

File No. 190136 Committee Item No. 3
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date March 11, 2019

Board of Supervisors Meeting Date _____

Cmte Board

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
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Completed by: Erica Major Date March 7, 2019
Completed by: Erica Major Date _____

1 [Various Department of Building Inspection Codes - Technical Corrections to Existing Code]

2
3 **Ordinance amending various sections of the Building, Existing Building, Plumbing,**
4 **Electrical, and Housing Codes to correct or clarify existing Code language, re-enact a**
5 **longstanding permit requirement for fences with the finding required by the California**
6 **Health and Safety Code, and add enforcement provisions for the Building Facade**
7 **Inspection and Maintenance Program; affirming the Planning Department's**
8 **determination under the California Environmental Quality Act; adopting a finding under**
9 **the California Health and Safety Code; and directing the Clerk to forward this**
10 **Ordinance to the California Building Standards Commission upon final passage.**

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

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

19 Section 1. Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 190136 and is incorporated herein by reference. The Board affirms
24 this determination.
25

1 (b) On January 16, 2019, the Building Inspection Commission considered this
2 ordinance at a duly noticed public hearing pursuant to Charter Section D3.750-5 and
3 recommended its passage by the Board of Supervisors.
4

5 Section 2. California Health and Safety Code Section 17958.7.

6 (a) Section 105.2 of the California Building Code provides that fences are exempt
7 from the permit requirements if they are not over seven feet high. The San Francisco Building
8 Code has long provided that the only fences exempt from the permit requirement are (1) all
9 fences not over three feet in height and (2) fences located at the rear and side lot lines at the
10 rear of the property that are not over six feet. This provision is currently in Section 106A.2 of
11 the San Francisco Building Code. The following local findings support San Francisco's
12 deviation from the state code's permit requirement for fences:

13 (1) The topography of San Francisco has led to the development of a high
14 density of buildings on small lots. In most residential zoning districts, housing is constructed
15 close to the side property lines with no side yards; historically, buildings in San Francisco are
16 also constructed to the front property lines. Given this historic pattern of development, any
17 exterior construction in San Francisco has the capacity to negatively impact neighboring
18 property and requiring a permit to construct fences over a certain height – particularly along
19 the side and rear property lines – affords neighbors an opportunity for input.

20 (2) San Francisco is also in an earthquake hazard zone and needs to ensure
21 that all construction over a certain height is constructed safely.

22 (b) No finding is required under Health and Safety Code Section 17958.7 for the
23 other amendments in this ordinance because they do not amend a "building standard," as
24 defined in Section 18909 of the Health and Safety Code.
25

1 Section 3. The Building Code is hereby amended by revising Sections 102A.3.1,
2 105A.4.2, 106A.2, 106A.3.2.3, 106A.3.8, 106A.4.1.4.2, 106A.4.6, 107A.5, 107A.13.9.1,
3 109A.3, 109A.7, 435.3.5, 456.1, 912.6, 1011.12, 1016.2, 1106D, 1304D, 1305D, 1306D.2,
4 1501.1, 1505.1, 1607.1, 1705.20, 2304.12.2.3, and 2304.12.3.2, Chapters 13A and 11C, and
5 Appendix J, to read as follows:

6 **SECTION 102A – UNSAFE BUILDINGS, STRUCTURES OR PROPERTY**

7 * * * *

8 **102A.3.1** Dwelling Units constructed or installed without required permit(s). In the case
9 of an unauthorized Dwelling Unit constructed or installed in an existing building without the
10 required permit or permits, in addition to the above requirements the written notice of violation
11 shall order the property owner to file an application for a building and other permits required to
12 legalize the unit pursuant to Building Code Section 106A.3.1.3 and Planning Code Section
13 207.3.

14 **EXCEPTIONS:**

- 15 1. Removal of the unit has been approved by the Planning Commission pursuant to
16 Planning Code Section 317; or
17 2. After performing a screening under Section 106A.3.1.3(a) of this Code, the
18 Department has determined that the unauthorized Dwelling Unit is not able to be legalized
19 under Section 106A.3.1.3 of this Code; or
20 3. The Building Official has determined that a serious and imminent hazard under
21 Section 102A.16 of this Code exists on the subject property.

22 Upon submission of an application for legalization or removal of an unauthorized
23 Dwelling Unit by the owner or the owner's authorized agent, the Department will suspend a
24 notice of violation issued pursuant to this Section 102A.3.1 pending a decision on the
25 application unless the Building Official has determined that a serious and imminent hazard

1 exists on the property. If approval of either legalization or removal of the unauthorized
2 Dwelling Unit occurs within one year of issuance of the notice of violation, the notice of
3 violation and any liens recorded against the property with respect to the violation will be
4 rescinded. The Building Official may extend this time if a delay in obtaining approval is not the
5 fault of the property owner.

6 **SECTION 105A – BOARDS, COMMISSIONS, AND COMMITTEES**

7 **105A.1 Board of Examiners.**

8 * * * *

9 **105A.4.2 Functions.** Its functions shall be:

- 10 1. To review recommendations for code changes made by the Building Official or the
11 Building Inspection Commission pursuant to Section 104A.2.11.
- 12 2. To develop, review and recommend code changes to the Building Official and the
13 Building Inspection Commission.
- 14 3. To review rules and regulations promulgated by the Building Official and the
15 Building Inspection Commission pursuant to Section 104A.2.1.
- 16 4. To recommend to the Building Official and the Building Inspection Commission,
17 within 30 days after the effective date of a new edition of a code, which existing Section
18 104A.2 rules and regulations should remain in effect, be modified or be canceled.

19 **SECTION 106A – PERMITS**

20 * * * *

21 **106A.2 Work exempt from permit.** *[Section 105.2 of the California Building Code.]*

22 Exemptions from the permit requirements of this code shall not be deemed to grant
23 authorization for any work to be done in any manner in violation of the provisions of this code
24 or any other laws or ordinances of this jurisdiction. A building permit shall not be required for
25 the following:

1 * * * *

2 2. Fences not over 6 feet (1829 mm) high located at the rear and side lot lines at the rear of
3 the property, and all fences not over 3 feet (914.4 m) in height. [NOTE: This language is in the
4 existing San Francisco Building Code but is being re-enacted with the finding required by
5 Section 17958.7 of the Health and Safety Code.]

6 * * * *

7 **106A.3.2.3 Substantial alterations – Notification, sign posting and affidavits.** In
8 addition to any other requirements for notice set forth in this code, the following shall apply:
9 Any person filing an application to (1) substantially alter, as that term is defined by the
10 Building Official, an apartment house or residential hotel (as defined in Section 41.4~~(p)~~ of the
11 Administrative Code) that contains five or more dwelling units, or (2) remove a legal or illegal
12 dwelling unit, as defined in the Housing Code, shall post a sign at least 15 inches by 15
13 inches (381 mm × 381 mm) in a conspicuous common area of the apartment house or
14 residential hotel for at least 15 days with the following information: notice that the application
15 has been made, the nature of the work to be performed, the means of obtaining information
16 from the Department, and the procedure for appealing the issuance of building permits. When
17 the permit application proposes to remove a legal or illegal dwelling unit, the posted sign shall
18 also contain a list of tenant counseling or legal services that can provide assistance to tenants
19 with understanding and participating in the City's processes, and notice of such application
20 shall be delivered via hand delivery or U.S. mail to all tenants in the building. Such notice shall
21 also include contact information for translation services into Spanish, Chinese, and Russian.
22 In occupied residential unreinforced masonry buildings, required signs shall also include
23 specified information provided by the Building Official. The applicant shall thereafter submit an
24 affidavit signed under penalty of perjury stating that the sign has been posted as required by
25 this section. See Section 110A, Table 1A-L – Public Information – for fee to defray the cost of

1 maintaining records of said affidavits. The Building Official shall not approve the application
2 until this affidavit is submitted. If there is reason to believe that the sign was not posted as
3 required, the Building Official shall investigate the matter, shall provide the applicant an
4 opportunity to respond to any complaint of noncompliance, shall determine whether the
5 requirements of this section have been substantially met, and shall cancel an application or
6 revoke the permit if it is determined they have not been substantially met.

7 **106A.3.8 Disapproval of application.** Any application that does not meet the
8 requirements of this code or any other laws, ordinances or regulations enforced by any
9 interested departments or agencies shall be disapproved by the Building Official or upon
10 request by the applicant. If such a request is not made by the applicant to disapprove an
11 application, the Building Official shall notify the applicant that the application will be
12 *disapproved cancelled in 60 days ~~and the application revoked.~~*

13 **106A.4.1.4.2 Purpose.** Because landslides, earth movement, ground shaking,
14 drainage issues, and subsidence are likely to occur on or near steeply sloped properties and
15 within other defined areas causing severe damage and destruction to public and private
16 improvements, the Board of Supervisors finds that the public health, safety, and welfare is
17 best protected if the Building Official causes permit applications for the construction of new
18 buildings or structures and certain other construction work on property subject to the Slope
19 and Seismic Hazard Zone Protection Act to undergo additional review for structural integrity
20 and effect on hillside or slope stability. The requirements for projects subject to the Slope and
21 Seismic Hazard Zone Protection Act are in addition to all other applicable laws and
22 regulations, including any and all requirements for environmental review under the California
23 Environmental Quality Act; compliance with the requirements contained herein does not
24 excuse a project sponsor from compliance with any other applicable laws and regulations.
25

1 **106A.4.6 Notice of permit issuance.** Within 24 hours after the issuance of a building
2 permit authorizing the types of work described below, notice of such issuance shall be given
3 in the manner set forth below.

4 1. For permits to demolish or erect a building or structure, or to move a structure to a
5 new site, the permittee shall obtain from the Department a sign containing the following
6 information: permit number; filing date; address and phone number of the agency to contact
7 for information regarding permit issuance; the date of permit issuance; address and phone of
8 agency to contact to appeal issuance of permit; name, address and phone number of
9 permittee.

10 For unreinforced masonry buildings, additional information shall be provided, as
11 required by the Building Official.

12 See Section 110A, Table 1A-L – Public Information – for applicable fee.

13 The permittee shall cause the sign to be erected on the site of the property to which the
14 application applies.

15 **Location of sign.** The sign shall be clearly visible to passing motorists and passing
16 pedestrians. In the case of moved buildings, the sign shall be posted at the site onto which the
17 building is to be moved. The minimum dimensions shall be 30 inches by 30 inches (762 mm ×
18 762 mm), unless the permit relates to a vacant site or a vacant building, in which case the
19 Building Official may require a sign up to 8 feet (2.438 m) wide and 4 feet (1.219 m) high upon
20 a determination that the larger sign will provide better public notice. If a larger sign is required,
21 the permittee shall provide it, and it shall contain the information set forth above. The sign
22 required herein shall be installed as follows: The bottom edge of the sign shall be at least 6
23 feet (1.829 m) above grade; the face of the sign shall be parallel to the main street frontage
24 and shall be located 5 feet (1.524 m) or less from the street property line; the sign shall be
25 attached to one or more posts substantially embedded into the ground in order to withstand

1 wind or other load factors, or may be attached to an existing front building wall. The
2 background color of the sign shall be white, and the color of the text shall be black; the letter
3 size of the first line shall be a minimum of 8 inches (203.2 mm) high; the size and style of the
4 text shall be such that the message is clear and legible from a distance of 10 feet (3.048 m) to
5 a viewer with normal vision.

6 **Duration of sign posting.** The permittee shall cause the sign to be erected within 24
7 hours after a permit is issued. The sign shall remain posted until either the conclusion of the
8 hearing on the permit before the Board of Appeals or the time for filing such appeal has
9 lapsed without an appeal being filed. Except for work performed pursuant to a Conditional Use
10 authorization from the Planning Commission, ~~Work~~ under a demolition permit shall not begin
11 until 15 days after the date on which the permit is issued.

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

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

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

23 3. For a permit which would authorize the demolition or moving of a building or
24 structure, written notice shall be mailed to the owners of properties within 300 feet (91.44 m)
25 in every direction from the edge of the property on which the proposed demolition work will

1 take place, or from which the building will be moved. Owners notified shall be as shown on the
2 last annual tax roll. Notice to interested organizations or groups shall be made as provided in
3 Section 106A.4 of this code.

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

7 5. For a permit that would authorize removal of a legal or illegal dwelling unit, as
8 defined in the Housing Code, permittee shall post a sign at least 15 inches by 15 inches (381
9 mm x 381 mm) in a conspicuous common area of the building where the work will occur, with
10 the following information: permit number; filing date; address and phone number of the
11 agency to contact for information regarding permit issuance; the date of permit issuance;
12 address and phone number of agency to contact to appeal issuance of permit; name, address
13 and phone number of permittee. The sign shall also contain a list of tenant counseling or legal
14 services that can provide assistance to tenants with understanding and participating in the
15 City's processes. The sign shall remain posted until either the conclusion of the hearing on the
16 permit before the Board of Appeals or the time for filing such appeal has lapsed without an
17 appeal being filed. Such notice shall also include contact information for translation services
18 into Spanish, Chinese, and Russian.

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

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

1 **SECTION 107A – FEES**

2 * * * *

3 **107A.5 Investigation Fees: Work Without a Permit.** Whenever any work, for which a
4 permit is required under the provisions of this code, has been started without a permit and
5 where no specific additional fees are imposed as penalties as provided in this chapter, a
6 special investigation shall be made before a permit may be issued for such work. See Section
7 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments – for applicable
8 fee. Where only a portion of the work has been commenced without a permit, the investigation
9 fee shall be based upon the portion of the work done without a permit. The cost of any penalty
10 for any work done, in conjunction with the investigation fee, shall be borne by the owner.

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

14 The Building Official may reduce the investigation fee to two times the amount of the
15 permit fee as called for in Section 110A, Table 1A-A – Building Permit Fees – of this code for
16 work that was constructed prior to the current building ownership, provided that substantiating
17 documentation is provided.

18 Where the Building Official rules against the applicant, appeals of such investigation
19 fee shall be filed with the Board of Appeals in the manner provided in Section 8 et seq. of the
20 Business & Tax Regulations Code Part III of the San Francisco Municipal Code. Such filing shall be
21 subject to the fees and rules of the Board of Appeals. The Board of Appeals, in reviewing the
22 appeal of the investigation fee assessed for doing work without a permit, may reduce the
23 amount of said fee, but in no case shall such reduced investigation fee be less than two times
24 the amount of the permit fee as called for in Section 110A, Table 1A-A – Building Permit Fees
25 – of this code.

1 **107A.13 Development impact and in-lieu fees.**

2 * * * *

3 **107A.13.9.1 Procedure for resolution by Development Fee Collection Unit.** If a
4 dispute or question arises concerning the accuracy of the final Project Development Fee
5 Report, including the mathematical calculation of any development fee listed thereon, the
6 Development Fee Collection Unit shall attempt to resolve it in consultation with the
7 department or agency affected by the disputed fee and the project sponsor. A person
8 protesting the accuracy of the Report must submit the issue or issues in writing to the Unit
9 with a copy to the department or agency whose development fee is in dispute. Any public
10 notice of the issuance of the building or site permit shall notify the public of the right to request
11 a copy of the Project Development Fee Report and *of the of the* right of appeal to the Board of
12 Appeals under Section 107A .13.9.2.

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

15 * * * *

16 **109A.3 Certificate issued.** The Building Official shall issue certificates of final
17 completion *And* *O*ccupancy for buildings or structures erected or enlarged; for each change
18 in occupancy classification in any building, structure or portion thereof; and for buildings or
19 structures seismically upgraded in accordance with the provisions of this code. An *A*amended
20 certificate of final completion and occupancy shall be issued for an existing building where
21 there is an increase in the number of legal dwelling units resulting in a change of occupancy.
22 The amended certificate of *final completion and* occupancy shall indicate the date the first
23 certificate of occupancy and any subsequent certificates of occupancy for the building or
24 structure were issued. If there is no original certificate of occupancy, the amended certificate
25 of *final completion and* occupancy shall refer to the date of initial construction on file in the

1 records of the Department. The provisions of this section shall not be available for use in RH-
2 1 or RH-1(D) zoning districts, nor shall it apply to any residential dwelling that is inconsistent
3 with existing law.

4 **EXCEPTION:** For Group R-1 and R-2 Occupancies, see Sections 109A.7 and 109A.8.

5 **109A.7 Certificate or amended certificate of final completion and occupancy,**
6 **Group R-1 and R-2 occupancy.** Before the Department may issue a certificate of final
7 completion and occupancy for a newly-erected building or structure, an amended certificate of
8 final completion and occupancy for an existing building pursuant to Section 109A .3, or
9 Apartment House/Hotel License, a written report of compliance with applicable codes,
10 standards and regulations and any conditions of approval to the building, structure or property
11 shall be obtained from those agencies having jurisdiction. An amended certificate of final
12 completion and occupancy issued for changes to an existing building shall indicate the date
13 the first certificate of occupancy and any subsequent certificates of occupancy for the building
14 or structure were issued. If there is no original certificate of occupancy, the amended
15 certificate *of final completion and* occupancy shall refer to the date of initial construction on file
16 in the records of the Department.

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

23 **SECTION 435 – SPECIAL PROVISIONS FOR LICENSED 24-HOUR CARE FACILITIES IN**
24 **A GROUP R-2.1, R-3.1, R-4**

25 * * * *

1 **435.3.5** For detached one- and two-family dwellings, and townhouses not more than
2 three stories above grade plane in height with a separate means of egress, buildings housing
3 protective social-care homes or in occupancies housing inmates who are not restrained need
4 not be of one-hour fire-resistive construction when not more than two stories in height. In no
5 case shall individual floor areas exceed 3,000 square feet (279 m²). The fire-resistive
6 protection of the exterior walls shall not be less than one hour where such walls are located
7 within 5 feet (1524 ~~mm~~ mm) of the property line. Openings within such walls are not permitted.
8 Openings within non-rated walls need not be protected. [CRC R335.9]

9 **SECTION 456 – FENCES**

10 * * * *

11 **456.1 Fences.** Fences on any property containing a Group R Occupancy shall not be
12 higher than 10 feet (~~3048~~ 3-048 mm). Fences located less than 10 feet (~~3048~~ 3-048 mm) from
13 any public sidewalk shall not be higher than 10 feet (~~3048~~ 3-048 mm) unless they are of open-
14 type materials such as chain link fabric. Fence height shall be measured from the level of
15 general existing adjacent ground of the general area prior to the improvement of the
16 properties. A fence or railing placed on top of the retaining wall shall be measured from the
17 top of the wall.

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

- 21 1. On top of a fence more than 7 feet (2.134 m) high, protecting a dangerous or
22 hazardous area.
- 23 2. Within a private area, enclosed by a seven-foot- high (2.134 m) fence, such that
24 entry to the area is limited by the outer, nonbarbed fence.

1 Chapter 11D

2 MANDATORY ACCESSIBILITY IMPROVEMENTS FOR BUILDINGS WITH A PLACE
3 OF PUBLIC ACCOMMODATION

4 * * * *

5 SECTION 1106D – BUILDING PERMIT REQUIRED; INSPECTION AND COMPLETION OF
6 WORK; VALUATION APPLIED TO FUTURE PROJECTS; NOTICE TO TENANT(S)

7 1106D.1. Building Permit Required. A building permit is required to make any and
8 all modifications to a building either mandated or authorized by this Chapter 11D. All work
9 required by this Chapter 11D shall be considered by the Department to be barrier removal and
10 no additional path of travel upgrade shall be required. Only those elements that are actually
11 altered will be required to comply with the current requirements of this Code.

12 If a permit is required to remediate the entryway or the sidewalk, the Owner shall
13 provide written notice to the business tenant or tenants of the building a minimum of 30 days
14 ~~days~~ prior to filing the permit application with the Department.

15 Chapter 13A

16 COMMERCIAL WATER CONSERVATION

17 (NOTE: The time limits for compliance with the provisions of Chapter 13A have passed but the
18 ordinance and the time limits therein are still in effect.)

19 * * * *

20 Chapter 13D

21 COMMERCIAL LIGHTING EFFICIENCY

22 * * * *

23 SECTION 1304D – DEFINITIONS

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

25 * * * *

1 **TOURIST HOTEL** is any residential building, or portion thereof, which is occupied as a
2 hotel, motel or inn and which has a ~~certificated~~ certificate of use for tourist occupancy, or any
3 portion of a residential building which is converted to tourist hotel use pursuant to the
4 Residential Hotel Conversion Ordinance (S.F. Administrative Code, Article 41) or other City
5 law.

6 * * * *

7 **SECTION 1305D – COMPLIANCE REQUIREMENTS**

8 * * * *

9 **1305D.2 Stay of Compliance Deadline.** The Compliance Deadline stated in Section
10 1305D.1 shall be stayed for up to two years from ~~form~~ the date of an application for a
11 demolition permit for any building subject to this Chapter. If the building is demolished and a
12 Certificate of Completion issued by the Department before the end of the two-year
13 postponement, the requirements of this Chapter shall not apply. If the building is not
14 demolished after the expiration of two year, the provisions of this Chapter 13D shall apply
15 even though the demolition permit is still in effect or a new demolition permit has been issued.

16 **SECTION 1306D – LIGHTING EFFICIENCY MEASURES**

17 * * * *

18 **1306D.2 Energy Efficiency.** The lamp and ballast system in each luminaire~~s~~ that
19 utilizes one or more 4-foot or ~~of~~ 8-foot linear fluorescent lamp~~s~~ to provide illumination in a
20 building subject to this Chapter 13D must meet at least one of the following requirements:

- 21 1. The lamp and ballast system emits 81 or more lumens per watt of electricity
22 consumed.
- 23 2. The luminaire~~s~~ is controlled by an occupancy sensor control device that does not
24 control an area in the building of more than 250 square feet.
- 25

1 3. The luminaires is fitted with a lighting efficiency measure approved by the Director
2 as equivalent to the measures in subsection (1) or (2).

3 4. The Director finds, based on the facts of the particular building and luminaires, that
4 the energy savings from installing lighting efficiency measures meeting the requirements of
5 this Section will be so insignificant over the life of the luminaires that the measure is not cost
6 efficient.

7 5. If the owner of a Commercial Building elects to meet the requirements of this
8 Section 1306D.2 with measures that require permits, such permits shall comply with all other
9 applicable requirements of this Code and all other applicable state and local laws.

10 **Chapter 15**

11 **ROOF ASSEMBLIES AND ROOFTOP STRUCTURES**

12 **SECTION 1501 – GENERAL**

13 **1501.1** Add a second paragraph as follows:

14 For qualified historical buildings or properties, see 2016 California Historical Existing
15 Building Code, ~~Chapter 12~~.

16 **1505.1** Revise the ~~first~~ second sentence as follows:

17 **1505.1 General.** Roof assemblies shall be divided into the classes defined below.
18 Class A or B[←] roof assemblies and roof coverings required to be listed by this section
19 shall be tested in accordance with ASTM E 108 or UL 790.

20 * * * *

21 **Chapter 16**

22 **STRUCTURAL DESIGN**

23 * * * *

24 **SECTION 1607 – LIVE LOADS**
25

1 **TABLE 1607.1 – MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L₀, AND**
2 **MINIMUM CONCENTRATED LIVE LOADS^g**

3 Table 1607.1 Add the following footnote o to Occupancy or Use 29, Sidewalks and
4 Driveways

5 * * * *

6 **SECTION 1705 – REQUIRED SPECIAL INSPECTIONS AND TESTS**

7 * * * *

8 **1705.20 ~~Bolts Installed in Existing Masonry or Concrete.~~ Reserved. Except for through**
9 *bolts with plate washers conforming to SFEBEC Table 4B-E, bolts that are newly installed in existing*
10 *masonry or concrete shall be tested in accordance with SFEBEC Section 415B. The number and type of*
11 *tests required shall be the same as required by SFEBEC Section 407B.*

12 * * * *

13 **Chapter 23**

14 **WOOD**

15 **SECTION 2304 – GENERAL CONSTRUCTION REQUIREMENTS**

16 * * * *

17 **~~2304.12.3.2 Wood structural members.~~** *Wood structural members that support moisture*
18 *permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, shall be*
19 *of naturally durable or preservative-treated wood unless separated from such floors or roofs by an*
20 *impervious moisture barrier extending up the walls not less than 4 inches (101.6 mm) or shall*
21 *otherwise be adequately flashed and counter flashed.*

22 *Regardless of finish flooring type or structural materials, the wood sub-floor of toilet rooms and*
23 *bathrooms shall be protected by a waterproof membrane. Where a single ply sheet membrane is used,*
24 *all adhesives shall be of a waterproof type and shall be applied so as to form a full unbroken coat*
25 *between the backing and the membrane being applied. All seams and joints shall be thoroughly sealed.*

1 *Exception: Interior floors in Group R, Division 3 Occupancies.*

2 **2304.12.2.3** Add the following 2nd paragraph with exception, and 3rd paragraph:

3 Weather-exposed stairways constructed with concrete, masonry, brick, tile or terrazzo
4 shall be supported on hot-dipped galvanized steel or reinforced concrete stringers.

5 **EXCEPTION:** In Group R, Division 3 Occupancies, wood construction on masonry or
6 concrete foundations may be used as supports, and the area under the stair shall be
7 ventilated in compliance with 2304.12.7.

8 Weather-exposed stairs of precast concrete or metal pan treads may be supported on
9 wood stringers, provided the entire stairway is exposed and the treads are connected to the
10 stringers by hot-dipped galvanized steel or other approved corrosion-resistant fasteners.

11 2304.12.3.2 Wood structural members. Wood structural members that support moisture
12 permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, shall be
13 of naturally durable or preservative-treated wood unless separated from such floors or roofs by an
14 impervious moisture barrier extending up the walls not less than 4 inches (101.6 mm) or shall
15 otherwise be adequately flashed and counter flashed.

16 Regardless of finish flooring type or structural materials, the wood sub-floor of toilet rooms and
17 bathrooms shall be protected by a waterproof membrane. Where a single ply sheet membrane is used,
18 all adhesives shall be of a waterproof type and shall be applied so as to form a full unbroken coat
19 between the backing and the membrane being applied. All seams and joints shall be thoroughly sealed.

20 **APPENDIX J**

21 **GRADING**

22 ~~J103.2~~ J1.03.2 Add the following five exceptions.

23 * * * *

1 Section 4. The Existing Building Code is hereby amended by revising Sections
2 314.27.1, 326.1, 327.9.6, 328.3, 328.3.3, 401.1.2, 402.6, 402.7, 403.12.1, 403.12.2, 403.12,
3 404.1.1, 407.4.1, 405A.1, 405A.2, 406B.3.3.4, 408B.2, 411B.3.1, Table 4B-E, 403C, 404D.1,
4 406D, 401E, 403E.3, 404E.1 and adding Sections 403.1.1.1, 403.13, and 407E, to read as
5 follows:

6 **SECTION 314 – EXISTING HIGH-RISE BUILDINGS [SFM]**

7 * * * *

8 **314.27 Automatic Sprinkler System – Existing High-rise Buildings**

9 **314.27.1 General.** Regardless of any other provisions of this code, every existing
10 high-rise building as defined in San Francisco Building Code Section 403.1.1 shall be
11 provided with an approved automatic fire sprinkler system conforming to NFPA 13.

12 Existing high-rise buildings that are also qualified historical buildings as defined in
13 California Health and Safety Code Section 18950 shall be provided with an approved
14 automatic fire sprinkler system when and as required by the State Historical Building Code.

15 **EXCEPTIONS:**

16 1. An apartment house, condominium or other building used as a Group R, Division 2
17 Occupancy as defined in this code excluding tourist hotels as defined in Section 41.4(~~r~~) of the
18 San Francisco Administrative Code.

19 2. A mixed-use occupancy building containing a Group R, Division 1 or Group R,
20 Division 2 Occupancy.

21 **SECTION 326 – EXISTING BUILDINGS OR OTHER STRUCTURES LOCATED ON A**
22 **MILITARY BASE SELECTED FOR CLOSURE**

23 **326.1 General.** As authorized by *California Health and Safety Code Section 18941.7*
24 *Assembly Bill 1644 California Military Base Reuse and Preservation Act of 2012*, a building or other
25 structure that is located on a military base selected for closure by action of the federal

1 Defense Base Closure and Realignment Commission, including Naval Station Treasure Island
2 (including Yerba Buena Island) and Hunters Point Naval Shipyard, may comply with the
3 requirements of this code in a graduated manner over a period not to exceed three years,
4 provided that:

- 5 1. The building or structure is in existence at the time the military base is selected for
6 closure by action of the federal Defense Base Closure and Realignment Commission;
- 7 2. The building or structure will be safe for its intended use and occupancy;
- 8 3. The building or structure is under a lease from the federal government to either the
9 City and County of San Francisco or the Redevelopment Agency of the City and County of
10 San Francisco (the "Redevelopment Agency");
- 11 4. The building or structure will be subleased by the City and County of San Francisco
12 or Redevelopment Agency to either a private party, to the City and County of San Francisco
13 or to the Redevelopment Agency; and
- 14 5. The building or structure meets the code compliance inspection and graduated
15 compliance plan requirements set forth below.

16 **SECTION 327 – WORK PRACTICES FOR LEAD-BASED PAINT ON PRE-1979**
17 **BUILDINGS AND STEEL STRUCTURES**

18 * * * *

19 **327.9.6 Appeal of order.** Any person may appeal the *nonmonetary portion of the*
20 Director's order issued pursuant to Section 327.9.4, provided that such appeal is in writing
21 and filed with the Abatement Appeals Board pursuant to San Francisco Building Code
22 Chapter 1A . Upon the determination of the Clerk of the Abatement Appeals Board that all
23 requirements to make an appeal have been met, the monetary portion of the Director's order
24 shall be stayed pending the appeal.

25 * * * *

1 **SECTION 328 – ASBESTOS INFORMATION AND NOTICE**

2 * * * *

3 **328.3 Asbestos-Related Work Sign Posting and Affidavits.** In addition to any other
4 requirements for notice set forth in this code, any person filing an application for a building
5 permit to perform work in an apartment house or a residential hotel [as defined in Section
6 41.4(~~p~~) of the San Francisco Administrative Code], which work includes asbestos-related work
7 as defined in this code, shall comply with the following requirements:

8 * * * *

9 **328.3.3 Apartment house and residential hotel exclusions.** Notwithstanding the
10 definitions of apartment house or residential hotel [as defined in Section 41.4(~~p~~) of the San
11 Francisco Administrative Code], those terms shall not include:

- 12 1. Any “school building” as defined in 15 U.S.C. Section 2642 as that section read on
13 January 1, 1989;
- 14 2. Any “building” as defined in California Health and Safety Code Section 25920, as
15 that section read on September 27, 1989; or
- 16 3. The residential area of any multi-use building where the asbestos-related work is to
17 occur solely in a commercial area, the commercial and residential areas of the building do not
18 share supply air or return air handling systems, and the commercial area does not contain
19 facilities supplied in connection with the use or occupancy of the residential area.

20 NOTE: Contact Bay Area Air Quality Management District for pre-permit requirements
21 for demolition and alteration work and other requirements for asbestos related work.

22 **Chapter 4**

23 **PRESCRIPTIVE COMPLIANCE METHOD**

24 **SECTION 401 – GENERAL**

25 401.1.3 ~~2~~ Add the following section:

1 **401.1.3.2 General.** Buildings, structures and property to which additions, alterations or
2 repairs are made shall comply with all the requirements of this code for new facilities, except
3 as specifically provided in this section, in the San Francisco Housing Code and in other
4 applicable ordinances and regulations. See Section 401.6 for provisions requiring installation
5 of smoke detectors in existing Group R, Division 3 Occupancies.

6 **SECTION 402 - ADDITIONS**

7 402.7.6 Add the following section:

8 **402.7.6 High-rise buildings.** Any existing building or structure to which an addition is
9 made which causes the building or structure to fall within the scope of San Francisco Building
10 Code Section 403 shall comply with the provisions of that section.

11 402.8.7 Add the following section:

12 **402.8.7 Horizontal additions.** Horizontal additions shall meet the following
13 requirements:

14 When the cumulative area of horizontal additions, excluding basement additions,
15 exceeds 30 percent of the area of the original building or structure, excluding basements, and
16 the additions are structurally interconnected to, or not separated to comply with ASCE 7-10
17 Section 12.12.3, the entire structure shall comply with Section 301.2.

18 For the purpose of this ~~s~~Section 402.8, the term "original building or structure" shall
19 mean the building or structure as it existed on the force based trigger date per IEBC. The
20 combined building or structure may be used for more restrictive occupancy classifications as
21 determined in San Francisco Building Code Chapter 3 only when the structure as a whole
22 meets the requirements in this code for such occupancy.

23 **SECTION 403 – ALTERATIONS**

24 Add the following section:
25

1 403.1.1.1 Stairways. For stairway replacement, see San Francisco Building Code Section
2 1011.12.3.

3 Add the following section:

4 403.13 Substantial change.

5 ~~Add the following section:~~

6 **403.13 ~~12.1~~ Non-structural alterations.** Whenever alteration work in a building or
7 structure involves substantial changes to elements such as walls, partitions or ceilings, on 2/3
8 or more of the number of stories excluding basements, the building or structure as a whole
9 shall comply with Section 301.2. The term "substantial change" includes the addition, removal,
10 repair or modification of such elements. All such work included in alteration permits issued
11 within two years of the date of a permit application shall be included in the determination of
12 whether the application is proposing substantial change to the building or structure.

13 Removal and replacement of interior gypboard or plaster in Type V (wood framed) R3
14 occupancy (one or two residential units) is not to be considered as "Substantial Change".

15 The replacement gypboard must be 5/8" Type X with 5d cooler nails @ 4 inches on
16 center or equivalent screws.

17 **403.13 ~~12.2~~ Structural alterations.** When more than 30 percent of the floor and roof
18 areas of the building or structure have been or are proposed to be involved in substantial
19 structural alteration, the building or structure shall comply with Section 301. The areas to be
20 counted towards the 30 percent shall be those areas tributary to the vertical load carrying
21 components (joists, beams, col-umns, walls and other structural components) that have been
22 or will be removed, added or altered, as well as areas such as mezzanines, penthouses, roof
23 structures and infilled courts and shafts.

24 **EXCEPTIONS:**

1 1. When such alterations involve only the lowest story of a wood frame building or
2 structure and Section 407 does not apply, only the lateral force resisting components in and
3 below that story need comply with Section 301.2, or

4 2. When such alterations involve the lowest story of a Type V building or structure of
5 R3 occupancy and that floor's proposed use is as a garage, that level is exempt from Section
6 403.12.2. Such alterations need not be counted as part of the cumulative total of tributary area
7 of structural alterations.

8 **403.14 ~~13~~ Mandatory Seismic Retrofit.** Submittal documents shall include plans
9 indicating locations and construction of existing, new and modified building elements used to
10 comply with Chapter 4B.

11 **SECTION 404 – REPAIRS**

12 **404.1.2 ~~1~~ Repairs.** Unless otherwise approved by the Building Official, all structural
13 damage shall be repaired.

14 Repairs to buildings or structures which have sustained substantial structural damage
15 to lateral force resisting elements shall comply with the minimum lateral force design
16 requirements of Section 301.2 or with the code under which the building or structure was
17 designed, whichever is more restrictive.

18 Damage may be caused by events or a combination of events, including, but not
19 limited to, fire, explosion, structural pest or wood-destroying organism attack, earthquake,
20 wind storm, vehicular impact, ground subsidence or failure, or the collapse or dislodgement of
21 any portion of any adjacent building or structure. The removal or alteration of structural
22 elements as part of the work described in an approved building permit application shall not be
23 considered to be "damage."
24
25

1 **SECTION 407 – CHANGE OF OCCUPANCY**

2 **407.4.2 ~~1~~ Change of occupancy.** In addition to the other requirements of this code,
3 the term “comply with the requirements of this code for such division or group of occupancy,”
4 as used in this section, shall also mean compliance with the lateral force provisions of Section
5 301.2 when the change results in an increase of more than 10 percent in the occupant load of
6 the entire building or structure, and which also increases the occupant load by more than 100
7 persons as compared to the occupant load of the existing legal use or the use for which the
8 building was originally designed. A building changing occupancy to an E occupancy, and is
9 otherwise subject to Section 329, shall comply with Section 329.

10 **EXCEPTIONS:**

11 1. When a change of occupancy or use involves only one story of a building or
12 structure, only the lateral force resisting elements in that story and all lateral force resisting
13 elements below need comply with Section 301.2.

14 2. A change from a Group R, Division 3 to a Group R, Division 1 or Division 2
15 Occupancy caused by the construction of a third dwelling unit in the lowest story of a building
16 or structure shall comply with Section 301.2 as provided in Exception 1 above.

17 **Chapter 4A**

18 **EARTHQUAKE HAZARD REDUCTION IN UNREINFORCED MASONRY BEARING**
19 **WALL BUILDINGS**

20 (NOTE: The time limits for compliance with the provisions of Chapters 4A and 4B *have*
21 *had* passed, but the ordinance and the time limits therein are still in effect.)

22 * * * *

23 **SECTION 405A ADMINISTRATION**

24 **405A.1 Service of Notice.** *The ordinance enacting Chapters 4A and 4B required that the*
25 Building Official *shall*, not later than February 15, 1993, issue a notice to comply with Section

1 404A.1 to the owner of each building known by the Department to be within the scope of this
2 chapter. ~~The notice shall be~~ accompanied by an informational letter or brochure and a sample
3 inventory form. The enacting ordinance further provided that If, on or before February 15, 1993,
4 an owner of an unreinforced masonry bearing wall building ~~has had~~ knowledge that he or she
5 owns such a building, then failure of the Building Official to issue a notice or failure of the
6 owner to receive such a notice ~~would shall~~ not relieve the owner of the obligation to comply
7 with the provisions of Chapters 4A and 4B within the time limits set forth in Table 4A-A. An
8 owner is presumed to have knowledge that he or she owns an unreinforced masonry bearing
9 wall building if the building is on the inventory list of potential hazardous unreinforced masonry
10 bearing wall buildings required by Section 8877(a) of the California Government Code.

11 For buildings not known to the Department to be unreinforced masonry bearing wall
12 buildings and whose owners ~~have had~~ no knowledge that the buildings are unreinforced
13 masonry bearing wall buildings, the ordinance provided that the time limits set forth in Table 4A-
14 A shall commence upon the owners having actual or constructive knowledge that their
15 buildings are unreinforced masonry bearing wall buildings.

16 The time limits for compliance with the provisions of this Chapter 4A and Chapter 4B have
17 passed, however the compliance requirements are still in effect. As provided above, for those buildings
18 within the scope of Chapters 4A and 4B not known to the Department to be unreinforced masonry
19 bearing wall buildings, and whose owners did not have actual or constructive knowledge that their
20 buildings are unreinforced masonry bearing wall buildings, the time limits set forth in Table 4A-B
21 commences upon the owners having such actual or constructive knowledge. Those owners who had
22 actual knowledge on or before February 15, 1993, or are presumed to have had such knowledge, are in
23 violation of this Code and are subject to enforcement action by the Department pursuant to Section
24 102A of the Building Code.
25

1 **405A.2 Appeal from Notice.** The owner or the owner's agent may appeal the
2 Building Official's notice to the *Unreinforced Masonry Building Appeals Board of Examiners* in
3 accordance with San Francisco Building Code Section 105A.1 ~~105A.7~~.

4 * * * *

5 Chapter 4B

6 SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY 7 BEARING WALL BUILDINGS

8 (NOTE: The time limits for compliance with the provisions of Chapters 4A and 4B *have*
9 *had* passed, but the ordinance and the time limits therein are still in effect.)

10 * * * *

11 **406B.3.3.4 Minimum quality of mortar.**

12 1. Mortar shear test values, v_{to} , in psi shall be obtained for each in-place shear test in
13 accordance with the following equation:

$$14 v_{to} = (V_{test}/A_b) - p_{D+L} D+L \quad (4B-1)$$

15 2. The mortar shear strength, v_t , is the value in psi that, after discarding the lowest 20
16 percent of the mortar shear test values, v_{to} , is the lowest of the remaining 80 percent of the
17 mortar shear test values.

18 3. Any unreinforced masonry bearing wall with v_{to} , or with mortar shear strength, v_t ,
19 less than 30 psi (206.84 kPa) shall be either removed, entirely pointed and retested or have
20 its structural function replaced and shall be anchored to supporting elements in accordance
21 with Section 406B.3.1 and Section 413B.8. When existing mortar in any wythe is pointed to
22 increase its shear strength and retested, the condition of the mortar in the adjacent bed joints
23 of the inner wythe or wythes and the opposite outer wythe shall be examined for extent of
24 deterioration. The shear strength of any wall class shall be no greater than that of the weakest
25 wythe of that class.

* * * *

408B.2 Masonry shear. The allowable unreinforced masonry shear stress, v_a shall be determined for each masonry class from the following equation:

$$v_a = 0.1v_t + 0.15 \frac{P_D}{A} \quad (4B-2)$$

The mortar shear test value, v_t , shall be determined in accordance with Section 406B.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 .

* * * *

411B.3.1 Crosswall definition. A "crosswall" is a wood-framed wall sheathed with any of the materials described in Table 4B-D or 4B-E or other system as defined in Section 411B.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.

* * * *

Table 4B-E – ALLOWABLE VALUES OF NEW MATERIALS USED IN CONJUNCTION WITH EXISTING CONSTRUCTION

NEW MATERIALS OR CONFIGURATIONS OF MATERIALS	ALLOWABLE VALUES ¹
* * * *	* * * *
4. TENSION BOLTS	(x 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 ² 900 pounds per bolt for 2 wythe walls ⁸
* * * *	* * * *

1 Chapter 4C

2 PARAPETS AND APPENDAGES – RETROACTIVE PROVISIONS

3 * * * *

4 SECTION 403C – VARIANCE PROCEDURE

5 Any person receiving a notice as set out in Section 402C above may appeal for a
6 variance ~~from the notice~~ to the Board of Examiners in the manner provided by San Francisco
7 Building Code Section 105A.1 ~~or, in the case of parapets or appendages of unreinforced masonry~~
8 ~~bearing wall buildings, to the Unreinforced Masonry Building Appeals Board in the manner provided~~
9 ~~by San Francisco Building Code Section 105A.7.~~

10 Chapter 4D

11 MANDATORY EARTHQUAKE RETROFIT OF WOOD-FRAME BUILDINGS

12 * * * *

13 **404D.1 General.** The owner of each building subject to this Chapter shall comply with
14 the reporting requirements of this section. If the building is not exempt and does not meet the
15 minimum criteria specified in this Chapter, the owner shall cause the building to be ~~retrofitted~~
16 ~~retrofitted~~ to conform to such criteria according to the compliance deadlines set forth in Table
17 4D-A. Notice of the compliance requirements shall be given by the Department pursuant to
18 Section 405D.4.

19 * * * *

20 SECTION 406D ~~3406B~~* ENGINEERING CRITERIA FOR EVALUATION AND RETROFIT.

21 * * * *Chapter 4E

22 BUILDING FAÇADE INSPECTION AND MAINTENANCE – RETROACTIVE
23 PROVISIONS
24
25

1 **SECTION 401E – GENERAL REQUIREMENTS AND SCOPE**

2 All façades of buildings of Construction Type I, II, III, or IV and which are five or more
3 stories are required to be inspected periodically by a qualified professional who shall be a
4 licensed architect or engineer retained by the property owner. The façades are required to be
5 maintained in accordance with the criteria and procedures of this Chapter ~~4E~~ ~~16E~~. For
6 buildings considered to be historic resources, the qualified professional shall have expertise in
7 inspection and maintenance of historic resources. The requirements of this Chapter are
8 retroactive and shall apply to and include buildings erected prior to the adoption of this Code.
9 Qualifications of the qualified professional and inspection requirements are as detailed in the
10 accompanying Administrative Bulletin.

11 * * * *

12 **403E.3 Inspection in Response to Damage or Failure.** Notwithstanding the Initial
13 Inspection Schedule set forth in Table 403E or the Exceptions to the initial inspection
14 requirements provided in Section 403E.1, the Department shall require an inspection of
15 façades to be performed in the following circumstance: If façade elements required to be
16 inspected under this Chapter 4E exhibit significant damage or failure as noted by Department
17 staff or property owner or owner’s agent, either during the normal passage of time or due to
18 an earthquake or other event, then the property owner is required to obtain an inspection of
19 the areas of damaged or failed elements and related building elements within 60 days unless
20 the façade poses an unsafe condition. *If the Building Official determines that there is an unsafe*
21 *condition, the provisions of Section 102A shall apply.*

22 **404E.1 Inspection and Maintenance Procedures.** Inspections and maintenance
23 shall be conducted in accordance with procedures to be detailed in an Administrative Bulletin
24 adopted by the Department based on ASTM E 2270 Standard Practice for Periodic Inspection
25 of Building Façades for Unsafe Conditions *or ASTM E 2841*

1 * * * *

2 **407E – ENFORCEMENT AND ABATEMENT.**

3 *The Director shall implement the procedures detailed in San Francisco Building Code Section*
4 *102A, Unsafe Buildings, Structures or Property, and related abatement actions when any of the*
5 *requirements for façade inspection, reporting, mitigation, repair, or maintenance are not met in a*
6 *timely manner.*

7
8 Section 5. The Plumbing Code is hereby amended by revising Sections 104.5.2,
9 606.8, and 706.4, to read as follows:

10 **104.5.2 Investigation Fees.** An investigation fee, in addition to the permit fee, shall be
11 collected whether or not a permit is then or subsequently issued. See Section 110A , Table
12 1A-C - Plumbing/Mechanical Permit Issuance and Inspection Fees, and Table 1A-K -
13 Penalties, Hearings, Code Enforcement Assessments - of the Building Code for applicable
14 fees. The payment of such investigation fee shall not exempt a person from compliance with
15 other provisions of this code, nor from a penalty prescribed by law.

16 The Director may reduce the investigation fee to two times the amount of the permit fee
17 as called for in Section 110A, Table 1A-C - Plumbing/Mechanical Permit Issuance and
18 Inspection Fees - of the Building Code for work that was constructed prior to the current
19 building ownership or for work without permit which was done prior to January 1, 1967, if the
20 owner files with the Director a notarized affidavit together with documents substantiating such
21 dates of work.

22 Appeals of investigation fees may be filed with the Board of Appeals in the manner
23 provided in *Section 8 et seq. of the Business & Tax Regulations Code Part III of the San Francisco*
24 *Municipal Code*. Such filing shall be subject to the fees and rules of the Board of Appeals. The
25 Board of Appeals, in reviewing the appeal, may reduce the appealed amount to not less than

1 two times the permit fee as set forth in Section 110A, Table 1A-C- Plumbing/ Mechanical
2 Permit Issuance and Inspection Fees - of the Building Code.

3 **606.9** ~~606.8~~ All buildings four stories or more in height or water supply greater than 40 feet
4 above the water meter shall have an approved backflow assembly installed as near as
5 possible to the water meter and before the first fitting or branch line. The backflow assembly
6 installed shall be in accordance to the degree of hazard within the building, but in no case less
7 than an approved double check assembly. See Table 603.2.

8 **706.4** Vertical to Horizontal. Vertical drainage lines connecting with horizontal drainage lines
9 shall enter through 45 degree (0.79 rad) wye branches, combination wye and one-eighth bend
10 branches, or other approved fittings of equivalent sweep. Branches or offsets of 60 degrees
11 (1.05 rad) shall be permitted to be used where installed in a true vertical position. In buildings
12 more than three stories in height, any fixture within 10 feet (304 mm) of the connection of the
13 vertical to horizontal change shall enter the horizontal drainage line at least 10 feet (304 mm)
14 downstream from the change or may connect into the next vertical downstream line.

15
16 Section 6. The Electrical Code is hereby amended by revising Sections 89.123 and
17 110.26(A), to read as follows:

18 **89.123 Fees**

19 * * * *

20 (C) **Work Without Permit – Investigation Fee.** If the Building Official finds
21 that a person, company or entity has performed electrical installation work for which a permit
22 is required, without first obtaining an electrical permit and payment of fees, the Building
23 Official shall require the payment of an investigative fee in addition to the prescribed permit
24 fee. See Section 110A, Table 1A-K – Penalties, Hearings, Code Enforcement Assessments –
25 of the Building Code for the applicable fees. The payment of such investigation fee shall not

1 exempt any person from compliance with all other provisions of this Code, nor from any
2 penalty prescribed by law. The Building Official may reduce the investigation fee to two times
3 the amount of the permit fee as called for in Section 110A, Table 1A-E – Electrical Permit
4 Fees – of the Building Code for work that was constructed prior to the current building
5 ownership if the owner files with the Building Official notarized affidavit together with
6 documents substantiating such dates of work.

7 Appeal of such investigative fee may be filed with the Board of Appeals in the manner
8 provided in Section 8 et seq. of the Business & Tax Regulations Code Part III of the San Francisco
9 Municipal Code. Such filing shall be subject to the fees and rules of the Board of Appeals. The
10 Board of Appeals, in reviewing the appeal may reduce the appealed amount to not less than
11 two times (2x) the permit fee as set forth in Section 110A, Table 1A-E – Electrical Permit Fees
12 – of the Building Code.

13 **110.26 Spaces About Electrical Equipment. * * * ***

14 (A) **Working Space. * * * ***

15 (3) **Height of Working Space.** The work space shall be clear and extend
16 from the grade, floor, or platform to a height of 2.0 m (6 1/2 ft) or the height of the equipment,
17 whichever is greater. Within the height requirements of this section, other equipment that is
18 associated with the electrical installation and is located above or below the electrical
19 equipment shall be permitted to extend not more than 150 mm (6 in.) beyond the front of the
20 electrical equipment.

21 Exception No. 1:[Editor's Note: Exception No. 1 is deleted by local amendment.]

22 Exception No. 2: Meters that are installed in meter sockets shall be *allowed permitted* to
23 extend beyond the other equipment. The meter socket shall be required to follow the rules of
24 this section.

1 Section 7. The Housing Code is hereby amended by revising Section 1101, to read as
2 follows:

3 **SEC. 1101. CERTIFICATE OF FINAL COMPLETION.**

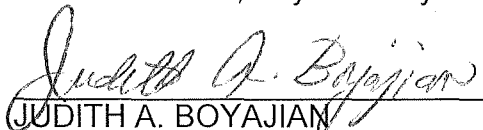
4 See Sections 109A ~~and 3406~~ of the Building Code.

5
6 Section 8. Effective Date. This ordinance shall become effective 30 days after
7 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
8 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
9 of Supervisors overrides the Mayor's veto of the ordinance

10
11 Section 9. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
12 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
13 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
14 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
15 additions, and Board amendment deletions in accordance with the "Note" that appears under
16 the official title of the ordinance.

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

19 By:


20 JUDITH A. BOYAJIAN
Deputy City Attorney

21 n:\egana\as2017\1800270\01333281.docx
22
23
24
25

LEGISLATIVE DIGEST

[Various Department of Building Inspection Codes - Technical Corrections to Existing Code]

Ordinance amending various sections of the Building, Existing Building, Plumbing, Electrical, and Housing Codes to correct or clarify existing Code language, re-enact a longstanding permit requirement for fences with the finding required by the California Health and Safety Code, and add enforcement provisions for the Building Facade Inspection and Maintenance Program; affirming the Planning Department's determination under the California Environmental Quality Act; adopting a finding under the California Health and Safety Code; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage.

Existing Law

The Department of Building Inspection Codes regulate, among other things, the construction and alteration of buildings and structures within the City and County of San Francisco.

Amendments to Current Law

The proposed ordinance makes a number of technical corrections or clarifications to existing language of the Building, Existing Building, Plumbing, Electrical and Housing Codes to correct grammar and punctuation, section numbers, out-of-date cross-references, and similar clerical errors. Clarifying amendments have been made to the language of two expired mandatory upgrade programs – Building Code Chapter 13A, Commercial Water Conservation, and Existing Building Code Chapter 4A, Earthquake Hazard Reduction in Unreinforced Masonry Bearing Wall Buildings – that bring their provisions up to date.

The following additional amendments are proposed:

- Staff at the California Building Standards Commission has questioned the legality of San Francisco's longstanding permit requirement for fences over a certain height that is contained in Section 106A.2 of the Building Code. This ordinance re-enacts the requirement with a finding of local conditions under the California Health and Safety Code.
- The appeal process in Section 327 of the Existing Building Code – establishing work practices for lead-based paint on pre-1979 buildings and steel structures – is amended to allow the Abatement Appeals Board to review the entire abatement order, including the monetary portion, as is the case with other appeals.
- A clarification of the Building Official's enforcement authority is made to Chapter 4E of the Existing Building Code for façade inspections.

BOARD of SUPERVISORS



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

February 15, 2019

File No. 190136

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On February 12, 2019, the Building Inspection Commission introduced the following proposed legislation:

File No. 190136

Ordinance amending various sections of the Building, Existing Building, Plumbing, Electrical, and Housing Codes to correct or clarify existing Code language, re-enact a longstanding permit requirement for fences with the finding required by the California Health and Safety Code, and add enforcement provisions for the Building Facade Inspection and Maintenance Program; affirming the Planning Department's determination under the California Environmental Quality Act; adopting a finding under the California Health and Safety Code; and directing the Clerk to forward this Ordinance to the California Building Standards Commission upon final passage.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

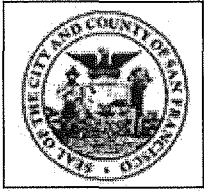
A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.



BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection Voice (415) 558-6164 - Fax (415) 558-6509
1660 Mission Street, San Francisco, California 94103-2414

January 28, 2019

London N. Breed
Mayor

COMMISSION

Angus McCarthy
President

Debra Walker
Vice-President

Kevin Clinch
John Konstin
Frank Lee
Sam Moss
James Warshell

Sonya Harris
Secretary

Shirley Wong
Assistant Secretary

Tom C. Hui
S.E.,
C.B.O., Director

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors, City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4694

Dear Ms. Calvillo:

RE: Code Corrections Ordinance

Ordinance amending various sections of the Building, Existing Building, Plumbing, Electrical, and Housing Codes to correct or clarify existing Code language, re-enact a longstanding permit requirement for fences with the finding required by the California Health and Safety Code, and add enforcement provisions for the Building Façade Inspection and Maintenance program; affirming the Planning Department's determination under the California Environmental Quality Act; adopting a finding under the California Health and Safety Code and directing the Clerk to forward this ordinance to the California Building Standards Commission upon final passage.

This amendment was heard at the Code Advisory Committee (CAC) meeting on December 12, 2018. The CAC recommended the adoption of the Code Corrections Ordinance as written.

The Building Inspection Commission met and held a public hearing on January 16, 2019 regarding the Code Corrections Ordinance, the proposed amendment to the San Francisco Building, Existing Building, Plumbing, Electrical, and Housing Codes referenced above. The Commissioners voted unanimously to **recommend approval** of the proposed Ordinance.

President McCarthy	Yes	Vice-President Walker	Yes
Commissioner Clinch	Yes	Commissioner Konstin	Yes
Commissioner Lee	Yes	Commissioner Moss	Excused
Commissioner Warshell	Yes		

Should you have any questions, please do not hesitate to call me at 558-6164.

BOARD OF SUPERVISORS
SAN FRANCISCO
2019 JAN 29 AM 10:53
AK

Sincerely,

A handwritten signature in cursive script that reads "Sonya Harris".

Sonya Harris
Commission Secretary

cc: Tom C. Hui, S.E., C.B.O., Director
Mayor London N. Breed
Board of Supervisors

BOARD of SUPERVISORS



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By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
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