

1 [Multiple languages in Building and Planning Code neighborhood notices.]

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3 Ordinance amending the San Francisco Building Code by adding Sections 104.6 through  
4 104.6.3 and amending the San Francisco Planning Code by adding Section 306.10 to require  
5 publication of a cover sheet with neighborhood notices advising how to request information  
6 about the notices in multiple languages and making findings.

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

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

11 Section 1. The San Francisco Building Code is hereby amended by adding Section  
12 104.6, to read as follows:

13 Sec. 104.6 Multiple Languages in Notices

14 Sec. 104.6.1 Definitions. For the purposes of this section, the following definitions shall  
15 apply:

16 DEDICATED TELEPHONE NUMBER means a telephone number for a recorded message in a  
17 Language of Limited English Proficient Residents. The recorded message shall advise callers as to  
18 what information they should leave on the message machine so that the Department may return the call  
19 with information about the notice in the requested language.

20 LANGUAGE OF LIMITED ENGLISH PROFICIENT RESIDENTS means each of the two  
21 languages other than English spoken most commonly by San Francisco residents of limited English  
22 proficiency as determined by the Planning Department based on its annual review of United States  
23 census and other data as required by San Francisco Administrative Code Section 91.2(j).

24 Sec. 104.6.2 Applicability of Multiple Language Requirement. The requirements of Section  
25 104.6.3 shall apply to the following notices:

- 1           1.       Notices required by Section 103.3.3 that are mailed or personally served..
- 2           2.       Notices required by Section 106.3.2.2.1.
- 3           3.       Notices required by Section 106.3.2.3.
- 4           4.       Notices required by Section 106.4.6, subsection 2.
- 5           5.       Notices required by Section 106.4.6, subsection 3.
- 6           6.       Notices required by Section 3408.3.2.
- 7           7.       Any other notices required by the Building Code to be mailed or personally served to  
8 property owners or occupants adjacent to or near a property for which Building Department  
9 development approval is sought.

10           Sec. 104.6.3. Multiple Language Statement in Notices. The Building Department shall prepare  
11 a cover sheet as specified below and include it with each notice of the type listed in Section 104.6.2 that  
12 is mailed or personally served. For posted notices listed in Section 104.6.2, the Department shall post  
13 the cover sheet next to the posted notice. The cover sheet shall contain the following statement, printed  
14 in each Language of Limited English Proficient Residents and, to the extent available Department  
15 resources allow, such other languages that the Department determines desirable, with the name of the  
16 language in which the statement is made, the time period for a decision on the matter and the  
17 Dedicated Telephone Number for the language of the statement inserted in the appropriate blank  
18 spaces:

19           “The attached notice is provided under the Building Code. It concerns property located  
20 at the address shown on the attached notice. A hearing may occur, a right to request  
21 review may expire or a development approval may become final unless appealed within  
22 [insert days until a hearing or deadline for requesting review or appealing a decision].  
23 To obtain information about this notice in [insert name of language] please call [insert  
24 Dedicated Telephone Number]. Please be advised that the Building Department will  
25 require at least one business day to respond to any call. Provision of information in

1 [insert name of language] is provided as a service by the Building Department and does  
2 not grant any additional rights or extend any time limits provided by applicable law.”

3 The Department shall maintain a Dedicated Telephone Number for each Language of Limited  
4 English Proficient Residents. The Department shall place a return telephone call by the end of the  
5 following business day to each person who leaves a message concerning a neighborhood notice at a  
6 Dedicated Telephone Number and when the caller is reached, provide information to the caller about  
7 the notice in the language spoken by the caller.

8 Section 2. The San Francisco Planning Code is hereby amended by adding Section  
9 306.10 to read as follows:

10 **SEC. 306.10. MULTIPLE LANGUAGE REQUIREMENT FOR NOTICES.**

11 (a) Applicability. In addition to the notice requirements set forth elsewhere in this Code, the  
12 requirements of this section shall apply to the mailed notices that are required by the following sections  
13 of the Planning Code: Sections 228.4(c), 304.5(d), 306.3, 306.7(g), 306.9(c), 309(c) through 309(h),  
14 311, 312., 313.4(b), 314.4(a), 316.3(d), 330.7, and any other section of the Planning Code that requires  
15 a notice to be mailed or personally served to property owners or occupants adjacent to or near a  
16 property for which Planning Department development approval is sought.

17 (b) Definitions. The following definitions shall apply for the purposes of this section:

18 (1) Dedicated Telephone Number means a telephone number for a recorded message in a  
19 Language of Limited English Proficient Residents. The recorded message shall advise callers as to  
20 what information they should leave on the message machine so that the Department may return the call  
21 with information about the notice in the requested language.

22 (2) Language of Limited English Proficient Residents means each of the two languages other  
23 than English spoken most commonly by San Francisco residents of limited English proficiency as  
24 determined by the Planning Department based on its annual review of United States census and other  
25 data as required by San Francisco Administrative Code Section 91.2(j).

1           (c) **Multiple Language Statement in Notices.** The Planning Department shall prepare a  
2 cover sheet as specified below and include it with each notice of the type listed in subsection (a). The  
3 cover sheet shall contain the following statement, printed in each Language of Limited English  
4 Proficient Residents and, to the extent available Department resources allow, such other languages  
5 that the Department determines desirable, with the name of the language in which the statement is  
6 made, the time period for a decision on the matter and the Dedicated Telephone Number for the  
7 language of the statement inserted in the appropriate blank spaces:

8           “The attached notice is provided under the Planning Code. It concerns property located  
9 at the address shown on the attached notice. A hearing may occur, a right to request  
10 review may expire or a development approval may become final unless appealed within  
11 [insert days until a hearing or deadline for requesting review or appealing a decision].  
12 To obtain information about this notice in [insert name of language], please call [insert  
13 Dedicated Telephone Number] . Please be advised that the Planning Department will  
14 require at least one business day to respond to any call. Provision of information in  
15 [insert name of language] is provided as a service by the Planning Department and does  
16 not grant any additional rights or extend any time limits provided by applicable law.”

17           The Department shall maintain a Dedicated Telephone Number for each Language of Limited  
18 English Proficient Residents. The Department shall place a return telephone call by the end of the  
19 following business day to each person who leaves a message concerning a neighborhood notice at a  
20 Dedicated Telephone Number, and when the caller is reached, provide information to the caller about  
21 the notice in the language spoken by the caller.

22           Section 3. Findings.

23           The Board of Supervisors finds that this ordinance will serve the public necessity,

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1 convenience and welfare by making public notices provided to neighbors of a proposed  
2 development project more accessible to non-English speaking residents of San Francisco.

3 APPROVED AS TO FORM:  
4 DENNIS J. HERRERA, City Attorney

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6 By: \_\_\_\_\_  
7 ELAINE C. WARREN  
8 Deputy City Attorney  
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