

1 [Building Code - Registration of Vacant/Abandoned Buildings; Annual Fee and Penalties for
2 Violation.]

3
4 **Ordinance amending the San Francisco Building Code by adding Section 103A.4 to**
5 **require the owner of a vacant or abandoned building to register the building with the**
6 **Department of Building Inspection, require the owner to maintain the grounds and the**
7 **exterior and interior of the building in good condition, and provide that a property in**
8 **violation of the requirements is a public nuisance; and by amending Section 110, Table**
9 **1A-J to establish an annual registration fee; adopting environmental and other**
10 **findings.**

11 NOTE: Additions are *single-underline italics Times New Roman*;
12 deletions are *strike-through italics Times New Roman*.
13 Board amendment additions are double-underlined;
Board amendment deletions are ~~strike through normal~~.

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

15 Section 1. Findings.

16 (a) Environmental Findings. The Planning Department has determined that the
17 actions contemplated in this Ordinance are in compliance with the California Environmental
18 Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is
19 on file with the Clerk of the Board of Supervisors in File No. _____ and is
20 incorporated herein by reference.

21 (b) General Findings.

22 (1) Abandoned or vacant buildings are a major cause and source of blight in both
23 residential and nonresidential neighborhoods, especially when the owner of the property fails
24 to actively maintain and manage it.

1 (2) Boarded buildings, substandard or unkempt properties, and long-term vacancies
2 discourage economic development, lower property values or retard their appreciation, and
3 constitute a public nuisance.

4 (3) Vacant properties are often overgrown with weeds and other vegetation, used
5 as a dumping ground for debris, toxic or other hazardous substances, and used drug needles.
6 Blighted vacant properties also attract vagrants, gang members, and other criminal elements
7 as prime locations to conduct their illegal activities.

8 (4) When the owner of a vacant or abandoned building allows the building to
9 deteriorate to such an extent that the building must be demolished, persons and neighboring
10 properties could be endangered. In these circumstances, the owner of the building can often
11 evade Planning Code notice and hearing procedures that would otherwise be required, and
12 the neighborhood and the City as a whole lose an important and sometimes historically
13 significant resource.

14 Section 2. The San Francisco Building Code is hereby amended by adding Section
15 103A.4, to read as follows:

16 103A.4. Vacant or Abandoned Buildings – Annual registration; registration fee.

17 Whenever the Building Official has probable cause to believe that a building is vacant or
18 abandoned, the Building Official shall serve the owner of record, as shown on the Assessor's Records,
19 or authorized agent with a written notice requiring the owner to register the building with the
20 Department as vacant or abandoned within the period of time specified in the notice. A registration fee
21 shall be paid at the time of registration and annually thereafter. See Section 110A, Table 1A-J for
22 applicable fee.

23 For purposes of this Section 103A.4, a building shall not be considered vacant if:
24
25

1 (1) There is a valid building permit for repair, rehabilitation, or construction of a building
2 on the parcel and the owner is progressing diligently to complete the repair, rehabilitation, or
3 construction;

4 (2) The building complies with all codes, does not contribute to blight, is ready for
5 occupancy, and is actively being offered for sale, lease, or rent.

6 103A.4.1 Sign posting. The owner of record of the vacant building is required to post a sign at
7 the front of the building, in a conspicuous location protected from the weather, that provides the
8 current name, address, and phone number of the owner of record or an authorized agent. If a notice of
9 default or foreclosure has been recorded for the property, the lender's name, address, and telephone
10 number must also be provided. The sign shall be no smaller than 8 1/2 inches by 11 inches.

11 104A.4.2 Maintenance of property - exterior. The property owner shall actively maintain and
12 monitor the exterior of the building and the grounds so that they remain in continuing compliance with
13 all applicable codes and regulations, and do not contribute to and are not likely to contribute to blight.
14 Active maintenance and monitoring shall include, but not be limited to:

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

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

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

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

21 104A.4.3 Maintenance of property – interior. The property owner shall preserve the interior of
22 the building from damage by the elements or plumbing leaks, and keep it free from accumulation of
23 garbage and other debris, and from infestation by rodents, insects, or other pests.

24 104A.4.4 Security. The building shall be secured against unauthorized entry. For the first
25 year, doors, windows, and other openings may be secured with plywood panels. After the first year,

1 plywood panels must be replaced with steel security panels or secured doors and windows, and the
2 property owner shall install a commercially-serviced, 24-hour burglar alarm system approved by the
3 Director.

4 104A.4.5 Insurance. The owner of record shall maintain fire and liability insurance coverage
5 in an amount that the Building Official, in consultation with the City's Risk Manager, determines is
6 sufficient to protect the property under standard insurance industry practices. Proof of insurance shall
7 be required at the time of the initial and annual registration with the Department, and the insurance
8 policy shall require notice to the Department in the event of cancellation of insurance or a reduction in
9 coverage.

10 104A.4.6 Violation a public nuisance; enforcement. A property in violation of the provisions of
11 this section is deemed to be a public nuisance and subject to enforcement by the Department and
12 penalties under Section 102A and 103A of this Code or under other applicable sections of the San
13 Francisco Municipal Code.

14 Section 3. The San Francisco Building Code is hereby amended by amending Section
15 110, Table 1A-J, to read as follows:

16 TABLE 1A-J – MISCELLANEOUS FEES

17	1. Central Permit Bureau Processing Fee for	Standard Administrative Hourly
18	Rate –	
19	Miscellaneous Permits from other disciplines	Minimum One-Half Hour
20	2. Building numbers (each entrance)	\$210.00
21	3. Extension of time: application cancellation and	
22	permit expiration:	
23	Each application extension (in plan review)	\$160.00 plus 20% of All Plan
24	Review	
25		Fees

