

## **LEGISLATIVE DIGEST**

[Fire Code - Repealing 2019 Code, Adopting 2022 Code]

**Ordinance repealing the existing San Francisco Fire Code in its entirety and enacting a new San Francisco Fire Code consisting of the 2022 California Fire Code and portions of the 2018 International Fire Code, together with amendments specific to San Francisco, including provisions for fees for permits, inspections, and various City services, with an operative date of January 1, 2023; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward San Francisco’s amendments to the California Building Standards Commission and State Fire Marshal; and making environmental findings.**

### Existing Law

The San Francisco Fire Code is designed to safeguard life and property from fire and explosions hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; and to provide for the issuance of permits, inspections and other Fire Department services, and the assessment and collection of fees for those permits, inspections and services. The current San Francisco Fire Code (the “2019 San Francisco Fire Code”) incorporates by reference the 2019 California Fire Code (Title 24, California Code of Regulations, Part 9), those portions of the 2018 International Fire Code not incorporated in the 2019 California Fire Code, and local amendments adopted by San Francisco.

### Amendments to Current Law

The 2022 San Francisco Fire Code enacted by this ordinance (the “2022 San Francisco Fire Code”) incorporates by reference the 2022 California Fire Code (Title 24, California Code of Regulations, Part 9) (the “2022 California Fire Code”), including appendices adopted by the State, except as expressly deleted, modified, or amended. In addition, the 2022 San Francisco Fire Code incorporates by reference those portions of the 2021 International Fire Code that were not adopted by the California Building Standards Commission in the 2022 California Fire Code. It also includes local provisions specific to San Francisco. In general, the 2022 San Francisco Fire Code carries forward the 2019 San Francisco Fire Code with some modifications. Significant changes and new requirements are described below.

Section 105 of the 2022 San Francisco Fire Code adds three additional operational permits to the list of regulated activities, and these include: Mobile Food Vendor Carts, Mobile Fueling Locations, and Emergency Responder Radio Communications Coverage Systems.

Operational permits cause a license to be issued by the Tax Collector's Office and triggers an annual fire safety inspection.

Section 107 of the 2022 San Francisco Fire Code revises only the section number referenced for various fees charged in connection with permits, plan review, overtime, and onsite inspections, among other activities. These provisions were located in Section 106 of previous fire codes.

Section 112 of the 2022 San Francisco Fire Code revises only the section number referenced for violations, administrative hearings, citations and fines, among other activities. These provisions were located in Section 110 of previous fire code.

Section 115 of the 2022 San Francisco Fire Code revises only the section number referenced for fee collection. These provisions were located in Section 114 of previous fire code.

Section 324 of the 2022 San Francisco Fire Code adds specific safety requirements for mobile food vendor carts that use appliances that produce heat to prepare or warm food using flammable gases, liquids, or solids. Ordinance 44-22, Street Vendor Regulation dated 3/22/22, requires the Fire Department to conduct a safety inspection of mobile food carts and provide approval of each cart before Department of Public Works may issue a Vending Permit.

The 2022 San Francisco Fire Code adds Sections 404.1 and 404.2 which assist in clarifying what information must be included in Fire Safety and Evacuation plans for those occupancies where they are required.

Section 504 of the 2022 San Francisco Fire Code requires additional safety measures for the operational matrix for locked doors and hatches to roofs. These measures specify the need for door lock releases to be able to be initiated from a remote location, requires a release button at the locked door itself, and a two-way communication device adjacent to the locked doors in cases of emergency or malfunction of the door release.

Section 507 adds a requirement to the 2022 San Francisco Fire Code that limits water-flow supply information, used for sprinkler and fire hydrant calculations, to be valid for one (1) year from the date the water flow information form is returned to the applicant.

Section 510 adds requirements to Emergency Responder Radio Coverage Systems (ERRCS) that all new systems must be certificated by a Recognized Testing Laboratory (e.g.; Underwriters Laboratories-UL) for final acceptance and approval by the SFFD. This requirement for certification will also be obligatory for existing ERRCS systems installed and approved previously. Section 510.6.1.2 establishes time frames for compliance based on whether the ERRCS is in a high-rise building or other structure. The certification requirement for existing buildings will be phased in over 6-9 months to allow time for each building to work with their vendor to comply.

Section 510.6.1.2 revisions were made after approval of the Fire Commission to address the need for the documentation to be on or near the BDA panel to assist the inspector with verification of certification.

Section 605 adds requirements for the installation of fuel oil piping in buildings to include all fuel oil systems (e.g.; generators, fire pumps, etc.), not just those systems feeding heating appliances.

Section 907 adds information to the 2022 San Francisco Fire Code for various fire alarm sections that additional requirements and clarification can be found in the Bureau of Fire Prevention's Administrative Bulletins.

Section 909 adds information on the use of active and passive smoke control zones when writing an analysis of a smoke control system and the possibility of requiring a tenability analysis when using these zones.

Section 1103.5.4 through 1103.5.4.5.4 adds specific requirements for when a sprinkler system shall be installed in existing high-rise buildings. These sections include which high-rise buildings are exempt, additional sprinkler system requirements, permissible omissions from the new system, and the compliance and implementation period. Building owners may complete the installation in three steps over a 10-year period that include: submitting plans, obtaining a water supply, and completing the sprinkler piping and monitoring systems. After the proposed Fire Code was approved by the Fire Commissions, Section 1103.5.4 was revised to clarify that this section applies to "residential" high-rises, "previously approved (partial) sprinkler systems" do not comply with this code requirement, and Appendix M does not apply.

Section 3303.11 adds another safety requirement during the construction of wood-frame buildings to the San Francisco Department of Building Inspection's Fire Safety Bulletin FS-04. Specifically, this section requires the use of a temporary wireless detection and notification system (i.e.; fire alarm system) while the building is under construction until the permanent fire alarm system has been installed and tested.

### Background Information

The State of California adopts a new California Fire Code every three years. The California Building Standards Commission recently issued the 2022 California Fire Code, which is based on the 2021 International Fire Code, and which will go into effect on January 1, 2023. Local jurisdictions are required to enforce the California Fire Code, but may enact more restrictive building standards than those set in the California Fire Code where those more restrictive standards are reasonably necessary due to local conditions caused by climate, geology, or topography. The Board of Supervisors must make express findings regarding the local conditions to support the adoption of more restrictive building standards. Local

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amendments to building standards are not effective until the required findings are adopted and sent to the California Building Standards Commission.

As in past three-year code cycles, this ordinance repeals the 2019 San Francisco Fire Code and enacts the 2022 San Francisco Fire Code. The San Francisco amendments are not integrated into the text of the California Fire Code, but rather are separately printed. Therefore, the user must consult both the 2022 California Fire Code and the 2022 San Francisco Fire Code to determine the complete code requirements.

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