

BOARD of SUPERVISORS



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October 27, 2015

File No. 151081

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Jones:

On October 27, 2015, Supervisor Wiener introduced the following proposed legislation:

File No. 151081

Ordinance amending the Building Code to authorize the Director of the Department of Building Inspection to stop all work on a construction project whenever there are repeated violations of City codes on the project; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in blue ink that reads "Alisa Somera".

By: Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

Attachment

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

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

1 [Building Code - Permit Suspension for Repeat Violations]

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3 **Ordinance amending the Building Code to authorize the Director of the Department of**
4 **Building Inspection to stop all work on a construction project whenever there are**
5 **repeated violations of City codes on the project; and affirming the Planning**
6 **Department’s determination under the California Environmental Quality Act.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in ~~italics Times New Roman font~~.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

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

14 Section 1. Findings.

15 (a) At a duly noticed public hearing held on _____, the Building Inspection
16 Commission considered this ordinance pursuant to Charter Section D.370-5.

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

23 Section 2. The Building Code is hereby amended by revising Section 104A.2.4, to read
24 as follows:

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1 **104A.2.4 Stop orders.**

2 (a) Whenever any work is being done contrary to the provisions of this code, or other
3 pertinent laws or ordinances implemented through the enforcement of this code, the building
4 official may order the work stopped by notice in writing served on any persons engaged in the
5 doing or causing such work to be done, and any such persons shall forthwith stop such work
6 until authorized by the building official to proceed with the work.

7 (b) If the building official determines that a project has a history of repeated violations of this
8 code or other pertinent laws or ordinances implemented through the enforcement of this code, the
9 building official may stop all work on the project until all the code violations have been fully
10 investigated and resolved. The director of any department with permitting authority for the project,
11 including but not limited to the Director of Public Works and the Director of Planning, may request the
12 building official to stop all work on the project pending an investigation and resolution of the code
13 violation at issue.

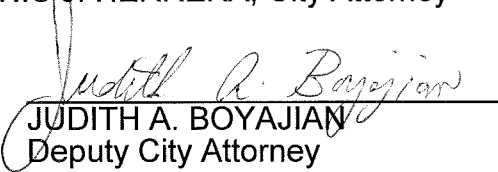
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15 Section 3. Effective Date. This ordinance shall become effective 30 days after
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
18 of Supervisors overrides the Mayor's veto of the ordinance.

19
20 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
21 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
22 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
23 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
24
25

1 additions, and Board amendment deletions in accordance with the "Note" that appears under
2 the official title of the ordinance.

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

6 By: 
7 JUDITH A. BOYAJIAN
Deputy City Attorney

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