

**AMENDED LEGISLATIVE DIGEST**  
*(Revised 7/26/16)*

[Fire Code - Disclosure of Fire Safety Information]

**Ordinance amending the San Francisco Fire Code to require building owners and homeowners' associations to provide fire safety information to residents in buildings with three or more dwelling units, and annual fire safety information and training to residents in buildings with 16 or more units; making findings as to local conditions pursuant to the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to transmit the ordinance to appropriate State officials.**

Existing Law

Chapter 4 of the Fire Code specifies requirements for emergency planning and preparedness.

Amendments to Current Law

The proposed ordinance amends Chapter 4 by requiring building owners to disclose fire safety information to residents. The purpose of the proposed ordinance is to increase safety from the risk of fires.

The ordinance would require owners of Apartment Houses (*i.e.*, buildings with three or more dwelling units) to provide annual disclosures to building residents. The disclosures are to be provided orally and in writing before new residents first commence occupancy in the building, and in writing once a year thereafter by January 31 of each year. The disclosures should cover (1) the location of all fire extinguishers and dates of last servicing; (2) the location of all emergency exits and a statement that they must remain unobstructed; (3) the location of all fire escapes and the dates of last inspection; (4) the location of the building's fire alarm system, with the dates of inspection and testing and certification as applicable; (5) the location of all smoke alarms in each resident's dwelling unit, along with instructions on how to confirm they are in working condition and a statement of when they were last replaced; (6) the location of all carbon monoxide detectors in each resident's dwelling unit, along with instructions on how to confirm they are in working condition and a statement of when they were last replaced; and (7) the phone number of the appropriate contact within the San Francisco Fire Department for reporting suspected violations of the proposed ordinance. Owners must retain a record of their compliance with these disclosure requirements for at least two years. A failure to maintain such records shall create a rebuttable presumption that the owner has not made the required disclosures. The disclosure requirement will become operative six months after the ordinance is enacted.

In addition, the ordinance would also require owners of Apartment Houses to post the certain of the required disclosures (items (1), (2), (3), (4), and (7), above) in a common area frequented by the residents of the building. This information must be updated as appropriate

by January 31 of each year. The owner must also affix a sign or sticker at the main point of entry to the Apartment House that contains the phone number of the owner, property manager, or other person who can give the Fire Marshal or other building inspector prompt access to the building to conduct safety inspections. The Department of Building Inspection is responsible for enforcing these posting requirements pursuant to periodic health and safety inspections as required by code. These posting requirements will become operative six months after the ordinance is enacted.

Owners of buildings with 16 or more dwelling units must offer residents an annual fire safety training that covers the required disclosures, best practices for how to prevent and escape from building fires, and any other fire safety information that the building owner deems appropriate. Owners must provide residents advance written notification of the trainings and must provide a written summary to each dwelling unit that did not send at least one resident to attend. Owners must retain a record of their compliance with the training requirement for at least two years. A failure to maintain such records shall create a rebuttable presumption that the owner has not provided the required training. These training requirements will become operative one year after the ordinance is enacted.

The San Francisco Fire Chief or his or her designee may assess and collect administrative fines for violations of the proposed ordinance in accordance with Chapter 100 of the Administrative Code. Each day a violation is permitted or allowed to continue is a separate violation.

#### Background Information

This legislative digest reflects amendments proposed at the Public Safety and Neighborhood Services Committee on July 14, 2016, to provide that (1) the ordinance shall be codified at Chapter 4 of the Fire Code, rather than Chapter 9; (2) the posted information need not appear on a map or diagram; (3) the Department of Building Inspection shall enforce the posting requirements pursuant to periodic health and safety inspections as required by code; (4) the posted information and disclosures must include the phone number of the appropriate contact within the Fire Department for reporting suspected violations of the ordinance; (5) the training requirement shall become operative one year, rather than six months, after the ordinance's effective date; and (6) a resident's failure to prepare a statement to confirm the disclosure has occurred, or to attend fire safety trainings, shall not constitute good cause for an eviction under Administrative Code Section 37.9(a).

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