

File No. 260216

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date April 6, 2026

Board of Supervisors Meeting

Date _____

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OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date April 2, 2026

Completed by: _____

Date _____

1 [Administrative Code - Fire Code Technical Advisory Council]

2

3 **Ordinance amending the Administrative Code to establish the Fire Code Technical**
4 **Advisory Council to evaluate and advise the Board of Supervisors, the Mayor, and the**
5 **Fire Department, on the criteria and types of evidence the Fire Marshal should consider**
6 **in determining whether to waive, modify, or delay certain compliance requirements**
7 **under the Fire Code that certain existing high-rise residential buildings have sprinkler**
8 **systems; and to set forth the membership and duties of the Fire Code Technical**
9 **Advisory Council.**

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

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

18

19 Section 1. Chapter 5 of the Administrative Code is hereby amended by adding Article
20 XLII, consisting of Sections 5.42-1 through 5.42-8, to read as follows:

21

ARTICLE XLII:

22

FIRE CODE TECHNICAL ADVISORY COUNCIL

23

SECTION 5.42-1. CREATION OF THE FIRE CODE TECHNICAL ADVISORY

24

COUNCIL.

25

*The Board of Supervisors hereby establishes the Fire Code Technical Advisory Council (the
“Council”) of the City and County of San Francisco.*

1 **SEC. 5.42-2. PURPOSE.**

2 San Francisco Fire Code Section 1103.5.4, requires certain existing high-rise residential
3 buildings to install an automatic sprinkler system by January 1, 2035. The purpose of the Council is to
4 evaluate, further define, and advise the Board of Supervisors, Mayor, and the Fire Department, on the
5 criteria and types of evidence the Fire Marshal shall consider in determining whether to approve
6 alternate methods and materials, waive specific individual requirements, and grant necessary
7 extensions of time, as permitted in Section 1103.5.4. The Board of Supervisors may adopt legislation to
8 implement the recommendations of the Council as necessary.

9
10 **SEC. 5.42-3. MEMBERSHIP.**

11 (a) The Council shall consist of 11 voting members. Seats 1 through 6 shall be appointed by
12 the Board of Supervisors.

13 (1) Seat 1 shall be held by a property owner or building manager of a building subject
14 to the requirements of Section 1103.5.4 of the San Francisco Fire Code.

15 (2) Seat 2 shall be held by a non-owner tenant of a building affected by Section
16 1103.5.4.

17 (3) Seat 3 shall be held by a duly authorized homeowners' association representative of
18 a building subject to the requirements of Section 1103.5.4.

19 (4) Seat 4 shall be held by a person who holds an active C-16 fire protection contractor
20 license issued by the California Contractors State License Board (CA-CSLB), as defined in California
21 Code of Regulations, Title 16, Division 8, Article 3.

22 (5) Seat 5 shall be held by a construction professional with experience in either general
23 labor or a skilled trade.

1 (6) Seat 6 shall be held by a professional architect who holds an active license issued by
2 the California Architects Board or a professional structural engineer who holds an active license
3 issued by the California Board for Professional Engineers, Land Surveyors, and Geologists.

4 (7) Seat 7 shall be held by an employee of the Controller's Office appointed by the
5 Controller.

6 (8) Seat 8 shall be held by an employee of the Fire Department appointed by the Fire
7 Chief.

8 (9) Seat 9 shall be held by an employee of the Department of Building Inspection,
9 appointed by the Director of the Department of Building Inspection.

10 (10) Seat 10 shall be held by an employee of the Public Utilities Commission, appointed
11 by the General Manager of the Public Utilities Commission.

12 (11) Seat 11 shall be held by a member of the Board of Supervisors appointed by the
13 President of the Board of Supervisors; the appointed Supervisor may designate a legislative assistant to
14 serve in the Supervisor's seat.

15
16 **SEC. 5.42-4. ORGANIZATION AND TERMS OF OFFICE.**

17 (a) Members of the Council shall serve at the pleasure of their appointing authority and may be
18 removed by their appointing authority without cause.

19 (b) The Fire Department shall provide administrative support for the Council.

20
21 **SEC. 5.42-5. POWERS AND DUTIES.**

22 (a) The Council shall have the power and the duty to advise the Board of Supervisors, Mayor,
23 and the Fire Department on the criteria and types of evidence the Fire Marshal should consider in
24 determining whether to approve alternate methods and materials, waive specific individual
25 requirements, and grant necessary extensions of time, as permitted in Section 1103.5.4.4. In addition,

1 the Council shall develop definitions for the following terms used in Section 1103.5.4.4: “reasonable
2 degree of fire protection”; “alternative protection”; “not physically possible”; “disproportionate
3 effort”; and “undue hardship.”

4 (b) In developing criteria and definitions described in subsection (a), the Council shall
5 consider all documents and information submitted to it, including but not limited to the Public Utilities
6 Commission’s response to a December 16, 2025 Letter of Inquiry from a member of the Board of
7 Supervisors seeking information related to water capacity and sprinkler retrofits, and all reports
8 prepared by the Budget and Legislative Analyst related to or regarding residential high rise sprinkler
9 retrofits.

10 (c) No later than 90 days following its first meeting, the Council shall submit to the Board of
11 Supervisors, the Mayor, and the Fire Department its findings and recommendations.

12
13 **SEC. 5.42-6. MEETINGS AND PROCEDURES.**

14 (a) The Fire Chief or their designee shall set the inaugural meeting of the Council not more
15 than 60 days following the appointment of a quorum of the members of the Council. The Fire Chief or
16 their designee shall provide at least ten days’ public notice of the Council’s inaugural meeting.
17 Following the inaugural meeting, the Council shall hold a regular meeting not less than twice each
18 month during the first 90 days following its first meeting, and thereafter shall continue to meet no less
19 than once per month until its sunset as provided in Section 5.42-7.

20 (b) The Council shall elect a chair and such other officers as it deems appropriate and may
21 establish bylaws and rules for its organization and procedures.

22
23 **SEC. 5.42-7. SUNSET.**

24 Unless the Board of Supervisors by ordinance extends the term of the Council, this Article XLII
25 shall expire by operation of law, and the Council shall sunset, one year after its first meeting. In that

1 event, and after the sunset date, the City Attorney shall cause this Article XLII to be removed from the
2 Administrative Code.

3
4 **SEC. 5.42-8. UNDERTAKING FOR THE GENERAL WELFARE.**

5 In enacting and implementing this ordinance, the City is assuming an undertaking only to
6 promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an
7 obligation for breach of which it is liable in money damages to any person who claims that such breach
8 proximately caused injury.

9
10 Section 2. Effective Date. This ordinance shall become effective at 12:00 a.m. on the
11 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
12 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
13 or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

14
15 APPROVED AS TO FORM:
16 DAVID CHIU, City Attorney

17 By: /s/ Sarah Fabian
18 SARAH FABIAN
19 Deputy City Attorney

20 4918-1765-2882, v. 1
21
22
23
24
25

LEGISLATIVE DIGEST

[Administrative Code - Fire Code Technical Advisory Council]

Ordinance amending the Administrative Code to establish the Fire Code Technical Advisory Council to evaluate and advise the Board of Supervisors, the Mayor, and the Fire Department, on the criteria and types of evidence the Fire Marshal should consider in determining whether to waive, modify, or delay certain compliance requirements under the Fire Code that certain existing high-rise residential buildings have sprinkler systems; and to set forth the membership and duties of the Fire Code Technical Advisory Council.

Existing Law

San Francisco Fire Code Section 1103.5.4, requires certain existing high-rise residential buildings to install an automatic sprinkler system by January 1, 2035. Section 1103.5.4.4 authorizes the Fire Marshal to approve modifications and alternate methods and materials for the automatic sprinkler system retrofit when it is clearly evident that a reasonable degree of fire safety is provided. In such cases, the Fire Marshal may, among other things, (a) 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 (b) grant necessary extensions of time when it can be shown that the specific time periods are not physically practical or pose an undue hardship.

Amendments to Current Law

This ordinance would establish the Fire Code Technical Advisory Council. The Council would evaluate, further define, and advise the Board of Supervisors, Mayor, and the Fire Department, on the criteria and types of evidence the Fire Marshal should consider in determining whether to approve alternate methods and materials, waive specific individual requirements, and grant necessary extensions of time, as permitted in Section 1103.5.4. In addition, the Council would develop definitions for the following terms used in Section 1103.5.4.4: “reasonable degree of fire protection”; “alternative protection”; “not physically possible”; “disproportionate effort”; and “undue hardship.” The Council would consist of 11 voting members. The Council would submit to the Board of Supervisors, the Mayor, and the Fire Department its findings and recommendations.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Dean Crispen, Fire Chief, Fire Department
Maureen Conefrey, Commission Secretary, Fire Commission

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: March 11, 2026

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed Ordinance:

File No. 260216

Ordinance amending the Administrative Code to establish the Fire Code Technical Advisory Council to evaluate and advise the Board of Supervisors, the Mayor, and the Fire Department, on the criteria and types of evidence the Fire Marshal should consider in determining whether to waive, modify, or delay certain compliance requirements under the Fire Code that certain existing high-rise residential buildings have sprinkler systems; and to set forth the membership and duties of the Fire Code Technical Advisory Council.

If you have comments or reports to be included with the file, please forward them to Victor Young at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.

(attachment)


c. Adrienne Sims, Fire Department

BOARD of SUPERVISORS



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MEMORANDUM

Date: April 3, 2026
To: The Honorable Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board 
Subject: Fire Code Technical Advisory Council (File No. 260216)

Board of Supervisors Rules of Order 2.21 establishes certain criteria that must be included in legislation creating and establishing, or reauthorizing, new bodies (boards/commissions/task forces/advisory bodies) and requires the Clerk of the Board to advise the Board on certain matters. In order to fulfill these requirements, the following is provided:

File No. 260216 Ordinance amending the Administrative Code to establish the Fire Code Technical Advisory Council to evaluate and advise the Board of Supervisors, the Mayor, and the Fire Department, on the criteria and types of evidence the Fire Marshal should consider in determining whether to waive, modify, or delay certain compliance requirements under the Fire Code that certain existing high-rise residential buildings have sprinkler systems; and to set forth the membership and duties of the Fire Code Technical Advisory Council.

- Does a current body address the same or similar subject matter?
(Pursuant to Board Rule 2.21, the Clerk of the Board shall advise the Board if there is a current body that addresses the same or similar subject matters.)
No. There are no bodies that address the same subject matter.

- Language requiring the body to meet at least once every four months
(Pursuant to Board Rule 2.21, the enabling legislation must include language requiring the subordinate body to meet at least once every four months.)
Yes. Section. 5.42-6 states "Following the inaugural meeting, the Council shall hold a regular meeting not less than twice each month during the first 90 days following its first meeting, and thereafter shall continue to meet no less than once per month until its sunset as provided in Section 5.42-7."



- Language indicating members serve at the pleasure of the appointing authority
(Past practices have shown the need to ensure the appointing authority may remove an appointee at any time.)

Yes. Section 5.42-4 states “Members of the Council shall serve at the pleasure of their appointing authority and may be removed by their appointing authority without cause.”

- Language establishing attendance requirements
(Past practices have shown the need to ensure a process is in place to address attendance concerns and quorum issues.)

No. Pursuant to the BOS Rules of Order, suggest adding “Any member who misses two regular meetings of the Council within any 12-month period without the express approval of the Council at or before each missed meeting shall be deemed to have resigned from the body.”

- Number of seats and qualifications
(Pursuant to Board Rule 2.21, the enabling legislation must include a description of the qualifications for each member, the date on which the appointments commences, and the length of term of appointments.)

Yes. Section 5.42-3 states The Task Force shall consist of eleven(11) voting members. Seats 1 through 6 shall be appointed by the Board of Supervisors.

- Seat 1 shall be held by a property owner or building manager of a building subject to the requirements of Section 1103.5.4 of the San Francisco Fire Code.
- Seat 2 shall be held by a non-owner tenant of a building affected by Section 1103.5.4.
- Seat 3 shall be held by a duly authorized homeowners’ association representative of a building subject to the requirements of Section 1103.5.4.
- Seat 4 shall be held by a person who holds an active C-16 fire protection contractor license issued by the California Contractors State License Board (CA-CSLB), as defined in California Code of Regulations, Title 16, Division 8, Article 3.
- Seat 5 shall be held by a construction professional with experience in either general labor or a skilled trade.
- Seat 6 shall be held by a professional architect who holds an active license issued by the California Architects Board or a professional structural engineer who holds an active license issued by the California Board for Professional Engineers, Land Surveyors, and Geologists.
- Seat 7 shall be held by an employee of the Controller’s Office appointed by the Controller.
- Seat 8 shall be held by an employee of the Fire Department appointed by the Fire Chief.
- Seat 9 shall be held by an employee of the Department of Building Inspection, appointed by the Director of the Department of Building Inspection.
- Seat 10 shall be held by an employee of the Public Utilities Commission, appointed by the General Manager of the Public Utilities Commission.
- Seat 11 shall be held by a member of the Board of Supervisors appointed by the President of the Board of Supervisors; the appointed Supervisor may designate a legislative assistant to serve in the Supervisor’s seat.”



- Term limits (E.g., commencement date? Staggered terms?)
(Pursuant to Board Rule 2.21, the enabling legislation shall include the commencement date and length of term of appointments.)

No. Not applicable as the Council shall sunset one year after its first meeting.

- Administering department
(Pursuant to Board Rule 2.21, the enabling legislation shall identify the City Department that will provide administrative services to the subordinate body.)

Yes. Section 5.42-4 states “The Fire Department shall provide administrative support for the Council.”

- Reporting requirements
(Past practices have shown the need to detail and codify the reporting requirements of a body.)

Yes. Section 5.42-5(c) states ”No later than 90 days following its first meeting, the Council shall submit to the Board of Supervisors, the Mayor, and the Fire Department its findings and recommendations.”

- Sunset date
(Pursuant to Board Rule 2.21, the enabling legislation shall include a sunset clause not to exceed three years.)

Yes. Section 5.42-7 states “Unless the Board of Supervisors by ordinance extends the term of the Council, this Article XLII shall expire by operation of law, and the Council shall sunset, one year after its first meeting.”

###