

1 [Building Code - Fees and Permit Extensions]

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3 **Ordinance amending the Building Code, Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and**
4 **106A.4.4, to address permit expirations and extensions and Tables 1A-A, 1A-G, 1A-J,**
5 **1A-K, and 1A-L, of Section 110A, to modify various fees; and making environmental**
6 **findings.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are ~~*strike-through italics Times New Roman*~~.
9 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. Findings.

12 (a) In Ordinance No. 122-08, a copy of which is in the Clerk of the Board of
13 Supervisors File No. 080719 and incorporated herein by reference, the Board enacted certain
14 fee adjustments and made other Building Code changes, including the fee for the Report of
15 Residential Records (3R). Some of these changes had been accidentally deleted through
16 adoption of Ordinance No. 276-10, copy of which is in the Clerk of the Board of Supervisors
17 File No. 100946 and incorporated herein by reference. This Ordinance re-instates some of
18 the changes that were deleted.

19 (b) On March 21, 2012 and September 19, 2012, the Building Inspection Commission
20 conducted duly noticed public hearings on the legislative amendments proposed in this
21 Ordinance.

22 (c) The Planning Department has determined that the actions contemplated in this
23 ordinance comply with the California Environmental Quality Act (California Public Resources
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
25 Supervisors in File No. 120959 and is incorporated herein by reference.

1 Section 2. The San Francisco Building Code is hereby amended by amending
2 Sections 106A.3.7, 106A.3.8.1, 106A.4.1, and 106A.4.4, to read as follows:

3 Section 106A.3.7 Application expiration. The Building Official may hold in abeyance or
4 reject any application, plans, or specifications filed which in the Building Official's opinion, do
5 not provide the necessary information in a clear and concise manner as required in Section
6 106A.3.3, and shall cancel such an application upon the expiration of the time period set forth
7 per Table A.

8 At the time the application has been deemed acceptable for building plan review by the
9 Department of Building Inspection, any corrections, additional information, plans or
10 documents that are necessary to complete the processing ~~by any of the enforcing agencies~~ by the
11 Department of Building Inspection shall be submitted and approved within the following time
12 limitations:

13 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	360 <u>720</u> calendar days

14 The time limitation shall apply until the application has been approved and permit is
15 issued. A one-time extension per Table A may be granted by the Building Official at any point
16 during the approval process, upon written request by the applicant and payment of fee.
17 Additional extensions may be granted by the Building Official prior to extension expiration
18 upon written request from the applicant and payment of fee. See Section 110A, Table 1A-J –
19 Miscellaneous Fees – for applicable fee. In the event an extension of time extends the life of
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1 an application beyond the effective date of the adoption of a new code, the Building Official
2 may require that all or part of the application be subject to the provisions of the new code and
3 payment of an additional plan review fee per Table 1A-A – Building Permit Fees. In the event
4 the application has not been approved and issued within ~~27~~ 60 days before the end of the
5 stated time period in Table A, the Department shall notify the applicant that the application will
6 be canceled in ~~27~~60 days unless the application is extended. An application which exceeds
7 the stated or extended time period after such notice shall be deemed canceled without further
8 action by the Department.

9 EXCEPTIONS:

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

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

18 3. The above time limits shall be suspended whenever an application is returned to the
19 Planning Department for review due to a design change that the Building Code(s) requires.

20 Section 106A.3.8 Disapproval of application. Any application that does not meet the
21 requirements of this code or any other laws, ordinances or regulations enforced by any
22 interested departments or agencies shall be disapproved by the Building Official or upon
23 request by the applicant. If such a request is not made by the applicant to disapprove an
24 application, the application shall be held in abeyance and then canceled as provided for in Section
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1 ~~106A.3.7~~ the Building Official shall notify the applicant that the application will be disapproved in 60
2 days and the application revoked.

3 Section 106A.3.8.1 Withdrawal of application. Applications filed for permits may be
4 withdrawn by the owner, provided that no part of the work proposed on the application has
5 been performed. All applicable fees must be paid before an application can be withdrawn.

6 Section 106A.4.1 Issuance. The application, plans, specifications, computations and
7 other data filed by an applicant for a permit shall be reviewed by the building official. Such
8 plans may/shall be reviewed by other departments of this jurisdiction to verify compliance with
9 any applicable laws under their jurisdiction. If the Building Official finds that the work
10 described in an application for a permit and the plans, specifications and other data filed
11 therewith conform to the requirements of this code and other pertinent laws and ordinances,
12 and that the fees specified in Section 107 have been paid, the building official shall issue a
13 permit therefor to the applicant.

14 When the building official issues the permit where plans are required, the building
15 official shall ~~endorse in writing or stamp~~ each page of the plans and the first page of the
16 specifications APPROVED. Such approved plans and specifications shall not be changed,
17 modified or altered without authorizations from the building official, and all work regulated by
18 this code shall be done in accordance with the approved plans.

19 The building official may issue a permit for the construction of part of a building or
20 structure before the entire plans and specifications for the whole building or structure have
21 been submitted or approved, provided adequate information and detailed statements have
22 been filed complying with all pertinent requirements of this code. The holder of a partial permit
23 shall proceed without assurance that the permit for the entire building or structure will be
24 granted.

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

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

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

9 2.1. Thirty days for Building Official- initiated code compliance permits.

10 2.2. One-hundred-eighty days for all other permits.

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

15 3.1. For all other permits, see Table B – Maximum Time Allowed to Complete
16 All Work Authorized by Building Permit. The maximum time allowed for Building Official-
17 initiated code compliance permits shall be 12 months for all permits exceeding \$25,000 total
18 valuation.

19 4. A demolition permit shall expire 180 days after issuance. Only one extension of
20 time of ~~90~~180 days shall be granted upon written request to the Building Official, accompanied
21 by payment of a fee. If there is a permit for a replacement structure, the demolition permit
22 shall expire concurrently with the permit for that replacement structure.

23 5. The Building Official may administratively authorize the processing of
24 applications involving compliance actions initiated by the Department, in a manner other than
25 set forth in this code, so as to effect said compliance most expeditiously; provided, however,

1 that due process is assured all applicants. In this regard, the Building Official may reduce the
 2 time periods set forth in this section as they apply to a second application and permit required
 3 by the Building Official to effect full compliance with this code and other applicable laws and
 4 regulations if by doing so code compliance would be more expeditiously accomplished.

5 EXCEPTION: In order to avoid repetitive filings and processing of applications to effect
 6 code compliance, the Building Official is hereby authorized to establish alternate procedures
 7 and extensions of time from cancellation pursuant to Section 106A.4.1 and from expiration
 8 pursuant to this section; provided, however, that the Building Official, in establishing alternate
 9 procedures and extension of time, shall proceed as expeditiously as possible toward
 10 abatement of the violations.

11 When a permit is issued but delayed due to actions before the Board of Appeals or
 12 other City agencies, or cases in any court of competent jurisdiction, or is under review by a
 13 State or regional regulatory body, the time allowable shall be computed from the date of the
 14 final action of the agency or court of jurisdiction.

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 16 TABLE B – MAXIMUM TIME ALLOWED TO COMPLETE ALL WORK AUTHORIZED
 17 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	360 <u>720</u> days
\$2,500,000 and above	1,440 days	360 <u>720</u> 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.

Section 3. The San Francisco Building Code is hereby amended by amending Tables 1A-A, 1A-G, 1A-J, 1A-K, and 1A-L of Section 110A, to read as follows:

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 to \$2,000.00	\$141.17 for the first \$500.00 plus \$5.83 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$60.50 for the first \$500.00 plus \$2.50 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$155.75 for the first \$500.00 plus \$3.15 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$66.75 for the first \$500.00 plus \$1.35 for each additional \$100.00 or fraction thereof, to and including \$2,000.00	\$180.00 for the 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	\$98.00 for the first \$2,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, to and including	\$203.00 for the first \$2,000.00 plus \$19.11 for each additional \$1,000.00 or fraction thereof, to and including	\$87.00 for the first \$2,000.00 plus \$8.19 for each additional \$1,000.00 or fraction thereof, to and including	\$240.00 for the first \$2,000.00 plus \$5.83 for each additional \$1,000.00 or fraction thereof, to and including

1		\$50,000.00	\$50,000.00	\$50,000.00	including \$50,000.00	\$50,000.00
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5	\$50,001.00	\$900.62 for the	\$386.00 for the	\$1,120.28 for	\$480.12 for	\$519.84 for the
6	to	first \$50,000.00	first \$50,000.00	the first	the first	first \$50,000.00
7	\$200,000.00	plus \$9.33 for each	plus \$4.00 for	\$50,000.00 plus	plus \$4.90 for	plus \$2.86 for
8		additional	each additional	\$11.43 for each	each	each additional
9		\$1000.00 or	\$1000.00 or	additional	additional	\$1000.00 or
10		fraction thereof, to	fraction thereof,	\$1000.00 or	\$1000.00 or	fraction thereof,
11		and including	to and including	fraction thereof,	fraction	to and including
12		\$200,000.00	\$200,000.00	to and including	thereof, to and	\$200,000.00
13				\$200,000.00	including	
14					\$200,000.00	
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19	\$200,001.00	\$2,300.12 for the	\$986.00 for the	\$2,834.78 for	\$1,215.12 for	<i>N/A Plans</i>
20	to	first \$200,000.00	first	the first	the first	<i>Required for</i>
21	\$500,000.00	plus \$6.53 for each	\$200,000.00	\$200,000.00	plus \$4.00 for	<i>Submittal</i>
22		additional	plus \$2.80 for	plus \$9.33 for	each	
23		\$1000.00 or	each additional	each additional	additional	
24		fraction thereof, to	\$1000.00 or	\$1000.00 or	\$1000.00 or	
25		and including	fraction thereof,	fraction thereof,	fraction	
26		\$500,000.00	to and	to and including	thereof, to and	
27			including	\$500,000.00	including	
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1 2 3 4 5	\$5,000,000.00	additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	plus \$2.20 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	plus \$5.83 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	plus \$2.50 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	<u>Submittal</u>
6 7 8 9 10	\$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	<u>N/A Plans Required for Submittal</u>

11 **NOTES:**

12 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.

13 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.

17 **TABLE 1A-G – INSPECTIONS, SURVEYS AND REPORTS**

18	1.	Standard Hourly Rate	See Table 1A-D
19	2.	Off-hours inspection	Standard Hourly Inspection Rate - Minimum Two Hours plus permit fee
20	3.	Pre-application inspection	Standard Hourly Inspection Rate - Minimum Two Hours
21	4.	Re-inspection fee	Standard Hourly Inspection Rate
22	5.	Report of residential records (3R)	\$100.00 <u>160.00</u>
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2	6.	Survey of nonresidential buildings: Standard Hourly Inspection Rate - Minimum Two Hours
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4	7.	Survey of residential buildings for any purpose or Condo Conversions:
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6		Single unit \$1,750.00
7		Two to four units \$2,300.00
8		Five + units \$2,300.00 plus Standard Hourly Inspection Rate
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10		Hotels:
11		Includes 10 guestrooms \$1,750.00
12		11 to 20 ± guestrooms \$2,300.00 plus \$42.50 per guestroom over 11
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14	8.	Temporary Certificate of Occupancy Standard Hourly Inspection Rate - Minimum Two Hours
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TABLE 1A-J – MISCELLANEOUS FEES

17	1.	Central Permit Bureau Processing Fee for Miscellaneous Permits from other disciplines	Standard Administration Hourly Rate - Minimum One-Half Hour
18			
19	2.	Building numbers (each entrance)	\$104.00 NEW ADDRESSES
20			\$210.00 CHANGE OF EXISTING ADDRESS <u>OR LOT NUMBER</u>
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22	3.	Extension of time: application cancellation and permit expiration:	
23			
24		Each application extension (in plan review)	\$160.00 plus 20% of All Plan Review Fees
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1	Each permit extension	\$160.00 plus 10% of All Permit Issuance Fees
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3	4. Product approvals:	
4	General approval - initial or reinstatement	Standard Hourly Plan Review Rate - Minimum Three Hours
5		
6	General approval - modification or revision	Standard Hourly Plan Review Rate - Minimum Three Hours
7		
8	General approval - biannual renewal	Standard Hourly Plan Review Rate - Minimum Three Hours
9		
10	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
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12		
13	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
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16	7. Vacant building - Initial and annual registration fee	Standard Inspection Hourly Rate - Minimum Four and One-Half Hours
17		

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

19	1. Abatement Appeals Board hearing, filing fee	\$170.00 per case
20	2. Board of Examiners filing fees:	
21		
22	Each appeal for variance from interpretation of code requirements	Standard Hourly Plan Review Rate - Minimum Two Hours
23		
24	Each appeal for approval of substitute materials or methods of construction	Standard Hourly Plan Review Rate - Minimum Four Hours
25	3. Building Official's abatement order ^s <i>hearing</i>	Standard Hourly Plan Review Rate -

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

TABLE 1A-L – PUBLIC INFORMATION

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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)	\$104.00 per annum <i>per each area</i>
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:	

1	Each page photocopy	\$0.10
2	35 mm duplicards from microfilm rolls film	\$3.50
3	(Diazo card)	
4	Microfilm hard <u>Hard</u> copy prints:	
5	8 1/2 inch by 11 inch copy (215.9 mm by 279.4 mm) copy from 16mm roll film <u>microfilm roll</u>	\$3.50 <u>0.10</u>
6		
7	24 inch by 18 inch (609.6 mm by 457.2 mm) copy from 35 mm roll film	\$5.00
8		
9	Half sized" copy from 35 mm roll film	\$6.00
10	8 1/2 inch by 11 inch copy (215.9 mm by 279.4 mm) copy from 16mm frame in aperture card or microfiche jacket	\$3.00
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12	Minimum microfilm reproduction charge	\$6.50
13	11 inch by 17 inch copy of plans	\$0.10
14	8 1/2 inch by 11 inch copy from aperture cards or from electronic copies of building records (scanned or computer generated)	\$0.10
15		
16	5. Replacement of approved construction documents:	
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18	Each sheet of plans (<u>Larger than 11 x 17</u>)	\$5.25 <u>ACTUAL COST CHARGED BY VENDOR</u>
19	Each 50 pages of specifications or fraction thereof	\$15.00
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21	6. Records Retention Fee	
22	Each page of plans (per page of plans)	\$3.00
23	<u>Each page of supporting documentation (e.g., soil reports, structural calculations, acoustical reports, energy calculations, etc.) per page of documentation</u>	<u>\$0.10</u>
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1 Section 4. Effective Date. This ordinance shall become effective 30 days from the
2 date of passage.

3 Section 5. This section is uncodified. In enacting this Ordinance, the Board intends to
4 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
5 punctuation, charts, diagrams, or any other constituent part of the Building Code that are
6 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
7 Board amendment deletions in accordance with the "Note" that appears under the official title
8 of the legislation.

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

13 By: _____
14 John D. Malamut
15 Deputy City Attorney