

1 [Housing Code - Telephone Jacks and Grab Bars]

2

3 **Ordinance amending the Housing Code, Section 206, to add Section 1002 to the list of**
4 **retroactive provisions; Section 505, to require grab bars in hotel common-use water**
5 **closets and bathing facilities; Section 1002, to include as a substandard housing**
6 **condition the failure to provide a usable telephone jack and telephone wiring as**
7 **required by the California Civil Code; establishing an operative date; and making**
8 **environmental findings, legislative findings, and findings pursuant to California Health**
9 **& Safety Code, Section 17958.5.**

10 NOTE: Additions are *single-underline italics Times New Roman*;
11 deletions are *strike-through italics Times New Roman*.
12 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. Findings.

15 (a) General Finding. The Building Inspection Commission considered this ordinance at
16 a duly noticed public hearing.

17 (b) ~~(a)~~ Environmental Finding. The Planning Department has determined that the
18 actions contemplated in this ordinance comply with the California Environmental Quality Act
19 (California Public Resources Code Section 21000 et seq.). Said determination is on file with
20 the Clerk of the Board of Supervisors in File No. 121018 and is incorporated herein by
21 reference.

22 (c) ~~(b)~~ Findings pursuant to Health and Safety Code Section 17958.5. The Board of
23 Supervisors finds that the legislative findings set forth in Subsection (c) below constitute
24 findings of local conditions justifying deviation from the California Housing Code.

25

1 (d) ~~(e)~~ Legislative Findings.

2 (1) The high cost of housing in San Francisco makes residential hotel guest rooms with
3 common toilet and bathing facilities (“SROs”) the only available housing option for many
4 seniors, persons with disabilities, and others on low or fixed incomes.

5 (2) The Mayor’s Office of Housing 2010-2014 Consolidated Plan (with the Mayor’s
6 Office of Economic and Workforce Development and the former San Francisco
7 Redevelopment Agency) identified 8,000 seniors and young adults with disabilities living in
8 SROs.

9 (3) In 2012, the Senior Action Network and Mission SRO Collaborative, Central City
10 SRO Collaborative, and SRO Families United Collaborative prepared “The 2012 Senior and
11 Adults with Disabilities in SRO’s Survey,” which found that 48 percent of the 151 respondents
12 surveyed did not have grab bars in their common toilet and bathing facilities. There is no
13 current grab bar requirement.

14 (4) It is important that seniors and persons with disabilities residing in SROs have
15 access to a working telephone in the room in which they reside. California Civil Code Section
16 1941.4 requires the lessor of a building intended for residential occupancy to be responsible
17 for installing at least one usable telephone jack and for placing and maintaining in good
18 working order inside telephone wiring that meets the applicable standards of the most recent
19 National Electrical Code adopted by the Electronic Industry Association.

20
21 Section 2. The San Francisco Housing Code is hereby amended by amending Section
22 206, to add the following:

23 1002: Section 1002(f).

1 Section 3. The San Francisco Housing Code is hereby amended by amending Section
2 505 to add subsection (j), to read as follows:

3 **SEC. 505. SANITATION.**

4 (j) **Grab Bars.** The water-closet, lavatory, and bathing facilities provided for guest rooms
5 situated on the same floor and used in common are required to have grab bars that comply with
6 Chapter 11B of the California Building Code; ~~provided, however, except that~~ limitations within
7 existing floor and room configurations will be taken into consideration regarding grab bar
8 location and configuration for existing tank type toilets, grab bars may be mounted between
9 33" and 35" above the finish floor. Building permits are required for installation, however all
10 Department of Building Inspection fees required by Section 110A of the San Francisco
11 Building Code will be waived for the facilities identified in the application if the applicant
12 obtains the building permit within 60 days from the date this subsection (j) becomes effective.

13
14 Section 4. The San Francisco Housing Code is hereby amended by amending Section
15 1002, to read as follows:

16 **SEC. 1002. ADDITIONAL SUBSTANDARD CONDITIONS: ELECTRICAL OUTLETS,**
17 **ELEVATORS, ILLEGAL CONVERSION OF RESIDENTIAL HOTELS, ~~AND~~ RESIDENTIAL**
18 **HOTEL MAIL RECEPTACLES, TELEPHONE JACKS AND WIRING, AND NOTICE**
19 **POSTING.**

20 In addition to the provisions set forth in Section 1001 of this chapter prescribed by
21 California Health and Safety Code, Division 13, Part 1.5, State Housing Law, Sections
22 17920.3 et seq., the following conditions are considered substandard:

23 (a) **Electrical Outlets.** Habitable rooms and kitchens with insufficient number of
24 electrical convenience outlets as required by Section 504 of this Code.

25 (b) **Elevators.** Lack of elevator service as required by Section 713 of this Code.

1 (c) **Illegal Conversion of Residential Hotels.** Illegal conversion of any residential unit
2 of a residential hotel, or improper recordkeeping as defined and required by Chapter 41 of the
3 San Francisco Administrative Code.

4 (d) **Mold and Mildew.** The existence of mold and mildew which is chronic or severe as
5 defined by Chapter 4 of this code.

6 (e) **Residential Hotel Mail Receptacles.** Lack of an individual mail receptacle for each
7 residential unit in a residential hotel, as required by Section 41E of the San Francisco
8 Administrative Code. The hotel owner is responsible for making arrangements with the United
9 States Postal Service for the installation of these receptacles and delivery of mail thereto.
10 Installation and maintenance of the mail receptacles shall meet all of the specifications and
11 requirements of the United States Postal Service. Compliance with United States Postal
12 Service specifications and requirements, and delivery of mail by the United States Postal
13 Service, will not be enforced by the Department of Building Inspection.

14 (f) **Telephone Jack and Wiring.** Lack of at least one usable telephone jack and working inside
15 telephone wiring, as required by Section 1941.4 of the California Civil Code;

16 (g) **Grab Bars.** Lack of grab bars in common-use bathing and lavatory facilities for guest rooms
17 as required by Section 505(j) of this Code .

18 ~~(f)~~ (h) **Residential hotel notice posting requirement.** The owner or operator of a
19 residential hotel, as defined in Chapter 41 of the San Francisco Administrative Code, shall
20 post a notice approved by the Department of Building Inspection notifying the occupants that
21 they may contact the City and County of San Francisco's 24x7 Customer Service Center at
22 311 to report alleged violations of this Code. The notice shall be posted in a conspicuous
23 location at the lobby. If there is no lobby, the notice shall be posted in the public entranceway.

1 Section 5. Effective and Operative Date. This ordinance shall become effective 30
2 days from the date of passage and operative 180 days from the date of passage.

3
4 Section 6. This section is uncodified. In enacting this Ordinance, the Board intends to
5 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
6 punctuation, charts, diagrams, or any other constituent part of the Housing Code that are
7 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
8 Board amendment deletions in accordance with the "Note" that appears under the official title
9 of the legislation.

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By: _____
14 JUDITH A. BOYAJIAN
15 Deputy City Attorney