity on whose behalf the Transferor is acting;

(ii) the identity of the Transferee;

(iii) the address, including unit number, of the portion of the Project being transferred;

(iv) whether the Transfer is a sale or lease; and

(v) the following language:

"I have provided to the [purchaser or lessee] the disclosure required by San Francisco Administrative Code Chapter 116. Attached is a true and correct copy of the notice provided to the [purchaser or lessee].

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on [date] in [city and state]."

(B) Affidavit Transmitted to Entertainment Commission.

The Transferor shall transmit to the Entertainment Commission, by any means acceptable to the Entertainment Commission, the Affidavit and a copy of the disclosure notice provided to each Transferee; provided, however, that the attachment need not also include a copy of the then-current text of this Chapter 116. Upon request of the Transferee, the Transferor shall also provide a copy of this Affidavit, with an attached copy of the disclosure notice referenced in the Affidavit, to the Transferee.

(C) Affidavits Available to the Public.

Pursuant to state and local law, upon request, the Entertainment Commission shall provide a copy of the Affidavit and attached notice to any member of the public, including a representative of a Place of Entertainment.

(5) Covenants, Conditions & Restrictions for Condominium Projects.

If the Project will be subdivided into condominiums, the requirements of this Section 116.8(a) must be included as terms of the Covenants, Conditions, & Restrictions ("CC&Rs") that will be filed with the State and that govern owners of the property. Upon request, a copy of the CC&Rs must be provided to the Planning Department.

(b) Enforcement.

The Planning Department may enforce this Section 116.8 through the application of Planning Code Sections 176 and 176.1.

(c) Complaints Regarding Failure to Provide Disclosure Notice.

Any member of the public, including any Place of Entertainment, may file a complaint with the Planning Department regarding a Transferor's failure to provide the notice required by this Section 116.8.

SECTION 116.9. NOTICE OF SPECIAL RESTRICTIONS.

At the time a proposed Project is approved, a Notice of Special Restrictions (NSR) must be recorded with the Assessor-Recorder that states all of the restrictions of Section 116.8 and any other conditions that the Planning Commission or Department places on the property. The Planning Department may enforce the terms of the NSR, including but not limited to enforcement for any failure to comply with the provisions of Section 116.8, through the application of Planning Code Sections 176 and 176.1.

SECTION 116.10. NO PRIVATE RIGHT OF ACTION AGAINST CITY.

This Chapter 116 shall not create any private right of action against the City. The City shall have no duty or liability based on any failure to achieve the disclosure required by this Chapter or based on the City's failure to enforce or prosecute pursuant to this Chapter.

SECTION 116.11. PROJECTS FOR WHICH ~~COMPLETE DEVELOPMENT PERMIT APPLICATIONS HAVE~~ A FIRST CONSTRUCTION DOCUMENT HAS NOT BEEN ISSUED~~BEEN SUBMITTED~~ *BEFORE THE EFFECTIVE DATE OF* CHAPTER 116~~THIS ORDINANCE~~.

For any proposed *Project for which*, as of the effective date of this Chapter 116, a Project sponsor has applied for a Development Permit but for which a first construction document, as that term is defined in Section 107A.13.1 of the Building Code, has not been issued,~~a complete Development Permit application has been submitted, but for which no Development Permit has been issued, before the effective date of this ordinance,~~ *the following provisions shall apply,* ~~notwithstanding any contrary provisions of this Chapter 116~~:

(a) The proposed Project shall be subject to this Chapter 116.

(b) The Planning Department shall notify the Entertainment Commission and the Project sponsor as soon as practicable that the proposed Project is within 300 radial feet of a Place of Entertainment, to provide the Entertainment Commission with an opportunity to determine whether to hold a hearing pursuant to Section 116.7.

(c) Notwithstanding subsection (a) above, any previously scheduled hearing on a Development Permit application for the Proposed project shall not be delayed by the Entertainment Commission's consideration of whether to hold a hearing pursuant to Section 116.7, or the Entertainment Commission's holding of such a hearing.

(d) If the Entertainment Commission holds a hearing pursuant to Section 116.7 on a proposed Project ~~for which a complete Development Permit application has been submitted before the effective date of this ordinance~~*, the Project sponsor shall immediately thereafter provide to the Planning Department and/or Department of Building, as appropriate, any date(s) on which the Entertainment Commission held a hearing and a copy of any comments and/or recommendations provided by the Entertainment Commission regarding the proposed Project.*

(e) ~~This Section 116.11 shall cease to be effective three years after the effective date of this ordinance.~~If the Planning Department or Planning Commission has not received comments or recommendations from the Entertainment Commission about the proposed Project at the time of its review pursuant to Section 314 of the Planning Code, no additional review or rehearing of the proposed Project by the Planning Department or Planning Commission shall be required due to the absence of such comments or recommendations.

Section 6. The Planning Code is hereby amended by adding new Section 314, to read as follows:

SECTION 314. REVIEW OF RESIDENTIAL PROJECTS.

In addition to any other factors appropriate for consideration under the Planning Code, the Planning Department and Commission shall consider the compatibility of uses when approving Residential Uses adjacent to or near existing permitted Places of Entertainment and shall take all reasonably available means through the City's design review and approval processes to ensure that the design of such new residential development project- takes into account the needs and interests of both the Places of Entertainment and the future residents of the new development. Such considerations may include, among others:

(a) The proposed project's consistency with applicable design guidelines;

(b) any proceedings held by the Entertainment Commission relating to the proposed Project, including but not limited to any acoustical data provided to the Entertainment Commission, pursuant to Administrative Code Section 116.6; and

(c) any comments and recommendations provided to the Planning Department by the Entertainment Commission regarding noise issues related to the project pursuant to Administrative Code Section 116.7.

Section 7. The Police Code is hereby amended by revising Sections 1060.5, 1060.15, and 1060.24.1, to read as follows:

SEC. 1060.5. DETERMINATION OF APPLICATION FOR A PLACE OF ENTERTAINMENT PERMIT.

* * * *

(b) (1) The applicant shall cause a notice of the hearing to be conspicuously and continuously posted for at least 30 days before the scheduled hearing date on the premises of the Business. Where the Business is located in a neighborhood-commercial or mixed residential district, as defined in Article 7 and 8 of the ~~*San Francisco*~~ Planning Code, the

applicant shall also make a good faith effort to distribute leaflets at each residence located within 150 feet of the Business, unless the Entertainment Commission finds that a Business located in a district is not likely to significantly generate nighttime noise and traffic to the detriment of residences located in that immediate area. Applicants subject to the requirement of distributing leaflets shall do so at least 30 days before the scheduled hearing date and the distribution shall be done in compliance with the provisions of Article ~~575~~.7 (beginning with Section 184.69) of the ~~*San Francisco*~~ Public Works Code. The Director shall provide notice of the hearing at least 30 days before the hearing to any Person who has filed a written request for such notice, which notice may be given electronically if the Person has provided electronic contact information, or by mail.

* * * *

(d) (1) The Entertainment Commission shall hold a hearing and determine whether to grant or deny the permit within 45 City business days of the date that the applicant has submitted a complete application under Section 1060.5(a), except that this 45 day period shall be extended for such period or periods of time that apply under the following circumstances:

(*A*~~*i*~~) If the Entertainment Commission finds that an extension of time is necessary to obtain additional information for its review of the application under the standards set forth in Subsection (f) of this Section, the time period shall be extended for an additional amount of time as the Commission determines appropriate, up to 15 additional days; and

(*B*~~*ii*~~) Upon the applicant's request, the Entertainment Commission shall continue the hearing for an additional period of time to allow the applicant an opportunity to comply with the requirements of this Article, in which case the time period is extended for that additional period; and

(*C*~~*iii*~~) If the applicant fails to post or maintain notice of the hearing, or make a good faith effort to distribute leaflets to residences, as required by Subsection (b) of

this Section, the Director shall have the hearing before the Entertainment Commission continued for such period or periods of time that the Director determines necessary for the applicant to comply with the posting requirement, in which case the time period is extended for that additional period or periods of time; and

(*Div*) If the Director finds that the Commission is unable to meet during the 45 day time period or any permitted time extension due to exigent circumstances, the time period shall be extended until the Commission is able to meet; the Commission shall consider the matter at the first meeting that it conducts following such circumstances.

* * * *

(g) *Conditions on Permits.*

(1) When the Commission grants or conditionally grants a permit, it shall require the applicant as a condition of the permit to comply with the Security Plan that has been approved as provided under this Article.

(2) Pursuant to its authority under subsection (e) of Section 2909 of this Code, when the Commission grants, conditionally grants, or amends a permit, it may require the Permittee as a condition of the permit to comply with noise limits that are lower or higher than those set forth in Article 29 of this Code. In considering whether to impose noise limits that are different from those in Article 29, the Commission may consider any or all of the following factors:

(A) Noise generated by licensed Places of Entertainment generally Citywide, as determined by Commission staff;

(B) Noise generated by the Place of Entertainment in the evening and nighttime;

(C) In the case of an amendment to an existing permit, the length of time the Place of Entertainment has operated, either under the current operator or prior operators;

(D) In the case of an amendment to an existing permit, whether the Commission, Police Department, and/or Department of Public Health have received noise complaints related to the operation of the Place of Entertainment;

(E) The proximity of the Place of Entertainment to other Places of Entertainment or commercial uses;

(F) The proximity of the Place of Entertainment to existing residential buildings; and

(G) In the case of an amendment to an existing permit, whether the Place of Entertainment's operations preceded the construction or current use of the buildings in which complainants reside or work.

(3) The Commission may impose additional reasonable time, place and manner conditions on the permit. In considering whether to impose said conditions, the Commission shall consider where relevant the circumstances surrounding any previous denial of a permit application or previous suspension or revocation of a permit, under this Article or Article 15.2, for the same permit applicant or Permittee.

* * * *

(i) The Entertainment Commission shall maintain an updated list of all currently permitted Places of Entertainment, and shall provide that list, with updates as appropriate, to the Planning Department.

SEC. 1060.15. SOUND TEST.

As a condition of any permit issued under this Article, the Commission or the Director shall have the authority to require a sound test to ensure compliance with the allowable noise limits under Section 49 and Article 29 of the San Francisco Police Code *or any alternative noise limits set by the Commission in the permit as authorized by subsection (e) of Section 2909 of this Code.*

SEC. 1060.24.1. COMPLIANCE WITH CONDITIONS; AMENDMENT OF PERMIT TO CHANGE CONDITIONS.

No Permittee shall operate a Business in any manner inconsistent with any condition imposed on the permit. A Permittee may request an amendment to a permit to remove or change a condition, *including but not limited to, an amendment to increase the noise limits contained in the permit as authorized by subsection (e) of Section 2909 of this Code,* by filing a request with the Secretary of the Commission and paying the fee for an Amendment to a Permit required under Police Code Section 2.26. The Entertainment Commission shall conduct a hearing and determine whether to approve the application to amend the permit according to the procedures governing the initial application as set forth in Section 1060.5 and the standards set forth in Section 1060.5(f).

Section 8. Effective Date; Inapplicability to ~~Pending Building Permit Applications~~Projects Having First Construction Document.

(a) Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

(b) Inapplicability to Projects Having First Construction Document. Administrative Code Sections 116.2 through 116.3, 116.5 through 116.7, ~~and~~ 116.9 and 116.11 ~~of this ordinance~~ shall not apply to any Project for which a first construction document, as that term is defined in Section 107A.13.1 of the Building Code, has been issued as of~~complete application for a building or site permit that was submitted to the Department of Building Inspection before~~ the effective date of this ordinance.

Section 9. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section 10. Undertaking for the General Welfare. In enacting and implementing this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 11. Directions to Clerk of the Board. The Clerk of the Board of Supervisors is directed to forward this ordinance to the State Building Standards Commission after final passage, as required by Health and Safety Code Section 17958.7.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
VICTORIA WONG
Deputy City Attorney

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CALIFORNIA BUILDING STANDARDS COMMISSION

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 141298 **Date Passed:** May 12, 2015

Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) not become a public or private nuisance on the basis of noise for nearby residents of residential structures constructed or converted on or after January 1, 2005; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POEs; to require that such disclosure requirements be recorded against all newly approved residential projects in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the State Building Standards Commission upon final passage.

April 20, 2015 Land Use and Transportation Committee - RECOMMENDED

April 28, 2015 Board of Supervisors - CONTINUED ON FIRST READING

Ayes: 10 - Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Excused: 1 - Avalos

May 05, 2015 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

May 05, 2015 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

May 12, 2015 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, **Kim, Mar,** Tang, Wiener and Yee

File No. 141298

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 5/12/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

May 21, 2015
Date Approved

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CALIFORNIA BUILDING STANDARDS COMMISSION

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

141298 **[Various Codes - Noise Regulations Relating to Residential Uses Near Places of Entertainment]**

Sponsors: Breed; Wiener, Cohen, Kim, Christensen and Farrell

Ordinance amending the Building, Administrative, Planning, and Police Codes to require attenuation of exterior noise for new residential structures and acoustical analysis and field testing in some circumstances; to provide that a Place of Entertainment (POE) not become a public or private nuisance on the basis of noise for nearby residents of residential structures constructed or converted on or after January 1, 2005; to authorize the Entertainment Commission to hold a hearing on a proposed residential use near a POE, and require the project sponsor's participation in the hearing; to authorize the Entertainment Commission to measure noise conditions at such project sites and provide comments and recommendations regarding noise to the Planning Department and Department of Building Inspection; to require lessors and sellers of residential property to disclose to lessees and purchasers potential noise and other inconveniences associated with nearby POEs; to require that such disclosure requirements be recorded against all newly approved residential projects in a Notice of Special Restrictions; to require the Planning Department and Commission to consider noise issues when reviewing proposed residential projects; and to specify factors concerning noise for the Entertainment Commission to review when considering granting a POE permit; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of local conditions under California Health and Safety Code, Section 17958.7; and directing the Clerk of the Board of Supervisors to forward the Ordinance to the State Building Standards Commission upon final passage.

4/28/2015 Board of Supervisors - CONTINUED ON FIRST READING

Ayes: 10 - Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

Excused: 1 - Avalos

5/5/2015 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING S

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

5/5/2015 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

5/12/2015 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

5/21/2015 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

October 02, 2015
Date

Angela Calvillo
Clerk of the Board

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CALIFORNIA BUILDING STANDARDS COMMISSION

STATE OF CALIFORNIA – GOVERNMENT OPERATIONS AGENCY GOVERNOR EDMUND G. BROWN JR.

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

October 13, 2015

Angela Calvillo
Clerk of the Board
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance #224-14, #202-14

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on October 2, 2015.

Our review finds the submittal to contain two ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city and county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: CBSC Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

September 30, 2015

SENT CERTIFIED MAIL (Return Receipt Requested)

RECEIVED
2015 OCT -2 A 11:42
CALIFORNIA BUILDING STANDARDS COMMISSION

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendments

To Whom It May Concern:

Pursuant to California Health & Safety Code, Section 17958.7, enclosed please find certified copies of the following legislation, which were finally passed by the Board of Supervisors of the City and County of San Francisco, and approved by the Mayor, on the dates specified below:

1. **Ordinance No. 224-14 (File No. 140806)** – Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.
   (Board of Supervisors - Finally Passed 10/28/2014) (Mayor - Approved 11/7/2014)

2. **Ordinance No. 202-14 (File No. 140120)** – Ordinance amending the Building Code to 1) require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, 2) assess a fee for Building Department review and related evaluation processing, 3) exempt certain buildings from the evaluation requirements, 4) provide that buildings where voluntary seismic retrofit work is done to specified standards shall not be identified as a seismic hazard under later-enacted local building standards, and 5) require that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.
   (Board of Supervisors - Finally Passed 9/23/2014) (Mayor - Approved 10/1/2014)

If you have any questions or require additional information, please call (415) 554-4447 or email alisa.somera@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

RECEIVED
2015 OCT -2 A 11:42
CALIFORNIA BUILDING STANDARDS COMMISSION

AMENDED IN COMMITTEE
10/6/14

FILE NO. 140806 ORDINANCE NO. 224-14

[Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; and making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. General Findings.

The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 140806 and is incorporated herein by reference.

Section 2. Findings Under the California Health and Safety Code.

The Board of Supervisors finds that:

(1) The topography of San Francisco leads to development of a high density of buildings on small lots, and often in close proximity to major roadways, necessitating special provisions for ventilation. (Topography).

(2) High building density and crowded occupancy leaves fewer parcels available for residential development than needed to satisfy regional demand, and many of those sites are in close proximity to major roadways, necessitating special provisions for ventilation. (Topography).

(3) The configuration of the City as a peninsula restricts the availability of land suitable for residential development, leaving such development to sites that are close to major roadways, necessitating special provisions for ventilation. (Topography).

(4) The region is subject to strong winds, which often direct roadway air pollutants to surrounding areas. (Climate).

Pursuant to the applicable California Health and Safety Code Sections, the Board of Supervisors finds and determines that these local conditions give rise to the need for modification of the 2013 California Building Code provisions published by the Building Standards Commission. Further, the Board finds and determines that the proposed modifications are reasonably necessary based on these local conditions.

Section 3. Article of the 38 the Health Code is hereby amended by deleting existing Section 3806; adding two sections (numbered as Sections 3803 and 3811); revising existing Sections 3801 to 3805 and 3807 to 3813 and renumbering those sections, in light of the deleted and added sections, to produce Sections 3801 to 3814, to read as follows:

SEC. 3801. SHORT TITLE.

This Article shall be entitled ~~*"Air Quality Assessment and Ventilation Requirement*~~ *Enhanced Ventilation Required* for Urban Infill ~~*Residential*~~ *Sensitive Use* Developments ~~*in the Air Pollutant Exposure Zone."*~~

SEC. 3802.FINDINGS.

~~*(a) Motor vehicles are a major source of air pollution in the United States, particularly in urban areas;*~~

(a) Scientific studies show that exposure to particulate matter from air pollution leads to significant human health problems, including: aggravated asthma; chronic bronchitis; reduced lung function; irregular heartbeat; heart attack; and premature death in people with heart or lung disease. Exposure to air pollutants that are carcinogens can also have significant human health consequences. For example, exposure to diesel exhaust is an established cause of lung cancer.

(b) Heart disease and stroke are the first and fourth leading causes of death in the U.S, respectively. Air pollution affects heart health and can trigger or contribute to heart attacks and strokes. One in three Americans has heart or blood vessel disease and is at higher risk from air pollution. Impacts on the lungs may take several forms. Short-term effects include deficits in lung function that can limit breathing, especially during exercise. Irritants from air pollution may cause airway constriction or chest tightening that is uncomfortable or limiting to normal activity. These changes in lung function are sometimes accompanied by underlying lung tissue inflammation which over the long term may lead to chronic lung disease. Exposure to air pollutants may be a contributing factor to leading causes of death recorded for San Francisco's population (ischemic heart disease; lung, bronchus and tracheal cancers; cerebrovascular disease; chronic obstructive pulmonary disease; hypertensive heart disease and lower respiratory infection). ~~*Pollution from motor vehicles imposes severe health burdens on children and families living near freeways and busy roadways. Health research has consistently shown that*~~

(c) ~~*p*~~ Persons living in close proximity to *air pollution sources, such as* freeways or busy roadways, have poorer lung functions and are more susceptible to develop*ing* asthma and other respiratory problems, compared with persons living at a greater distance~~;~~ *from such sources. The California Air Resources Board's 2005 Land Use Guidance document, "Air Quality And Land Use Handbook: A Community Health Perspective," reviewed traffic-related air pollution studies and found that particulate matter pollution levels decrease by about 70 percent at 500 feet from*

freeways and high-traffic roadways, defined as urban roads with 100,000 vehicles/day or rural roads with 50,000 vehicles/day.

~~*(c) To avoid the health problems associated with exposure to roadway pollution, the California Air Resources Board recommends avoiding the placement of residential and other sensitive uses within 500 feet (approximately 150 meters) of busy freeways and other busy roadways. However, significant residential development in the state is occurring in urban infill sites, near freeways or busy arterial roadways, potentially increasing these residents' exposure to air pollutants and their associated health risks; and*~~

~~*(d) This situation is exacerbated in the City of San Francisco, which, by virtue of being located on a peninsula, has a limited amount of land available for new residential development.*~~

(d) Proximity to sources of air pollution increases exposure, and proximity to sources is established to be more common for the poor and for certain ethnic minorities.

(e) Consequently, health vulnerability varies among neighborhoods and populations within San Francisco, as measured by population health records of air pollution-associated hospital discharges and emergency room visits, and non-accident mortality. Health vulnerable populations are likely to have more significant health consequences from air pollutant exposure compared to populations that are less vulnerable.

(f) Existing regulatory control measures, often focused on new stationary sources of emissions and average regional air pollution concentrations, are not sufficient to address all local sources of exposure or disparities in exposure.

(g) "Sensitive Use" buildings have the highest proportion of individuals who are most vulnerable to air pollutant exposures.

(h) Available technologies exist to protect sensitive uses from air pollution health effects. Available and accepted air pollution modeling technology allows for the estimation of certain air pollutant concentrations for individual land parcels. Furthermore, available building ventilation and

engineering technologies provide mechanisms to protect indoor environments from the infiltration of ambient air pollutants.

SEC. 3803. PURPOSES AND GOALS.

(a) The purpose of this Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone.

(b) The goals of this Article 38 are to maintain and increase the stock of infill housing and other sensitive use development in the City while reducing the risk to human health from air pollutants among occupants of, and visitors to, buildings in the Air Pollutant Exposure Zone.

SEC. 38034. DEFINITIONS.

For the purposes of this Article *38*, the following words shall have the following meanings:

~~*(a) "Building" means a new structure containing ten or more dwelling units as those terms are defined in the San Francisco Building Code.*~~

~~*(b) "Department" means the San Francisco Department of Public Health.*~~

~~*(c) "Director" means the Director of the San Francisco Department of Public Health or the Director's designee.*~~

~~*(d) "Local Roadway Traffic Sources" means traffic generated on roadways within 500 feet from the site.*~~

~~*(e) "PM 2.5" means solid particles and liquid droplets found in the air, that are less than 2.5 micrometers in diameter.*~~

~~*(f) "Potential Roadway*~~ *Air Pollutant* Exposure Zone" means those areas within the City ~~*and County of San Francisco*~~ which, by virtue of their proximity to ~~*freeways and major roadways, may exhibit high PM 2.5 concentration attributable to Local Roadway Traffic Sources.*~~ *air pollution emissions sources, including Freeways, have substantially greater concentrations of air*

pollutants. The Air Pollutant Exposure Zone shall be modeled according to specific risk factors defined in the Rules and Regulations, and will include at a minimum, criteria for maximum allowed excess cancer risks and maximum $PM_{2.5}$ concentrations; these criteria shall be more stringent in Health Vulnerable Locations, as defined below.

~~*(g) "Potential Roadway Exposure Zone" means a map, prepared and periodically updated by the Director and available to the public in the Department's website, depicting the Potential Roadway Exposure Zone.*~~

"Building" means a building that contains a "Sensitive Use" and that is either:

(1) a new building; or

(2) a building undergoing a "Major Alteration to Existing Building" as defined by the San Francisco Green Building Code; or

(3) a building undergoing a Planning Department permitted change of use.

"City" means the City and County of San Francisco.

"Department" means the San Francisco Department of Public Health.

"Director" means the Director of the San Francisco Department of Public Health or the Director's designee.

"Enhanced Ventilation" means a ventilation system capable of achieving the protection from particulate matter ($PM_{2.5}$) equivalent to that associated with a Minimum Efficiency Reporting Value (MERV) 13 filtration (as defined by American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standard 52.2).

"Freeway" refers to freeways as defined in the San Francisco General Plan, Transportation Element.

"Health Vulnerable Locations" means those San Francisco zip codes, census tracts or other defined locations having the highest percentage of health vulnerable residents, based on criteria such as State discharge data from respiratory and cardiovascular related hospitalizations, non-accident

mortality, or other criteria as determined by the Director and specified in the Rules and Regulations enacted under this Article.

"$PM_{2.5}$" means solid particles and liquid droplets found in the air, that are less than or equal to 2.5 micrometers (μm) in diameter.

"Sensitive Use" means:

(1) any building or facility designed for residential use, including but not limited to those defined by City, state or federal law and regulations, excluding Tourist Hotels;

(2) any ~~building or~~ facility serving specific populations, including but not limited to California Department of Social Services (CDSS)-licensed Adult Day Care Centers, Adult Support Centers, Child Care Centers, Family Child Care Homes, Infant Care Centers, School-Aged Child Care Centers, and Community Treatment Centers;

(3) any California Department of Education (CDE)-licensed schools;

(4) any California Department of Public Health (CDPH)-licensed Health Care Facilities with 24-hour care, except for CDPH-licensed hospitals, which are subject to specific regulations;

(5) any California Building Code Section 305-defined occupancies of Educational Group E;

(6) any California Building Code Section 308-defined occupancies of Institutional Group I; and

(7) any California Building Code Section 310-defined occupancies of Residential Group R.

~~*(h)*~~ "Site" means a parcel of land as defined in the San Francisco Building Code.

SEC. 3804*5*. APPLICABILITY OF ARTICLE.

This Article *38* shall apply to ~~*newly constructed*~~ *Sensitive Use* buildings ~~*containing ten or more dwelling units*~~ *located on a site identified as* within the ~~*Potential Roadway Exposure Zone, and*~~

~~*that have been determined to have a PM 2.5 concentration at the proposed site greater than 0.2 ug/m3 attributable to Local Roadway Traffic Sources, as defined herein.*~~ *Air Pollutant Exposure Zone that are either:*

(a) Newly constructed; or

(b) Undergoing a "Major Alteration to Existing Building" as defined by the San Francisco Green Building Code; or

(c) The subject of an application for a Planning Department-permitted Change of Use.

SEC. 3805*6*. ~~*POTENTIAL ROADWAY*~~ *AIR POLLUTANT* EXPOSURE ZONE AND ~~*POTENTIAL ROADWAY*~~ *AIR POLLUTANT* EXPOSURE ZONE MAP.

(a) ~~*Pursuant to Section 4.110 of the Charter of the City and County of San Francisco, t*~~*T*he Director shall create ~~*a Potential Roadway*~~ *an Air Pollutant* Exposure Zone Map~~*, depicting the Potential Roadway Exposure Zone*~~ *according to Rules and Regulations as authorized by Section 3809. The Air Pollutant Exposure Zone Map shall depict all locations in the City where the estimated cumulative $PM_{2.5}$ concentration is greater than 10 µg/m3 or where the estimated cumulative excess risk of cancer from air pollutants resulting from lifetime (70 year) exposure is greater than 100 in a million. Additionally, the Air Pollutant Exposure Zone Map shall include all locations within 500 feet of any Freeway, if those locations were not otherwise captured by modeling estimates. Within Health Vulnerable Locations, the Air Pollutant Exposure Zone Map shall depict all locations where the estimated cumulative $PM_{2.5}$ concentration is greater than 9 µg/m3 or where the estimated cumulative excess risk of cancer from air pollutants resulting from lifetime (70 year) exposure is greater than 90 in a million. The Director shall update the Air Pollutant Exposure Zone Map to identify new sources, updated pollutant standards, additional pollutants and standards for those pollutants, and updated methodologies in accordance with Section 3809 and the accompanying Rules and Regulations for this Article 38.*

(b) The Director shall ~~*from time to time,*~~ *at least once every five years,* update the ~~*Potential Roadway Exposure Zone Map;*~~ *Rules and Regulations governing creation of the Air Pollutant Exposure Zone Map* to account for changes in ~~*circumstances that lead to changes in the Potential Roadway Exposure Zone,*~~ *information* including, but not limited, to:

(1) Information available to estimate air pollutants of health concern;

(2) Information available to determine Health Vulnerable Locations; and

(3) Information that may affect delineation of the Air Pollutant Exposure Zone, including, but not limited to:

~~*(1)*~~*(A)* Construction, *expansion or modification of* ~~*new*~~ *major* roadways ~~*in residential areas;*~~

~~*(2)*~~*(B)* Changes in traffic patterns in the City's roadway system;

~~*(3)Specific scientific data showing that certain areas should be included in the Potential Roadway Exposure Zone Map.*~~

(C) Changes in area sources or siting of industrial or commercial sources of air pollution; and

(D) Climatic factors for which there is evidence of changes to air quality.

(c) The Director shall post the ~~*Potential Roadway*~~ *Air Pollutant* Exposure Zone Map ~~*in*~~ *on* the Department's website, and make paper copies of the map available to the public upon request.

(d) In creating and updating the ~~*Potential Roadway*~~ *Air Pollutant* Exposure Zone Map, the Director shall follow the procedures *of Section 3809,* ~~*and shall make specific findings explaining how the boundaries of the Potential Roadway Exposure Zone Map meet the definition of Section 3803(f)*~~ *specified in Section 3809.*

(e) The ~~*current Potential Roadway*~~ *Air Pollutant* Exposure Zone *Map that is operative as of the effective date of Ordinance No. 224-14 amending this Article 38,* is ~~*attached to this Ordinance as Attachment A*~~ *on file with the Clerk of the Board of Supervisors in File No. 140806.*

~~***SEC. 3806. AIR QUALITY ASSESSMENT AND AIR QUALITY REPORT.***~~

~~*(a) Projects meeting the conditions of Section 3804 shall have performed an Air Quality Assessment, to evaluate the concentration of PM 2.5 from Local Roadway Traffic Sources at the site. All locations at the site where residential buildings or construction may occur shall be evaluated. The Department shall develop guidance, pursuant to Section 3809, setting forth what types of analyses shall be conducted. The project sponsor shall follow the Department's guidance, unless an alternative proposal is approved in writing by the Director.*~~

~~*(b) At the completion of the Air Quality Assessment required by Section 3806(a), an Air Quality Report shall be submitted to the Director. The Air Quality Report shall contain the following information:*~~

~~*(1) The names, addresses and professional expertise of the persons who conducted the Air Quality Assessment;*~~

~~*(2) An explanation of the methodology used in the Air Quality Assessment; and*~~

~~*(3) The results of the Air Quality Assessment.*~~

~~*(c) Review by the Director. The Director shall determine whether the Air Quality Report required by this Article was conducted as required by this Article, and whether the Air Quality Report is complete. If the Air Quality Report was not conducted as required by this Article or does not comply with the requirements of this Section, the Director shall notify the project sponsor in writing within 30 days of receipt of the Air Quality Report, indicating the reasons the report is unacceptable. A copy of the notification shall be sent to the Director of Building Inspection.*~~

~~*(d) Finding of No Dangerous PM 2.5 Concentration. If the Air Quality Report indicates that the concentration level of PM 2.5 from Local Roadway Traffic Sources at the site is less than 0.2 ug/m3, the Director shall provide the project sponsor with written notification that the project has complied with the requirements of this Article.*~~

SEC. 3807. *ENHANCED* VENTILATION REQUIREMENT.

(a) ~~*If the Air Quality Report indicates that the concentration level of PM 2.5 from Local Roadway Traffic Sources at the site is greater than 0.2 ug/m3 the project shall:*~~

~~*(1) be designed, or relocated on the site in a way that would avoid residential exposure to PM 2.5 concentration from Local Roadway Traffic Sources greater than 0.2 ug/m3, as demonstrated by the Air Quality Report, or*~~

~~(2)~~ *Any person or entity to whom this Article 38 applies, as defined in Section 3805, shall* submit to the Director a*n Enhanced* Ventilation Proposal, prepared by*, or under the supervision of,* a licensed *mechanical engineer or other individual authorized by the California Business and Professions Code Sections 6700-6799 (Professional Engineers Act) to* design ~~*professional, to install in the project a*~~ *mechanical* ventilation system*s* ~~*to*~~ *that* meet the requirements of *this Article 38* and San Francisco Building Code Section 1203.5. *An Enhanced Ventilation Proposal shall include the name, title and license number of the person submitting such proposal.* ~~*Building permit documents submitted to the Department of Building Inspection shall incorporate designs and details necessary for the construction of such ventilation system.*~~

(b) The *Enhanced* Ventilation Proposal shall explain ~~*in detail*~~ how the project will achieve the standards mandated by *this Article 38 and accompanying the Rules and Regulations as described and updated according to Section 3809*, San Francisco Building Code Section 1203.5*.* ~~*The*~~*, and any relevant amendments or revisions thereto*. The *Enhanced* Ventilation Proposal shall include a statement signed by the ~~*licensed design professional*~~ *person* who prepared it*, in accordance with the requirements of Section 3807(a)*, certifying that in his or her judgment the ventilation system proposed will be capable of ~~*removing >80% of ambient PM 2.5*~~ *achieving the protection* from ~~*habitable areas of dwelling units.*~~ *particulate matter ($PM_{2.5}$) equivalent to that associated with MERV 13 filtration (as defined by ASHRAE standard 52.2). In updates to the Rules and*

Regulations, the Director may specify additional or alternative protective equivalents as technology and research dictate.

(c) The Director shall review the Enhanced Ventilation Proposal and may require additional modification or justification prior to the Director's approval. The Director shall issue a letter to the Department of Building Inspection Permit Services Energy/Mechanical Plan Review Section identifying and attaching the letter describing the approved Enhanced Ventilation Proposal.

(d) Building permit documents submitted to the Department of Building Inspection shall incorporate all designs and details necessary for the construction of the approved Enhanced Ventilation system. The Department of Building Inspection shall review submitted plans to assure compliance with the Director-approved Enhanced Ventilation proposal and shall not issue permits for the construction, installation, or modification of the Enhanced Ventilation systems unless it is in compliance with the approved proposal.

SEC. 3808. MAINTENANCE OF DOCUMENTS BY ~~*DIRECTOR*~~*DEPARTMENT*.

The ~~*Air Quality Report,*~~ *Enhanced* Ventilation Proposal, Certification and related documents shall become part of the file maintained by the Department. Such file shall be available to the public upon request.

SEC. 3809. RULES AND REGULATIONS.

(a) ~~*Adoption of Rules. The Director may adopt, and may thereafter amend, rules, regulations and guidelines that the Director deems necessary to implement the provisions of this Article. For the purposes of this Article, a public hearing before the Health Commission shall be held prior to the adoption or any amendment of the rules, regulations and guidelines recommended for implementation, including creation and amendments to update the Potential Roadway Exposure Zone Map. In addition to notices required by law, the Director shall send written notice, at least 15 days prior to the hearing, to any interested party who sends a written request to the Director for notice of hearings related to the adoption of rules, regulations and guidelines pursuant to this Section.*~~

~~*In developing such regulations, the Director shall consider, inter alia, State and federal statutes, regulations and guidelines pertaining to the health effects of roadway air pollutants. The Director shall also*~~ *Within 90 days after the effective date of* ~~*revised*~~ *Ordinance No._____, amending Article 38, the Director shall issue Rules and Regulations necessary to effectuate the purposes of this Article and to protect public health and safety. Any person or entity as defined in Section 3805 shall comply with this Article, the Rules and Regulations, and all applicable local, state, and federal laws.*

(b) The Director shall consult with the Planning Department's Environmental Review Officer at least 30 days prior to initiating any amendments or modifications to ~~*these rules or regulations, including changes to the Potential Roadway Exposure Zone Map, and shall seek such officer's concurrence on any proposed change*~~ *the Rules and Regulations.*

(c) The Director shall ~~*also, from time to time,*~~ consult with the Municipal Green Building Task Force, *as established in Environment Code Sec. 702, or any successor body*, to coordinate and resolve any potential conflicts that may arise between the *San Francisco* Green Building ~~*Ordinance*~~ *Code* and this ~~*Ordinance*~~ *Article 38.*

~~*(b)(d) Guidelines for*~~ *Rules and* Regulations. ~~*Rules, regulations and guidelines may*~~ *shall, at a minimum, meet* ~~*address among others,*~~ the following, ~~*subjects*~~ *standards and criteria:*

(1) ~~*Minimum standards for acceptable Air Quality Assessment tests. The minimum standards shall be designed to assist interested persons including, but not limited to, the Director of the Department of Building Inspection, other state and local public agencies and licensed design professionals, to evaluate whether analyses, other than those required by Section 3806(a) must be conducted to detect the presence of harmful roadway air pollutants;*~~ *The criteria used for the definition of "Health Vulnerable Locations" shall be at least as health-protective as that of the Bay Area Air Quality Management District (BAAQMD) methodology. BAAQMD methodology defines those zip codes in San Francisco in the worst quintile of Bay Area health vulnerability scores based on two years of statewide hospitalization and emergency room visit records, and estimated costs, for the following air

pollution related conditions per zip code: Chronic Obstructive Pulmonary Disease (COPD) Hospital Admissions, Pneumonia Hospital Admissions, Myocardial Infarction (MI, Heart Attack) Hospital Admissions and Emergency Room Visits, Cardiovascular Hospital Admissions (less MI), Asthma Emergency Hospital Admissions and Emergency Room Visits, Asthma Hospital Admissions, Hospital Admissions for Respiratory Diseases, combined with the non-accident mortality rate per zip code. For San Francisco, based on 2009-2011 health records, the zip codes in the worst quintile of Bay Area health vulnerability scores are 94102, 94103, 94105, 94124, and 94130. In updates to the Rules and Regulations, the Director may modify the methodology to identify Health Vulnerable Locations as required to ensure the Air Pollutant Exposure Zone Map is consistent with current scientific evidence.

(2) The criteria for creating and updating the Air Pollutant Exposure Zone Map and the models underlying this map shall include, but not be limited to:

(A) Identification of parcels with lifetime excess cancer risk due to air pollution greater than 100 cases per million population.

(B) Identification of parcels in Health Vulnerable Locations with lifetime excess cancer risk due to air pollution greater than 90 cases per million population.

(C) Identification of parcels where $PM_{2.5}$ concentrations are greater than 10 µg/m3 (including ambient levels).

(D) Identification of parcels in Health Vulnerable Locations where $PM_{2.5}$ concentrations are greater than 9 µg/m3 (including ambient levels).

(E) Identification of parcels within 500 feet of any Freeway, if those locations were not otherwise captured by modeling estimates.

(F) New research findings, particularly quantification of risk, that change the Director's knowledge of how particulate matter and any other air pollutants affect public health.

(3) Required performance standards for Enhanced Ventilation Proposals must include the following minimum criteria:

(A) Location of air intake for HVAC (Heating, Ventilation and Air Conditioning systems) away from air pollution sources;

(B) Specification of filtration certified by the ASHRAE capable of achieving protection from particulate matter ($PM_{2.5}$) equivalent to that associated with a MERV 13 filtration (as defined by ASHRAE standard 52.2).

(4) Additional criteria for Enhanced Ventilation Proposals may include the following project design information:

(A) Number of air exchanges per hour of outside filtered air;

(B) Building materials and/or design that limit unfiltered infiltration of outside air, such as air sealing or maintenance of positive pressure within the building interior;

(C) Location of operable windows oriented away from air pollutant sources, to the extent feasible;

(D) Other building design criteria that may reduce air pollution exposure to residents;

(E) Other combinations of technologies and designs to achieve the goals of this Article.

~~*(2)*~~*(5)* ~~*Minimum education and experience*~~ *Certification and/or licensing requirements for the persons who prepare* ~~*Air Quality Assessments pursuant to Section 3806(a) and*~~ *the Enhanced Ventilation Proposals pursuant to Section 3807.* ~~*and*~~ *The Enhanced Ventilation Proposal must be prepared by, or under the responsible charge of a person who is authorized by California Business and Professions Code Sections 6700-6799 (Professional Engineers Act), or any successor provisions, to design mechanical ventilation systems that meet the requirements of this Article 38 and San Francisco Building Code Section 1203.5 and either:*

(A) a licensed mechanical engineer, or

(B) an individual authorized by California Business and Professions Code Sections 6700-6799 to design mechanical ventilation systems that meet the requirements of this Article 38 and San Francisco Building Code Section 1203.5.

~~*(3) Creation and Periodic Updates of the Potential Roadway Exposure Zone Map.*~~

(6) Minimum criteria for maintenance and disclosure, including but not limited to:

(A) Minimum standards for proper maintenance, and

(B) Disclosure to buyers, lessees and renters that the building is located in an area with substantial concentrations of air pollutants, and that the building includes an enhanced ventilation system information about the proper use of the installed enhanced ventilation system.

(e) The Director may specify additional or alternative equivalents as justified by accepted research including:

(1) addition or substitution of risk factor criteria;

(2) inclusion of other pollutants such as Nitrogen Dioxide.

(f) Within Health Vulnerable Locations, the Director shall specify more protective requirements in the Air Pollutant Exposure Zones.

(g) The Director may grant variances to this Article 38, on a case-by-case basis.

SEC. 3810. MAINTENANCE *AND DISCLOSURE* REQUIREMENTS.

(a) The ventilation systems installed pursuant to Section 3807 shall be properly maintained, following standard practices, and as specified by the manufacturer.

(b) ~~*Project sponsors shall preserve d*~~Documentation of ~~*their actions installing*~~ *the installation* and/or ~~*maintaining*~~ *maintenance of* the *enhanced* ventilation systems *shall be preserved* for five years after installation.

(c) Failure to properly maintain the enhanced ventilation systems is subject to enforcement and possible penalties under the Health Code Article 11, Nuisances, or other applicable sections.

(d) Disclosure to buyers, lessees and renters shall be made in accordance with Rules and Regulations as specified in Section 3809(d)(6).

SEC. 3811. FEES.

(a) Review and approval of an Enhanced Ventilation Proposal..... $984.00

(b) Additional consultation, document review or inspection.....$225.00 per hour

SEC. 3811~~2~~2. NO CONFLICT WITH FEDERAL OR STATE LAW.

Nothing in this Article shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law.

SEC. 3811~~2~~3. SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this Article 38 is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Article. The Board of Supervisors hereby declares that it would have passed this Article and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Article would be subsequently declared invalid or unconstitutional.

SEC. 3811~~3~~4. UNDERTAKING FOR THE GENERAL WELFARE.

In adopting and implementing this Article 38, the City ~~*and County of San Francisco*~~ is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing in its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 4. The Building Code is hereby amended by amending Section 1203.5, to read as follows:

SEC. 1203 – VENTILATION

* * * *

SEC. 1203.5. Amending second paragraph as follows:

~~*Newly constructed*~~ *For all* buildings containing ~~*ten or more dwelling units*~~ *any sensitive land use* located within the ~~*Potential Roadway*~~ *Air Pollutant* Exposure ~~*Zone and having a PM 2.5 concentration at the proposed building site greater than 0.2 ug/m3 attributable to Local Roadway Traffic Sources*~~, *as determined by the Director of Public Health* pursuant to Article 38 of the San Francisco Health Code, *that are:*

(a) Newly constructed;

(b) Undergoing a "Major Alteration to Existing Building" as defined by the San Francisco Green Building Code; or

(c) Applying for a San Francisco Planning Department-permitted Change of Use,

such buildings shall *incorporate an* ~~*have*~~ *enhanced* ventilation system*s* designed and constructed to ~~*remove >80% of ambient PM 2.5 from habitable areas of dwelling units*~~ *be in compliance with San Francisco Health Code Article 38.*

Section 5. Department Report. Within 90 days of the effective date of this Ordinance 224-14, the Department of Public Health shall confer with affected City departments, including the Department of Building Inspection, Planning Department, and Fire Department, as well as affected members of the development community, to evaluate and discuss technologies and policies that will satisfy the requirements of this Ordinance. The Department of Public Health shall report to the Board of Supervisors within 120 days after the effective date of this Ordinance regarding technologies that the Department of Public Health has identified or evaluated that may comply with the requirements of Article 38.

Section ~~5~~6. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 140806 **Date Passed:** October 28, 2014

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

October 06, 2014 Land Use and Economic Development Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

October 06, 2014 Land Use and Economic Development Committee - RECOMMENDED AS AMENDED

October 21, 2014 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

October 28, 2014 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

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CALIFORNIA BUILDING STANDARDS COMMISSION

File No. 140806

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 10/28/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/07/2014
Date Approved

Section ~~6~~7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section ~~7~~8. Directions to the Clerk. The Clerk of the Board of Supervisors is hereby directed to forward a copy of this ordinance to the California Building Standards Commission upon final passage.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
VIRGINIA DARIO ELIZONDO
Deputy City Attorney

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City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

140806 **[Health, Building Codes - Ventilation Requirement for Urban Infill Development and Establishing Fees]**

Sponsors: Cohen; Kim and Mar

Ordinance amending the Health Code, Article 38, to require an enhanced ventilation system for sensitive use projects within the Air Pollutant Exposure Zone and establishing document review fees; amending the Building Code to correspond to the Health Code changes; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

10/21/2014 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

10/28/2014 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

11/7/2014 Mayor - APPROVED

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CALIFORNIA BUILDING STANDARDS COMMISSION

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

September 30, 2015
Date

Angela Calvillo
Clerk of the Board

AMENDED IN COMMITTEE
09/08/14

FILE NO. 140120 ORDINANCE NO. 202-14

[Building Code - Earthquake Performance Evaluation of Private School Structures]

Ordinance amending the Building Code to 1) require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, 2) ~~to~~ assess a fee for Building Department review and related evaluation processing, 3) ~~to~~ exempt certain buildings from the evaluation requirements, 4) ~~to~~ provide that buildings where voluntary seismic retrofit work is done to specified standards shall not be identified as a seismic hazard under later-enacted local building standards, and 5) ~~to~~ require that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

NOTE: Unchanged Code text and uncodified text are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. General Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). The Board of Supervisors hereby affirms this determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. 140120 and is incorporated herein by reference.

(b) Pursuant to Charter Section D3.750-5, the Building Inspection Commission considered this ordinance on February 19, 2014 at a duly noticed public hearing.

Section 2. Findings under the California Health and Safety Code. The Board of Supervisors hereby finds that this ordinance does not modify a State "building standard," as that term is defined in Section 18909 of the California Health and Safety Code. Therefore, the finding of local climactic, geological, or topographical conditions required by Sections 18941.5 and 17958.7 is not required.

Section 3. Specific Findings. The Board of Supervisors hereby finds and declares as follows:

(a) In Section 19160 of the California Health and Safety Code, the Legislature declared that because of the generally acknowledged fact that California will experience moderate to severe earthquakes in the foreseeable future, increased efforts to reduce earthquake hazards should be encouraged and supported. Section 19161 authorizes each city, city and county, or county to assess the earthquake hazard in its jurisdiction and identify buildings that may be potentially hazardous to life in the event of an earthquake.

(b) In December 2004, the California Seismic Safety Commission (SSC) issued a report on "Seismic Safety in California's Schools," which contains Findings and Recommendations on Seismic Safety Policies and Requirements for Public, Private, and Charter Schools. The SSC report was made in response to inquiries from members of the Legislature, the public and parents, and to concerns about the risks posed by older school buildings, the different seismic standards for public, private and charter schools, and the safety of buildings converted to school use.

(c) The data collected by the SSC for its 2004 report showed that almost 9% of California's school children attended private schools, ten counties had more than 10% of their total students enrolled in private schools, and of these ten counties San Francisco was the highest at 29.1%. Because under State law private schools are not required to meet the stringent safety requirements of public schools unless they are new buildings or have been extensively remodeled, private schools pose a greater risk than comparably aged public schools in a future moderate or large earthquake.

(d) San Francisco's Community Action Plan for Seismic Safety and Earthquake Safety Implementation Program.

(1) On October 17, 2011, the Office of the Mayor released the first draft of the City's Earthquake Safety Implementation Program (ESIP), which is a 30-year Workplan to update building codes, retrofit privately-owned buildings, and prepare for post-disaster recovery that encompasses 50 objectives with the goal of making San Francisco as safe as it can be before the next earthquake hits.

(2) The ESIP Workplan is based upon, and incorporates the goals and recommendations of, the Community Action Plan for Seismic Safety (CAPSS) that was unanimously endorsed in December 2010 by an advisory group of over 60 representative stakeholders, community leaders, professional experts, and City officials. The CAPSS program was developed over a ten-year period, resulting in agreement upon acceptable earthquake impacts for San Francisco and, through dozens of meetings and workshops, development of a plan to achieve the City's resilience goals.

(3) The CAPSS recommendations are consistent with the proposed goals and policies of the Resilient City initiative, a multi-year study program by San Francisco Planning and Urban Research Association's (SPUR), as well as the Planning Department's Community Safety Element and the City's Hazard Mitigation Plan.

(e) The first legislative enactment under the ESIP was an ordinance mandating the seismic retrofit of certain wood-frame buildings in San Francisco, which was approved by the Mayor on April 18, 2013 (Ordinance No. 66-13). The next category of buildings to be evaluated under the ESIP is private elementary and secondary (K-12) schools.

(f) Among California towns and cities, San Francisco has the highest percentage of children attending private schools. Since the collapse of or extensive damage to even a few schools is an unacceptable risk, it is essential that all private schools be evaluated to assess their ability to perform in an earthquake.

(g) A Private Schools Earthquake Working Group was formed under the ESIP to study the issue of the seismic safety of private schools in San Francisco. It met for over a year, with publicly-noticed open meetings. In its December 31, 2013 report entitled "Earthquake Risk and San Francisco's Private Schools," the Working Group found that:

(1) San Francisco's private school buildings appear to have approximately double the risk of the City's public school buildings in future earthquakes;

(2) 43% of the City's private school buildings have characteristics that indicate they are likely to perform well in future earthquakes;

(3) 33% of the City's private school buildings have characteristics that indicate they might perform poorly in future earthquakes; and

(4) for 24% of the City's private school buildings, the Working Group did not have enough information to determine likely seismic performance in future earthquakes.

(h) As the next phase in the City's implementation of its program for earthquake preparedness and post-earthquake resilience, this ordinance mandates that all private elementary and secondary schools in San Francisco obtain an evaluation of structural safety and be rated for performance during a future earthquake.

(i) In 2013 The Board of Supervisors unanimously approved legislation to expand the City's existing GreenFinanceSF program to provide public financing for commercial property owners to conduct both voluntary and mandatory seismic upgrades. This Mello-Roos style funding program allows property owners to repay their loan in the form of special tax financing assessments.

Section 4. The Building Code is hereby amended by adding Sections 3428, 3428.1, 3428.2, 3428.3, 3428.4, 3428.5, 3428.6, 3428.7, and 3428.8, to read as follows:

Chapter 34

EXISTING STRUCTURES

* * * *

SECTION 3428 – EARTHQUAKE EVALUATION OF PRIVATE SCHOOL STRUCTURES

3428.1 General. *Every building classified as an Educational Group E occupancy under section 305 of this code that is not under the jurisdiction of the Division of State Architect's Structural Safety section, and all non-building structures accessory to such buildings, shall be evaluated in accordance with the provisions of this Section 3428. All evaluations required by Section 3428 shall be conducted under the supervision of a licensed structural engineer.*

Exceptions:

1. *Evaluation is not required for buildings occupied by 25 or more persons for less than 12 hours per week or four hours in any given day.*
2. *Evaluation is not required for schools with an enrollment of 25 or fewer students.*
3. *Evaluation is not required for buildings not classified as Group E occupancy such as churches,* places of religious worship, *accessory residential buildings or similar non-educational uses.*

Section 3428.1.1. Retroactivity. The requirements of Section 3428 are retroactive and shall apply to all buildings and non-building structures within the scope of Section 3428 that are in existence as of the effective date of Section 3428 regardless of the date of construction.

3428.2 Scope and Criteria. Each building and non-building structure shall be evaluated using ASCE 41-13 with the evaluation objective of Structural Life Safety with the BSE-1E hazard and Nonstructural Life Safety with the BSE-1E hazard as modified by an Administrative Bulletin to be adopted by the Department. An Evaluation required by Section 3428 shall not in itself trigger any additional non-earthquake related work.

3428.3 Evaluation Scope Submittal. Within one year of the effective date of Section 3428, the building owner or the owner's authorized agent shall submit to the Department an Evaluation Scope document listing each structure to be evaluated, the evaluation objective to be applied, and other information requested by the Department.

3428.4 Evaluation Report Submittal. No later than three years after the effective date of Section 3428, the building owner or the owner's authorized agent shall submit an Evaluation Report to the Department. The Evaluation Report shall conform to content and format requirements provided in the Administrative Bulletin adopted by the Department pursuant to Section 3428.6.

3428.5 Voluntary *Minimum Life-Safety Retrofit. For a period of 20 years after the effective date of Section 3428, any building or non-building structure within the scope of Section 3428 for which voluntary seismic strengthening is performed that meets or exceeds the criteria of ASCE 41-13, S-3 N-C with the BSE-1E hazard shall not be identified as a seismic hazard pursuant to any local building standards adopted after the effective date of Section 3428 unless* the City has concluded that *the*

building incurred disproportionate damage, as defined by Section 3402.1 of this Code, *or otherwise has been* structurally *damaged or* structurally *altered*, as defined by Section 3404 of this Code, *so that it no longer meets the engineering criteria under which it was retrofitted.* In the event of damage, building repair, addition or alterations to correct damage, meeting or exceeding the engineering criteria under which the structure was originally retrofitted must be made in compliance with this Code in order to continue the 20-year limit under this Section 3428.5.

3428.6 Administrative Bulletin. *The Department shall prepare an Administrative Bulletin detailing the procedural implementation requirements for this Section 3428.*

3428.7 Enforcement. *Buildings and non-building structures in violation of this Section 3428 may be considered to be unsafe. The Department may apply the provisions of Section 102A, including 102A.13, Repair and Demolition Fund, in remedying such unsafe conditions. Enforcement action may be initiated by the Department for failure to comply with any of the requirements of Section 3428, including failure to submit an Evaluation Scope document or Evaluation Report within the time designated by Sections 3428.3 and 3428.4.*

3428.8 Fees. *Fees based on standard hourly rates in accordance with the SFBC Table 1-A-D – Standard Hourly Rates shall be charged to compensate the Department for review and for related evaluation processing.*

Section 5. The Building Code is hereby amended by revising Section 3408.4.1, to read as follows:

3408.4.1 Change of occupancy. In addition to the other requirements of this code, the term "comply with the requirements of this code for such division or group of occupancy," as used

in this section, shall also mean compliance with the lateral force provisions of Section 3401.10 when the change results in an increase of more than 10 percent in the occupant load of the entire building or structure, and which also increases the occupant load by more than 100 persons as compared to the occupant load of the existing legal use or the use for which the building was originally designed. *A building changing occupancy to an E occupancy,* and is otherwise subject to Section 3428, *shall comply with Section 3428.*

Section 6. City Outreach and Assistance. The City shall develop a program focused on providing case management to school building owners, schools, and parents through providing technical information, identifying resources, and assisting schools and school building owners to comply with the requirements of Section 3428. Among other functions, this program will serve as a resource for parents, school building owners, and schools – especially those schools leasing their space – by providing the status of evaluations, assistance in completing evaluations, and any information related to seismic work and potential building impacts and costs.

Section 7. Inter-departmental working group. The City shall convene an inter-departmental working group of all agencies involved in the building permit approval process to assist with expediting and prioritizing permits for those seeking to comply with section 3428.5, and to the extent allowable by law help alleviate the requirements for any non-seismic related work required, including State and Federal mandates as well as any work subject to local discretion including but not limited to the Unreasonable Hardship provisions of Chapter 11B of the San Francisco Building Code.

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

140120 **[Building Code - Earthquake Performance Evaluation of Private School Structures]**

Sponsors: Mayor; Breed, Campos, Chiu, Farrell, Mar, Tang, Wiener and Yee

Ordinance amending the Building Code to 1) require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, 2) assess a fee for Building Department review and related evaluation processing, 3) exempt certain buildings from the evaluation requirements, 4) provide that buildings where voluntary seismic retrofit work is done to specified standards shall not be identified as a seismic hazard under later-enacted local building standards, and 5) require that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

9/16/2014 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

9/23/2014 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

10/1/2014 Mayor - APPROVED

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CALIFORNIA BUILDING STANDARDS COMMISSION

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

September 30, 2015
Date

Angela Calvillo
Clerk of the Board

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 140120 **Date Passed:** September 23, 2014

Ordinance amending the Building Code to 1) require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, 2) assess a fee for Building Department review and related evaluation processing, 3) exempt certain buildings from the evaluation requirements, 4) provide that buildings where voluntary seismic retrofit work is done to specified standards shall not be identified as a seismic hazard under later-enacted local building standards, and 5) require that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

September 08, 2014 Land Use and Economic Development Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 08, 2014 Land Use and Economic Development Committee - RECOMMENDED AS AMENDED

September 16, 2014 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

September 23, 2014 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 140120

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/23/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

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CALIFORNIA BUILDING STANDARDS COMMISSION

Mayor

10/01/2014
Date Approved

Section 8. Evaluations, plans, supporting documents and other materials are subject to the standard procedures for making such information available as directed by the Department's Records Management Division.

Section 9. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 10. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section 11. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed to forward a copy of this ordinance to the California Building Standards Commission upon final passage.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

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CALIFORNIA BUILDING STANDARDS COMMISSION

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

May 6, 2016

Angela Calvillo
Clerk of the Board
The City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance #51-16

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on May 2, 2016.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city and county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: CBSC Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

April 28, 2016

SENT CERTIFIED MAIL (Return Receipt Requested)

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2016 MAY -2 P 3:08
BUILDING STANDARDS COMMISSION

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendments

To Whom It May Concern:

Pursuant to California Health & Safety Code, Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco, and approved by the Mayor, on the dates specified below:

Ordinance No. 51-16 (File No. 150732) – Ordinance amending the Building Code to require any existing building with a place of public accommodation either to have all primary entries and path of travel into the building accessible by persons with disabilities or to receive from the City a determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; establishing a Disability Access Compliance Unit within the Department of Building Inspection; establishing a fee to offset the costs of the disability access improvement program; amending Administrative Code, Chapter 38, to require a building owner to give notice of the mandatory Building Code primary entry and path of travel accessibility requirements in any new or amended public accommodation lease; affirming the Planning Department's California Environmental Quality Act determination; making findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission upon final passage.

(Board of Supervisors - Finally Passed 4/12/2016) (Mayor - Approved 4/22/2016)

If you have any questions or require additional information, please call (415) 554-7719 or email linda.wong@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

150732 **[Building, Administrative Codes - Mandatory Disability Access Improvements; Building Owner's Notice to Tenant; Administrative Fee]**

Sponsors: Tang; Mar

Ordinance amending the Building Code to require any existing building with a place of public accommodation either to have all primary entries and path of travel into the building accessible by persons with disabilities or to receive from the City a determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; establishing a Disability Access Compliance Unit within the Department of Building Inspection; establishing a fee to offset the costs of the disability access improvement program; amending Administrative Code, Chapter 38, to require a building owner to give notice of the mandatory Building Code primary entry and path of travel accessibility requirements in any new or amended public accommodation lease; affirming the Planning Department's California Environmental Quality Act determination; making findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission upon final passage.

4/5/2016 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

4/12/2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

4/22/2016 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

April 26, 2016
Date

Reggy Nevin
for Angela Calvillo
Clerk of the Board

AMENDED IN COMMITTEE
3/23/16

FILE NO.150732 ORDINANCE NO. 51-16

[Building, Administrative Codes - Mandatory Disability Access Improvements; Building Owner's Notice to Tenant; Administrative Fee]

Ordinance amending the Building Code to require any existing building with a place of public accommodation either to have all primary entries and path of travel into the building accessible by persons with disabilities or to receive from the City a determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; establishing a Disability Access Compliance Unit within the Department of Building Inspection; establishing a fee to offset the costs of the disability access improvement program; amending Chapter 38 of the Administrative Code to require a building owner to give notice of the mandatory Building Code primary entry and path of travel accessibility requirements in any new or amended public accommodation lease; affirming the Planning Department's California Environmental Quality Act determination; making findings of local conditions under the California Health and Safety Code, and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission upon final passage.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Background and General Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources

Code Section 21000 et seq.). The Board of Supervisors hereby affirms this determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. 150732 and is incorporated herein by reference.

(b) Pursuant to Charter Section D3.750-5, the Building Inspection Commission considered this ordinance at a duly noticed public hearing held on February 17, 2016.

(c) Title III of the federal Americans with Disabilities Act of 1990 (42 USC Sections 12181 - 12189), known as "the ADA," requires that Places of Public Accommodation operated by private entities be accessible to persons with disabilities. The ADA requires the removal of architectural barriers in existing buildings to provide accessibility if barrier removal is readily achievable. California's construction-related disability access requirements for Places of Public Accommodation, found in Chapter 11B of the California Building Code as adopted and amended by San Francisco, do not require existing buildings to be modified to conform to current disability access requirements unless there is an application for a building permit.

In addition to these federal and state construction-related disability access requirements, the Unruh Civil Rights Act (California Civil Code Sections 51 through 51.3) requires that all business establishments provide "full and equal accommodations, advantages, facilities, privileges, or services."

(d) In September 2008, the Construction-Related Accessibility Standards Compliance Act ("Act") was added to the California Civil Code, at Sections 55.51 through 55.53. The Act authorizes an owner or tenant of a Place of Public Accommodation to have it inspected by disability access specialists known as CASp Inspectors, who are certified by the Division of State Architect. This inspection is intended to assist owners and tenants in determining whether the site meets all applicable federal and state construction-related accessibility requirements, as that term is defined in Section 55.52(a)(6) of the Act, or if, in the opinion of the CASp Inspector, corrections are needed to achieve compliance with those

requirements. In determining compliance, state law applies unless federal law provides a greater degree of accessibility. If corrections are needed, the CASp Inspector must identify the areas that need correction and provide to the owner or tenant a schedule of completion within a reasonable timeframe.

A CASp Inspection is not mandatory but if a property owner or tenant has obtained a CASp Inspector's report and they or a successor owner or tenant are subsequently sued for violation of construction-related accessibility requirements, the plaintiff must follow certain procedures and owners and tenants are given some protection against liability and the recovery of damages.

(e) In September 2012, with the passage of Ordinance 187-12, the City enacted Chapter 38 of the Administrative Code. Chapter 38 requires that before a building owner leases space to a small business for use as a public accommodation, the owner must either (1) ensure that existing public restrooms, ground floor entrances, and ground floor exits are accessible, if accessibility is required and readily achievable, or (2) provide written notice to the prospective tenant that the property may not currently meet all construction-related accessibility standards.

Section 38.1 of the Administrative Code states that the purposes of the new requirements are to (1) ensure that small businesses operating public accommodations comply with applicable disability access laws, (2) ensure clear communication between landlords and small business tenants regarding their respective responsibilities for disability access improvements, and (3) protect small business tenants from unforeseen expenses and liabilities arising out of required disability access improvements.

(f) In its Annual Report to the Legislature dated January 31, 2015, the California Commission on Disability Access reported that not having an accessible entry and path of travel into a building was one of the top ten construction-related violations reported.

(g) The City has a strong interest in ensuring that (1) all Places of Public Accommodation in San Francisco are in compliance with state and federal disability access laws and (2) a building owner who leases all or portions of a building for use as a Place of Public Accommodation assumes responsibility for bringing the building into compliance with these laws. It is also in the public interest for owners and tenants of these buildings who comply with construction-related accessibility requirements to gain some protection under litigation arising from those requirements.

This Chapter 11D furthers these objectives by (1) requiring that the owner of a building with a Place of Public Accommodation have the building inspected for compliance with disability access requirements under specified circumstances, (2) mandating that either the building have a Primary Entry or Entries and Accessible Entrance Route into the building that is usable by persons with disabilities, or the building owner obtain a finding from the City that compliance is technically infeasible or is an unreasonable hardship, and (3) encouraging voluntary corrections to other noncomplying accessibility elements in the building.

Section 2. Findings of Local Conditions under California Health and Safety Code Section 17958.7.

(a) San Francisco is a 49-square mile peninsula with many hills and steep streets. The sidewalks are narrow, crowded, and often sloping; much of the building stock is old and often was constructed to the property line and/or adjacent to the fronting sidewalk with no or minimal setbacks.

(b) The City also has numerous defined neighborhood commercial districts, which conveniently provide retail goods and services to neighborhood residents and workers as well as visitors to the area. A common feature of these older neighborhood shopping areas is small-scale development and a pattern of small buildings with a narrow frontage and a

continuous facade line that abuts the fronting sidewalk. Another common feature is the commercial-residential mixed use of the buildings and a pattern of commercial space on the ground floor with residential flats on the upper floors.

(c) This combination of sloping streets, narrow sidewalks, and an old stock of small, multi-use buildings with narrow facades that were constructed to the property lines and/or abutting sidewalk has resulted in a large number of San Francisco buildings providing services to the public that have steps to the front entrance and other elements that do not comply with federal and state disability access requirements.

(d) Building owners often require their tenants to assume the responsibility for complying with code requirements and do not make disability access improvements themselves. Disability access improvements often are not financially feasible for small businesses with short-term leases; thus, the Building Code's assumption that disability access and other building improvements will be made over time does not, in fact, always occur in these buildings.

(e) According to the Data and Needs Analysis in the City's 2014 Housing Element, in 2010 19 percent of San Francisco's population was 60 years of age and older, and both the number and share of residents in that age bracket is projected to increase in the coming years to account for more than 30 percent of the total population by 2040. The 2010 Census estimated that 30 percent of all San Francisco households have one or more persons 65 years of age and older and that 40 percent of persons 65 and older have mobility or other physical limitations. The 2010 Census also estimated that almost 49,000 non-institutionalized adults in San Francisco have a physical disability.

(f) Section 11B-202.4 of the California Building Code ranks an accessible entrance as the accessibility element that should be given the highest priority in making disability access improvements to a building.

Section 3. The Building Code is hereby amended by adding Chapter 11D, to read as follows:

Chapter 11D

MANDATORY ACCESSIBILITY IMPROVEMENTS FOR

BUILDINGS WITH A PLACE OF PUBLIC ACCOMMODATION

SECTION 1101D – SCOPE

Any building or portion of a building with a Place of Public Accommodation subject to the requirements of Chapter 11B of this Code is within the scope of this Chapter.

Exception: *A building that was constructed under a building or site permit application filed on or after January 1, 2002.*

A building constructed under the Building Code in effect on or after January 1, 2002 is presumed to be accessible to persons with disabilities and will be exempt from this Chapter 11D upon receipt by the Department of a written notice of exemption from the Owner or the Owner's authorized agent that provides a construction permit application number dated on or after January 1, 2002 and contact information for the Owner and/or Owner's authorized agent.

1101D.1. Compliance with Federal or State Laws. *Nothing in this Chapter 11D is intended to relieve the Owner or the operator of a Place of Public Accommodation of their obligation to comply with the requirements of any Federal or State law, including but not limited to the Americans with Disabilities Act, or to modify or extend the time for compliance with any such law.*

1101D.2. Contractual obligations. *Nothing in this Chapter 11D is intended to interfere with any contractual obligations between the Owner of a building within the scope of this Chapter and any lessee of space within the building.*

SECTION 1102D – DEFINITIONS.

For the purposes of this Chapter 11D, the following definitions shall apply:

*"**Accessible Entrance Route.**" An identifiable path of travel by means of which a Primary Entry may be approached, entered and exited, and which connects the Primary Entry with an exterior approach (including any adjacent sidewalks, streets and parking areas).*

*"**Building Official.**" The Director of the Department or the Director's designee.*

*"**California Construction-Related Accessibility Standards Compliance Act.**" Sections 55.51 through 55.53 of the California Civil Code as amended from time to time.*

*"**California Historical Building Code.**" Part 8 of Title 24, California Code of Regulations.*

*"**CASp Inspector.**" A person who has been certified by the State of California as a certified access specialist authorized to inspect a Place of Public Accommodation for compliance with construction-related accessibility standards.*

*"**Checklist for Alterations to Commercial Storefront for Accessibility.**" A Checklist developed by or with the input of City departments or agencies with review authority over the subject buildings.*

*"**Department.**" The Department of Building Inspection.*

*"**Design Professional.**" A "Registered Design Professional" as defined in Chapter 2 of the Building Code.*

*"**Disability Access Compliance Unit**" or "**Compliance Unit.**" The Unit within the Department established under Section 1112D of this Chapter.*

*"**Equivalent Facilitation.**" As defined in Chapter 2 of the Building Code.*

*"**Historic Resource.**" A building designated pursuant to Articles 10 and 11 of the Planning Code, listed on or determined eligible for listing on the California Register of Historic Resources or the National Register of Historic Places, or that is a 'qualified historical building' as defined in the California Historical Building Code.*

*"**Inspector.**" A CASp Inspector or a Design Professional approved by the Building Official as qualified to evaluate compliance with disability access requirements.*

*"**Owner.**" The owner of a building within the scope of this Chapter 11D.*

"Place of Public Accommodation." *As defined in Section 55.52 of the California Construction-Related Accessibility Compliance Act and 42 USC Section 12181(7) of the Americans with Disabilities Act of 1990, as those Acts are amended from time to time.*

"Primary Entry." *As defined in Chapter 2 of this Code, the principal entrance through which most people enter the building, as designated by the Building Official. If there are multiple commercial tenants or spaces, a building may have multiple Primary Entries.*

"Technically Infeasible." *As defined in Chapter 2 of the Building Code.*

"Technical Infeasibility." *A Code requirement is Technically Infeasible.*

"Unreasonable Hardship." *As defined in Chapter 2 of the Building Code.*

SECTION 1103D – COMPLIANCE CATEGORIES

The Department shall assign each building within the scope of this Chapter 11D to one of the following four categories. If a building does not clearly fall within one of these categories, the Building Official shall assign it to the category he or she determines is the most appropriate. The Building Official's decision is appealable to the Building Inspection Commission pursuant to Section 77.3(b) of the Administrative Code.

Category One: The Primary Entry or Entries and the Accessible Entrance Route(s) comply with Code requirements. *A building qualifies under Category One if any of the following descriptions applies:*

(a) A building or portion thereof was constructed or altered under a permit application filed prior to July 1, 1992 ~~1982~~, and all Primary Entries and Accessible Entrance Routes are in compliance with the requirements of the 1998 California Building Code.

(b) A building or portion thereof was constructed or altered under a permit application filed on or after July 1, 1992 ~~1982~~ and prior to January 1, 2002, all Primary Entries and Accessible Entrance Routes are in compliance with the requirements of the 1998 California Building Code or a later Building Code in effect at the time of any permit application for a tenant improvement or other

alteration, and the Department gave final approval of the accessible entry work under the construction permit or any alteration permits.

(c) A building is eligible to use the California Historical Building Code, a permit application was filed on or after January 1, 1995, all Primary Entries and Accessible Entrance Routes are in compliance with the California Historical Building Code in effect at the time of the permit application, and the Department gave final approval of the accessible entry work under the construction permit or any alteration permits.

Category Two: There are no steps to the Primary Entry or Entries and one or more elements of the Primary Entry or Entries or the Accessible Entrance Route(s) do not comply with Code requirements. *A building qualifies under Category Two if any of the following descriptions applies:*

(a) A building or portion thereof was constructed or altered under a permit application filed prior to July 1, 1992 ~~1982~~*, the building has a Primary Entry or Entries with no steps, and one or more elements of the Primary Entry or Entries or the Accessible Entrance Route(s) are not in compliance with the requirements of the 1998 California Building Code.*

(b) A building or portion thereof was constructed or altered on or after July 1, 1992 ~~1982~~ *and prior to January 1, 2002, the building has a Primary Entry or Entries with no steps, and one or more elements of the Primary Entry or Entries or the Accessible Entrance Route(s) are not in compliance with the requirements of the 1998 California Building Code or a later Building Code in effect at the time of any permit application for a tenant improvement or other alteration, or the Department did not give final approval of the accessible entry work under the construction permit or any alteration permit.*

(c) A building is eligible to use the California Historical Building Code, a permit application was filed on or after January 1, 1995, the Primary Entry or Entries has no steps, and one or more elements of the Primary Entry or Entries or the Accessible Entrance Route(s) are not in compliance with the California Historical Building Code in effect at the time of permit application, or

the Department did not give final approval of the accessible entry work under a construction permit or any alteration permit.

Category Three: There is one step to the Primary Entry or Entries and one or more elements of the Primary Entry or Entries or the Accessible Entrance Route(s) do not comply with Code requirements. *A building qualifies under Category Three if the building or portion thereof was constructed or altered under a permit application filed prior to July 1,* 1992 ~~1982~~*, the Department gave final approval of the work under the permit, the building has a Primary Entry or Entries with one step and one or more elements of the Primary Entry or Entries or the Accessible Entrance Route(s) are not in compliance with the requirements of the 1998 California Building Code.*

Category Four: The building has a Primary Entry or Entries with more than one step and one or more elements of the Primary Entry or Entries and/or the Accessible Entrance Route(s) do not comply with minimum Code requirements. *A building qualifies under Category Four if the building or portion thereof was constructed or altered under a permit application filed prior to July 1,* 1992 ~~1982~~*, the building has a Primary Entry or Entries with more than one step, and one or more elements of the Primary Entry or Entries or the Accessible Entrance Route(s) are not in compliance with the requirements of the 1998 California Building Code, or the Department did not give final approval of the accessible entry work under the construction permit.*

SECTION 1104D – INSPECTION AND SUBMISSION OF PRIMARY ENTRY COMPLIANCE CHECKLIST

1104D.1. Category One Buildings. *The Owner of a building classified in Section 1103D as Category One shall obtain an inspection of the elements on the Department's Category One Primary Entry Compliance Checklist by an Inspector. On or before the time for compliance specified in Section 1107D, the Owner shall submit to the Department's Disability Access Compliance Unit a copy of the Checklist completed and signed by the person who performed the inspection and including his or her*

business contact information and a professional stamp, CASp number, or California State License Bureau contractor's license number, whichever is applicable.

If any elements on the Checklist are found by the Inspector or licensed general contractor to be not in compliance with the standards for accessible entries set forth in the applicable California Building Code or California Historical Building Code, or the Department did not give final approval of the accessible entry work, the noncomplying elements shall be clearly specified in detail, the building shall be reassigned by the Building Official to the appropriate Category, and the Owner shall comply with all requirements of that Category. The Building Official's decision is appealable to the Building Inspection Commission pursuant to Section 77.3(b) of the Administrative Code.

1104D.2. Category Two Buildings. *The Owner of a building classified in Section 1103D as Category Two shall obtain an inspection of the elements on the Department's Category Two Primary Entry Compliance Checklist by an Inspector. On or before the time for compliance specified in Section 1107D, the Owner shall submit to the Department's Disability Access Compliance Unit a copy of the Checklist completed and signed by the person who performed the inspection and including his or her business contact information and a professional stamp or CASp number.*

Each element on the Checklist found by the Inspector to be not in compliance with the applicable standards for accessible entries set forth in the applicable Building Code or California Historical Building Code, including a failure to obtain final Department approval of the accessible entry work, shall be specified in detail and one of the following four options selected by the Owner as the method by which the Owner will address the Code deficiency within the time specified for compliance in Section 1107D:

*(a) **Option 1.** The Owner shall submit to the Disability Access Compliance Unit:*

(1) Plans showing how the non-complying element or elements will be brought into full compliance with the applicable standards for accessible entries set forth in either the California Building Code or the California Historical Building Code, and.

(2) If the Owner elects to use the California Historical Building Code, documentation showing that the building is qualified to use the California Historical Building Code.

The Owner must subsequently apply for and obtain a building permit to do the required work within the time specified for compliance in Section 1107D.

*(b) **Option 2.** The Owner shall submit to the Disability Access Compliance Unit:*

(1) Plans, drawings, or other documentation required by the Compliance Unit demonstrating that bringing the non-complying element or elements into full compliance with the applicable Code standards for accessible entries is Technically Infeasible, and

(2) Plans, drawings, a written explanation, or other documentation required by the Compliance Unit showing what Equivalent Facilitation will be provided.

The Owner must subsequently apply for and obtain a building permit to do the work required within the time specified for compliance in Section 1107D.

*(c) **Option 3.** The Owner shall submit to the Disability Access Compliance Unit a Request for Approval of an Unreasonable Hardship form together with plans, drawings, a written explanation, or other documentation required by the Compliance Unit showing what Equivalent Facilitation will be provided. The Compliance Unit will review the request and either approve or deny it, and then forward the request and equivalency submittal information to the Access Appeals Commission for a hearing pursuant to Section 1110D and Section 105A.3.3 of this Code.*

The Owner must subsequently apply for and obtain a building permit to do the work required within the time specified for compliance in Section 1107D.

*(d) **Option 4.** The Owner shall submit to the Disability Access Compliance Unit a statement of intent to request a hearing by the Access Appeals Commission to review the matter pursuant to Section 1110D and Section 105A.3.3 of this Code.*

The request for a hearing by the Access Appeals Commission shall be submitted pursuant to the procedures of Section 105A.3 of this Code and in sufficient time to obtain a decision prior to the other compliance timelines in Table 1107D.

1104D.3. Category Three Buildings. *The Owner of a building classified in Section 1103D as Category Three shall obtain an inspection of the elements on the Department's Category Three Primary Entry Compliance Checklist by an Inspector (as defined in Section 1102D). On or before the time for compliance specified in Section 1107D, the Owner shall submit to the Department's Disability Access Compliance Unit a copy of the Checklist completed and signed by the person who performed the inspection and including his or her business contact information and a professional stamp or CASp number.*

Each element on the Checklist found by the Inspector to be not in compliance with the applicable standards for accessible entries set forth in the applicable California Building Code or California Historical Building Code shall be specified in detail and one of the options set forth in Section 1104D.2 (a) through (d) selected by the Owner as the method by which the Owner will address the Code deficiency within the time specified for compliance in Section 1107D.

1104D.4. Category Four Buildings. *The Owner of a building classified in Section 1103D as Category Four shall obtain an inspection of the elements on the Department's Category Four Primary Entry Compliance Checklist by an Inspector. On or before the time for compliance specified in Section 1107D, the Owner shall submit to the Department's Disability Access Compliance Unit a copy of the Checklist completed and signed by the person who performed the inspection and including his or her business contact information and a professional stamp or CASp number.*

Each element on the Checklist found by the Inspector to be not in compliance with the applicable standards for accessible entries set forth in the applicable California Building Code or California Historical Building Code shall be specified in detail and one of the options set forth in

Section 1104D.2 (a) through (d) selected by the Owner as the method by which the Owner will address the Code deficiency within the time specified for compliance in Section 1107D.

SECTION 1105D – EQUIVALENT FACILITATION; TECHNICAL INFEASIBILITY, OR UNREASONABLE HARDSHIP.

1105D.1. Equivalent Facilitation. *The Department shall develop an Approved Barrier Removal Standard in consultation with the Access Appeals Commission, the Planning Department, and the Department of Public Works. The Disability Access Compliance Unit shall maintain the Approved Barrier Removal Standard and review any proposal for Equivalent Facilitation under this Chapter 11D for compliance with that Standard. Any proposal for Equivalent Facilitation that does not comply with the Approved Barrier Removal Standard must be approved by the Access Appeals Commission.*

1105D.2. Technically Infeasible. *A request for a finding that compliance is Technically Infeasible can be based upon either a structural or a non-structural condition.*

*(a) **Structural Technical Infeasibility.** A structural Technical Infeasibility is an existing condition of the building where full compliance would require the removal or alteration of a load-bearing structural element that is an essential part of the structural frame.*

*(b) **Non-structural Technical Infeasibility.** A non-structural Technical Infeasibility may include conditions where full compliance would require encroaching into the required egress width, interfering with pedestrian use of the sidewalk or a permanent easement, and similar conditions that do not impact the structural elements or frame. The Disability Access Compliance Unit shall compile a list of non-structural conditions that the Department would accept as supporting a request for a finding of Technical Infeasibility and provide other written guidance, and may require that a request based on a non-structural condition be ratified by the Access Appeals Commission pursuant to Section 105A.3.3 of this Code.*

1105D.2.1. Acceptance of previously-granted determinations of Technical Infeasibility. *Under the California Building Code, all findings of Technical Infeasibility must be*

documented by the Department and can only be made on a case-by-case basis. The Department will accept and record a previously-approved finding of Technical Infeasibility for a building within the scope of this Chapter 11D if: (1) the finding of Technical Infeasibility was approved by the Department and can be documented, (2) the finding of Technical Infeasibility is applicable to the elements covered by this Chapter 11D, and (3) an Inspector has submitted written documentation acceptable to the Department that all conditions and requirements of the Technical Infeasibility are unchanged and remain applicable.

1105D.3. Unreasonable Hardship. *The Compliance Unit, in consultation with the Access Appeals Commission, shall develop and publish guidelines specifying the conditions under which an Unreasonable Hardship would be approved by the Department. All Unreasonable Hardships must be ratified by the Access Appeals Commission pursuant to Section 11B-202.4, Exception 8, and Section 1.9.1.5 of the California Building Code.*

SECTION 1106D – BUILDING PERMIT REQUIRED; INSPECTION AND COMPLETION OF WORK; VALUATION APPLIED TO FUTURE PROJECTS

1106D.1. Building permit required. *A building permit is required to make any and all modifications to a building either mandated or authorized by this Chapter 11D. All work required by this Chapter 11D shall be considered by the Department to be barrier removal and no additional path of travel upgrade shall be required. Only those elements that are actually altered will be required to comply with the current requirements of this Code.*

1106D.1.1. Historic Resources.

(a) For a building considered to be a Historic Resource, the plans submitted with the building permit application shall be prepared in conjunction with a Design Professional and in compliance with the California Historical Building Code, requirements of the San Francisco Planning Department, and guidelines developed and published by the Compliance Unit.

(b) As required by Articles 10 and 11 of the Planning Code, a permit application for a Historic Resource designated pursuant to Article 10 or 11 of the Planning Code must be approved by the Historic Preservation Commission unless delegated for review and approval without a hearing to Planning Department staff.

1106D.2. Alteration work that may be included in the permit application. *The only work that may be included in the permit required by Section 1106D.1 is: (a) the work to a Primary Entry or Accessible Entrance Route mandated by Section 1104D or (b) any voluntary disability access improvements authorized by Section 1109D.*

1106D.3. Inspection of work. *All work completed by permit under Option 1 of Section 1104D.2 for Category Two, Category Three, and Category Four buildings shall be inspected by the Department's field inspector that is assigned to that district. If the work complies with requirements of this Chapter 11D, the inspector shall issue to the Owner a Certificate of Final Completion stipulating that the work complies with the requirements and shall provide a copy of the Certificate of Final Completion to the Disability Access Compliance Unit. Upon request, the Owner may obtain a final inspection and approval by a Department inspector who is certified as a CASp Inspector; the inspection fee set forth in Table IA-D of Section 110 of this Code shall apply.*

All work completed by permit under Options 3 and 4 of Section 1104D.2 for Category Two, Category Three, and Category Four buildings shall be inspected by a Department CASp Inspector. If the work complies with requirements of this Chapter 11D, the inspector shall issue to the Owner a Certificate of Final Completion stipulating that the work complies with the requirements of this Chapter and shall list his or her CASp number where applicable on both the Certificate of Final Completion and the completed job card.

1106D.4. Completion of work; Certificate of Final Completion. *Notwithstanding any other provision of this Code, all work mandated by this Chapter 11D must be completed within* the time periods specified in Section 106A.4.4 of this Code for Permit Expiration ~~18 months of the date~~

~~an application for a building permit is required to be filed~~ *unless an extension of time is granted pursuant to Section 1108D. Any Certificate issued by the Department upon final completion of the work required by this Chapter 11D shall state that compliance is with Chapter 11D of this Code and not with the requirements of either the Americans with Disability Act or the California Building Code.*

1106D.5. Valuation applied to future projects. *As authorized by the Building Code, the valuation of both the mandatory and the voluntary disability access improvements performed under this Chapter 11D may be used to comply with path of travel upgrade requirements in Building Code Section 11B-202.4 Exception #8 of this Code for any future project within the same building of portion of a building for a period of time not to exceed four years from the completion date of the work; provided, however, that only the valuation of the work described in 1106D.2 (a) or (b) shall be allowed for this purpose. In order to use the valuation of voluntary disability improvements for this purpose, the Owner must follow the recommended order of priority for making accessibility improvements set forth in Section 11B-202.4 of this Code.*

SECTION 1107D – COMPLIANCE SCHEDULE; OPTION TO COMPLY WITH CURRENT CODE REQUIREMENTS

The time for compliance with the requirements of this Chapter 11D are set forth in the following Table 1107D. The Owner of a building within the scope of this Chapter must submit all required forms, documents and permit applications to the Department prior to the deadlines set forth in Table 1107D but may comply with the requirements of this Chapter 11D, or elect to comply with the requirements and procedures of the Building Code then in effect, at any time prior to the deadlines set forth in Table 1107D.

TABLE 1107D
COMPLIANCE SCHEDULE[1]

	Submit compliance Checklist and	***File application for required***	***Obtain required building permit(s)[2]***

	specify compliance Option	*building permit(s)*	
Category One Buildings	*12*	*N/A*	*N/A*
Category Two Buildings	*12*	*15*	~~21~~ 27
Category Three Buildings	*24*	*27*	~~33~~ 39
Category Four Buildings	*30*	*33*	~~39~~ 45

[1]Unless otherwise specified, time period is in months measured from the effective date of this Chapter 11D.

[2]Pursuant to Section 1106D.4, all mandated work must be completed within the time periods specified in Section 106A.4.4 of this Code for Permit Expiration ~~18 months of the date an application for a building permit is required to be filed~~ *unless an extension of time of time is granted* pursuant to Section 1108D.

SECTION 1108D – EXTENSIONS OF TIME

(a) For good cause shown, the Building Official may grant one extension of time for up to six months from the compliance timelines in Table 1107D. For good cause shown, one or more additional extensions of time may be granted by the Access Appeals Commission pursuant to Section 1110D; provided, however, that in no event shall the Commission extend the time to complete the mandatory work required by this Chapter 11D beyond six years from the effective date of this Chapter 11D. The Commission's decision shall be final.

(b) A written request for an extension of time shall be submitted to the Department or to the Access Appeals Commission prior to the time for compliance.

(c) For purposes of this Chapter 11D, good cause may include but is not limited to:

(1) The pendency of a request for a finding of Equivalent Facilitation or Technical Infeasibility;

(2) The desirability of coordinating the mandatory work required by this Chapter 11D with voluntary disability access improvements;

(3) Financial hardship;

(4) A legal hardship such as an existing lease; or

(5) A undue procedural delay by the Department or another reviewing City agency.

SECTION 1109D – VOLUNTARY DISABILITY ACCESS IMPROVEMENTS

In addition to the mandatory requirements of this Chapter 11D, the Owner may elect to make additional corrections to the building or a portion thereof to comply with other State or Federal disability access requirements.

SECTION 1110D – APPEAL PROCEDURE

Any procedure provided under this Code to appeal accessibility issues is available in order to achieve compliance with this Chapter 11D. In addition, appeals to the Access Appeals Commission may be made in accordance with the provisions of this Chapter 11D and 105A.3 of this Code.

SECTION 1111D – ENFORCEMENT

Whenever the Owner of a building within the scope of this Chapter 11D fails to undertake or complete any action required by this Chapter within the time for compliance set forth in Table 1107D, the Owner shall be considered to be in violation of this Code and the Building Official is authorized to abate the violation in accordance with Section 102A of this Code.

SECTION 1112D. DISABILITY ACCESS COMPLIANCE UNIT

The Building Official shall establish within the Department a Disability Access Compliance Unit to enforce this Chapter 11D and to perform such other duties as the Building Official shall require. The Unit shall have at least one CASp Inspector from the Department and such other departmental employees as the Building Official deems appropriate. The Compliance Unit shall consult and coordinate with other City agencies with review authority over the permits necessary to comply with the requirements of this Chapter, including but not limited to the Planning Department and Department of Public Works, and any other City agencies that the Building Official determines are necessary or desirable to achieve the purposes of this Chapter.

The Compliance Unit shall track and maintain records; coordinate review of checklists, documents, and permits; provide information to the owners of buildings subject to this Chapter, tenants of said buildings, and members of the public; provide guidance, training and assistance to the Department's plan review staff and field inspectors; develop the informational material described in Section 1113D; and provide such progress reports on the effectiveness of this Chapter as the Compliance Unit deems appropriate or as the Building Official or the Access Appeals Commission may require.

SECTION 1113D – COORDINATION WITH OTHER CITY AGENCIES; REPORT TO THE BOARD OF SUPERVISORS

1113D.1. Coordination with Other Agencies. *The Department shall coordinate with the Planning Department, the Department of Public Works, and other City departments with review authority over the accessibility improvements mandated or authorized by this Chapter 11D, as well as with the Office of Small Business, the Mayor's Office on Disability, and other appropriate City agencies, to develop and implement (1) outreach tools, (2) pre-screening procedures, (3) methods to streamline the process, (4) proposed Code revisions, and (5) administrative bulletins, brochures, checklists, and guidelines or other documents to implement the purpose and objectives of this Chapter. The Checklist for Alterations to Commercial Storefront for Accessibility in existence on the effective date of this Chapter 11D, as amended from time to time, and other guidance documents shall be used to review and approve the disability access improvements mandated or authorized by this Chapter 11D.*

1113D.2. Report to the Board of Supervisors. *Within one year from the effective date of this Chapter 11D, and following consultation and coordination with other appropriate City departments and agencies, the Department shall submit a report in writing to the Board of Supervisors concerning the effectiveness of this Chapter and including recommendations, if any, for amendments to this Chapter. A progress report shall be submitted to the Board of Supervisors once a year thereafter until completion of this Chapter's disability access improvement program.*

SECTION 1114D. NOTICE

The Department shall post on its website the requirements of this Chapter 11D. The Department shall also prepare any administrative bulletins, brochures, or other materials that the Building Official determines are necessary or desirable to notify property owners and tenants about the requirements of this Chapter and shall coordinate with the Office of Small Business and, in the Building Official's discretion, other City departments concerning appropriate methods for providing notice about the requirements.

SECTION 1115D. ADMINISTRATIVE FEE

In addition to any other permit fees that may apply, the Department shall charge the Owner of each property within the scope of this Chapter 11D an administrative fee to compensate the Department for the cost of the services necessary to implement and enforce Chapter 11D's disability access improvement program. The administrative fee shall be the Standard Hourly Rate for Administration set forth in Table 1A-D of this Code. The administrative fee is payable within 30 days of the Department's notice that payment is due.

Section 4. The Building Code is hereby amended by revising Section 105A.3, to read as follows:

SEC. 105A.3 Access Appeals Commission.

105A.3.1 Establishment; composition; purpose. Pursuant to the provisions of Section 19957.5 of the Health and Safety Code of the State of California, there is hereby established an Appeals Board to be known as the Access Appeals Commission composed of five members to hear written appeals brought by any person regarding action taken by the Department in the enforcement of the requirements of Part 5.5 (commencing with Section 19955), Division 13 of the Health and Safety Code of the State of California, including the

exceptions contained in Section 19957 thereof, as well as action taken by the Department in the enforcement of the disability access and adaptability provisions of this code.

* * * *

105A.3.3 Powers and duties; finality. The Access Appeals Commission shall conduct hearings on written appeals made under Section 105A.3.4 hereof. In hearing such appeals, the Access Appeals Commission may approve or disapprove the Department's interpretations of Part 5.5, Division 13 of the Health and Safety Code of the State of California and of the disability access and adaptability requirements of this code and actions taken by the Department to enforce said requirements and abate violations. *The Commission shall also make determinations on equivalent facilitation, technical infeasibility, unreasonable hardship, extensions of time, and such other matters as Chapter 11D – Mandatory Accessibility Improvements for Buildings with a Place of Public Accommodation may require or authorize.* All such approvals or disapprovals shall be final and conclusive as to the Department, in the absence of fraud or prejudicial abuse of discretion. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable fee.

* * * *

Section 5. The Administrative Code is hereby amended by revising Section 38.3, to read as follows:

SEC. 38.3. DISABILITY ACCESS IMPROVEMENTS; NOTICE OF DISABILITY ACCESS OBLIGATIONS.

(a) Before entering into or amending a Lease, a Commercial Landlord shall either:

(1) Ensure that existing public restrooms, ground floor entrances, and ground floor exits are accessible by removing all architectural barriers to disability access, to the extent that such improvements are required by and "readily achievable, i.e., easily accomplishable and able to be carried out without much difficulty or expense" within the

meaning of any applicable provisions of Title 28, Sections 36.304 and 36.305, of the Code of Federal Regulations; or,

(2) Provide written notice to any prospective Small Business Tenant that the property may not currently meet all applicable construction-related accessibility standards, including standards for public restrooms and ground floor entrances and exits.

(3) Provide written notice to any prospective Small Business Tenant of the mandatory requirements of Chapter 11D of the Building Code that are applicable to all places of public accommodation.

Section 6. Effective and Operative Dates.

(a) This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

(b) This ordinance shall become operative 60 days after enactment.

Section 7. Directions to Clerk. The Clerk of the Board of Supervisors shall forward a copy of this ordinance to the California Building Standards Commission upon its enactment.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
JUDITH A. BOYAJIAN
Deputy City Attorney

n:\legana\as2014\1400314\01090707.doc

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150732 **Date Passed:** April 12, 2016

Ordinance amending the Building Code to require any existing building with a place of public accommodation either to have all primary entries and path of travel into the building accessible by persons with disabilities or to receive from the City a determination of equivalent facilitation, technical infeasibility, or unreasonable hardship; establishing a Disability Access Compliance Unit within the Department of Building Inspection; establishing a fee to offset the costs of the disability access improvement program; amending Administrative Code, Chapter 38, to require a building owner to give notice of the mandatory Building Code primary entry and path of travel accessibility requirements in any new or amended public accommodation lease; affirming the Planning Department's California Environmental Quality Act determination; making findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward the legislation to the California Building Standards Commission upon final passage.

March 23, 2016 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

March 23, 2016 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

April 05, 2016 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 12, 2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 150732

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/12/2016 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

4/22/16
Date Approved

RECEIVED
2016 MAY -2 P 3:08
BUILDING INSPECTION COMMISSION

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

May 20, 2016

Angela Calvillo
Clerk of the Board
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance #67-16

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on May 16, 2016.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city and county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: CBSC Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

May 12, 2016

SENT CERTIFIED MAIL (Return Receipt Requested)

RECEIVED
2016 MAY 16 P 2:55
CALIFORNIA BUILDING STANDARDS COMMISSION

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Building Code Amendments

To Whom It May Concern:

Pursuant to California Health & Safety Code, Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco, and approved by the Mayor, on the dates specified below:

Ordinance No. 67-16 (File No. 141118) – Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

(Board of Supervisors - Finally Passed 4/26/2016) (Mayor - Approved 5/6/2016)

If you have any questions or require additional information, please call (415) 554-7719 or email linda.wong@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

141118 **[Building Code - Building Façade Inspection and Maintenance and Establishing Fee]**

Sponsors: Mayor; Farrell, Mar, Tang, Wiener, Breed and Yee

Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

4/19/2016 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

4/26/2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

5/6/2016 Mayor - APPROVED

RECEIVED
2016 MAY 16 P 2:55
BUILDING INSPECTION COMMISSION

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

May 10, 2016
Date

Angela Calvillo
Clerk of the Board

FILE NO. 141118 SUBSTITUTED 3/1/2016 ORDINANCE NO. 67-16

[Building Code - Building Façade Inspection and Maintenance and Establishing Fee]

Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font.*
Deletions to Codes are in ~~*strikethrough italics Times New Roman font.*~~
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font.~~
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. General Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). The Board of Supervisors hereby affirms this determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. 141118 and is incorporated herein by reference.

(b) The Building Inspection Commission considered this ordinance on February 17, 2016 at a duly noticed public hearing, pursuant to Charter Section D3.750-5.

Section 2. Findings under the California Health and Safety Code Sections 17958.7 and 18941.5. The Board of Supervisors hereby finds that the following local conditions apply:

(a) California Building Code Section 3401.2 requires that buildings and structures be maintained in safe condition. This ordinance provides guidance as to what façade maintenance is considered appropriate based on national standards.

(b) The purpose of this ordinance is to promote public safety and welfare by reducing the risk of death or injury that may result from the effects of deterioration on exterior façades of buildings. The inspections and maintenance required by this ordinance will help protect historic buildings and will reduce damage in earthquakes, contributing to the City's resiliency goals.

(c) In Section 19160 of the California Health and Safety Code, the Legislature declared that because of the generally acknowledged fact that California will experience moderate to severe earthquakes in the foreseeable future, increased efforts to reduce earthquake hazards should be encouraged and supported.

(d) Section 19161 of the California Health and Safety Code authorizes each city, city and county, or county to assess the earthquake hazard in its jurisdiction and identify buildings that may be potentially hazardous to life in the event of an earthquake. Section 19161 states that potentially hazardous buildings include those with "exterior parapets or ornamentation that may fall."

Section 3. The Building Code is hereby amended by adding Chapter 16E, to read as follows:

Chapter 16E

BUILDING FAÇADE INSPECTION AND MAINTENANCE - RETROACTIVE PROVISIONS

SECTION 1601E – GENERAL REQUIREMENTS AND SCOPE

All façades of buildings of Construction Type I, II, III, or IV and which are five or more stories are required to be inspected periodically by a qualified professional who shall be a licensed architect or engineer retained by the property owner. The façades are required to be maintained in accordance with the criteria and procedures of this Chapter 16E. For buildings considered to be historic resources, the qualified professional shall have expertise in inspection and maintenance of historic resources. The requirements of this Chapter are retroactive and shall apply to and include buildings erected prior to the adoption of this Code. Qualifications of the qualified professional and inspection requirements are as detailed in the accompanying Administrative Bulletin.

SECTION 1602E – DEFINITIONS

In addition to the definitions in Chapter 2 of this Code, the following definition shall apply for purposes of this Chapter.

Façade. *All areas on the exterior of the building including all exterior walls and exterior wall covering, windows, balconies, cornices, parapets, architectural trim and embellishments, appurtenances, and all elements listed in Section 1604E.3. The façade also includes walls supported at the roof level, such as penthouse walls and chimneys. A façade shall include walls and appurtenances in the interior of a building where such area has been converted from an exterior area by enclosing the area under a roof, skylight, or other covering.*

Historic resource. *A building designated pursuant to Articles 10 or 11 of the Planning Code or any building listed on, or determined eligible for listing on, the California Register of Historic Resources or the National Register of Historic Places, or that is a "qualified historical building" as defined in the California Historical Building Code.*

Unsafe condition. *A condition of a building that poses an imminent hazard to persons and/or property.*

SECTION 1603E – INSPECTION SCHEDULE

1603E.1 Initial Inspection. *Each building within the scope of this Chapter 16E shall be subject to an initial façade inspection pursuant to Section 1604E. Inspection reports are subject to the requirements of Section 1605E.*

Exceptions:

1. Buildings for which a permit application for new construction was submitted after January 1, 1998 are exempt from requirement for an initial inspection. Buildings exempt from initial inspection pursuant to this exception shall begin periodic inspections 30 years from the issuance of the Certificate of Final Completion (CFC) for new construction.

2. Buildings for which comprehensive façade inspection and necessary maintenance, restoration, or replacement has been completed during the 10 (ten) years preceding the date of the required initial inspection report due date may apply to the Building Official for a waiver of the initial inspection.

Table 1603E

Initial Inspection Schedule

Compliance Tier	***Building Construction Completion Date[1]***	***Inspection Report Due Date***
1	*Building was constructed prior to 1910*	*December 31, 2021*
2	*Building was constructed from 1910 through 1925*	*December 31, 2023*
3	*Building was constructed from 1926 through 1970*	*December 31, 2025*

4	*Building was constructed after 1970*	*December 31, 2027*

[1]Building construction date refers to the date the Department issued the Certificate of Completion for the original building or other Department documentation showing the date of completion of the original construction, regardless of the dates of any additions or alterations.

1603E.2 Periodic inspection. *Each building within the scope of this Chapter 16E shall be subject to a periodic inspection at a frequency of 10 years after the required submittal date of an initial inspection report as outlined in Table 1603E. Periodic inspections need not include walls and appurtenances in the interior of a building where such area has been converted from an exterior area by enclosing the area under a roof, skylight or other covering after an initial inspection and any subsequent necessary repair or stabilization.*

1603E.3 Inspection in response to damage or failure. *Notwithstanding the Initial Inspection Schedule set forth in Table 1603E or the Exceptions to the initial inspection requirements provided in Section 1603E.1, the Department shall require an inspection of façades to be performed in the following circumstance:*

If façade elements required to be inspected under this Chapter 16E exhibit significant damage or failure as noted by Department staff or property owner or owner's agent, either during the normal passage of time or due to an earthquake or other event, then the property owner is required to obtain an inspection of the areas of damaged or failed elements and related building elements within 60 days unless the façade poses an unsafe condition..

SECTION 1604E – FACADE INSPECTION AND MAINTENANCE CRITERIA AND PROCEDURES

1604E.1 *Inspection and maintenance procedures. Inspections and maintenance shall be conducted in accordance with procedures to be detailed in an Administrative Bulletin adopted by the Department*

based on ASTM E 2270 Standard Practice for Periodic Inspection of Building Façades for Unsafe Conditions.

1604E.2 Method of inspection. *Inspections may include both general inspection and detailed inspection as detailed in the Administrative Bulletin.*

1604E.3 Elements to be included in inspections. *Inspections shall include the façade elements listed in ASTM E 2270 and the following additional elements:*

1. Attached equipment such as communications equipment, pipes and ductwork;

2. Decorative elements such as urns, friezes, balustrades, and attached artwork;

3. Signs;

4. Fire escapes;

5. Flagpoles;

6. Vertical extensions such as vents;

7. Lights and other fixtures;

8. Hanging air conditioners and other devices;

9. Other elements that could pose a safety hazard if dislodged.

1604E.4 Elements exempt from inspections. *Inspection is not required for the following conditions:*

1. Walls within 36 inches of parallel, facing walls on the same or adjoining properties unless the space between the walls is accessible by means of a door;

2. Walls and appurtenances within exterior courts and yards enclosed by walls on all sides and where the bottom of the court is on grade, unless there is direct access to the court by means of a door.

3. Elements, as approved by the Director, that do not contribute to a safety hazard or that do not require regular maintenance.

1605E. INSPECTION REPORTS

The qualified professional performing any inspection required by this Chapter 16E shall prepare an inspection report in conformity with Section 1604E and the Administrative Bulletin adopted

by the Department. The property owner or property owner's authorized agent shall submit a copy of the inspection report to both the property owner and the Department within the time required by Table 1603E, provided, however, that the qualified professional shall report any unsafe conditions to the Department immediately notwithstanding the deadline in Table 1603E.

Within 60 days of receipt of an inspection report, the Department shall confirm receipt of the report, provide review comments, if any, and confirm timelines and other requirements for maintenance actions and subsequent inspections.

1606E. FEES

The Standard Hourly Rates set forth in Table 1A-D shall be charged to compensate the Department for inspection report review, evaluation, and processing related to implementation and enforcement of this Chapter 16E.

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 5. Directions to the Clerk. The Clerk of the Board of Supervisors is hereby directed to forward a copy of this ordinance to the California Building Standards Commission upon final passage.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

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RECEIVED
2016 MAY 16 P 2:55
BOARD OF SUPERVISORS
SAN FRANCISCO

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 141118 **Date Passed:** April 26, 2016

Ordinance amending the Building Code to require that 1) the façades of certain buildings having five or more stories be inspected periodically by a licensed architect or engineer; 2) inspection reports be submitted to the owner and the Department of Building Inspection according to an inspection and reporting schedule; 3) maintenance of the façades be conducted in accordance with an Administrative Bulletin that is based on a national standard; 4) establishing a fee to compensate the Department for review and related evaluation processing; 5) making findings, including environmental findings, and findings under the California Health and Safety Code; and 6) directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

April 06, 2016 Budget and Finance Sub-Committee - CONTINUED

April 13, 2016 Budget and Finance Sub-Committee - RECOMMENDED

April 19, 2016 Board of Supervisors - PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 26, 2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 141118

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/26/2016 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/6/2016
Date Approved

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

May 19, 2016

Angela Calvillo
Clerk of the Board
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RE: Ordinance #71-16

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on May 16, 2016.

Our review finds the submittal to contain one ordinance modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modification is accepted for filing and is enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city and county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: CBSC Chron
Local Filings

Maeda, Pamela@DGS

From: Nearman, Michael@DGS on behalf of CBSC@DGS
Sent: Monday, May 16, 2016 7:34 AM
To: O'Brien, Laurie@DGS; Rodriguez, Enrique (CBSC)@DGS
Cc: Marvelli, Mia@DGS; Benny, Katrina@DGS; Maeda, Pamela@DGS
Subject: FW: Transmittal of San Francisco Green Building Code and Environment Code Amendments
Attachments: 160154 CBSC.pdf

Laurie,

This is an updated ordinance from SF related to Green standards and PV's.

They asked for a "Return Receipt Requested"... I'm not sure if the response letter is sufficient for their request but let's check with Mia and Katrina to see if we should shoot an email to them first and follow with the letter.

Thanks,

Michael L. Nearman
Deputy Executive Director
California Building Standards Commission
(916) 263-5888

RECEIVED
2016 MAY 16 A 8:1
CALIFORNIA BUILDING STANDARDS COMMISSION

CONFIDENTIALITY NOTICE: This email from the State of California is for the sole use of the intended recipient and may contain confidential and privileged information. Any unauthorized review or use, including disclosure or distribution, is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies of this email.

From: Lew, Lisa (BOS) [mailto:lisa.lew@sfgov.org]
Sent: Friday, May 13, 2016 12:05 PM
To: CBSC@DGS
Cc: Wiener, Scott; Calvillo, Angela (BOS); Somera, Alisa (BOS); Ausberry, Andrea
Subject: Transmittal of San Francisco Green Building Code and Environment Code Amendments

SENT CERTIFIED MAIL (Return Receipt Requested)

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

May 12, 2016

SENT CERTIFIED MAIL (Return Receipt Requested)

RECEIVED
2016 MAY 16 P 2:50
CALIFORNIA BUILDING STANDARDS COMMISSION

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Green Building Code and Environment Code Amendments

To Whom It May Concern:

Pursuant to California Health & Safety Code Section 17958.7, enclosed please find a certified copy of the following legislation, sponsored by Supervisor Scott Wiener, which was finally passed by the Board of Supervisors of the City and County of San Francisco on April 26, 2016, and approved by the Mayor on May 6, 2016:

- **Ordinance No. 71-16 (File No. 160154)** – Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have any questions or require additional information, please contact Alisa Somera, Legislative Deputy Director, at (415) 554-7711 or by e-mail at: alisa.somera@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

c: Supervisor Scott Wiener, Board of Supervisors

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

160154 **[Green Building, Environment Codes - Better Roof Requirements for Renewable Energy Facilities]**

Sponsors: Wiener; Breed and Farrell

Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials; and affirming the Planning Department's determination under the California Environmental Quality Act.

4/19/2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

4/19/2016 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

4/19/2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

4/26/2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

5/6/2016 Mayor - APPROVED

2016 MAY 18 P 2:5

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

May 12, 2016
Date

Angela Calvillo
Clerk of the Board

FILE NO. 160154

AMENDED IN BOARD
4/19/2016

ORDINANCE NO. 71-16

[Green Building, Environment Codes - Better Roof Requirements for Renewable Energy Facilities]

Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials; and affirming the Planning Department's determination under the California Environmental Quality Act.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. CEQA Findings. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 160154 and is incorporated herein by reference. The Board affirms this determination.

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Section 2. General Findings.

(a) The California Building Standards Code is contained in Title 24 of the California Code of Regulations, and consists of several parts that are based upon model codes with amendments made by various State agencies. The California Green Building Standards Code, also known as the CALGreen Code, is Part 11 of Title 24 of the California Code of Regulations, and San Francisco has enacted the San Francisco Green Building Code as amendments to the 2013 California Green Building Standards Code.

(b) Local jurisdictions are required to enforce the California Green Building Standards Code but they may also enact more stringent standards when reasonably necessary because of local conditions caused by climate, geology, or topography.

(c) The Building Inspection Commission considered the applicable sections of this ordinance at a duly noticed public hearing on March 16, 2016. The Commission on the Environment considered the applicable sections of this ordinance at a duly noticed public hearing on March 22, 2016.

Section 3. Findings Regarding Local Conditions Required by the California Health and Safety Code.

(a) California Health & Safety Code Section 17958.7 provides that before making any changes or modifications to the California Green Building Standards Code and any other applicable provisions published by the State Building Standards Commission, the governing body must make an express finding that each such change or modification is reasonably necessary because of specified local conditions, and the findings must be filed with the State Building Standards Commission before the local changes or modifications go into effect.

(b) The Board of Supervisors expressly declares that the following amendments to the San Francisco Green Building Code are reasonably necessary because of local climatic, topological, and geological conditions as listed below.

(1) As a coastal city located on the tip of a peninsula, San Francisco is vulnerable to sea level rise, and human activities releasing greenhouse gases into the atmosphere cause increases in worldwide average temperature, which contribute to melting of glaciers and thermal expansion of ocean water – resulting in rising sea levels.

(2) San Francisco is already experiencing the repercussions of excessive CO_2 emissions as rising sea levels threaten the City's shoreline and infrastructure, have caused significant erosion, increased impacts to infrastructure during extreme tides, and have caused the City to expend funds to modify the sewer system.

(3) Some people in San Francisco, such as the elderly, may be particularly vulnerable to higher temperatures resulting from climate changes.

(4) Installing solar will help San Francisco meet its goals under Ordinance No. 81-08, to have a greenhouse gas-free electric system by 2030 and to reduce greenhouse gas emissions citywide to 40% below 1990 levels by 2025 and 80% by 2050.

(5) It is reasonably necessary to require building owners to take steps to reduce the energy consumed by inefficient building operations and produce renewable, low-carbon electricity, or capture solar heat, in order to reduce pollution, benefit biodiversity, improve resilience to climate change by reducing localized heat islands, and reduce the global warming effects of energy consumption.

(6) Installing solar heating or solar energy systems benefits the health, welfare, and resiliency of San Francisco and its residents.

(c) Requiring solar water heating and/or solar photovoltaics at the time of new construction is more cost-effective than installing the equipment after construction because

workers are already on-site, permitting and administrative costs are lower, and it is more cost-effective to include such systems in existing construction financing. Based upon the findings of a cost-effectiveness study performed on the more stringent local standards contained in the City's proposed amendments to the 2013 San Francisco Green Building Code, the Board of Supervisors hereby determines that these local energy standards are cost-effective and will save more energy than the standards contained in the 2013 California Green Building Standards (CALGreen) Code (Title 24 Part 11) and the 2013 California Energy Standards (Title 24 Part 6). A copy of the cost-effectiveness study is on file with the Clerk of the Board of Supervisors in File No. 160154.

Section 4. The Green Building Code is hereby amended by revising Sections 202 and 301.1, adding Sections 4.201.2 and 5.201.1.2, and deleting Sections 5.103.1.5 and 5.103.2.3, to read as follows:

SEC. 202. DEFINITIONS.

GREENPOINT RATED, GREENPOINTS and GREENPOINTS CHECKLIST. The residential green building rating system and checklist and certification methodology of the non-profit organization Build It Green.

HIGH-RISE RESIDENTIAL BUILDING. For the purposes of this code, a building that is of Occupancy Group R and is four stories or greater.

HISTORICAL RESOURCE. A property that meets the terms of the definitions in Section 21084.1 of the CEQA Statute (The California Environmental Quality Act [Public Resources Code Section 21084.1]) and Section 15064.5 of the CEQA Guidelines, as determined by the San Francisco Planning Department.

LARGE COMMERCIAL BUILDING. A commercial building or addition of Group B, M, A, or I occupancy that is 25,000 gross square feet or more.

LEED® and LEED® CHECKLIST. The Leadership in Energy and Environment Design rating system, certification methodology, and checklist of the United States Green Building Council (USGBC).

LOW-RISE RESIDENTIAL BUILDING. For the purposes of this code, a building that is of Occupancy Group R and is three stories or less or that is a one or two family dwelling or townhouse.

MAJOR ALTERATIONS. Alterations where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed where areas of such construction are 25,000 gross square feet or more in Group B, M or R occupancies of existing buildings.

MID-SIZE COMMERCIAL BUILDING. A commercial building of Group B or M occupancy that is 5,000 or more and less than 25,000 gross square feet, and is not a high-rise building.

NEWLY CONSTRUCTED (or NEW CONSTRUCTION). A newly constructed building (or new construction) is a building that has never before been used or occupied for any purpose and does not include additions, alterations or repairs.

NEW LARGE COMMERCIAL INTERIORS. First-time tenant improvements where areas of such construction are over 25,000 gross square feet or more in Group B or M occupancy areas of existing buildings.

NONRESIDENTIAL COMPLIANCE MANUAL. The document published by the California Energy Commission to aid in compliance and enforcement of the Title 24 California Building Energy Standards, for buildings of nonresidential occupancy and high-rise residential buildings.

RESIDENTIAL COMPLIANCE MANUAL. The document published by the California Energy Commission to aid in compliance and enforcement of the Title 24 California Building Energy Standards, for low-rise residential buildings.

SEC. 301.1. SCOPE.

Buildings in the City and County of San Francisco shall be designed to include the green building measures specified as mandatory under the California Green Building Standards Code (CalGreen).

Additional green building requirements established by the City and County of San Francisco are mandatory for:

(1) Newly constructed Group R occupancy buildings,

(2) Newly constructed buildings of Group B, M, A, and I occupancies that are 25,000 gross square feet or more,

(3) New first-time build-outs of commercial interiors that are 25,000 gross square feet or more in buildings of Group B or M occupancies, and

(4) Major alterations that are 25,000 gross square feet or more in existing buildings of Group B, M or R occupancies, where interior finishes are removed and significant upgrades to structural and mechanical, electrical and/or plumbing systems are proposed.

Exempt from additional local requirements of this chapter, unless otherwise noted, are:

(1) Any new building in which laboratory use of any occupancy classification is the primary use, and

(2) Any building undergoing renovation in which the area of renovation will be primarily for laboratory use of any occupancy classification.

(3) Any new building of Group B occupancy where ~~electronic data processing~~ an Internet Service Exchange, as defined in Section 102 of the Planning Code, *will be the primary* function ~~use~~ *is exempt from the solar energy requirements of Section 5.201.1.2. All other relevant sections of this code shall apply.*

/ / /

SEC. 4.201.2. RENEWABLE ENERGY AND BETTER ROOFS

(a) Newly constructed Group R occupancy buildings of 10 occupied floors or less and that apply for a building permit on or after January 1, 2017 shall install solar photovoltaic systems and/or solar thermal systems in the solar zone required by California Code of Regulations (CCR), Title 24, Part 6 Section 110.10.

(b) The minimum solar zone area for the project shall be calculated under Title 24, Part 6, Section 110.10(b) through (e), as applicable, and Residential Compliance Manual Chapter 7 or Nonresidential Compliance Manual Chapter 9, as applicable, except as provided below.

(1) For single family residences, Exceptions 3 and 5 to Title 24, Part 6, Section 110.10(b)1A may be applied in the calculation of the minimum solar zone area. Exceptions 1, 2, 4, 6, and 7 may not be applied in the calculation.

(2) For Group R Occupancy buildings other than single family residences, Exceptions 3 and 5 to Title 24, Part 6, Section 110.10(b)1B may be applied in the calculation of the minimum solar zone area. Exceptions 1, 2, and 4 may not be applied in the calculation.

(3) Buildings with a calculated minimum solar zone area of less than 150 contiguous square feet due to limited solar access under Exception 5 to Title 24, Part 6, Section 110.10(b)1A or Exception 3 to Title 24, Part 6, Section 110.10(b)1B are exempt from the solar energy requirements in this Section 4.201.2.

(c) The sum of the areas occupied by solar photovoltaic collectors and/or solar thermal collectors must be equal to or greater than the solar zone area. The solar zone shall be located on the roof or overhang of the building, or on the roof or overhang of another structure located within 250 feet of the building or on covered parking installed with the building project. Solar photovoltaic systems and solar thermal systems shall be installed in accord with: all applicable State code requirements, including access, pathway, smoke ventilation, and spacing requirements specified in

CCR Title 24, Part 9; all applicable local code requirements; manufacturer's specifications; and the following performance requirements:

(1) Solar photovoltaic systems: The total nameplate capacity of photovoltaic collectors shall be at least 10 Watts$_{DC}$ per square foot of roof area allocated to the photovoltaic collectors.

(2) Solar thermal systems: Single family residential solar domestic water heating systems shall be OG-300 System Certified by either the Solar Rating and Certification Corporation (SRCC) or the International Association of Plumbing and Mechanical Officials (IAPMO). Solar thermal systems installed in all Group R occupancy buildings other than single family residences shall use collectors with OG-100 Collector Certification by SRCC or IAPMO, shall be designed to generate annually at least 100 kBtu per square foot of roof area allocated to the solar thermal collectors. Systems with at least 500 square feet of collector area shall include a Btu meter installed on either the collector loop or potable water side of the solar thermal system.

~~***SEC. 5.103.1.5. RENEWABLE ENERGY.***~~

~~*Effective January 1, 2012, permit applicants must submit documentation verifying either:*~~

~~*(1) Acquisition of renewable on-site energy or purchase of green energy credits in accord with LEED EA2 or EA6, or*~~

~~*(2) Achieve a 10% compliance margin over Title 24 Part 6 2013 California Energy Standards.*~~

~~***SEC. 5.103.2.3 RENEWABLE ENERGY.***~~

~~*Effective January 1, 2012, permit applicants must submit documentation verifying that either:*~~

~~*(1) Acquisition of renewable on-site energy or purchase of green energy credits in accord with LEED EA2 or EA6, or*~~

~~*(2) In addition to meeting 5.103.2.5 Energy Performance requirement, achieve an additional 10% compliance margin over Title 24 Part 6 (2013) California Energy Standards.*~~

SEC. 5.201.1.2. RENEWABLE ENERGY AND BETTER ROOFS

(a) Newly constructed buildings of nonresidential occupancy that are of 10 occupied floors or less, are 2000 square feet or greater in gross floor area, and apply for a building permit on or after January 1, 2017 shall install solar photovoltaic systems and/or solar thermal systems in the solar zone required by California Title 24, Part 6 Section 110.10.

(b) The required solar zone area for the project shall be calculated under California of Regulations (CCR), Title 24, Part 6, Section 110.10(b) through (e) and Nonresidential Compliance Manual Chapter 9, as applicable; provided, however that Exceptions 3 and 5 to Title 24, Part 6, Section 110.10(b)1B may be applied in the calculation of the minimum solar zone area and Exceptions 1, 2, and 4 shall not be applied in the calculation. Buildings with a calculated minimum solar zone area of less than 150 contiguous square feet due to limited solar access under Exception 3 are exempt from the solar energy requirements in this Section 5.201.2.

(b) The sum of the areas occupied by solar photovoltaic collectors and/or solar thermal collectors must be equal to or greater than the solar zone area. The solar zone shall be located on the roof or overhang of the building, or on the roof or overhang of another structure located within 250 feet of the building or on covered parking installed with the building project. Solar photovoltaic systems and solar thermal systems shall be installed in accord with all applicable state and local code requirements, manufacturer's specifications, and the following performance requirements:

(1) Solar photovoltaic systems: The total nameplate capacity of photovoltaic collectors shall be at least 10 $Watts_{DC}$ per square foot of roof area allocated to the photovoltaic collectors.

(2) Solar thermal systems: Solar thermal systems installed to serve non-residential building occupancies shall use collectors with OG-100 Collector Certification by the Solar Rating and Certification Corporation (SRCC) or the International Association of Plumbing and Mechanical Officials (IAPMO), shall be designed to generate annually at least 100 kBtu per square foot of roof

area allocated to the solar thermal collectors, and, for systems with at least 500 square feet of collector area, shall include a Btu meter installed on either the collector loop or potable water side of the solar thermal system.

Section 5. The Environment Code is hereby amended by adding Chapter 26, consisting of Section 2601, to read as follows:

CHAPTER 26: BETTER ROOF REQUIREMENTS

SEC. 2601. BETTER ROOF IMPLEMENTATION.

(a) Purpose. The purpose of this Section 2601 is to track and support improvement of requirements for newly constructed buildings which will increase the utility of rooftops by ensuring development of renewable energy resources.

(b) The Department of the Environment shall:

(1) Review and propose technical requirements for rooftop photovoltaic and solar thermal systems and their performance and components, where not otherwise governed by applicable state or local codes. The Department of Building Inspection and the Planning Department may contribute to the cost of technical support as well as the cost of public information programs supporting the implementation of the Better Roof program.

(2) Recommend revisions to the Better Roof requirements of San Francisco Green Building Code Sections 4.201.2 and 5.201.1.2 based on project data and other new information, to support the City's goals for greenhouse gas emissions reduction, environmental justice, provision of renewable energy, development of Zero Net Energy Buildings, biodiversity, and pollution prevention.

(c) Reporting. The Environment Director shall collaborate with the Department of Building Inspection, the Department of Planning, and the Public Utilities Commission to prepare and publish an annual report on the renewable energy resources developed in compliance with this Chapter 26, San

Francisco Green Building Code Section 4.201.2, and San Francisco Green Building Code Section 5.201.1.2 et seq.

Section 6. The Environment Code is hereby amended by amending Section 706, to read as follows:

SEC. 706. SAN FRANCISCO-SPECIFIC LEED CREDIT REQUIREMENTS FOR MUNICIPAL CONSTRUCTION PROJECTS.

(a) As part of the LEED Gold certification requirement for municipal construction projects, the projects must achieve the following LEED credits:

(1) Stormwater Management. The LEED Project Administrator shall submit documentation verifying that a construction project that is located outside the City and County of San Francisco achieves the LEED SS6.2 credit. Construction projects located within the City and County of San Francisco shall implement the applicable stormwater management controls adopted by the San Francisco Public Utilities Commission (the "SFPUC"). All construction projects shall develop and implement construction activity pollution prevention and stormwater management controls adopted by the SFPUC, and achieve LEED prerequisite SSp1 or similar criteria adopted by the SFPUC, as applicable.

(2) Indoor Water Use Reduction. The LEED Project Administrator shall submit documentation verifying a minimum 30*%* ~~*percent*~~ reduction in the use of indoor potable water, as calculated to meet and achieve LEED credit WE3.2.

~~*(3) Energy Performance. Using an Alternative Calculation Method (ACM) approved by the California Energy Commission, the LEED Project Administrator shall calculate the project's energy use, and compare it to the standard or "budget" building to achieve LEED credit EA1 by either:*~~

~~*(A) A 15 percent compliance margin over Title 24, Part 6, 2008 California Energy Standards; or,*~~

~~*(B) Document compliance with Title 24, Part 6, 2008 California Energy Standards, including submittal of all standard documentation, and additionally demonstrate that the project achieves a 15 percent or greater compliance margin over the ASHRAE 90.1 2007 energy cost baseline using the published LEED 2009 rules. Such analysis shall include all on site building energy use, including exterior and security lighting, elevators, all process loads, and receptacle loads.*~~

(3) ~~*(4)*~~ Renewable Energy. The LEED Project Administrator shall confer with SFPUC on renewable energy opportunities for municipal construction projects, including photovoltaics, solar hot water and wind power. ~~*Space allocation and infrastructure for future renewable energy installations shall be included in municipal construction projects, as advised by SFPUC, including but not limited to structural capacity, wiring conduits, supply and return piping, and control wiring.*~~ The LEED Project Administrator shall submit documentation verifying that ~~*either*~~:

(A) *The project meets LEED prerequisite EA 1 Energy Performance requirement and demonstrates compliance with Title 24, Part 6 California Energy Standards in effect at the time of the permit application; and,* ~~*At least 1 percent of the building's energy costs are offset by on-site renewable energy generation, achieving LEED credit EA 2, including any combination of: photovoltaic, solar thermal, wind, biofuel-based electrical systems, geothermal heating, geothermal electric, wave, tidal, or low impact hydroelectric systems, or as specified in Section 25741 of the California Public Resources Code; or,*~~

(B) *The project includes a combination of photovoltaic and/or solar thermal area meeting the requirements of San Francisco Green Building Code Chapter 5, Division 5.2, or demonstrates applicability of exceptions therein.* ~~*In addition to meeting LEED prerequisite EA 1 Energy Performance requirement, achieve an additional 10 percent compliance margin over Title 24, Part 6, 2008 California Energy Standards, for a total compliance margin of at least 25 percent.*~~

(4) ~~(5)~~ Commissioning. The LEED Project Administrator shall submit documentation verifying that the facility has been or will meet the criteria necessary to achieve LEED credit EA 3.0 (Enhanced Commissioning), in addition to LEED prerequisite EAp1 (Fundamental Commissioning of Building Energy Systems.)

(5) ~~(6)~~ Enhanced Refrigerant Management. The LEED Project Administrator shall submit documentation verifying that the project will reduce ozone depletion, while minimizing direct contribution to climate change, achieving LEED credit EA 4.

(6) ~~(7)~~ Construction Debris Management. The LEED Project Administrator shall submit documentation verifying the diversion of a minimum of 75*%* ~~percent~~ of the project's construction and demolition debris, as calculated to achieve LEED credit MR2.2. The project must also satisfy~~;~~ the requirements of Section 708.

(7) ~~(8)~~ IAQ Management: During Construction. The LEED Project Administrator shall submit documentation verifying that the sponsoring City department has prepared and implemented an Indoor Air Quality Management Plan that achieves LEED credit EQ 3.1. This requirement includes meeting or exceeding the recommended Control Measures of the Sheet Metal and Air Conditioning National Contractors Association (SMACNA) IAQ Guidelines for Occupied Buildings under Construction, 2nd Edition 2007, ANSI-SMACNA 008-2008 (Chapter 3).

(8) ~~(9)~~ IAQ Management: Before Occupancy. The LEED Project Administrator shall submit documentation verifying that the sponsoring City department has prepared and implemented an Indoor Air Quality Management Plan that achieves LEED credit EQ 3.2.

(9) ~~(10)~~ Low Emitting Materials. The LEED Project Administrator shall submit documentation verifying that the project is using low-emitting materials, subject to onsite verification, achieving LEED credits EQ 4.1. EQ 4.2. EQ 4.3. and EQ 4.4 wherever applicable:

(A) Adhesives, sealants and sealant primers shall achieve LEED credit EQ 4.1. including compliance with South Coast Air Quality Management District (SCAQMD) Rule #1168, amended January 7, 2005.

(B) Interior paints and coatings applied on-site shall achieve LEED credit EQ 4.2. including:

(i) Architectural paints and coatings shall meet the VOC content limits of Green Seal Standard GS-11 (1st Edition, 1993).

(ii) Anti-corrosive and anti-rust paints applied to interior ferrous metal substrates shall not exceed the VOC content limit of Green Seal Standard GC-03 (2nd Edition, 1997) of 250 g/L.

(iii) Clear wood finishes, floor coatings, stains, primers, and shellacs applied to interior elements shall not exceed SCAQMD Rule 1113 (2004) VOC content limits.

(C) Flooring systems shall achieve LEED credit EQ 4.3 Option 1. including:

(i) Interior carpet shall meet the testing and product requirements of the Carpet and Rug Institute Green Label Plus program.

(ii) Interior carpet cushioning shall meet the requirements of the Carpet and Rug Institute Green Label program.

(iii) Hard surface flooring, including linoleum, laminate flooring, wood flooring, ceramic flooring, rubber flooring, and wall base shall be certified as compliant with the FloorScore standard, provided, however, that 100% ~~percent~~ reused or 100% ~~percent~~ post-consumer recycled hard surface flooring may be exempted from this LEED credit EQ 4.3 requirement. Projects exercising this exemption for hard surface flooring shall otherwise be eligible (or LEED credit EQ 4.3.)

(D) Interior composite wood and agrifiber products shall achieve LEED credit EQ 4.4 by containing no added urea formaldehyde resins. Interior and exterior hardwood plywood, particleboard, and medium density fiberboard composite wood products shall additionally meet California Air Resources Board Air Toxics Control Measure for Composite Wood (17 CCR 93120 et seq.), by or before the dates specified in those sections.

(E) Project sponsors are encouraged to achieve LEED Pilot Credit 2: Persistent Bioaccumulative Toxic Chemicals Source Reduction: Dioxins and Halogenated Organic Compounds. This standard is consistent with Environment Code Chapter 5: Non-PVC Plastics.

(10) ~~(11)~~ Indoor Chemical and Pollutant Source Control. The LEED Project Administrator shall submit documentation verifying that the project will minimize and control the entry of pollutants into buildings and later cross contamination of regularly occupied areas, achieving LEED credit EQ 5.

Section 7. Effective Date; Operative Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance. This ordinance shall become operative on January 1, 2017.

Section 8. Transmittal to State Officials. The Clerk of the Board of Supervisors is hereby directed to transmit this ordinance, upon enactment, to the California Building Standards Commission for filing, pursuant to the applicable provisions of California law.

Section 9. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

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2016 MAY 16 P 2:57
BUILDING
COMMISSION

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 160154 **Date Passed:** April 26, 2016

Ordinance amending the Green Building Code and the Environment Code to establish requirements for certain new building construction facilitating development of renewable energy facilities; updating provisions of the Green Building requirements for City buildings; setting an operative date of January 1, 2017; providing findings as to local conditions pursuant to the California Health and Safety Code; directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials; and affirming the Planning Department's determination under the California Environmental Quality Act.

April 11, 2016 Land Use and Transportation Committee - RECOMMENDED

April 19, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 19, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 19, 2016 Board of Supervisors - PASSED ON FIRST READING AS AMENDED
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 26, 2016 Board of Supervisors - FINALLY PASSED
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160154

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/26/2016 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

5/6/2016
Date Approved

RECEIVED
2016 MAY 16 P 2:57
PLANNING DEPARTMENT
PLANNING COMMISSION

BUILDING STANDARDS COMMISSION
2525 Natomas Park Drive, Suite 130
Sacramento, California 95833-2936
(916) 263-0916 FAX (916) 263-0959

September 7, 2016

Angela Calvillo
Clerk of the Board
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

RE: Ordinance #163-16, #165-16

Dear Ms. Calvillo:

This letter is to advise you of our determination regarding the referenced ordinance with express findings received from your agency on August 19, 2016.

Our review finds the submittal to contain two ordinances modifying provisions of the 2013 California Building Standards Code in Title 24, California Code of Regulations (code), and express findings complying with Health and Safety Code Sections 17958.7 and 18941.5. The code modifications are accepted for filing and are enforceable. This letter attests only to the satisfaction of the cited law for filing of local code amendment supported by an express finding with the California Building Standards Commission (CBSC). CBSC is not authorized by law to evaluate the merit of the code modification or the express finding.

Local modifications to the code are specific to a particular edition of the code. They must be readopted and filed with CBSC in order to remain in effect when the next triennial edition of the code is published.

On a related matter, should your city and county receive and ratify Fire Protection District ordinances making modifications to the code, be advised that Health and Safety Code Section 13869.7(c) requires such ratified ordinances and express findings to be filed with the Department of Housing and Community Development, Division of Codes and Standards, State Housing Law Program, rather than CBSC. Also, ordinances making modifications to the energy efficiency standards of the code may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have any questions or need any further information, you may contact me at (916) 263-0916.

Sincerely,

Enrique M. Rodriguez
Associate Construction Analyst

cc: CBSC Chron
Local Filings

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

August 17, 2016

SENT CERTIFIED MAIL (Return Receipt Requested)

RECEIVED
2016 AUG 19 P 12:33
CALIFORNIA BUILDING STANDARDS COMMISSION

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Disclosure of Fire Safety Information

To Whom It May Concern:

Pursuant to California Health & Safety Code, Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco, and approved by the Mayor, on the dates specified below:

> **Ordinance No. 163-16 (File No. 150792)** - Ordinance amending the San Francisco Fire Code to require building owners and homeowners' associations to provide fire safety information to residents in buildings with three or more dwelling units, and annual fire safety information and training to residents in buildings with 16 or more units; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the Ordinance to appropriate State officials.
> *(Board of Supervisors - Finally Passed 8/2/2016) (Mayor - Approved 8/11/2016)*

If you have any questions or require additional information, please call Erica Major at (415) 554-4441 or email Erica.Major@sfgov.org.

X 554 7703

Sincerely,

Peggy Nevin
for Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
07/26/16

FILE NO. 150792 ORDINANCE NO 163-16

[Fire Code - Disclosure of Fire Safety Information]

Ordinance amending the San Francisco Fire Code to require building owners and homeowners' associations to provide fire safety information to residents in buildings with three or more dwelling units, and annual fire safety information and training to residents in buildings with 16 or more units; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
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Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

The City and County of San Francisco is unique among California communities with respect to the possible causes and effects of fires, including fires in residential multi-unit buildings. Among other things, San Francisco is located on an active seismic zone; certain buildings in San Francisco are at an increased risk for earthquake-induced failure and consequent fire because of local hazardous microzones, slide areas, and local liquefaction hazards; enhanced fire, structural, and other protections are required due to high building density and high occupancy in many buildings, including many high-rise buildings; and San Francisco has narrow and crowded sidewalks due to building and population density and

unusual topography. For these reasons, fires in San Francisco can be especially devastating, and the need for extra measures to prepare for and cope with fires is especially pressing, particularly for the residents of multi-unit buildings, who may face fire dangers any day of the week and any hour of the day or night.

California Health and Safety Code Sections 17958 and 17958.5 allow the City to make changes or modifications in the requirements contained in the provisions published by the California Building Standards Commission, including the California Fire Code, when those changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions. California Health and Safety Code Section 17958.7 provides that before making any such changes or modifications, the governing body must make express findings that such changes or modifications are reasonably necessary because of the specified local conditions, and those findings shall be filed with the California Building Standards Commission.

In addition, California Health and Safety Code Section 13216 permits the City to impose greater restrictions with respect to high-rise buildings than are imposed by the State building standards related to fire or panic safety or the regulations of the State Fire Marshal. Consistent with such authorization, and recognizing the above-stated unique concerns for fire safety in San Francisco, this ordinance is enacted with the purpose of protecting persons who live in multi-unit residential buildings, some of which are high-rise buildings, as well as the general public, and minimizing building and other property damage caused by fire.

Pursuant to the applicable California Health and Safety Code sections, the Board of Supervisors finds and determines that the conditions described above constitute a general summary of the most significant local conditions giving rise to the need for variance from the California Fire Code and California Building Code and any other applicable provisions published by the California Building Standards Commission. Further, the Board of

Supervisors finds and determines that the proposed variances are reasonably necessary based on these local conditions, and that these conditions justify more restrictive standards applicable to the provision of fire safety information and training to persons living in multi-unit residential buildings in San Francisco.

Section 2. The Fire Code is hereby amended by adding Section ~~915~~409, consisting of Sections ~~915.1, 915.2, 915.3, 915.4, 915.5, and 915.6~~409.1, 409.2, 409.3, 409.4, 409.5, and 409.6, to read as follows:

SEC. ~~915~~409. ***FIRE SAFETY INFORMATION DISCLOSURE***

SEC. ~~915.1~~409.1. ***[For SF] Purpose.***

It is the purpose of this Section ~~915~~409 *to reduce the risk of fires and of damage from fires by requiring owners of buildings with three or more dwelling units to* ~~post fire safety information in a place that is accessible to all residents, and to~~ *disclose fire safety information to new residents on or before they begin to live in the building and once a year thereafter,* post fire safety information in a place that is accessible to all residents, *and* also *to require owners of buildings with 16 or more dwelling units to offer an annual fire safety training to all residents.*

~~SEC. 915.2 [For SF] Posting Requirements.~~

~~(a) A map or diagram shall be posted in a common area frequented by the residents in each Apartment House, as defined in the Housing Code., and shall contain the following information (the "Posted Information"):~~

~~(1) The location of all fire extinguishers in the building, and the dates of last servicing;~~

~~(2) The location of all emergency exits in the building, and a statement that they must remain unobstructed;~~

~~(3) The location of all fire escapes in the building, and the dates of last inspection; and~~

~~(4) The location of the building fire alarm system, the date when the building fire alarm system was last inspected and tested as required by Section 907.8.5 of this Code, and confirmation that the building fire alarm system is certificated under Section 907.7.4 of this Code if applicable.~~

~~The Posted Information may also include any other information that would assist a Resident to escape or prevent a fire in the building.~~

~~(b) The Posted Information shall be updated as appropriate on or before January 31 of each year.~~

~~(c) A sign or sticker shall be affixed at the main point of entry to the Apartment House, or at such other location that the Fire Marshal approves in writing, that contains the phone number of the owner, property manager, or other person who can give the Fire Marshal prompt access to the building to conduct safety inspections.~~

SEC. ~~915.3~~409.2. ***[For SF] Disclosure Requirements.***

(a) The following information (the "Disclosure Information") shall be disclosed to each resident of an Apartment House as defined in the Housing Code:

(1) ~~The most recent Posted Information;~~ The location of all fire extinguishers in the building, and the dates of last servicing;

(2) The location of all emergency exits in the building, and a statement that they must remain unobstructed;

(3) The location of all fire escapes in the building, and the dates of last inspection;

(4) The location of the building fire alarm system, the date when the building fire alarm system was last inspected and tested as required by Section 907.8.5 of this Code, and confirmation that the building fire alarm system is certificated under Section 907.7.4 of this Code, if applicable;

(5) ~~(2)~~ *The location of all smoke alarms in the resident's dwelling unit, instructions on how to confirm that the smoke alarms are in working condition, and a statement of when the smoke alarms were last replaced;* ~~and~~

(6) ~~(3)~~ *The location of all carbon monoxide detectors in the resident's dwelling unit, instructions on how to confirm that the carbon monoxide detectors are in working condition, and a statement of when the carbon monoxide detectors were last replaced.*~~;~~ and

(7) The phone number of the appropriate contact within the San Francisco Fire Department for reporting suspected violations of this Section 409.

The Disclosure Information may also include any other information that would assist a resident to escape or prevent a fire in the building.

(b) The owner of the Apartment House or the owner's agent shall provide an oral explanation of the Disclosure Information to new residents before the new residents commence occupancy in the building, a written copy of the Disclosure Information to new residents on or before the commencement of occupancy, and a written copy, updated as appropriate, to all building residents on or before January 31 of each year.

(c) The owner of the Apartment House shall maintain a record of its compliance with this Section ~~915.3~~*409.2 by requesting that a resident from each dwelling unit execute a statement (the "Resident's Statement") and transmit the Resident's Statement to the owner within* 20 ~~five~~ *business days after the resident has received the Disclosure Information, both upon commencement of occupancy and in each subsequent year. The Resident's Statement shall identify the date that the resident received the Disclosure Information. If the resident fails to complete and transmit a Resident's*

Statement as requested, the owner shall execute a written statement (the "Owner's Statement") which confirms the date that the owner provided the resident the Disclosure Information, and which states that the resident did not execute the statement as requested. The owner shall provide the resident a copy of the Owner's Statement within five business days after it is executed. The owner shall retain copies of all Resident's Statements and Owner's Statements for at least two years. An owner's failure to maintain such records shall create a rebuttable presumption that the owner has violated this Section ~~*915.3*~~409.2.

(d) A resident's failure to complete and transmit a Resident's Statement shall not constitute just cause under Administrative Code Section 37.9(a).

(e) It is recommended that residents test the smoke alarms and carbon monoxide detectors in their dwelling units on a monthly basis, and immediately report any problems or needed repairs to the building owner.

(f) This Section 409.2 shall become operative six months after the effective date of this Section 409.

SEC. 409.3 [For SF] Posting Requirements.

(a) The information required to be disclosed under Section 409.2, subdivisions (a)(1), (a)(2), (a)(3), (a)(4), and (a)(7) (collectively, the "Posted Information"), shall be posted in a common area frequented by the residents in each Apartment House, as defined in the Housing Code.

(b) The Posted Information shall be updated as appropriate on or before January 31 of each year.

(c) A sign or sticker shall be affixed at the main point of entry to the Apartment House, or at such other location that the Fire Marshal approves in writing, that contains the phone

number of the owner, property manager, or other person who can give the Fire Marshal or other building inspector prompt access to the building to conduct safety inspections.

(d) The Department of Building Inspection shall enforce this Section 409.3 pursuant to periodic health and safety inspections required by code.

(e) This Section 409.3 shall become operative six months after the effective date of this Section 409.

SEC. ~~915.4~~409.4. ***[For SF] Training Requirements.***

(a) The owner of any building with 16 or more dwelling units must offer building residents an annual fire safety training that covers the following information:

(1) The Disclosure Information;

(2) Best practices for how to prevent and escape from building fires; and

(3) Any other fire safety information that the building owner deems appropriate.

Owners are encouraged to walk through their buildings with residents to address the location of fire extinguishers, emergency exits, and other fire safety information.

(b) The owner shall provide residents advance written notification of the training, and shall provide a written summary of the training to each dwelling unit that did not send at least one resident to attend.

(c) The owner shall maintain a record going back at least two years that shows the notice provided to residents before each training, confirmation that each training occurred, a list of attendees at each training, and confirmation that the owner provided a written summary of the training to each dwelling unit that did not send at least one resident to attend. An owner's failure to maintain such records shall create a rebuttable presumption that the owner has violated this Section ~~915~~409.4.

(d) A resident's failure to attend trainings required by this Section 409.4 shall not constitute just cause under Administrative Code Section 37.9(a).

(e) This Section 409.4 shall become operative one year after the effective date of this Chapter.

SEC. ~~915.5~~409.5. ***[For SF] Printing Requirements.***

(a) The Posted Information, Disclosure Information, and training materials if applicable shall be printed, and posted in the case of Posted Information, in compliance with Section 11B-703.5 of the California Building Code, as it may be amended from time to time.

SEC. ~~915.6~~409.6. ***[For SF] Penalties and Enforcement.***

The Chief of the San Francisco Fire Department or his or her designee may assess and collect administrative penalties from the owner for any violation of this Section 409 ~~Sections 915.2, 915.3, 915.4, or 915.5~~ *in accordance with Administrative Code Chapter 100, "Procedures Governing the Imposition of Administrative Fines," as may be amended from time to time. Chapter 100, which is incorporated herein in its entirety, shall govern the amount of fees and the procedures for imposition, enforcement, collection, and administrative review of administrative citations. Each day a violation of one of the aforementioned sections occurs shall constitute a separate violation of that section.*

Section 3. Undertaking for the General Welfare. In enacting and implementing this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 4. Effective and Operative Dates.

(a) Effective Date. This ordinance shall become effective 30 days after it is enacted. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

(b) Operative Date. The portions of Section 2 of t~~T~~his ordinance that create Sections 409.1, 409.2, 409.3, 409.5, and 409.6 of the Fire Code shall become operative six months after the Clerk of the Board of Supervisors has filed this ordinance with the California Building Standards Commission pursuant to Section 17958.7 of the California Health and Safety Code and as directed in Section 5. The remaining portion of Section 2, which creates Section 409.4 of the Fire Code, shall become operative one year after the Clerk of the Board of Supervisors has filed this ordinance with the California Building Standards Commission pursuant to Section 17958.7 of the California Health and Safety Code and as directed in Section 5 of this ordinance.

Section 5. Transmittal to State Officials. The Clerk of the Board of Supervisors is hereby directed to transmit this ordinance, upon its enactment~~final passage~~, to the California Building Standards Commission and the State Fire Marshal for filing, pursuant to the applicable provisions of California law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:
MANU PRADHAN
Deputy City Attorney

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RECEIVED
2016 AUG 19 P 2:34
CALIFORNIA BUILDING STANDARDS COMMISSION

City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150792 **Date Passed:** August 02, 2016

Ordinance amending the San Francisco Fire Code to require building owners and homeowners' associations to provide fire safety information to residents in buildings with three or more dwelling units, and annual fire safety information and training to residents in buildings with 16 or more units; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the Ordinance to appropriate State officials.

July 14, 2016 Public Safety and Neighborhood Services Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

July 14, 2016 Public Safety and Neighborhood Services Committee - RECOMMENDED AS AMENDED

July 26, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, **Kim,** Peskin, Tang, Wiener and Yee
Absent: 1 - Mar

July 26, 2016 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee
Absent: 1 - Mar

August 02, 2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 150792

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 8/2/2016 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

8/11/16
Date Approved

RECEIVED
2016 AUG 19 P 12:34
CALIFORNIA BUILDING STANDARDS COMMISSION

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

150792 **[Fire Code - Disclosure of Fire Safety Information]**

Sponsors: Tang; Mar, Campos and Breed

Ordinance amending the San Francisco Fire Code to require building owners and homeowners' associations to provide fire safety information to residents in buildings with three or more dwelling units, and annual fire safety information and training to residents in buildings with 16 or more units; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the Ordinance to appropriate State officials.

7/26/2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee

Absent: 1 - Mar

7/26/2016 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee

Absent: 1 - Mar

8/2/2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

8/11/2016 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

RECEIVED
2016 AUG 19 P 12:34
CALIFORNIA BUILDING STANDARDS COMMISSION

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

August 15, 2016
Date

Peggy Nevin
for Angela Calvillo
Clerk of the Board

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

August 17, 2016

SENT CERTIFIED MAIL (Return Receipt Requested)

RECEIVED
2016 AUG 19 P 12:33
CALIFORNIA BUILDING STANDARDS COMMISSION

California Building Standards Commission
State of California
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

SUBJECT: Transmittal of San Francisco Fire Safety Requirements for Existing Buildings

To Whom It May Concern:

Pursuant to California Health & Safety Code, Section 17958.7, enclosed please find a certified copy of the following legislation, which was finally passed by the Board of Supervisors of the City and County of San Francisco, and approved by the Mayor, on the dates specified below:

1. **Ordinance No. 165-16 (File No. 160422)** - Ordinance amending the Fire Code and the Housing Code to require building owners provide residential tenants with an annual written notice of smoke alarm requirements and require owners of buildings with three or more dwelling units file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021, or upon completion of $50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire, require re-inspection(s) of the premises by the Department of Building Inspection after a fire that has resulted in the displacement of residential occupants, and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing $50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

   (Board of Supervisors - Finally Passed 8/2/2016) (Mayor - Approved 8/11/2016)

If you have any questions or require additional information, please call Erica Major at (415) 554-4441 or email Erica.Major@sfgov.org.

Sincerely,
Peggy Nevin
for Angela Calvillo
Clerk of the Board

AMENDED IN BOARD
07/26/16

FILE NO. 160422 ORDINANCE NO. 165-16

[Fire, Housing, Building Codes - Fire Safety Requirements for Existing Buildings]

Ordinance amending the Fire Code and the Housing Code to require building owners provide residential tenants with an annual written notice of smoke alarm requirements and require ~~building~~ owners of buildings with three or more dwelling units file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021 or upon completion of $50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire, require re-inspection(s) of the premises by the Department of Building Inspection after a fire that has resulted in the displacement of residential occupants, and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing $50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 160422 and is incorporated herein by reference. The Board affirms this determination.

(b) On May 18, 2016, the Building Inspection Commission considered this ordinance at a duly noticed public hearing pursuant to Charter Section D3.750.5.

(c) On June 9, 2016, the Fire Commission considered this ordinance at a duly noticed public hearing.

Section 2. Findings under California Health and Safety Code. The Board of Supervisors hereby finds that the following local conditions apply to the amendments to the Fire, Building, and Housing Codes enacted by this ordinance:

(1) The City and County of San Francisco is unique among California communities with respect to the possible causes and effects of fires, including fires in residential multi-unit buildings. Among other things, San Francisco is located on an active seismic zone; certain buildings in San Francisco are at an increased risk for earthquake-induced failure and consequent fire because of local hazardous microzones, slide areas, and local liquefaction hazards; enhanced fire, structural, and other protections are required due to high building density and high occupancy in many buildings.

(2) San Francisco has narrow and crowded sidewalks due to building and population density and unusual topography; and San Francisco has numerous high-rise buildings, including residential buildings with large numbers of people living therein. For these reasons, fires in San Francisco can be especially devastating, and the need for extra

measures to prepare for and cope with fires is especially pressing, particularly regarding people who live in multi-unit residential buildings, and who may face fire dangers any day of the week and any hour of the day or night.

(3) California Health and Safety Code Sections 17958 and 17958.5 allow the City to make changes or modifications in the requirements contained in the provisions published by the California Building Standards Commission, including the California Fire Code, when those changes or modifications are reasonably necessary because of local climatic, geological, or topographical conditions. California Health and Safety Code Section 17958.7 provides that before making any such changes or modifications, the governing body must make express findings that such changes or modifications are reasonably necessary because of the specified local conditions, and those findings shall be filed with the California Building Standards Commission.

(4) Pursuant to the applicable California Health and Safety Code sections, the Board of Supervisors finds and determines that the conditions described above constitute a general summary of the most significant local conditions giving rise to the need for variance from the California Fire and Building Codes and any other applicable provisions published by the California Building Standards Commission. Further, the Board of Supervisors finds and determines that the proposed variances are reasonably necessary based on these local conditions, and that these conditions justify more restrictive standards applicable to the provision of fire safety information to persons living in multi-unit residential buildings in San Francisco.

Section 3. The Fire Code is hereby amended by adding Sections 907.2.11.6 and 1103.7.6.1, and revising Section 907.8.5, to read as follows:

907.2.11.6. [For SF] Smoke Alarm Information Disclosure.

*(a) **Annual Smoke Alarm Information Notice.** On or before January 31, 2017, and on or before January 31 of each year thereafter, owners of a dwelling unit intended for human occupancy in which one or more units is rented or leased shall provide each tenant with a written notice regarding smoke alarm requirements on a form provided by the Fire Department. The Fire Department shall develop the notice in consultation with the Department of Building Inspection and shall make the notice available on its website in English, Spanish, and Chinese. The Fire Department shall update the notice as necessary from time to time to reflect changes in the law, and the owner shall provide the most recent notice to tenants. The notice shall include, but not be limited to, the following information:*

(1) information regarding the importance of maintaining smoke alarms in working condition for life safety;

(2) a brief summary of legal requirements for smoke alarms in dwelling units;

(3) a statement that the landlord is obligated to provide operable smoke alarms in good working condition in the dwelling unit in accordance with the Housing Code and Fire Code and the landlord must promptly repair or replace inoperable smoke alarms upon request; and

*(4) attached as a separate appendix to the notice, a list, to be prepared by the Rent Board, of tenants' rights organizations that provide counseling to tenants on issues related to fires, **and** contact information for those organizations.*

*(b) **Posting Requirement.** For all Apartment Houses as defined in the Housing Code, the building owner shall post the notice referenced in subsection (a) in at least one conspicuous location in a common area of each floor of the building.*

* * * *

907.8.5. [For SF] Maintenance, Inspection, and Testing.

*(a) **Testing, Inspection and Filing Requirements.*** The building owner is responsible to maintain the fire and life safety systems in an operable condition at all times. *The building owner must have the system(s) tested and inspected every year by* ~~S~~*s*ervice personnel ~~*shall*~~ *who* meet

the qualification requirements of NFPA 72, *as amended from time to time,* for maintaining, inspecting, and testing of the systems.

(1) **Filing Statement of Compliance.** *With regard to fire alarm systems* in Apartment Houses, as defined in the Housing Code, *the building owner shall file a Statement of Compliance with this annual testing and inspection requirement with the* Fire *Department* ~~of Building Inspection~~, *on a form provided by the* Fire *Department* ~~of Building Inspection~~, *in accordance with the following schedule: (*~~1~~A*) for buildings with nine or more units, on or before January* 31*, 2017, and thereafter on or before January* 31 *of each odd-numbered year, and (*~~2~~B*) for buildings with less than nine units, on or before January* 31*, 2018, and thereafter on or before January* 31 *of each even-numbered year. The* ~~Department of Building Inspection~~ Fire Department *shall consult with the* Department of Building Inspection ~~Fire Department~~ *in developing the Statement of Compliance form. The* Fire *Department* ~~*of Building Inspection*~~ *shall post all Statements of Compliance it receives on a City website maintained by the* Fire *Department* ~~of Building Inspection~~ *no later than 60 days from* January 31 each year~~the date of receipt of the Statement of Compliance as provided in subsection (c) of Section 908 of the Housing Code~~.

(2) **Posting Statement of Compliance in Common Area.** In addition to filing the Statement of Compliance, the building owner shall post a copy of the most recently filed Statement of Compliance in at least one conspicuous location in a common area of each floor of the building or, if no such common area(s) exist, the building owner shall provide a copy to each residential tenant in the building. The building owner shall comply with this requirement no later than 60 days from the date of filing of the Statement of Compliance.

(3) **Enforcement.** *For purposes of enforcement of this subsection (a), the* Fire *Department* ~~of Building Inspection~~ *shall be responsible only for posting the Statement of Compliance forms on the City website, and the Fire Department and/or the Department of Building Inspection shall respond to any complaint received by the respective department pertaining to compliance with this*

subsection in the case of the Fire Department, or compliance with Section 908 of the Housing Code in the case of the Department of Building Inspection. *The Departments may also enforce* ~~this subsection~~ these requirements *pursuant to periodic health and safety inspections required by code.*

*(b) **Recordkeeping.** The building owner shall maintain* ~~W~~*w*ritten records of inspection and testing, as specified in NFPA 72, *as amended from time to time,* ~~*shall be provided to the fire code official upon request. Records shall be maintained*~~ until the next test and for ~~1~~*one* year thereafter.

*(c) **Sticker.** The building owner shall place, or shall cause* ~~S~~*s*ervice personnel ~~*shall to*~~ place, a sticker on the exterior of the fire alarm control panel cover that includes the company name, phone number, and the date of the last inspection or testing.

* * * *

1103.7.6.1. [For SF] Sleeping Area Requirements.

For all buildings that are required to have a fire alarm system under this Code, the Building Code, the Housing Code or any other law, the building owner shall upgrade the fire alarm system, if necessary, to comply with the sound level requirement for sleeping areas set forth in Section 18.4.5.1 of NFPA 72 (2013 edition)~~, as amended from time to time~~, *upon either (a) completion of work under a building permit with a cost of construction of $50,000 or more or (b) July 1, 2021, whichever occurs first.*

Section 4. The Building Code is hereby amended by adding Sections 106A.1.14 (including Sections 106A.1.14.1, 106A.1.14.2, 106A.1.14.3, ~~and~~ 106A.1.14.4, and 106A.1.14.5), 3401.8.2, and 3401.8.3, to read as follows:

106A.1.14. Damaged apartment houses where residential occupants have been displaced; preliminary information and Action Plan required. *Whenever an Apartment House, as defined in the Housing Code, has been damaged by fire or other emergency that results in the displacement of*

residential occupants, the property owner shall submit to the Department's Building Inspection Division, with a copy to the Housing Inspection Division, the following information and an Action Plan within the timeframe specified. The Department shall include a statement in all applicable Notices of Violation issued pursuant to this Section that allowing the residential occupants to retrieve their personal property in a safe manner through a visit supervised by the property owner's engineer, general contractor, or other industry professional for a short duration is not in conflict with the issued Notice of Violation.

106A.1.14.1. Information submittal. *Within 72 hours of the posting of a Notice of Violation on the subject site, the property owner shall provide the following information in writing:*

(a) a description of the steps taken and the methods used to stabilize and secure the subject building and premises, including but not limited to the following, as appropriate: (1) fencing the building perimeter, (2) securely barricading all windows, openings, and other points of entry to the building from the outside, (3) assessing the property at least weekly to ensure that no unauthorized entry is occurring and that any fencing and barricades are secure and remain in place, and (4) providing 24-hour security;

(b) if the City has determined that the subject building, or portions thereof, is unsafe for occupancy, a description of the steps taken and the methods used to either secure the personal property of the residential occupants or allow them to retrieve their personal property, including but not limited to the following: (1) fencing the building perimeter, barricading all points of entry, or taking the other steps listed in Section 106A.1.14.1(a) above, and (2) obtaining the recommendations of a structural engineer or other appropriate consultant for allowing the residential occupants access to the building or undamaged portions thereof for the purpose of obtaining their personal belongings; and

(c) the name and contact information of the owner or an agent of the owner who is able to respond to questions and concerns from the residential occupants and others.

*106A.1.14.2. **Action Plan submittal.** Within 30 days from release of the scene by the Fire Department and other emergency responders, the property owner shall submit an Action Plan in the form required by the Department that contains the following elements:*

(a) a description of the steps taken and the methods used to stabilize and secure the subject building and premises, including supporting documentation by a structural engineer or other industry professional as specified in the Notice of Violation, including but not limited to the following, as appropriate: (1) fencing the building perimeter, (2) securely barricading all windows, openings, and other points of entry to the building from the outside, (3) assessing the property at least weekly to ensure that no unauthorized entry is occurring and that any fencing and barricades are secure and remain in place, and (4) providing 24-hour security;

(b) a summary of the extent of fire or water damage to the building, describing with specificity the damage to individual dwelling units that were occupied prior to the damage by fire or other emergency;

(c) a description of the repairs necessary to bring the building into compliance with any Notices of Violation issued by the Department of Building Inspection, Fire Department, or Health Department;

(d) a general schedule and description of the permits that will be filed to comply with (3) above;

(e) the contact information of the individuals who will perform the work under (3) above, which information shall be updated as necessary and kept current;

(f) an estimated date (month and year) when the displaced residential occupants can reoccupy the building. The estimated date shall be within a time reasonably necessary to accomplish the required repairs;

(g) proof that the owner has complied with the notice requirements of Section 106A.1.14.3; and

(h) information about prior complaints, notices of violation, and the status of their abatement or compliance with code requirements.

106A.1.14.3. Updating information. *Within 90 days from the submission of the Action Plan to the Department required by Section 106A.1.14.2, and every 90 days thereafter, the property owner shall provide to the Department any new or corrected information concerning items (a) through (h) in Section 106A.1.14.2 above, including but not limited to any change to the estimated date by which the displaced residential occupants can reoccupy the building.*

106A.1.14.4. Notice of filing of Action Plan. *Within 72 hours of the filing of the required Action Plan with the Department, the property owner shall (a) post a notice of the filing in a prominent location at the building site and (b) mail or personally deliver a notice of the filing to each displaced residential occupant at their last known location.*

106A.1.14.5. Re-inspection of the premises. Following a fire that has resulted in the displacement of residential occupants, the Department shall re-inspect the premises at least every 90 days until the property owner has responded to and abated all pending Notices of Violation. If the property owner does not give the Department access to the premises necessary to conduct such re-inspection(s), the Department shall request assistance from the City Attorney to gain access to the premises or take such other action as the City Attorney deems appropriate.

3401.8.2. Fire alarm systems. *For all buildings that are required to have a fire alarm system under this Code, the Fire Code, the Housing Code or any other law, the building owner shall upgrade the fire alarm system, if necessary, to comply with the sound level requirement for sleeping areas set forth in Section 18.4.5.1 of NFPA 72* (2013 edition)~~, as amended from time to time~~, *upon either (a) completion of work under a building permit with a cost of construction of $50,000 or more, or (b) July 1, 2021, whichever occurs first.*

3401.8.3. Open, accessible attics. When performing additions, alterations, or repairs in Group R occupancies of six units or more under a building permit with a cost of construction of $50,000 or more, fire blocks, draftstops, or fire safing insulation (approved noncombustible material used as a fire barrier) shall be installed in open attics of 30 inches in height or greater that are accessible from other than an occupied residential unit.

Exception. This requirement shall not apply to mandatory seismic strengthening alterations being performed pursuant to Chapter 34B of this Code.

Section 5. The Housing Code is hereby amended by revising Sections 908 and 911 to read as follows:

SEC. 908. MAINTENANCE AND REPAIR.

All safety *systems,* devices, or equipment provided for in this ~~c~~Chapter *9 or in the Fire Code* shall be maintained in good repair at all times.

*(a) **Fire escapes.*** Fire escapes shall be kept clear and unobstructed and be readily accessible at all times. Upon inspection, the property owner, or authorized agent, shall demonstrate to the Director or designated personnel, that all existing fire escapes are fully operational and properly maintained. Upon completion of the inspection, all existing fire escapes shall be secured. and maintained free of obstruction ~~secured~~ pursuant to Section 1030.2 ~~1110.3.1.~~ of the ~~*San Francisco*~~ Fire Code and in compliance with any successor provisions in the Fire Code pertaining to the operation and/or maintenance of fire escapes.

*(b) **Fire and life safety systems.** The building owner shall maintain the fire and life safety systems required by this Code, the Building Code, or the Fire Code in an operable condition at all times. The building owner must meet the requirements of Section 907.8.5 of the Fire Code and have the system tested and inspected every year by service personnel that meet the qualification requirements of*

NFPA 72 for maintaining, inspecting, and testing of the systems. The building owner shall maintain written records of inspection and testing, as specified in NFPA 72, until the next test and for one year thereafter.

*(c) **Annual statement of compliance with the testing and inspection requirement.** With regard to fire alarm systems* in Apartment Houses, as defined in this Code, *the building owner shall file a Statement of Compliance with this annual testing and inspection requirement with the* Fire *Department ~~of Building Inspection~~, on a form provided by the* Fire *Department ~~of Building Inspection~~, in accordance with the following schedule: (1) for buildings with nine or more units, on or before January 31, 2017, and thereafter on or before January 31 of each odd-numbered year, and (2) for buildings with less than nine units, on or before January 31, 2018, and thereafter on or before January 31 of each even-numbered year. The* Fire Department ~~Department of Building Inspection~~ *shall consult with the* Department of Building Inspection ~~Fire Department~~ *in developing the Statement of Compliance form.* ~~The Department of Building Inspection shall post all Statements of Compliance it receives on a City website maintained by the Department of Building Inspection no later than 60 days from the date of receipt of the Statement of Compliance~~. *For purposes of enforcement of this subsection (c),* ~~the Department of Building Inspection shall be responsible only for posting the Statement of Compliance forms on the City website, and~~ *the Fire Department and/or the Department of Building Inspection shall respond to any complaint received by the respective department pertaining to compliance with this subsection* in the case of the Department of Building Inspection, or compliance with Section 907.8.5 of the Fire Code in the case of the Fire Department. *The Departments may also enforce* ~~this subsection~~ these requirements *pursuant to periodic health and safety inspections required by code.*

(d) The building owner shall place, or shall cause service personnel to place, a sticker on the exterior of the *fire alarm control panel cover that includes the company name, phone number, and the date of the last inspection or testing.*

* * * *

SEC. 911. SINGLE-STATION SMOKE DETECTOR WITH ALARM REQUIRED.

* * * *

*(d) **Smoke Detector Information Disclosure.***

*(1) **Annual Smoke Detector Information Notice.** On or before January 31, 2017, and on or before January 31 of each year thereafter, owners of a dwelling unit intended for human occupancy in which one or more units is rented or leased shall provide each tenant with a written notice regarding smoke alarm requirements on a form provided by the Fire Department as described in Section 907.2.11.6 of the Fire Code.*

*(2) **Posting Requirement.** For all Apartment Houses as defined in this Code, the building owner shall post the notice referenced in subsection (d)(1) in at least one conspicuous location in a common area of each floor of the building.*

Section 6. Effective and Operative Dates.

(a) Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

(b) Operative Date. Pursuant to Section 17958.7 of the California Health and Safety Code, this ordinance is not operative until the Clerk of the Board has filed it with the California Building Standards Commission, as directed in Section 9.

Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

Section 8. Undertaking for the General Welfare. In enacting and implementing this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

Section 9. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed to forward a copy of this ordinance to the California Building Standards Commission upon final passage as required by State law.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Francesca Gessner
FRANCESCA GESSNER
Deputy City Attorney

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2016 AUG 19 P 12:34
CALIFORNIA BUILDING STANDARDS COMMISSION

File Number: 160422 **Date Passed:** August 02, 2016

Ordinance amending the Fire Code and the Housing Code to require building owners provide residential tenants with an annual written notice of smoke alarm requirements and require owners of buildings with three or more dwelling units file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021, or upon completion of $50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire, require re-inspection(s) of the premises by the Department of Building Inspection after a fire that has resulted in the displacement of residential occupants, and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing $50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

July 21, 2016 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

July 21, 2016 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

July 26, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee
Absent: 1 - Mar

July 26, 2016 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee
Absent: 1 - Mar

August 02, 2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160422

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 8/2/2016 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

8/11/16
Date Approved

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CALIFORNIA BUILDING STANDARDS COMMISSION

City and County of San Francisco

Certified Copy

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

160422 **[Fire, Housing, Building Codes - Fire Safety Requirements for Existing Buildings]**

Sponsors: Campos; Kim, Yee, Tang, Breed, Wiener, Peskin, Cohen and Mar

Ordinance amending the Fire Code and the Housing Code to require building owners provide residential tenants with an annual written notice of smoke alarm requirements and require owners of buildings with three or more dwelling units file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021, or upon completion of $50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire, require re-inspection(s) of the premises by the Department of Building Inspection after a fire that has resulted in the displacement of residential occupants, and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing $50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

7/26/2016 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee

Absent: 1 - Mar

7/26/2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Peskin, Tang, Wiener and Yee

Absent: 1 - Mar

8/2/2016 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

8/11/2016 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Ordinance is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the offical seal of the City and County of San Francisco.

August 15, 2016
Date

Peggy Nevin
for Angela Calvillo
Clerk of the Board

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