

BOARD of SUPERVISORS



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June 8, 2015

File No. 150569

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On June 1, 2015, Mayor Lee introduced the following legislation:

File No. 150569

Ordinance amending the Fire Code to increase the fees for certain Fire Department services; and making environmental findings.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Victor Young".

By: Victor Young, Assistant Clerk

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

Statutory Exemption pursuant to CEQA Guidelines
Section 15273 Rates, Tolls, Fares, and Charges.

1 [Fire Code - Fire Department Fines and Fees]

2
3 **Ordinance amending the Fire Code to increase the fees for certain Fire Department**
4 **services and making environmental findings.**

5
6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.
8 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
9 **Board amendment additions** are in double-underlined Arial font.
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.
11 **Asterisks (* * * *)** indicate the omission of unchanged Code
12 subsections or parts of tables.

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

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

19 Section 2. The Fire Code is hereby amended by revising Chapter 1, Section 113.2,
20 113.4, 113.5, 113.6, 113.7, 113.8, 113.9, and 113.12 to read as follows:

21 **113.2 [For SF] Operational Permit Filing Fees.** The filing fee for operational permits
22 is set forth in Table 113-A. Inspections necessary for permit issuance that require more than
23 two hours to complete shall be subject to an additional fee of ~~\$115.00~~\$120 for each hour. The
24 Fire Department shall not issue a permit until the fees are paid.
25

1 **113.4 [For SF] Plan Review Fees.** Upon application for a permit for the erection of a
2 new building or for alteration work for which plans are required by the Department of Building
3 Inspection, the Central permit Bureau shall charge and collect a fee to compensate the Fire
4 Department for its costs of reviewing plans submitted with building permit applications for
5 compliance with fire safety regulations. The fee shall be based on the valuation of the work
6 as determined by the Department of Building Inspection. The fee for each permit is set in
7 Table 113-B. The Fire Department shall assess a fee in the amount of ~~\$115.00~~\$120 per hour
8 to review revisions to any previously approved plans. The Central Permit Bureau shall collect
9 the fees before issuing the permit.

10 **113.5 [For SF] Field inspection fees.** When the Fire Department determines a field
11 inspection is required to verify that building construction is in compliance with fire safety
12 regulations and this code, it shall notate the application accordingly to provide notice to the
13 Central Permit Bureau. The Central Permit Bureau shall collect the inspection fee due, before
14 issuing a building permit. The fee for each permit is set in Table 113-C. Initial field inspection
15 fees will be charged for inspections of new fire alarm, sprinkler, and gaseous suppression
16 systems per the notation in Table 113-C.

17 After building permit issuance, when the fire code official notifies the applicant that
18 additional inspection time is required over the amount of time set in Table 113-C, the applicant
19 shall purchase additional inspection time before the inspector schedules additional
20 inspections. The Fire Department shall collect a fee of ~~\$115.00~~\$120 per hour for the cost of
21 providing the inspection service.

22 **113.6 [For SF] Pre-application plan review.** When an applicant wishes to discuss
23 specific design issues or submit preliminary designs for review and comment by the Fire
24 Department before the applicant submits a formal application for permit, the Fire Department
25 shall assess a fee of ~~\$230.00~~\$240. This fee provides the applicant with up to two hours for

1 research and meeting with Fire Department personnel. When the time spent by the Fire
2 Department exceeds two hours, the Department shall assess additional fees at the rate of
3 ~~\$115.00~~\$120 per hour.

4 **113.7 [For SF] Re-inspection of violation fees.** If the fire code official issues a notice
5 of violation under this code, the notice of violation may set a period of time that is reasonable
6 to remedy the violation and the fire code official may re-inspect the property to verify that the
7 person responsible has made the required correction. The Fire Department shall collect a fee
8 in the amount of ~~\$230.00~~\$240 for re-inspections. If the time required for the re-inspection
9 exceeds one hour, the Fire Department shall assess an additional fee at the rate of
10 ~~\$115.00~~\$120 per hour.

11 **113.8 [For SF] High-Rise Inspection Fees.** For inspections of high-rise structures
12 pursuant to Section 13217 of the California Health and Safety Code, the owner of the
13 structure shall pay a fee to cover the Fire Department's costs of inspection. The Department
14 shall calculate the fee on the basis of ~~\$12.00~~\$12.50 per 1000 square feet of gross floor area.

15 **113.9 [For SF] Referral fees.** If a government agency requests a preliminary site
16 inspection or survey of a premise for compliance with this code or other regulatory codes
17 enforced by the Fire Department, the Fire Department shall collect a service fee of
18 ~~\$115.00~~\$120 per hour for the on-site inspections and consultations. When the referral
19 inspection is requested by another San Francisco agency, the requesting agency shall
20 transfer the fee to the Fire Department through electronic transfer. The requesting agency
21 shall pay the fee before scheduling the inspection or consultation. Fees referenced in the
22 California Health and Safety Code take precedence over this fee.

23 **113.12 [For SF] Water flow request fee.** Upon a request from a person for water flow
24 information, the Department will charge a water flow fee of ~~\$115.00~~\$120. If the information
25

1 requested requires that Fire Department employees perform an on-site water flow test, the
2 Department will charge a fee of ~~\$230.00~~\$240.

3
4 Section 3. The Fire Code is hereby amended by amending Chapter 1, Section 113.21,
5 Table 113-A, Table 113-B and Table 113-C to read as follows:

6 **113.21 [For SF] Fee-setting procedure.**

7 (a) No later than a date that the Controller shall prescribe, the Chief of the Department
8 shall annually report the revenues received from each type of fee the Department collects.
9 The report shall include the costs, both direct and indirect, the Department incurs in providing
10 the services for which each fee is assessed, the anticipated costs for the ensuing fiscal year,
11 the level of service the Department anticipates it will provide for each service for which it
12 charges a fee, and the rate that would be necessary to support each service. The Controller
13 shall file the report with the Board of Supervisors no later than July 1st of each year. If the
14 fees are insufficient to recover SFFD costs, or if the fee recovers more than the actual costs,
15 the Controller shall submit legislation to the Board of Supervisors to ensure that over time the
16 City fees do not exceed the cost of providing the service for which the City charges the fee.
17 The amount of the license fee for the Fire Department permit for the ~~2011-2012~~2015-2016 fiscal
18 year shall be as set forth in the Business and Tax Regulations Code Section 75 et seq.

19
20 TABLE 113-A—OPERATIONAL PERMIT FEES

21 TYPE OF PERMIT	FEE
22 Aerosol Products, Regulated Activities	\$330.00 <u>\$345</u>
23 Amusement Buildings, Operations	\$330.00 <u>\$345</u>
24 Aviation Facilities, Regulated Activities	\$330.00 <u>\$345</u>
25 Aviation Facilities, Aircraft Refueling Vehicle	\$330.00 <u>\$345</u>

1	Battery System, Operation	\$330.00 <u>\$345</u>
2	Carnivals and Fairs, Operation	\$330.00 <u>\$345</u>
3	Cellulose Nitrate Film, Regulated Activities	\$330.00 <u>\$345</u>
4	Combustible Dust-Producing Operations	\$330.00 <u>\$345</u>
5	Combustible Fiber, Regulated Activities	\$330.00 <u>\$345</u>
6	Combustible Material, Regulated Activities	\$330.00 <u>\$345</u>
7	Compressed Gas, Regulated Activities	\$330.00 <u>\$345</u>
8	Conditional use	\$90.00 <u>\$95</u>
9	Covered Mall Buildings, Operation	\$330.00 <u>\$345</u>
10	Cryogenic Fluids, Regulated Activities	\$330.00 <u>\$345</u>
11	Dry Cleaning Plant, Operation	\$330.00 <u>\$345</u>
12	Exhibits and Trade Shows, Operation	\$330.00 <u>\$345</u>
13	Explosives, Regulated Activities	\$330.00 <u>\$345</u>
14	Fireworks, Display	\$330.00 <u>\$345</u>
15	Firefighter Air Systems, Maintenance	\$330.00 <u>\$345</u>
16	Flammable and Combustible Finishes, Application	
17	of (Including Floor Finishes)	\$330.00 <u>\$345</u>
18	Flammable or Combustible Liquids, Regulated	
19	Activities	\$330.00 <u>\$345</u>
20	Fruit and Crop Ripening	\$330.00 <u>\$345</u>
21	Fumigation and Thermal Insecticidal Fogging	\$330.00 <u>\$345</u>
22	Hazardous Materials, Regulated Activities	\$330.00 <u>\$345</u>
23	Hazardous Production Materials (HPM) Facilities	\$330.00 <u>\$345</u>
24	High-Piled Storage	\$330.00 <u>\$345</u>
25	Hot Work Operations, Regulated Activities	\$330.00 <u>\$345</u>

1	Industrial Ovens	\$330.00 <u>\$345</u>
2	Liquefied Petroleum Gases, Regulated Activities	\$330.00 <u>\$345</u>
3	Live Audience, Production Facility, Studio,	
4	Sound Stage	\$330.00 <u>\$345</u>
5	Lumberyards and Woodworking Plants	\$330.00 <u>\$345</u>
6	Magnesium Processing	\$330.00 <u>\$345</u>
7	Open Burning	\$330.00 <u>\$345</u>
8	Open Flame and Candles in Assembly Areas	\$330.00 <u>\$345</u>
9	Organic Coating, Manufacturing	\$330.00 <u>\$345</u>
10	Place of Assembly	\$330.00 <u>\$345</u>
11	Place of Assembly-Permanent Occupancy	
12	for Non-Profit Group	\$0.00
13	Pyrotechnic Special Effects Material	\$330.00 <u>\$345</u>
14	Pyroxylin Plastics	\$330.00 <u>\$345</u>
15	Refrigeration Equipment	\$330.00 <u>\$345</u>
16	Repair Garages and Motor Fuel Dispensing Facilities	\$330.00 <u>\$345</u>
17	Rooftop Heliports	\$330.00 <u>\$345</u>
18	Temporary Membrane Structures and Tents	\$330.00 <u>\$345</u>
19	Tire Storage	\$330.00 <u>\$345</u>
20	Tire Rebuilding Plants	\$330.00 <u>\$345</u>
21	Waste Handling, Regulated Activities	\$330.00 <u>\$345</u>

TABLE 113-B—PLAN REVIEW FEES

TOTAL VALUATION	
\$1.00 TO \$2,000	\$65.46 <u>\$68.31</u> for the First \$1,000 or less plus

	\$64.472 <u>\$67.2730</u> for each additional \$1,000.00 or fraction thereof, to and including \$2,000.00
\$2,001 TO \$50,000	\$129.93 <u>\$135.58</u> for the First \$2,000 or less plus \$12.451 <u>\$12.992</u> for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001 TO \$200,000	\$727.56 <u>\$759.19</u> for the First \$50,000 or less plus \$4.996 <u>\$5.2137</u> for each additional \$1,000.00 or fraction thereof, to and including \$200,000.00
\$200,001 TO \$500,000	\$1,477.03 <u>\$1,541.25</u> for the First \$200,000 or less plus \$2.329 <u>\$2.4302</u> for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001 TO \$1,000,000	\$2,175.71 <u>\$2,270.31</u> for the First \$500,000 or less plus \$1.554 <u>\$1.6221</u> 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 <u>\$3,081.34</u> for the First \$1,000,000 or less plus \$1.1818 <u>\$1.2332</u> for each additional \$1,000.00 or fraction thereof, to and including \$5,000,000.00
\$5,000,001	\$7,680.20 <u>\$8,014.12</u> for the First \$5,000,000 or less plus \$0.596 <u>\$0.6219</u> for each additional \$1,000.00 or fraction thereof

NOTATION TO TABLE 113-B:

1 EVACUATION SIGNAGE: Plan review beyond thirty minutes will be assessed at an
 2 hourly rate of ~~\$115.00~~\$120 per hour.

3
 4 TABLE 113-C – FIELD INSPECTION FEES (See notation for additional fees)

Over	Not More Than	
\$0	\$10,000	\$115.00 <u>\$120</u> ONE HOUR
\$10,000	\$50,000	\$230.00 <u>\$240</u> TWO HOURS
\$50,000	\$500,000	\$345.00 <u>\$360</u> THREE HOURS
\$500,000	\$5,000,000	\$575.00 <u>\$600</u> FIVE HOURS
\$5,000,000	\$10,000,000	\$1150.00 <u>\$1,200</u> TEN HOURS
\$10,000,000	\$25,000,000	\$2300.00 <u>\$2,400</u> TWENTY HOURS
\$25,000,000		\$3450.00 <u>\$3,600</u> THIRTY HOURS

13
 14 NOTATION TO TABLE 113-C:

NEW FIRE ALARM SYSTEMS	\$230.00 <u>\$240</u> TWO HOURS
NEW SPRINKLER SYSTEMS	\$345.00 <u>\$360</u> THREE HOURS
NEW GASEOUS SUPPRESSION SYSTEMS	\$230.00 <u>\$240</u> TWO HOURS

15
 16
 17
 18
 19 This initial minimum inspection fee covers all inspections up to the hours specified
 20 above. If the inspections for the new system exceed the hours specified above, additional
 21 hourly fees will be assessed.

22 Section 4. Effective and Operative Dates. This ordinance shall become operative on
 23 its effective date or on July 1, 2015, whichever is later. This ordinance shall become effective
 24 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
 25

1 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
2 or the Board of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10
11
12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By:



15 Jana Clark
16 Deputy City Attorney

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