

1 [Amending Section 106 of the San Francisco Fire Code To Increase Fees For Services.]

2

3 **Ordinance amending Section 106 of the San Francisco Fire Code to increase fees for**
4 **Fire Department services, to become operative on its effective date or on July 1, 2003**
5 **whichever is later.**

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

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

10

11 Section 1. Findings

12 The Planning Department has determined that the actions contemplated in this
13 Ordinance are in compliance with the California Environmental Quality Act (California Public
14 Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the
15 Board of Supervisors in File No. _____ and is incorporated herein by reference.

16 Section 2. The San Francisco Fire Code is hereby amended by amending Section 106
17 to read as follows:

18 SECTION 106 –FEES

19 106.1 [For SF] General. Fees shall be assessed in accordance with the provisions of
20 this section

21 106.2 [For SF] Permit Filing Fees. The filing fee for each permit shall be as set forth in
22 Table 106-A. Inspections which require more than two hours to complete shall be subject to
23 an additional fee of ~~\$75.00~~ \$80.00 for each hour.

24 106.3 [For SF] Reinspection of Violation Fees. If an inspection by a designated officer
25 or employee of the fire department discloses a violation(s) of this code, the chief shall

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1 determine a period of time that is reasonable to remedy the violation and reinspect the
2 property to verify such correction. The department shall collect a fee in the amount of ~~\$73.00~~
3 \$80.00 to compensate for its costs of performing such reinspection to certify correction of the
4 code violation(s) and secure compliance with the applicable requirements. Inspections which
5 require more than one hour to complete shall be subject to an additional fee at the rate of
6 ~~\$18.25~~ \$20.00 for each quarter-hour increment beyond the first sixty minutes of the
7 department's on-site review.

8 106.3.1 [For SF] Second Notice. If full payment of the fee is not received within 60
9 days after notice of payment due was sent pursuant to Section 106.3, an additional request
10 for payment shall be sent to the responsible party(s). The written notice shall state that the
11 responsible party is liable for the payment of the fee indicated on the notice and, if payment of
12 such fee is not received within 30 days of the mailing date of this notice, a penalty of 10 per
13 cent plus interest at the rate of one per cent per month on the outstanding balance shall be
14 added to the fee indicated on the notice from the date that notice of payment due was sent
15 pursuant to Section 106.3.

16 106.3.2 [For SF] Liens. If payment is not received within 30 days following mailing of
17 the additional request, the chief shall initiate special assessment lien proceedings in
18 accordance with Section 107 of this code.

19 106.4 [For SF] False Alarm Fees. A service fee of \$250 shall be charged for each false
20 fire alarm determined to be caused by alarm system malfunctions to which the fire department
21 responds after the first five such false fire alarms at that address within any calendar year. A
22 service fee of \$500 shall be charged for each false fire alarm determined to be caused by
23 alarm system malfunctions to which the fire department responds after the first ten such false
24 fire alarms at that address within any calendar year. The Chief may waive the false alarm fee
25 for good cause as determined by the Chief.

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1 106.4.1 [For SF] Second Notice. If full payment of the fee is not received within 60
2 days after notice of payment due was sent pursuant to Section 106.4, an additional request
3 for payment shall be sent to the responsible party(s). The written notice shall state that the
4 responsible party is liable for the payment of the fee indicated on the notice and, if payment of
5 such fee is not received within 30 days of the mailing date of this notice, a penalty of 10 per
6 cent plus interest at the rate of one per cent per month on the outstanding balance shall be
7 added to the fee indicated on the notice from the date that notice of payment due was sent
8 pursuant to Section 106.4

9 106.4.2 [For SF] Liens. If payment is not received within 30 days following mailing of
10 the additional request, the chief shall initiate special assessment lien proceedings in
11 accordance with Section 107 of this code.

12 106.7 [For SF] Referral Fees. Upon the request of a government agency, person or
13 firm for a preliminary site inspection or survey of a premise for compliance with this code or
14 other regulatory codes enforced by this department, a service fee of ~~\$73.00~~ \$80.00 per hour
15 shall be collected for such on-site inspections and consultations. Fees shall be paid at the
16 time the request is submitted. Fees referenced in the California Health and Safety Code shall
17 take precedence over this fee.

18 106.8 [For SF] High-Rise Inspection Fees. For inspections of high-rise structures
19 pursuant to Section 13217 of the *California Health and Safety Code*, the owner of the
20 structure shall pay a fee to cover the department's costs of inspection. Such fee shall be
21 calculated on the basis of ~~\$6.66~~ \$7.06 per 1000 square feet of gross floor area, and shall be
22 collected by the fire department.

23 106.8.1 [For SF] Gross Floor Area. For purposes of this section, the term "gross floor
24 area" shall be defined as the entire area of each floor, attic, basement or shaft of a building
25 included within the surrounding exterior walls of a building, including any portion not included

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1 within the surrounding exterior walls; provided, however, that such portion is under the
2 horizontal projection of the roof or floor above.

3 106.8.2 [For SF] Notice of Payment Due. A notice of payment due shall be sent by the
4 chief to the owner of the structure and shall contain the following information:

5 1. The date and location of the fire department's high-rise inspection;

6 2. The amount of the inspection fee;

7 3. A statement advising the owner of the structure that he or she is liable under this
8 section for the costs of inspection in the amount indicated in the notice and that payment to
9 the city to reimburse it for these costs is due within 60 days of the mailing date of the notice;

10 4. A statement advising that a penalty of 10 per cent plus interest at the rate of one per
11 cent per month on the outstanding balance shall be added to the costs from the date that
12 payment is due under this section;

13 5. A statement advising the owner of the structure that if payment of the costs is not
14 received within 90 days of the mailing date, a lien may be imposed on the property of the
15 owner of the structure pursuant to the provisions of this section;

16 6. A statement that the owner of the structure may appeal the square foot
17 determination contained in the notice of payment due to the chief of department. Said appeal
18 must be filed in writing with the fire department no later than 30 days after the date the notice
19 of payment due is issued. The chief of department's decision on the appeal shall be final.

20 106.8.3 [For SF] Second Notice. If full payment of the fee is not received within 60
21 days after the notice of payment due was sent, a second notice of payment due shall be sent
22 by the fire department to the owner of the structure. The second notice shall state that the
23 owner of the structure is liable for the payment of the fees indicated on the notice and that if
24 payment of such fees is not received within 30 days of the mailing date of the second notice, a
25

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1 lien may be imposed on the subject high-rise structure pursuant to the provisions of this
2 section.

3 106.8.4 [For SF] Liens. If payment is not received within 30 days following mailing of
4 the second notice, the chief shall initiate special assessment lien proceedings pursuant to
5 Section 107 of this code.

6 106.9 [For SF] Plan Review Fees. Upon application for a permit for the erection of a
7 new building or for alteration work for which plans are required by the department of building
8 inspection, the central permit bureau shall charge and collect a fee to compensate the fire
9 department for its costs of reviewing plans submitted with building permit applications for
10 compliance with fire safety regulations. The fee shall be based on the valuation of the work
11 as determined by the department of building inspection. The fee for each permit shall be as
12 set forth in Table 106-B. The fire department shall collect a fee in the amount of \$75.00 per
13 hour or fraction thereof for any back checking review of previously approved plans.

14 106.10 [For SF] Field Inspection Fees. When the fire department determines a field
15 inspection is also required to certify that building construction is in compliance with fire safety
16 regulations, it shall calculate an additional fee to compensate for the additional costs to
17 conduct such inspection(s). The central permit bureau shall collect the inspection fee due, as
18 calculated by the fire department, prior to the issuance of a building permit. Additional
19 inspection time required over the amount of time set forth in Table 106-C shall be purchased
20 prior to inspection. The fire department shall collect a fee of ~~\$73.00~~ \$80.00 per hour for the
21 cost of providing the inspection service. The fire department shall reimburse department of
22 building inspection special fund for the costs incurred by the department of building inspection
23 in collecting such fees. The fee for each permit shall be as set forth in Table 106-C.

24 106.11 [For SF] Pre-application plan review. When a party wishes to discuss specific
25 design issues or submit preliminary designs for review and comment by the Fire Department

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1 prior to formal application for permit, a fee of \$150.00 will be assessed. This fee will provide
2 the applicant with up to two hours for research and meeting with Fire Department personnel.

3 106.12 [For SF] Consolidation of Permits Fee. The fee for consolidation of permits
4 shall be \$40.00 for each activity added to the original permit.

5 106.13 [For SF] Unit Inspection Fee. When inspection of multiple units at the same
6 location is required for the issuance of a permit, there shall be an inspection fee of \$10.00 for
7 each additional unit inspected.

8 106.14 [For SF] Posting Fee. The fee for posting notice of application for certain
9 permits shall be in accordance with San Francisco Municipal Code Part III—Revenue and
10 Business Regulations, Section 27.

11 106.15 [For SF] Overtime Fee. Upon a request from a person or firm for an inspection
12 which is not scheduled during an employees normal working schedule, an overtime fee will be
13 charged. An overtime fee of ~~\$86.00~~ \$90.00 per hour shall be collected. The minimum
14 compensation will be four hours.

15 106.16 [For SF] Collection of Other Fees. The chief is authorized to collect fees as
16 required by other portions of the San Francisco Municipal Code for activities of the
17 department of city planning for their services pertinent to the issuance of permits required by
18 this code.

19 106.17 [For SF] Water Flow Request Fee. Upon a request from a person or firm for
20 water flow information, a water flow fee of \$37.50 will be charged. If the information
21 requested requires that Fire Department employees are required to perform an on-site water
22 flow test, a fee of \$150.00 will be charged.

23 106.18 [For SF] Fee-Setting Procedure. Each year the chief shall report the revenues
24 received from each type of fee collected by the department, the costs, both direct and indirect,
25 incurred in providing the services for which the fee is assessed, the anticipated costs for the

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1 ensuing fiscal year and the rates which would be necessary to support such cost for each type
 2 of fee. The report shall be filed with the controller not later than April 1st of each year
 3 pursuant to the provisions of the San Francisco Administrative Code. The controller shall file
 4 said report with the board of supervisors no later than May 15th of each year. The board of
 5 supervisors shall, by ordinance, establish or adjust the rates for any fire department fees. The
 6 rates set shall be equal to, but not greater than, the rates necessary to support the costs of
 7 providing the services for which each fee is assessed.

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9 TABLE 106-A—PERMIT FEES

10	TYPE OF PERMIT	FEE
11	Aerosol Products	\$150.00 <u>\$160.00</u>
12	Aircraft repair hanger	\$150.00 <u>\$160.00</u>
13	Aircraft refueling vehicles	\$150.00 <u>\$160.00</u>
14	Automobile parking station	\$150.00 <u>\$160.00</u>
15	Battery Systems	\$150.00 <u>\$160.00</u>
16	Burning, removal of paint	\$150.00 <u>\$160.00</u>
17	Cellulose nitrate film	\$150.00 <u>\$160.00</u>
18	Cellulose nitrate storage	\$150.00 <u>\$160.00</u>
19	Combustible fiber storage	\$150.00 <u>\$160.00</u>
20	Combustible material storage	\$150.00 <u>\$160.00</u>
21	Combustible metal processing	\$150.00 <u>\$160.00</u>
22	Compressed gases	
23	Nonflammable	\$150.00 <u>\$160.00</u>
24	Flammable	\$150.00 <u>\$160.00</u>
25	Installation of nonflammable medical gas system	\$150.00 <u>\$160.00</u>

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1	Installation of flammable gas system	\$150.00 <u>\$160.00</u>
2	Conditional use	\$37.50 <u>\$40.00</u>
3	Cryogenic fluids	
4	Store, sell or handle	\$150.00 <u>\$160.00</u>
5	Transport	\$150.00 <u>\$160.00</u>
6	Dry-cleaning plant	\$150.00 <u>\$160.00</u>
7	Dust-producing machinery	\$150.00 <u>\$160.00</u>
8	Explosives	
9	Receive	\$150.00 <u>\$160.00</u>
10	Store	\$150.00 <u>\$160.00</u>
11	Fireworks	
12	Display or special effects	\$150.00 <u>\$160.00</u>
13	Import or export	\$150.00 <u>\$160.00</u>
14	Sell, maintain or store	\$150.00 <u>\$160.00</u>
15	Transport	\$150.00 <u>\$160.00</u>
16	Flammable finishes, application of	\$150.00 <u>\$160.00</u>
17	Limited spray paint	\$150.00 <u>\$160.00</u>
18	Flammable liquids	
19	Installation or modification of piping systems,	
20	including dispensers	\$150.00 <u>\$160.00</u>
21	Installation of underground tanks	\$150.00 <u>\$160.00</u>
22	Portable storage tank	\$150.00 <u>\$160.00</u>
23	Manufacture, processing, blending or refining	\$150.00 <u>\$160.00</u>
24	Removal, abandonment, emptying or disposing	
25	of any flammable liquid tank	\$150.00 <u>\$160.00</u>

1	Service station, attendant	\$150.00 <u>\$160.00</u>
2	Self-service station	\$150.00 <u>\$160.00</u>
3	Self-service station partial	\$150.00 <u>\$160.00</u>
4	Storage and handling	\$150.00 <u>\$160.00</u>
5	Tank vehicle	\$150.00 <u>\$160.00</u>
6	Dispensing from a tank vehicle	\$150.00 <u>\$160.00</u>
7	Testing flammable liquid tank for leakage	\$150.00 <u>\$160.00</u>
8	Use or excavation near a pipeline used to	
9	transport flammable liquids	\$150.00 <u>\$160.00</u>
10	Fruit-ripening process	\$150.00 <u>\$160.00</u>
11	Fumigation or thermal insecticidal fogging concern	\$150.00 <u>\$160.00</u>
12	Hazardous chemicals	
13	Storage	\$150.00 <u>\$160.00</u>
14	Transportation	\$150.00 <u>\$160.00</u>
15	High-piled combustible storage	\$150.00 <u>\$160.00</u>
16	Hot work on piers (daily)	\$37.50 <u>\$40.00</u>
17	Hot work on piers (annual)	\$150.00 <u>\$160.00</u>
18	Industrial ovens	\$150.00 <u>\$160.00</u>
19	Liquefied petroleum gases	
20	Handling	\$150.00 <u>\$160.00</u>
21	Receiving	\$150.00 <u>\$160.00</u>
22	Storing	\$150.00 <u>\$160.00</u>
23	Transporting	\$150.00 <u>\$160.00</u>
24	Using	\$150.00 <u>\$160.00</u>
25	Unit Inspection Fee	\$10.00

1	Installation	\$150.00 <u>\$160.00</u>
2	Lumber storage	\$150.00 <u>\$160.00</u>
3	Manufacture of any organic coating	\$150.00 <u>\$160.00</u>
4	Matches, storage of	\$150.00 <u>\$160.00</u>
5	Mechanical refrigeration	\$150.00 <u>\$160.00</u>
6	Oil wells	\$150.00 <u>\$160.00</u>
7	Open burning	\$150.00 <u>\$160.00</u>
8	Open flame devices	
9	On a marina	\$150.00 <u>\$160.00</u>
10	In public assembly	\$150.00 <u>\$160.00</u>
11	Commercial mobile barbecue unit	\$150.00 <u>\$160.00</u>
12	Operate or maintain any heliport or helistop	\$150.00 <u>\$160.00</u>
13	Parade floats	\$150.00 <u>\$160.00</u>
14	Public assembly	\$150.00 <u>\$160.00</u>
15	Public assembly-permanent occupancy for non-profit group	\$0.00
16	Vehicle garage, storage/repair garage	\$150.00 <u>\$160.00</u>
17	Radioactive material, storage of	\$150.00 <u>\$160.00</u>
18	Readily combustible material, storage of	\$150.00 <u>\$160.00</u>
19	Roofing, application with open flame	\$150.00 <u>\$160.00</u>
20	Tent or temporary membrane structure	\$150.00 <u>\$160.00</u>
21	Tire rebuilding operation	\$150.00 <u>\$160.00</u>
22	Tire Storage	\$150.00 <u>\$160.00</u>
23	Vehicle wrecking yards, junk or waste material	
24	handling plants	\$150.00 <u>\$160.00</u>
25	Vending and standing space	\$150.00 <u>\$160.00</u>

1 Welding and cutting ~~\$150.00~~ \$160.00

2

3 TABLE 106-B—PLAN REVIEW FEES

4 VALUATION

FEE

5 Over

Not More Than

6 \$0

\$1,000

~~\$41.58~~ \$45.32

7 \$1,000

\$5,000

~~\$41.58~~ \$45.32 plus ~~\$12.70~~ \$13.84

8 per \$1,000 over \$1,000

9 \$5,000

\$10,000

~~\$92.40~~ \$101.44 plus ~~\$8.54~~ \$9.309

10 per \$1,000 over \$5,000

11 \$10,000

\$50,000

~~\$135.14~~ \$147.30 plus ~~\$4.22~~ \$4.60

12 per \$1,000 over \$10,000

13 \$50,000

\$100,000

~~\$303.77~~ \$331.11 plus ~~\$2.82~~ \$3.074

14 per \$1,000 over \$50,000

15 \$100,000

\$500,000

~~\$444.68~~ \$484.70 plus ~~\$1.16~~ \$1.264

16 per \$1,000 over \$100,000

17 \$500,000

\$2,500,000

~~\$906.68~~ \$998.28 plus ~~\$0.65~~ \$0.708

18 per \$1,000 over \$500,000

19 \$2,500,000

\$5,000,000

~~\$2,204.90~~ \$2,403.34 plus ~~\$0.40~~

20 \$0.436 per \$1,000 over \$2,500,000

21 \$5,000,000

\$15,000,000

~~\$3,201.66~~ \$3,489.81 plus ~~\$0.25~~

22 \$0.272 per \$1,000 over \$5,000,000

23 \$15,000,000

\$30,000,000

~~\$5,742.66~~ \$6259.50 plus ~~\$0.15~~

24 \$0.163 per \$1,000 over \$15,000,000

25 \$30,000,000

\$50,000,000

~~\$7,952.56~~ \$8,668.29 plus ~~\$0.11~~

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1			<u>\$0.12</u> per \$1,000 over \$30,000,000
2	\$50,000,000	\$100,000,000	\$10,317.56 <u>\$11,246.14</u> plus \$0.084
3			<u>\$0.92</u> per \$1,000 over \$50,000,000
4	\$100,000,000	---	\$14,509.11 <u>\$15,814.93</u> plus \$0.051
5			<u>\$0.056</u> per \$1,000 over
6			\$100,000,000

8 TABLE 106-C—FIELD INSPECTION FEES

9	VALUATION		FEE/INSPECTION TIME CREDIT
10	Over	Not More Than	
11	\$0	\$10,000	\$73.00 <u>\$80.00</u> ONE HOUR
12	\$10,000	\$50,000	\$146.00 <u>\$160.00</u> TWO HOURS
13	\$50,000	\$500,000	\$219.00 <u>\$240.00</u> THREE HOURS
14	\$500,000		\$365.00 <u>\$400.00</u> FIVE HOURS

16 Section 3. This ordinance shall become operative on its effective date or on July 1,
17 2003 whichever is later.

19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By: _____
22 Sarah Ellen Owsowitz
23 Deputy City Attorney

24
25
MAYOR