

**REVISED LEGISLATIVE DIGEST**

(10/31/2016, Amended in Committee)

[Fire Code - Repeal of Existing 2013 Code and Enactment of 2016 Edition]

**Ordinance repealing the current San Francisco Fire Code in its entirety and enacting a new 2016 San Francisco Fire Code, consisting of the 2016 California Fire Code, as amended by San Francisco, and portions of the 2015 International Fire Code, with an operative date of January 1, 2017; 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 regulate and govern the safeguarding of 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 incorporates by reference the 2013 California Fire Code (Title 24, California Code of Regulations, Part 9) and those portions of the 2012 International Fire Code not promulgated by the California Building Standards Commission, with local amendments adopted by San Francisco.

Amendments to Current Law

The proposed 2016 San Francisco Fire Code (“proposed Fire Code”) incorporates by reference the 2016 California Fire Code (Title 24, California Code of Regulations, Part 9), including appendices adopted by the State. In addition, except as expressly deleted, modified or amended, the proposed Fire Code incorporates by reference those portions of the 2015 International Fire Code that were not adopted by the California Building Standards Commission in the California Fire Code, as well as Section 503, Section D105 of Appendix D as amended, and Appendix I in its entirety. The proposed 2016 San Francisco Fire Code also includes local amendments specific to San Francisco.

In general, the proposed Fire Code carries forward the 2013 San Francisco Fire Code with some modifications. The primary changes and new requirement are described below. In Section 102.3.1, the proposed Fire Code requires that all new Group E occupancies (private and public schools) register with the Bureau of Fire Prevention prior to occupancy to

ensure that the Bureau has completed a safety inspection prior to placing students in the school and to ensure that those schools are added to the current annual safety inspection list.

In Section 109, the proposed Fire Code updates and adds new enforcement procedures. In Section 109.4, the proposed Fire Code requires that the fire code official shall issue a Notice of Violation within 15 days if any violation of the code is found, and requires that complaints be classified as “priority” or “standard”. In Section, 109.4.1, the proposed Fire Code requires that notices be posted in a “conspicuous location.” In Section 109.4.3, the proposed Fire Code requires the fire code official to conduct a hearing on a “Notice of Violation” (NOV) within 60 days if the person responsible to correct a violation fails to do so within the time specified in the NOV.

In Section 109.5.2, the proposed Fire Code adds Section 901.8 (Removal or Tampering with Equipment) to the list of violations for which the fine is \$1000.

In Section 109.7, the proposed Fire Code adds the exempt position of Assistant Fire Marshal (H-42) and removes the position of Fire Protection Engineer (5215) as a designated officer or employee with the authority to issue a citation.

In Section 109.9, the proposed Fire Code specifies notice and service requirements, hearing procedures and timelines, and requirements related to the hearing decision and order. In addition, in Section 109.9, the proposed Fire Code authorizes the City to institute civil proceedings for injunctive and monetary relief, including civil penalties.

In Section 409, the proposed Fire Code adds new requirements and enforcement procedures including requiring that owners provide “Disclosure Information” to residents (409.2), post safety information in the building accessible to all residents (409.3), and provide annual fire safety training for residents in buildings with 16 or more units, (409.4). In Section 409.6, the proposed Fire Code establishes penalties and enforcement procedures.

In Section 507, the proposed Fire Code requires 5-foot clear space around fire hydrants (507.5.5) and cistern openings (507.5.3.1) to assist with firefighting operations, unless approved otherwise. In Section 507.7, the proposed Fire Code requires that new developments comply with both the Subdivision Regulations and the San Francisco Public Utilities Commission requirements for the installation and modification of the Auxiliary Water Supply System.

The 2016 California Fire Code requires emergency responder radio coverage systems to be installed, but does not specify the standard for installation and maintenance, leaving this matter to the local jurisdiction. In Sections 510.1.1, the proposed Fire Code specifies that the standard shall be the NFPA 1221 (2016) standards, Sections 5.10 and 9.6.

In Section 905.4, the proposed Fire Code maintains the 2013 San Francisco Fire Code location requirements, including the requirement for standpipes on exterior stairs deleted from the 2016 California Fire Code, to accommodate local firefighting operations.

In Section 907, the proposed Fire Code updates and adds new requirements and enforcement procedures. In Section 907, the proposed Fire Code requires that building owners provide tenants with annual smoke alarm information disclosures (907.2.11.10), requires annual filing of a fire alarm “Statement of Compliance” with the fire department to be posted on a website, and establishes posting, enforcement, and recordkeeping requirements (907.8.5).

In Sections 913 and 914, the proposed Fire Code establishes requirements for the construction and maintenance of the integrity of the fire pump room ensuring the room is used solely for the fire pump and related equipment (913.2.3) and defines which equipment shall be independent of each other when redundant fire pumps are required (914.3.1.2.2). In addition, the proposed Fire Code establishes the following requirements to maintain integrity of the building water tank: forbidding the routing of lines or electrical conduit through the tanks (914.3.2.1), routing of drains of the tanks (914.3.2.2), and provides requirements for drain ejector pumps (914.3.2.2.1).

In Section 914.12, the proposed Fire Code adds the “F”-occupancy (fabrication/factory) to the already required “A”-occupancy (assembly) as occupancy that also shall be required to be sprinklered if established on a pier to facilitate what can be difficult over water firefighting operations.

In Section 1010, the proposed Fire Code prohibits horizontal sliding doors as egress doors in A, E, R and high-rise building occupancies, in addition to those already prohibited by the 2016 California Code, to accommodate the demands of local firefighting operations. (1010.1.2 and 1010.1.4.3).

In Sections 905.3.4, 1013.1.1, and 1030.1.1, the proposed Fire Code adds requirements for stage fire hoses, fire escape signs, and egress passageways from housing units in back of lots, consistent with the San Francisco Building Code requirements.

The proposed Fire Code adopts the 2015 International Fire Code Appendix D Section D105, which sets minimum street widths for Fire Department access roads around new buildings over 30 feet in height (new developments only) to accommodate aerial ladder trucks. Minimum street widths apply to newly developed streets only. The proposed Fire Code also adopts the 2015 International Fire Code Appendix I in its entirety. The current Fire Code requires maintenance of fire suppression systems. Appendix I sets requirements to correct fire suppression systems that are not maintained properly to ensure system corrections.

### Background Information

Generally, the State of California adopts a new California Fire Code every three years, with the new code going into effect 180 days after publication. The 2016 California Fire Code will go into effect on January 1, 2017.

Local jurisdictions are required to enforce the California Fire Code. In addition, local jurisdictions may enact more restrictive building standards than those set in the California Fire Code, where those more restrictive standards are reasonably necessary because of local conditions caused by climate, geology or topography. Local jurisdiction may also impose additional requirements not set in the California Fire Code. The Board of Supervisors must make express findings regarding the local conditions to support the more restrictive building standards. Local amendments to building standards are not effective until the required findings are adopted and sent to the California Building Standards Commission.

As in past code cycles, San Francisco will repeal its existing Fire Code and enact a new 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 California Fire Code and the San Francisco Fire Code to determine the complete code requirements.

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