

LEGISLATIVE DIGEST
(Revised July 26, 2016)

[Fire, Housing, Building Codes - Fire Safety Requirements for Existing Buildings]

Ordinance amending the Fire Code and the Housing Code to require building owners provide residential tenants with an annual written notice of smoke alarm requirements and require owners of buildings with three or more dwelling units file a statement of compliance with annual fire alarm testing and inspection requirements every two years; amending the Fire Code and Building Code to require building owners to upgrade existing fire alarm systems by July 1, 2021 or upon completion of \$50,000 or more of construction work, whichever occurs earlier; amending the Building Code to require owners of Apartment Houses damaged by fire to submit an Action Plan to the City within 30 days of the fire, require re-inspection(s) of the premises by the Department of Building Inspection after a fire that has resulted in the displacement of residential occupants, and requiring owners of buildings in Group R occupancies with six or more units to install fire blocks in open accessible attics when performing \$50,000 or more of construction work; affirming the Planning Department's determination under the California Environmental Quality Act; making findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage as required by State law.

Existing Law

The Fire Code currently requires building owners to have fire alarm systems maintained, inspected and tested annually.

Amendments to Current Law

The proposed ordinance would amend the Building Code, Fire Code, and Housing Code as follows:

Annual Written Notice to Tenants Regarding Smoke Alarm Requirements

The ordinance would amend the Fire Code and Housing Code to require building owners provide tenants with an annual written notice regarding smoke alarm requirements. The notice would be prepared by the Fire Department, and would include a summary of legal requirements for smoke alarms in dwelling units and a list, to be prepared by the Rent Board, of tenants' organizations that provide counseling to tenants on issues related to fires. In the case of Apartment Houses (*i.e.*, buildings with 3 or more dwelling units), owners would also be required to post the notice in a common area of each floor of the building.

Bi-Annual Statement of Compliance Regarding Fire Alarm Testing/Inspections

The ordinance would amend the Fire Code and Housing Code to require owners of Apartments Houses (*i.e.*, buildings with three or more dwelling units) to file a Statement of Compliance with the annual testing and inspection requirements for fire alarm systems with the Fire Department every two years. Owners of buildings with nine or more units would be required to file their first Statement of Compliance on January 31, 2017, and then on odd-numbered years thereafter. Owners of buildings with less than nine units would be required to file their first statement on January 31, 2018, and then on even-numbered years thereafter. The Fire Department would be required to post all Statements of Compliance on a City website maintained by the Fire Department.

In addition to filing the Statement of Compliance, the building owner would be required to post a copy of the most recently filed Statement of Compliance in at least one conspicuous location in a common area of each floor of the building or, if no such common area(s) exist, provide a copy to each residential tenant in the building.

Upgrades to Existing Fire Alarm Systems

The ordinance would amend the Fire Code and the Building Code to require owners of buildings that are required to have fire alarm systems to upgrade their system to comply with the 75 dB “pillow test” required by National Fire Protection Association (NFPA) 72 for new installations. This sleeping area upgrade requirement would be triggered either by (1) completion of \$50,000 worth of construction work or (2) July 1, 2021, whichever occurs first.

Action Plans for Multi-Unit Buildings Damaged by Fire

The ordinance would amend the Building Code to require owners of Apartment Houses (*i.e.*, buildings with three or more dwelling units) that have been damaged by a fire that results in tenant displacement to submit to the Department of Building Inspection (DBI) information and an “Action Plan” as follows:

- Within 72 hours of the posting of a Notice of Violation, the owner must provide DBI with a description of steps taken to stabilize and secure the building, steps taken to either secure the personal property of tenants or allow them to retrieve their personal property, and the name and contact information of the owner or owner’s agent.
- Within 30 days from the release of the scene by the Fire Department, the owner must submit to DBI an “Action Plan” that includes a summary of damage to the building, a description of necessary repairs, a schedule an description of permits to be filed, and an estimated date when the displaced tenants can reoccupy the building.
- Every 90 days thereafter, the owner would be required to provide DBI with any new or corrected information concerning the Action Plan.

- Following a fire that has resulted in the displacement of residential occupants, DBI would be required to re-inspect the premises at least every 90 days until the property owner has responded to and abated all pending Notices of Violation.

Fire Blocks in Open Accessible Attics

The ordinance would amend the Building Code to require owners of Group R occupancies with six units or more to install fire blocks, draftstops, or fire safing insulation in open attics of 30 inches in height or greater when performing construction work worth \$50,000 or more. This requirement would not apply, however, to mandatory seismic strengthening alterations being performed pursuant to Chapter 34B of the Building Code.

Background Information

In 2015, the Board of Supervisors adopted Ordinance No. 90-15, establishing an Emergency Interagency Fire Safety Task Force to review and make recommendations to the Board of Supervisors on proposed legislation and suggest other solutions to improve fire safety in multi-unit residential and multi-use buildings. The Task Force was comprised of members of the Department of Building Inspection, Fire Department, Public Utilities Commission and Department of Public Health and held six public meetings in 2015. The Task Force issued a Final Report dated January 19, 2016 containing its Findings and Recommendations. This ordinance incorporates several of the recommendations contained in the Task Force's report.

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