

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Joanne Hayes-White, Chief, Fire Department  
Toney D. Chaplin, Acting Chief of Police, Police Department  
Vicki Hennessy, Sheriff, Sheriff's Department  
Mohammed Nuru, Director, Public Works  
Ed Reiskin, Executive Director, Municipal Transportation Agency

FROM: *el for* Alisa Somera, Deputy Director  
Land Use and Transportation Committee

DATE: September 20, 2016

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Wiener on September 13, 2016:

**File No. 160986**

**Ordinance amending the San Francisco Fire Code to amend the San Francisco Fire Marshal's authority to increase the minimum access widths for streets; repeal the prohibition against traffic calming devices that the Fire Marshal has not approved, and reaffirm and clarify that the City has not adopted as part of the San Francisco Fire Code Appendix D of the California Fire Code, addressing standards for fire apparatus access roads; and affirming the Planning Department's determination under the California Environmental Quality Act.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org).

c: Kelly Alves, Fire Department  
Christine Fountain, Police Department  
Theodore Toet, Sheriff's Department  
Katherine Gorwood, Sheriff's Department  
Eileen Hirst, Sheriff's Department  
Frank Lee, Public Works  
John Thomas, Public Works

Lena Liu, Public Works  
Janet Martinsen, Municipal Transportation Agency  
Kate Breen, Municipal Transportation Agency  
Dillon Auyoung, Municipal Transportation Agency

1 [Fire Code - Fire Apparatus Access Roads]

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3 **Ordinance amending the San Francisco Fire Code to amend the San Francisco Fire**  
4 **Marshal's authority to increase the minimum access widths for streets; repeal the**  
5 **prohibition against traffic calming devices that the Fire Marshal has not approved, and**  
6 **reaffirm and clarify that the City has not adopted as part of the San Francisco Fire Code**  
7 **Appendix D of the California Fire Code, addressing standards for fire apparatus access**  
8 **roads; and affirming the Planning Department's determination under the California**  
9 **Environmental Quality Act.**

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 Section 1. The Planning Department has determined that the actions contemplated in  
19 this ordinance comply with the California Environmental Quality Act (California Public  
20 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the  
21 Board of Supervisors in File No. \_\_\_ and available on the Board's website and is incorporated  
22 herein by reference. The Board affirms this determination.

23 Section 2. The Fire Code is hereby amended by revising Section 503, to add Sections  
24 503.2.2 and 503.4.1 to replace the corresponding California Fire Code provisions to read as  
25 follows:

1           **SECTION 503 – FIRE APPARATUS ACCESS ROADS**

2           \* \* \* \*

3           **503.2.2 [For SF] Authority.** The fire code official may require an increase in the minimum  
4 access width where the official issues a written determination that identifies a unique or exceptional  
5 condition not generally found in other parts of the city and finds that under the condition the minimum  
6 access width prescribed in this code is inadequate for fire or rescue operations.

7  
8           **503.4.1 [For SF] Traffic Calming Devices Provision Not Adopted.**

9           Section 503.4.1 of the California Fire Code regarding traffic calming devices is not adopted as  
10 part of the San Francisco Fire Code and therefore does not apply in San Francisco.

11  
12           Section 3. The Fire Code is hereby amended by revising Section 1.1.8.2 to the Fire  
13 Code, to read as follows:

14           **SECTION 1.1**

15           \* \* \* \*

16           **1.1.8.2 [For SF] Adoption of New Code.**

17           The 2013 San Francisco Fire Code is designed to regulate and govern the safeguarding of life  
18 and property from fire and explosions hazards arising from the storage, handling, and use of hazardous  
19 substances, materials, and devices, and from conditions hazardous to life or property in the occupancy  
20 of buildings and premises. The 2013 San Francisco Fire Code is also designed to provide for the  
21 issuance of permits, inspections, and other Fire Department services, as well as the assessment and  
22 collection of fees for those permits, inspections, and services.

23           Generally, the State of California adopts a new California Fire Code every three years, with the  
24 new Code going into effect 180 days after publication. The California Fire Code consists of a base  
25

1 model code with amendments made by various State agencies with jurisdiction over the California Fire  
2 Code. The 2013 California Fire Code is based on the 2012 International Fire Code.

3 Local jurisdictions are required to enforce the California Fire Code. In addition, local  
4 jurisdictions may enact more restrictive building standards than those set in the California Fire Code,  
5 where those more restrictive standards are reasonably necessary because of local conditions caused by  
6 climate, geology, or topography. For San Francisco to enact more restrictive standards, the Board of  
7 Supervisors must make express findings regarding the local conditions to support the more restrictive  
8 provisions. Local amendments to building standards are not effective until the required findings are  
9 locally adopted and sent to the California Building Standards Commission.

10 As in past code cycles, San Francisco has repealed its prior Fire Code and enacted a new 2013  
11 Fire Code. The prior San Francisco Fire Code incorporated by reference the 2010 California Fire  
12 Code (Title 24, California Code of Regulations, Part 9) and those portions of the 2009 International  
13 Fire Code not promulgated by the California Building Standards Commission, with local amendments  
14 adopted by San Francisco.

15 The 2013 California Fire Code went into effect on January 1, 2014. A copy of the 2013  
16 California Fire Code is on file with the Clerk of the Board of Supervisors in File No. 130786 and is  
17 incorporated herein by reference. The San Francisco Fire Department must enforce the California Fire  
18 Code. If San Francisco wishes to impose more restrictive building standards than those set in the  
19 California Fire Code, it must do so before the effective date of the 2013 California Fire Code. In  
20 addition, State and local law allow local amendments in the interim between code adoptions.

21 The 2013 San Francisco Fire Code incorporates by reference the 2013 California Fire Code  
22 (Title 24, California Code of Regulations, Part 9), including appendices adopted by the State. In  
23 addition, except as expressly deleted, modified, or amended, the 2013 San Francisco Fire Code  
24 incorporates by reference those portions of the 2012 International Fire Code that were not adopted by  
25 the California Building Standards Commission in the California Fire Code. The 2013 San Francisco

1 Fire Code does not adopt or incorporate by reference Appendix D of the 2103 California Fire Code.

2 The 2013 San Francisco Fire Code also includes local amendments specific to San Francisco.

3 The Chief of the Fire Department shall review all adoptions of the California Fire Code  
4 by the California Building Standards Commission. Within 180 days of publication of such  
5 adoptions, the Chief shall recommend, through the Fire Commission, to the Board of  
6 Supervisors more restrictive standards of this code as are reasonably necessary to  
7 accommodate local climate, geological, or topographical conditions. This section does not  
8 prohibit amendments to this code in the interim between code adoptions by the California  
9 Building Standards Commission.

10  
11 Section 4. Effective Date. This ordinance shall become effective 30 days after  
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
14 of Supervisors overrides the Mayor's veto of the ordinance.

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16 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
17 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
18 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
19 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
20 additions, and Board amendment deletions in accordance with the "Note" that appears under  
21 the official title of the ordinance.

22 APPROVED AS TO FORM:  
23 DENNIS J. HERRERA, City Attorney

24 By: 

25 Buck Delventhal  
Deputy City Attorney

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