File No	150569	Committee Item No5_
		Board Item No.

# **COMMITTEE/BOARD OF SUPERVISORS**

	AGENDA PACKET CONT	TENTS LIST
Committee:	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Report Youth Commission Report Introduction Form Department/Agency Cover Letter and/or Report MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Commission Award Letter Application Public Correspondence  ER (Use back side if additional space is needed)	Date June 24, 2015
Board of Su	pervisors Meeting	Date
Cmte Boar	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Youth Commission Report Introduction Form Department/Agency Cover Lette MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement	
	Award Letter Application	
OTHER	(Use back side if additional spa	ce is needed)
	·	DateJune 19, 2015 Date

[Fire Code - Fire Department Fines and Fees]

Ordinance amending the Fire Code to increase the fees for certain Fire Department services and making environmental findings.

NOTE:

Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in <u>single-underline italics Times New Roman font</u>.

Deletions to Codes are in <u>strikethrough italics Times New Roman font</u>.

Board amendment additions are in <u>double-underlined Arial font</u>.

Board amendment deletions are in <u>strikethrough Arial font</u>.

Asterisks (\* \* \* \*) indicate the omission of unchanged Code subsections or parts of tables.

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

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

Section 2. The Fire Code is hereby amended by revising Chapter 1, Section 113.2, 113.4, 113.5, 113.6, 113.7, 113.8, 113.9, and 113.12 to read as follows:

113.2 [For SF] Operational Permit Filing Fees. The filing fee for operational permits is set forth in Table 113-A. Inspections necessary for permit issuance that require more than two hours to complete shall be subject to an additional fee of \$115.00\$120 for each hour. The Fire Department shall not issue a permit until the fees are paid.

113.4 [For SF] Plan Review Fees. Upon application for a permit for the erection of a new building or for alteration work for which plans are required by the Department of Building Inspection, the Central permit Bureau shall charge and collect a few to compensate the Fire Department for its costs of reviewing plans submitted with building permit applications for compliance with fire safety regulations. The fee shall be based on the valuation of the work as determined by the Department of Building Inspection. The fee for each permit is set in Table 113-B. The Fire Department shall assess a fee in the amount of \$115.00\$120 per hour to review revisions to any previously approved plans. The Central Permit Bureau shall collect the fees before issuing the permit.

113.5 [For SF] Field inspection fees. When the Fire Department determines a field inspection is required to verify that building construction is in compliance with fire safety regulations and this code, it shall notate the application accordingly to provide notice to the Central Permit Bureau. The Central Permit Bureau shall collect the inspection fee due, before issuing a building permit. The fee for each permit is set in Table 113-C. Initial field inspection fees will be charged for inspections of new fire alarm, sprinkler, and gaseous suppression systems per the notation in Table 113-C.

After building permit issuance, when the fire code official notifies the applicant that additional inspection time is required over the amount of time set in Table 113-C, the applicant shall purchase additional inspection time before the inspector schedules additional inspections. The Fire Department shall collect a fee of \$115.00\$120 per hour for the cost of providing the inspection service.

113.6 [For SF] Pre-application plan review. When an applicant wishes to discuss specific design issues or submit preliminary designs for review and comment by the Fire Department before the applicant submits a formal application for permit, the Fire Department shall assess a fee of \$230.00\( \) 240. This fee provides the applicant with up to two hours for

research and meeting with Fire Department personnel. When the time spent by the Fire Department exceeds two hours, the Department shall assess additional fees at the rate of \$115.00\$120 per hour.

113.7 [For SF] Re-inspection of violation fees. If the fire code official issues a notice of violation under this code, the notice of violation may set a period of time that is reasonable to remedy the violation and the fire code official may re-inspect the property to verify that the person responsible has made the required correction. The Fire Department shall collect a fee in the amount of \$230.00\$\frac{\$240}{240}\$ for re-inspections. If the time required for the re-inspection exceeds one hour, the Fire Department shall assess an additional fee at the rate of \$\frac{\$115.00}{2120}\$ per hour.

113.8 [For SF] High-Rise Inspection Fees. For inspections of high-rise structures pursuant to Section 13217 of the California Health and Safety Code, the owner of the structure shall pay a fee to cover the Fire Department's costs of inspection. The Department shall calculate the fee on the basis of \$12.00\$12.50 per 1000 square feet of gross floor area.

113.9 [For SF] Referral fees. If a government agency requests a preliminary site inspection or survey of a premise for compliance with this code or other regulatory codes enforced by the Fire Department, the Fire Department shall collect a service fee of \$\frac{\$115.00\seta{120}}{20}\$ per hour for the on-site inspections and consultations. When the referral inspection is requested by another San Francisco agency, the requesting agency shall transfer the fee to the Fire Department through electronic transfer. The requesting agency shall pay the fee before scheduling the inspection or consultation. Fees referenced in the California Health and Safety Code take precedence over this fee.

**113.12** [For SF] Water flow request fee. Upon a request from a person for water flow information, the Department will charge a water flow fee of \$\frac{\\$115.00\}{20}\$. If the information

requested requires that Fire Department employees perform an on-site water flow test, the Department will charge a fee of \$230.00\$240.

Section 3. The Fire Code is hereby amended by amending Chapter 1, Section 113.21, Table 113-A, Table 113-B and Table 113-C to read as follows:

# 113.21 [For SF] Fee-setting procedure.

(a) No later than a date that the Controller shall prescribe, the Chief of the Department shall annually report the revenues received from each type of fee the Department collects. The report shall include the costs, both direct and indirect, the Department incurs in providing the services for which each fee is assessed, the anticipated costs for the ensuing fiscal year, the level of service the Department anticipates it will provide for each service for which it charges a fee, and the rate that would be necessary to support each service. The Controller shall file the report with the Board of Supervisors no later than July 1st of each year. If the fees are insufficient to recover SFFD costs, or if the fee recovers more than the actual costs, the Controller shall submit legislation to the Board of Supervisors to ensure that over time the City fees do not exceed the cost of providing the service for which the City charges the fee. The amount of the license fee for the Fire Department permit for the 2011-20122015-2016 fiscal year shall be as set forth in the Business and Tax Regulations Code Section 75 et seq.

#### TABLE 113-A—OPERATIONAL PERMIT FEES

TYPE OF PERMIT	FEE
Aerosol Products, Regulated Activities	\$330.00 <u>\$345</u>
Amusement Buildings, Operations	\$330.00 <u>\$345</u>
Aviation Facilities, Regulated Activities	<i>\$330.00\$345</i>
Aviation Facilities Aircraft Refueling Vehicle	<del>\$330.00</del> \$345

1	Battery System, Operation	<u>\$330.00<u>\$</u>345</u>
2	Carnivals and Fairs, Operation	<u>\$330.00</u> \$345
3	Cellulose Nitrate Film, Regulated Activities	<u>\$330.00</u> \$345
4	Combustible Dust-Producing Operations	<u>\$330.00\$345</u>
5	Combustible Fiber, Regulated Activities	<del>\$330.00</del> <u>\$345</u>
6	Combustible Material, Regulated Activities	\$330.00 <u>\$345</u>
7	Compressed Gas, Regulated Activities	\$330.00 <u>\$345</u>
8	Conditional use	<del>\$90.00</del> <u>\$95</u>
9	Covered Mall Buildings, Operation	<u>\$330.00</u> \$345
10	Cryogenic Fluids, Regulated Activities	<del>\$330.00</del> <u>\$345</u>
11	Dry Cleaning Plant, Operation	<u>\$330.00</u> \$345
12	Exhibits and Trade Shows, Operation	\$330.00 <u>\$345</u>
13	Explosives, Regulated Activities	\$330.00 <u>\$345</u>
14	Fireworks, Display	\$330.00 <u>\$345</u>
15	Firefighter Air Systems, Maintenance	<u>\$330.00\$345</u>
16	Flammable and Combustible Finishes, Application	
17	of (Including Floor Finishes)	\$330.00 <u>\$345</u>
18	Flammable or Combustible Liquids, Regulated	
19	Activities	<u>\$330.00</u> <u>\$345</u>
20	Fruit and Crop Ripening	<u>\$330.00</u> <u>\$345</u>
21	Fumigation and Thermal Insecticidal Fogging	\$330.00 <u>\$345</u>
22	Hazardous Materials, Regulated Activities	<u>\$330.00</u> <u>\$345</u>
23	Hazardous Production Materials (HPM) Facilities	<del>\$330.00</del> <u>\$345</u>
24	High-Piled Storage	\$330.00 <u>\$345</u>
25 .	Hot Work Operations, Regulated Activities	<del>\$330.00</del> <u>\$345</u>

1	Industrial Ovens	\$330.00 <u>\$345</u>
2	Liquefied Petroleum Gases, Regulated Activities	\$330.00 <u>\$345</u>
3	Live Audience, Production Facility, Studio,	
4	Sound Stage	<del>\$330.00</del> <u>\$345</u>
5	Lumberyards and Woodworking Plants	\$330.00 <u>\$345</u>
6	Magnesium Processing	\$330.00 <u>\$345</u>
7	Open Burning	\$330.00 <u>\$345</u>
8	Open Flame and Candles in Assembly Areas	\$330.00 <u>\$345</u>
9	Organic Coating, Manufacturing	\$330.00 <u>\$345</u>
10	Place of Assembly	\$330.00 <u>\$345</u>
11	Place of Assembly-Permanent Occupancy	
12	for Non-Profit Group	\$0.00
13	Pyrotechnic Special Effects Material	\$330.00 <u>\$345</u>
14	Pyroxylin Plastics	<i>\$330.00\$345</i>
15	Refrigeration Equipment	\$330.00 <u>\$345</u>
16	Repair Garages and Motor Fuel Dispensing Facilities	\$330.00 <u>\$345</u>
17	Rooftop Heliports	\$330.00 <u>\$345</u>
18	Temporary Membrane Structures and Tents	\$330.00 <u>\$345</u>
19	Tire Storage	\$330.00 <u>\$345</u>
20	Tire Rebuilding Plants	\$330.00 <u>\$345</u>
21	Waste Handling, Regulated Activities	\$330.00 <u>\$345</u>
22		
	1	

# TABLE 113-B-PLAN REVIEW FEES

TOTAL VALUATION		
\$1.00 TO \$2,000	<i>\$65.46\$68.31</i> for the First \$1,000 or less plus	

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	\$64.472 <u>\$67.2730</u> for each additional \$1,000.00
	or fraction thereof, to and including \$2.000.00
\$2,001 TO \$50,000	<i>\$129.93\$135.58</i> for the First \$2,000 or less plus
	\$12.451\$12.992 for each additional \$1,000.00 or
	fraction thereof, to and including \$50.000.00
\$50,001 TO \$200,000	<i>\$727.56\$759.19</i> for the First \$50,000 or less plus
	<i>\$4.996\$5.2137</i> for each additional \$1,000.00 or
	fraction thereof, to and including \$200.000.00
\$200,001 TO \$500,000	<i>\$1,477.03\$1,541.25</i> for the First \$200,000 or less
	plus <u>\$2.329</u> <u>\$2.4302</u> for each additional
	\$1,000.00 or fraction thereof, to and including
	\$500.000.00
\$500,001 TO \$1,000,000	<i>\$2,175.71\$2,270.31</i> for the First \$500,000 or less
	plus <i>\$1.554<u>\$1.6221</u> for each additional</i>
	\$1,000.00 or fraction thereof, to and including
	\$1,000.000.00
\$1,000,001 TO \$5,000,000	<u>\$2,952.95</u> <u>\$3,081.34</u> for the First \$1,000,000 or
	less plus \$1.1818\$1.2332 for each additional
	\$1,000.00 or fraction thereof, to and including
	\$5,000.000.00
\$5,000,001	<i>\$7,680.20\$8,014.12</i> for the First \$5,000,000 or
	less plus \$0.596\$0.6219 for each additional
	\$1,000.00 or fraction thereof

NOTATION TO TABLE 113-B:

EVACUATION SIGNAGE: Plan review beyond thirty minutes will be assessed at an hourly rate of *\$115.00\$120* per hour.

TABLE 113-C – FIELD INSPECTION FEES (See notation for additional fees)

Over	Not More Than	
\$0	\$10,000	\$115.00\$120 ONE HOUR
\$10,000 \$50,000 \$230.00\$240 TWO		\$230.00 <u>\$240</u> TWO HOURS
		<i>\$345.00\$360</i> THREE HOURS
\$500,000	\$5,000,000	\$575.00 <u>\$600</u> FIVE HOURS
\$5,000,000	\$10,000,000	\$1150.00 <u>\$1,200</u> TEN HOURS
\$10,000,000	\$25,000,000	\$2300.00\$2,400 TWENTY HOURS
\$25,000,000		<i>\$3450.00\$3,600</i> THIRTY HOURS

#### **NOTATION TO TABLE 113-C:**

NEW FIRE ALARM SYSTEMS	<i>\$230.00\$240</i> TWO HOURS
NEW SPRINKLER SYSTEMS	<i>\$345.00\$360</i> THREE HOURS
NEW GASEOUS SUPPRESSION SYSTEMS	<i>\$230.00\$240</i> TWO HOURS

This initial minimum inspection fee covers all inspections up to the hours specified above. If the inspections for the new system exceed the hours specified above, additional hourly fees will be assessed.

Section 4. Effective and Operative Dates. This ordinance shall become operative on its effective date or on July 1, 2015, whichever is later. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor

returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

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

By:

Jana Clark
Deputy City Attorney

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# LEGISLATIVE DIGEST

[Fire Code - Fire Department Fines and Fees]

Ordinance amending the Fire Code to increase the fees for certain Fire Department services and making environmental findings.

# Existing Law

Sections 113.2, 113.4, 113.5, 113.6, 113.7, 113.8, 113.9, 113.12 and Tables 113-A, 113-B and 113-C of Appendix Chapter 1 of the San Francisco Fire Code specify fees for Operational Permit Filing, Fire Department inspections, violation re-inspection, pre-application, High-rise Inspection, referral, water flow, and plan review services.

#### Amendments to Current Law

The proposed legislation would increase the fees for certain inspections and services performed by the Department, including the following: operational permit filing (Section 113.2 and Table 113-A), plan review services (Section 113.4 and Table 113-B), field inspections (Section 113.5 and Table 113-C); pre-application plan review services (Section 113.6); reinspections to verify corrections of violations (Section 113.7); high-rise inspection fees (Section 113.8), referral fees (Section 113.9); and water flow information reviews and testing (Section 113.12). Finally, the proposed legislation would make changes to Section 113.21, for fee-setting procedures.

# **Background Information**

The current fees set in these Subsections and Tables do not cover the costs to the Fire Department of providing the services. The proposed fee increase will cover those costs.

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#### BOARD of SUPERVISORS



City Hall 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco 94102-4689 Tel. No. 554-5184 Fax No. 554-5163 TDD/TTY No. 554-5227

June 8, 2015

File No. 150569

Sarah Jones **Environmental Review Officer** Planning Department 1650 Mission Street, 4th Floor San Francisco, CA 94103

Dear Ms. Jones:

On June 1, 2015, Mayor Lee introduced the following legislation:

File No. 150569

Ordinance amending the Fire Code to increase the fees for certain Fire Department services; and making environmental findings.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Victor Young

By: Victor Young, Assistant Clerk

#### Attachment

Joy Navarrete, Environmental Planning C: Jeanie Poling, Environmental Planning

Statutory Exemption pursuant to CEQA Guidelines Section 15273 Rates, Tolls, Fares, and Charges.

Joy Navarrete

| Navarrete | Pate: 2015.06.09 10:44:40 - 07'00'

# Major, Erica (BOS)

From:

Navarrete, Joy (CPC)

Sent:

Tuesday, June 09, 2015 10:54 AM

To:

Major, Érica (BOS)

Cc:

Poling, Jeanie (CPC); Wong, Linda (BOS)

Subject:

RE: URGENT REFERRAL ER - (150569) Fire Code - Fire Department Fines and Fees

Attachments:

150569.pdf

Joy Navarrete. Senior Environmental Planner San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103 P. 415-575-9040 f. 415-558-6409

www.rfplanning.org

From: Major, Erica (BOS)

Sent: Tuesday, June 09, 2015 10:32 AM

**To:** Jones, Sarah (CPC)

Cc: Poling, Jeanie (CPC); Navarrete, Joy (CPC); Wong, Linda (BOS)

Subject: URGENT REFERRAL ER - (150569) Fire Code - Fire Department Fines and Fees

**Importance:** High

#### Greetings:

Attached is a referral for the Planning Department's environmental review. This matter is scheduled to be heard at the Budget and Finance Committee on June 15, 2015, at 10:00 a.m. in City Hall, Room 263. Please forward your determination to Linda. Wong@sfgov.org as soon as possible.

Thank you in advance.

(Sent on behalf of Linda Wong, Assistant Clerk, Budget and Finance Committee.)

# Erica Major

#### Assistant Committee Clerk

**Board of Supervisors** 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163 Erica.Major@sfgov.org | www.sfbos.org



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# Major, Erica (BOS)

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Tuesday, June 09, 2015 10:32 AM

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Attachments:

150569.pdf

Importance:

High

#### Greetings:

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Thank you in advance.

(Sent on behalf of Linda Wong, Assistant Clerk, Budget and Finance Committee.)

#### Erica Major Assistant Committee Clerk

**Board of Supervisors** 1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102 Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org



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# OFFICE OF THE MAYOR SAN FRANCISCO



# EDWIN M. LEE Mayor

To:

Angela Calvillo, Clerk of the Board of Supervisors

From: Kate Howard, Mayor's Budget Director

Date: June 1, 2015

Re: Mayor's FY 2015-16 and FY 2016-17 Budget Submission

#### Madam Clerk,

In accordance with City and County of San Francisco Charter, Article IX, Section 9.100, the Mayor's Office hereby submits the Mayor's June 1<sup>st</sup> proposed budget, corresponding legislation, and related materials for Fiscal Year 2015-16 and Fiscal Year 2016-17.

In addition to the Annual Salary Ordinance and Annual Appropriation Ordinance, the following items are included in the Mayor's submission:

- The budget for the Treasure Island Development Authority for FY 2015-16 and FY 2016-17.
- The budget for the Office of Community Investment and Infrastructure for FY 2015-16.
- 19 separate pieces of legislation (see list attached).
- A Transfer of Function letter detailing the transfer of 1,0 position within the Executive Branch.
- An Interim Exception letter.
- A letter addressing funding levels for consumer price index increases for nonprofit corporations or public entities for the coming two fiscal years.

If you have any questions, please contact me at (415) 554-6515.

Best Regards,

Kate Howard

Mayor's Budget Director

cc: Members of the Board of Supervisors

Harvey Rose Controller

DEPT	Description of Local Legislation	Type of Legislation	
AIR	Appropriation - \$2,673,349 to the Airport Commission - FY2015-2016	Ordinance	1
CON	Resolution Adjusting the Access Line Tax with the Consumer Price Index of 2015	Resolution	İ
CON	Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling	Ordinance	T
CON	Designation of Hinderliter, de Llamas and Associates ("Contractor") as City's Authorized Representative in Sales and Use Tax Records Examination	Resolution	
CON	Proposition J Contract Certification Specified Contracted-Out Services Previously Approved  Administrative Code – California Environmental Quality Act Procedures and Fees	Resolution	
CPC	(Fee Elimination)	Ordinance	-
CPC	Planning, Building Codes - Fee Waiver for Legalization of Secondary Dwelling Units	Ordinance	ŀ
DBI	Building Code - Fees	Ordinance	Ī
DPH	Accept and Expend Grants- Recurring State Grant Funds - Department of Public Health- FY2015-2016	Resolution	-
DPH	Public Health Rates for FY 2015-16 and FY 2016-17	Ordinance	1
DPH	Administrative Code - Department of Public Health Group Purchasing Organizations	Ordinance	-
DPW	Public Works Code – Fees for Nighttime Work Permit and Preapplication Meetings	Ordinance	1
FIR	Business and Tax Regulations Code - Fire Department Licensing Fees	Ordinance	1
FIR	Fire Code – Fire Department Fines and Fees	Ordinance	ļ
H.S.A.	Approval of FY15-16 and FY16-17 Expenditure Plans for the Human Services Care Fund	Resolution	-
MOHCD	Administrative, Planning, Subdivision Codes - Citywide Affordable Housing Fund, Mayor's Housing Programs Fees Fund	Ordinance	
MOHDC	Certificates of Participation – Housing Trust Fund – Reimbursement of Certain Expenditures	Resolution	
PUC	Appropriation Amendment - \$2,177,552 to the Public Utilities Commission Operating Budget - FY2015-2016	Ordinance	
PUC	Public Employment – Amendment to the Annual Salary Ordinance, FY2015-2016 and FY 2016-2017 – Public Utilities Commission Water Enterprise Department	Ordinance	