

File No. 180756

Committee Item No. 1

Board Item No. 4

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date October 17, 2018

Board of Supervisors Meeting

Date October 30, 2018

### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Memorandum of Understanding (MOU)            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 - Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 700                                     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Vacancy Notice                               |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Information Sheet                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

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|--------------------------|-------------------------------------|---------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CEQA Determination</u> |
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Completed by: Victor Young

Date Oct 12, 2018

Completed by: Linda Wong

Date October 18, 2018

1 [Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit  
2 Residential Buildings with Recurring or Continuing Fire Hazards]

3 **Ordinance amending the Building, Housing, Fire, and Administrative Codes to**  
4 **authorize the Building and Fire Departments to require the installation of a new fire**  
5 **safety system or the improvement or upgrade of an existing system to current code**  
6 **requirements in a residential building of three or more dwelling units to remedy**  
7 **recurring or continuing fire hazards that substantially endanger the health and safety**  
8 **of the residents or the general public; amending the Rent Ordinance to prohibit**  
9 **landlords from increasing rents to cover the costs of compliance; affirming the**  
10 **Planning Department's determination under the California Environmental Quality Act;**  
11 **making findings under the California Health and Safety Code; and directing the Clerk of**  
12 **the Board to forward this Ordinance to the California Building Standards Commission**  
13 **upon final passage.**

14  
15 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
16 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
17 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
18 **Board amendment additions** are in double-underlined Arial font.  
19 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
20 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
21 subsections or parts of tables.

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

21 Section 1. General Findings.

22 (a) The Planning Department has determined that the actions contemplated in this  
23 ordinance comply with the California Environmental Quality Act (California Public Resources  
24 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
25

1 Supervisors in File No. 180756 and is incorporated herein by reference. The Board affirms  
2 this determination.

3 (b) On September 19, 2018, the Building Inspection Commission considered this  
4 ordinance at a duly noticed public hearing pursuant to Charter Section D3.750-5.

5  
6 Section 2. Findings under the California Health and Safety Code.

7 The Board of Supervisors hereby finds that the following local conditions apply to the  
8 Code amendments enacted by this ordinance:

9 (1) The City and County of San Francisco is unique among California communities  
10 with respect to the possible causes and effects of fires, including fires in multi-unit residential  
11 buildings. Among other things, San Francisco is located in an active seismic zone; certain  
12 buildings in San Francisco are at an increased risk for earthquake-induced failure and  
13 consequent fire because of local hazardous microzones, slide areas, and local liquefaction  
14 hazards. Enhanced fire, structural, and other protections are required due to high building  
15 density and high occupancy in many buildings.

16 (2) San Francisco has narrow and crowded sidewalks due to building and  
17 population density as well as unusual topography. The City also has numerous high-rise  
18 buildings, including residential buildings with large numbers of people living therein. For these  
19 reasons, fires in San Francisco can be particularly devastating. The need for extra measures  
20 to prepare for and cope with fires is pressing, especially for people who live in multi-unit  
21 residential buildings and who may face fire dangers any day of the week and any hour of the  
22 day or night.

23 (3) Recent fires in large apartment buildings in San Francisco have resulted in  
24 property damage, loss of housing, and in some instances loss of life. A report from the Board  
25 of Supervisors' Budget and Legislative Analyst's Office issued on November 21, 2016, found

1 that there were 252 two-alarm or greater residential fires from 2004 to 2016. Wood-framed  
2 buildings, the most common building type in San Francisco, made up 87% of the fires.

3 (4) California Health and Safety Code Sections 17958, 17958.5, and 17958.7 allow  
4 the City to make changes or modifications in the requirements contained in the provisions  
5 published by the State Building Standards Commission, including the California Fire Code,  
6 when those changes or modifications are reasonably necessary because of local conditions.  
7 California Health and Safety Code Section 17958.7 provides that before making any such  
8 changes or modifications, the governing body must make express findings that such changes  
9 or modifications are reasonably necessary because of specified local conditions.

10 (5) Pursuant to the applicable California Health and Safety Code sections, the  
11 Board of Supervisors finds and determines that the conditions described above constitute a  
12 general summary of the most significant local conditions giving rise to the need for variance  
13 from the California Fire and Building Codes and any other applicable provisions published by  
14 the State Building Standards Commission. The Board of Supervisors further finds and  
15 determines that the proposed variances are reasonably necessary based on these local  
16 conditions, and that these conditions justify more restrictive standards applicable to the  
17 enforcement of the fire safety requirements for multi-unit residential buildings in San  
18 Francisco.

19  
20 Section 3. The Building Code is hereby amended by adding Section 102A.16.1,  
21 including Sections 102A.16.1.1 and 102A.16.1.2, to read as follows:

22 102A.16.1 Continuing or Recurring Conditions Creating a Fire Hazard in a Residential Building of  
23 Three or More Dwelling Units; Authority of the Building Official. In addition to any other power or  
24 remedy available under this Code or other applicable laws, the Building Official may issue a Fire Life  
25 Safety Notice and Order pursuant to the provisions of this Section 102A.16.1 and Sections 102A.16.1.1

1 and 102A.16.1.2 that requires the owner of a residential building with three or more dwelling units to  
2 install, improve, or upgrade the building's fire safety systems.

3 102A.16.1.1 Fire Life Safety Notice and Order. The Building Official may issue a Fire Life Safety  
4 Notice and Order in cases where the Building Official has determined that:

5 (a) notwithstanding the Department's issuance of two or more NOV's and Administrative  
6 Orders under Sections 102A.4 and 102A.7 of this Code for violation of the fire safety requirements  
7 enforced by the Department of Building Inspection, a fire hazard (as defined in Section 102A.1)  
8 continues to exist or recurs after abatement in a residential building with three or more dwelling units;  
9 and

10 (b) while the cited code violations have not risen to the level of an imminent hazard that  
11 requires issuance of an emergency order under Section 102A.16, the violations are so extensive and of  
12 such a nature (including but not limited to conditions such as a nonworking fire alarm or sprinkler  
13 system, a nonworking or chronically blocked fire escape, or locked or chronically blocked exits or  
14 egress system) that the health and safety of the residents and/or the general public is substantially  
15 endangered; and

16 (c) the property owner either has failed to abate or mitigate the violations in a timely way in  
17 accordance with an Administrative Order issued pursuant to Section 10A2.7 of this Code, or the  
18 violations recur after abatement.

19 102A.16.1.1.1 Legal Status of Previously Issued NOV's. A Fire Life Safety Notice and Order issued  
20 pursuant to Section 102A.16.1.1 is in lieu of a Notice of Municipal Code Violation ("NOV") and an  
21 Administrative Order issued pursuant to Sections 102A.4 and 102A.7 of this Code. However, such an  
22 Order does not replace any NOV's that have previously been issued and remain unabated. Any  
23 previously-issued NOV's shall require abatement pursuant to their terms.

1 102A.16.1.1.2 Required Provisions of a Fire Life Safety Notice and Order. The Fire Life Safety  
2 Notice and Order issued pursuant to Section 102A.16.1.1 shall require the building owner to do one or  
3 more of the following:

4 (a) install a new fire sprinkler system;

5 (b) improve an existing fire sprinkler system or upgrade it to current code requirements;

6 (c) install a new fire alarm and/or detection system;

7 (d) improve an existing fire alarm and/or detection system or upgrade it to current code  
8 requirements.

9 Prior to ordering any such installation, improvement, or upgrade, the Building Official shall provide  
10 the notice required by Section 102A.16.1.1.3 below and consult with the local fire code official. The  
11 local fire official shall approve any installation, improvement, or upgrade ordered by the Building  
12 Official.

13 102A.16.1.1.3 Warning Statements and Letter Prior to Issuance of Fire Life Safety Notice and  
14 Order. Each NOV or Administrative Order issued pursuant to Sections 102A.4 and 102A.7 of this  
15 Code that includes a fire safety violation shall provide information about Section 102A.16.1 et seq. and  
16 the consequences for not abating fire safety violations within the specified compliance period. In  
17 addition, prior to issuance of a Fire Life Safety Notice and Order, the Building Official shall send a  
18 letter by regular and certified mail to the building owner at the address listed with the Assessor-  
19 Recorder's Office and to the persons or entities listed in Section 102A.16.1.2(b) below informing them  
20 that because the building has been cited with two or more fire-safety related NOV's and Administrative  
21 Orders under Sections 102A.4 and 102A.7 of this Code, the owner is a potential recipient of a Fire Life  
22 Safety Notice and Order.

23 102A.16.1.2 Notice and Hearing Procedures. All the notice and hearing procedures set forth in  
24 Sections 102A.4 through 102A.7 shall apply to a Fire Life Safety Notice and Order, except as that  
25 procedure may be modified below.

1           (a) The Fire Life Safety Notice and Order shall:

2                   (1) be signed by the Building Official;

3                   (2) set forth the street address of the building and a description of the building or  
4 property sufficient for identification;

5                   (3) identify each code violation that the Building Official has determined is a fire  
6 hazard substantially endangering the health and safety of the residents and/or the general public;

7                   (4) specify the fire safety installation, improvement, and/or upgrades required; and

8                   (5) contain time frames required for compliance with the Notice and Order.

9           (b) The Building Official shall serve the Fire Life Safety Notice and Order by certified mail  
10 on the building owner(s) at the address listed with the Assessor-Recorder's Office, and shall send a  
11 copy by certified mail to:

12                   (1) the person, if any, in real or apparent charge and control of the premises  
13 involved;

14                   (2) the holder of any mortgage, deed of trust, lien, or encumbrance of record; and

15                   (3) the owner or holder of any other estate or interest in the building or property, or  
16 the land on which it is located.

17           (c) The Building Official shall post a copy of the Fire Life Safety Notice and Order in a  
18 conspicuous place on the subject property and either mail or deliver a copy to the resident(s) of each  
19 unit on the subject property.

20           (d) Unless the building owner demonstrates to the Building Official's satisfaction that the  
21 owner has made substantial progress in complying with the Fire Life Safety Notice and Order, if the  
22 building owner has not complied with said Notice and Order according to the required time frames the  
23 Building Official shall schedule an Administrative Hearing to be held no later than 14 days after the  
24 compliance deadline.

1           (e) If an Administrative Hearing is held, a designee of the Building Official shall attend the  
2 hearing, which shall be conducted by a designated Hearing Officer. A written decision signed by the  
3 Building Official shall be issued no later than 30 days after the hearing.

4 **102A.16.1.3 Appeals. A Fire Life Safety Notice and Order may be appealed to the Abatement Appeals**  
5 **Board pursuant to the provisions of Section 105A.2 of this Code; provided, however, that**

6           (a) an appeal of a Fire Life Safety Notice and Order shall be scheduled for hearing within  
7 14 days after the date of filing the appeal, and

8           (b) if the Abatement Appeals Board had heard an appeal of any previously-issued Order of  
9 Abatement pursuant to Section 102A for substantially the same code violations as are cited in the Fire  
10 Life Safety Notice and Order, and the Abatement Appeals Board had upheld the Order of Abatement in  
11 whole or substantial part, the decision of the Abatement Appeals Board shall be effective immediately  
12 upon issuance of the Board's findings and decision with no right to request rehearing.

13 **102A.16.1.4 Recording of final Notice and Order; referral to City Attorney.** Upon issuance of the  
14 Abatement Appeals Board decision, a copy of the final Fire Life Safety Notice and Order shall be  
15 recorded in the Assessor-Recorder's Office. The Department shall refer the case to the City Attorney  
16 for its review and possible action within 90 days after recording said Notice and Order.

17  
18           Section 4. The Housing Code is hereby amended by revising Section 204, to read as  
19 follows:

20 **SEC. 204. VIOLATIONS.**

21           \* \* \* \*

22           (f) **Continuing or Recurring Conditions Creating a Fire Hazard in Multi-Unit**  
23 **Residential Buildings.** The Director of the Department of Building Inspection is expressly authorized,  
24 under this subsection (f) and Sections 102A.16.1, 102A.16.1.1, and 102A.16.1.2 of the Building Code,  
25 to order the owner of a residential building with three or more dwelling units to do one or more of the



1 following to abate or mitigate a fire hazard in the building that continues or recurs notwithstanding  
2 the Department of Building Inspection's prior issuance of Notices of Violation and Administrative  
3 Orders:

4 (1) install a new fire sprinkler system;

5 (2) improve an existing fire sprinkler system or upgrade it to current code  
6 requirements;

7 (3) install a new fire alarm and/or detection system; or

8 (4) improve an existing fire alarm and/or detection system or upgrade it to current  
9 code requirements.

10 For purposes of this subsection (f), a "fire hazard" is as defined in Section 102A.1 of the Building  
11 Code.

12 The Director may exercise this authority in cases where:

13 (1) notwithstanding the Department's issuance of two or more NOV's and  
14 Administrative Orders under Sections 102A.4 and 102A.7 of the Building Code for violation of the fire  
15 safety requirements enforced by the Department of Building Inspection, a fire hazard (as defined in  
16 Section 102A.1) continues to exist or recurs after abatement in a residential building with three or  
17 more dwelling units; and

18 (2) while the cited code violations have not risen to the level of an imminent hazard  
19 that requires issuance of an emergency order under Section 102A.16 of the Building Code, the  
20 violations are so extensive and of such a nature (including but not limited to a nonworking fire alarm  
21 or sprinkler system, a nonworking or chronically blocked fire escape, or locked or chronically blocked  
22 exits or egress system) that the health and safety of the residents and/or the general public is  
23 substantially endangered; and

1                   (3) the property owner either has failed to abate or mitigate the violations in a  
2 timely way in accordance with an order issued pursuant to Section 102A.7 of the Building Code, or the  
3 violations recur after abatement.

4                   Each NOV or Administrative Order issued pursuant to Sections 102A.4 and 102A.7 of the  
5 Building Code that includes a fire safety violation shall provide information about Building Code  
6 Section 102A.16.1 et seq. and the consequences for not abating fire safety violations within the  
7 specified compliance period. In addition, prior to issuance of a Fire Life Safety Notice and Order, the  
8 Building Official will send the warning letter required by Building Code Section 102A.16.1.1.3.

9                   **(g) (f) Annual Report to Board of Supervisors.**

10                   (1) Six months from the effective date of this ordinance, the Director of the  
11 Department of Building Inspection shall provide the Board of Supervisors with information on  
12 the implementation of this Section 204.

13                   (2) Each annual report of the Department of Building Inspection transmitted  
14 to the Board of Supervisors shall contain a statistical report detailing the number of citations  
15 issued during the preceding year, correlated with a general description of the types of  
16 violations for which they were issued.

17                   **(h) (g) Partial Appropriation of Fines Collected.** Up to 25% percent of the monies  
18 collected pursuant to Section 204(a), other than monies mandated by State law to be  
19 appropriated for specific purposes, shall be deposited directly to the Department of Building  
20 Inspection's Special Fund to partially offset the costs incurred by the Department of Building  
21 Inspection in issuing citations pursuant to this Section 204.

22  
23                   Section 5. The Fire Code is hereby amended by revising Section 109.3, to read as  
24 follows:  
25

1 **109.3. [For SF] Remedies Available.**

2 The fire code official may enforce the provisions of this code by: issuing a notice of  
3 violation under Section 109.4; issuing an administrative citation under Section 109.5; *and or*  
4 issuing criminal penalties under Section 109.6.

5 *In addition to the above remedies or other remedies authorized by law, in cases where there is a*  
6 *continuing or recurring fire hazard in a residential building with three or more dwelling units, the fire*  
7 *code official may issue a Fire Life Safety Notice and Order that requires the owner of the building to do*  
8 *one or more of the following to abate or mitigate the fire hazard: (1) install a new fire sprinkler system;*  
9 *(2) improve an existing fire sprinkler system or upgrade it to current code requirements; (3) install a*  
10 *new fire alarm and/or detection system; or (4) improve an existing fire alarm and/or detection system*  
11 *or upgrade it to current code requirements. For purposes of this Section 109.3, a "fire hazard" is*  
12 *defined in Section 102A.1 of the Building Code.*

13 *The fire code official may exercise this authority in cases where the fire official has determined*  
14 *that:*

15 *(a) notwithstanding the Department's issuance of two or more notices of violation under*  
16 *Section 109.4 or administrative citations under Section 109.5, a fire hazard continues to exist or recurs*  
17 *after abatement in a residential building of three or more units; and*

18 *(b) while the cited code violations have not risen to the level of an imminent hazard, they*  
19 *are so extensive and of such a nature (including but not limited to a nonworking fire alarm or sprinkler*  
20 *system, a broken or deteriorated fire escape or egress system, or locked or permanently blocked exits)*  
21 *that the health and safety of the residents and/or the general public is substantially endangered; and*

22 *(c) the property owner has failed to abate or mitigate the violations in a timely way in*  
23 *accordance with an order issued pursuant to Section 109.4.3(g) of this Code.*

24 *Each notice of violation or administrative citation for a fire hazard issued pursuant to Sections*  
25 *109.4 or 109.5 shall provide information about the Fire Life Safety Notice and Order and the*

1 consequences for not abating fire safety violations within the specified compliance period. In addition,  
2 prior to issuance of a Fire Life Safety Notice and Order, the fire code official shall send a letter by  
3 regular and certified mail to the building owner at the address listed with the Assessor-Recorder's  
4 Office and to the persons or entities listed in subsection (b) below informing them that because the  
5 building has been cited with two or more notices of violation for a fire hazard under Section 109.4 or  
6 administrative citations under Section 109.5 of this Code, the owner is a potential recipient of a Fire  
7 Life Safety Notice and Order.

8 All the notice and hearing procedures set forth in Section 109.4.3 shall apply to a Fire Life  
9 Safety Notice and Order, except as that procedure may be modified below.

10 (a) The Fire Life Safety Notice and Order shall:

11 (1) be signed by the fire code official;

12 (2) set forth the street address of the building and a description of the building or  
13 property sufficient for identification;

14 (3) identify each code violation that the fire code official has determined is a fire  
15 hazard substantially endangering the health and safety of the residents and/or the general public;

16 (4) specify the fire safety installation, improvement, and/or upgrades required; and

17 (5) contain time frames required for compliance with the order.

18 (b) The fire code official shall serve the Fire Life Safety Notice and Order by certified mail  
19 on the building owner(s) at the address listed with the Assessor-Recorder's Office. A copy shall also be  
20 sent by certified mail to:

21 (1) the person, if any, in real or apparent charge and control of the premises  
22 involved;

23 (2) the holder of any mortgage, deed of trust, lien, or encumbrance of record; and

24 (3) the owner or holder of any other estate or interest in the building or property, or  
25 the land on which it is located.

1           (c) The fire code official shall post a copy of the Fire Life Safety Notice and Order in a  
2 conspicuous place on the subject property and either mail or deliver a copy to the resident(s) of each  
3 unit on the subject property.

4           (d) Unless the building owner demonstrates to the fire code official's satisfaction that the  
5 owner has made substantial progress in complying with the Fire Life Safety Notice and Order, if the  
6 building owner has not complied with said Notice and Order according to the required time frames the  
7 fire code official shall schedule an administrative hearing to be held no later than 14 days after the  
8 compliance deadline.

9           (e) If an Administrative Hearing is held, the fire code official shall attend the hearing,  
10 which shall be conducted by a designated Hearing Officer. A written decision signed by the fire code  
11 official shall be issued no later than 30 days after the hearing.

12           (f) A copy of the fire code official's written decision shall be recorded in the Assessor-  
13 Recorder's Office.

14           (g) The fire code official shall refer the case to the City Attorney for its review and possible  
15 action within 90 days after recording said Notice and Order.

16  
17           Section 6. The Administrative Code is hereby amended by revising Sections 37.7 and  
18 37.8, to read as follows:

19       **SEC. 37.7. CERTIFICATION OF RENT INCREASES FOR CAPITAL IMPROVEMENTS,**  
20 **REHABILITATION WORK, ENERGY CONSERVATION IMPROVEMENTS, AND**  
21 **RENEWABLE ENERGY IMPROVEMENTS.**

22       \* \* \* \*

23           (b) **Requirements for Certification.** The Board and designated Administrative Law  
24 Judges may only certify the costs of capital improvements, rehabilitation, energy conservation  
25 improvements, and renewable energy improvements, where the following criteria are met:

1 \* \* \* \*

2 (6) The cost is not for work required to correct a code violation for which a  
3 notice of violation has been issued and remained unabated for 90 days unless the landlord  
4 made timely good faith efforts within that 90-day period to commence and complete the work  
5 but was not successful in doing so because of the nature of the work or circumstances  
6 beyond the control of the landlord. The landlord's failure to abate within the original 90-day  
7 period raises a rebuttable presumption that the landlord did not exercise timely good faith  
8 efforts. Any costs attributable to the landlord's compliance with a Fire Life Safety Notice and Order  
9 issued by the Building Official under Sections 107A.16.1 et seq. of the Building Code or the fire code  
10 official under Sections 109.3 et seq. of the Fire Code shall not be certified.

11 \* \* \* \*

12 **SEC. 37.8. ARBITRATION OF RENTAL INCREASE ADJUSTMENTS.**

13 \* \* \* \*

14 (e) **Hearings.**

15 \* \* \* \*

16 (4) **Determination of the Administrative Law Judge: Rental Units.** Based  
17 upon the evidence presented at the hearing and upon such relevant factors as the Board shall  
18 determine, the Administrative Law Judge shall make findings as to whether or not the  
19 landlord's proposed rental increase exceeding the limitations set forth in Section 37.3 is  
20 justified or whether or not the landlord has effected a rent increase through a reduction in  
21 services or has failed to perform ordinary repair and maintenance as required by State or local  
22 law; and provided further that, where a landlord has imposed a passthrough pursuant to this  
23 Chapter 37, the same costs shall not be included in the calculation of increased operating and  
24 maintenance expenses pursuant to this Subsection (4). In making such findings, the  
25 Administrative Law Judge shall take into consideration the following factors:

1 (A) Increases or decreases in operating and maintenance expenses,  
2 including, but not limited to, water and sewer service charges; janitorial service; refuse  
3 removal; elevator service; security system; insurance for the property; ~~routine repairs and~~  
4 ~~maintenance; and~~ debt service and real estate taxes as set forth in subsections (i) and (ii); ~~and~~  
5 reasonable and necessary management expenses as set forth in subsection (iii); and routine  
6 repairs and maintenance as set forth in subsection (iv).

7 \* \* \* \*

8 (iv) The term routine repairs and maintenance shall not include any  
9 costs for installation or upgrade of a fire sprinkler system or fire alarm and/or detection system  
10 attributable to the landlord's compliance with a Fire Life Safety Notice and Order issued by the  
11 Building Official under Sections 107A.16.1 et seq. of the Building Code or the fire code official under  
12 Sections 109.3 et seq. of the Fire Code.

13 \* \* \* \*

14  
15 Section 7. 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 8. 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 additions, and Board amendment deletions in accordance with the "Note" that appears under  
25 the official title of the ordinance.

1  
2 Section 9. Undertaking for the General Welfare. In undertaking the enforcement of  
3 this ordinance, the City is assuming an undertaking only to promote the general welfare. It is  
4 not assuming, nor is it imposing on its officers and employees, an obligation for breach of  
5 which it is liable in money damages, to any person who claims that such breach proximately  
6 caused injury.  
7

8 Section 10. Directions to Clerk. The Clerk of the Board of Supervisors is hereby  
9 directed to forward a copy of this ordinance to the California Building Standards Commission  
10 upon final passage.  
11

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

14 By:

  
15 JUDITH A. BOYAJIAN  
16 Deputy City Attorney

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**REVISED LEGISLATIVE DIGEST**

(Substituted, 9/25/2018)

[Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards]

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

Existing Law

Building Code Section 106A.16 sets forth the process for the Building Official, who is the Director of the Department of Building Inspection, to issue an emergency order requiring the prompt correction of any condition existing in, on, or near any building, structure, property, or portion thereof that constitutes an imminent and substantial hazard to the life, health, or safety of the occupants or other persons, or to said building, structure, or property. Housing Code Section 204 sets forth the penalties for violation of the Housing Code. Section 109.3 of the Fire Code sets forth the remedies the fire code official, who is the local Fire Marshal, has to enforce the requirements of the Fire Code.

Section 37.7 of the Administrative Code sets forth the requirements for certification of rent increases for capital improvements, rehabilitation work, energy conservation improvements, and renewable energy improvements. It currently prohibits certification of rent increases for work required to correct a code violation where the violation has remained unabated for 90 days unless the landlord made timely good faith efforts within that 90-day period to commence and complete the work but was unable to do so because of the nature of the work or circumstances beyond the landlord's control. Section 37.8 allows a landlord to petition the Rent Board for a rental increase that is higher than what would otherwise be allowed in order to cover increased operating and maintenance expenses.

Amendments to Current Law

Sections 106A.16.1, 106A.16.16.1, and 106A.16.1.2 are added to the Building Code, and language is added to Section 204 of the Housing Code and to Section 109.3 of the Fire Code, authorizing the Building Official and the fire code official to issue a Fire Life Safety Notice and

Order that requires the owner of a residential building with three or more dwelling units to do one or more of the following:

- install a new fire sprinkler system;
- improve an existing fire sprinkler system or upgrade it to current code requirements;
- install a new fire alarm and/or detection system;
- improve an existing fire alarm and/or detection system or upgrade it to current code requirements.

Each notice of violation or administrative order issued by the Building Official or the fire code official that includes a fire safety violation is required to provide information about the Fire Life Safety Notice and Order and the consequences for not abating fire safety violations within the specified compliance period. In addition, prior to issuance of a Fire Life Safety Notice and Order, the Building Official or the fire code official is required to send a notice to the building owner and others with an interest in the property that because the building has been cited with two or more fire-safety related notices of violation and administrative orders, the owner is a potential recipient of a Fire Life Safety Notice and Order

A Fire Life Safety Notice and Order may be issued in cases where:

- continuing or repeated code violations constitute a serious fire hazard;
- the violations have not risen to the level of an imminent hazard that requires issuance of an emergency order but the violations are so extensive and of such a nature that the health and safety of the residents and/or the general public is substantially endangered; and
- the property owner has either failed to abate or mitigate the violations in a timely way despite prior notices of violation and abatement orders or the violations recur after abatement.

Examples of the types of hazardous situations in which a Fire Life Safety Notice and Order could issue are: (1) a nonworking fire alarm or sprinkler system, (2) a nonworking or chronically blocked fire escape; or (3) locked or chronically blocked exits or egress system. Such an order is subject to a shortened abatement process and a referral to the City Attorney for review and possible action.

Administrative Code Section 37.7(b)(6) is revised to prohibit the Rent Board's certification of the costs attributable to compliance with a Fire Life Safety Notice and Order as a pass-through to the tenants in the form of a rent increase. Section 37.8(e) is revised to expressly prohibit the Rent Board from including any such costs in a rental increase for increased operation and maintenance costs.

Background Information

Due to San Francisco's location in an active seismic zone, its narrow and crowded sidewalks, and its high building density, it is vulnerable to the risk of fires especially in larger multi-unit buildings. A report from the Board of Supervisors' Budget and Legislative Analyst's Office issued on November 21, 2016, found that there were 252 two-alarm or greater residential fires from 2004 to 2016. Wood-framed buildings, the most common building type in San Francisco, made up 87% of the fires. Recent fires in large apartment buildings in San Francisco have resulted in property damage, loss of housing, and in some instances loss of life. The need for extra measures to prepare for and cope with fires in residential buildings is pressing.

BOARD of SUPERVISORS



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

September 27, 2018

File No. 180756

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

Dear Ms. Gibson:

On September 25, 2018, Supervisor Ronen submitted the substitute legislation:

File No. 180756

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, 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.

Joy Navarrete

Digitally signed by Joy Navarrete  
DN: cn=Joy Navarrete, o=Planning,  
ou=Environmental Planning,  
email=joy.navarrete@sf.gov, c=US  
Date: 2018.09.27 11:18:22 -0700

1438



**BUILDING INSPECTION COMMISSION (BIC)**

Department of Building Inspection

Voice (415) 558-6164 - Fax (415) 558-6509

1660 Mission Street, San Francisco, California 94103-2414

September 19, 2018

London N. Breed  
Mayor

COMMISSION

Angus McCarthy  
President

Debra Walker  
Vice-President

Kevin Clinch  
John Konstin  
Frank Lee  
Sam Moss  
James Warshell

Sonya Harris  
Secretary

Tom C. Hui  
Director

Ms. Angela Calvillo  
Clerk of the Board  
Board of Supervisors, City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4694

Dear Ms. Calvillo:

**RE: File No.180756**

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

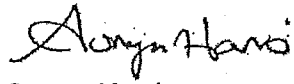
The Building Inspection Commission met and held a public hearing on September 19, 2018 regarding File No. 180756 on the proposed amendment to the San Francisco Building, Housing, Fire, and Administrative Codes referenced above. The Commissioners voted unanimously to support this proposed amendment.

The Commissioners voted as follows:

President McCarthy	Yes	Vice-President Walker	Yes
Commissioner Clinch	Excused	Commissioner Konstin	Yes
Commissioner Lee	Yes	Commissioner Moss	Yes
Commissioner Warshell	Excused		

Should you have any questions, please do not hesitate to call me at 558-6164.

Sincerely,



Sonya Harris  
Commission Secretary

cc: Tom C. Hui, S.E., Director  
Mayor London N. Breed  
Supervisor Hillary Ronen  
Supervisor Rafael Mandelman  
Board of Supervisors



CODE ENFORCEMENT OUTREACH PROGRAM  
Tenderloin Housing Clinic  
*Housing, Legal & Supportive Services*

September 27, 2018

Dear Board of Supervisors,

I am writing to ask you to support the fire life safety resolution, sponsored by Supervisor Ronen (file 180756) that will be heard at Land Use committee on October 1<sup>st</sup>. As both a San Francisco Tenderloin resident and the program manager who oversees Tenderloin Housing Clinic's Code Enforcement Outreach Manager advocating directly for and with many of San Francisco's most vulnerable tenants, we believe that this legislation is urgent and necessary.

Our program, in the last 5 years alone, has assisted residents of four different buildings who experienced serious fires and fire damage to and within their buildings. We have seen and assisted firsthand with the trauma, tumult and displacement elderly individuals, single adults and families with young children have had to confront, guiding them through the process to get back into their homes and get back a sense of normalcy in their lives. The impacts of a fire, particularly when loss of life occurs, are incredibly urgent in our shared concern for the public's safety. With this in mind, we ask that you support the current amended Fire Life-Safety legislation, a much needed step in the right direction toward prevention and a deterrent to negligent landlords

These amendments give a process and mechanism to such responsible and respectable agencies, Department of Building Inspection and San Francisco Fire Department, to hold accountable landlords who habitually and flagrantly ignore issues of Fire Life-Safety. No longer will landlords be free to ignore fire hazards especially even after repeated citations. Although these amendments do not go as far as the 2002 SRO Fire Sprinkler legislation, obligating landlords to install fire sprinkler systems in SRO rooms, this legislation is a moderate and



CODE ENFORCEMENT OUTREACH PROGRAM  
Tenderloin Housing Clinic  
*Housing, Legal & Supportive Services*

hopeful compromise towards broader measures for tenant safety and prevents tenant displacement.

Lastly, please keep in mind these amendments do not exist in a silo but rather were born out of Recommendations that came from the Fire Safety Task Force. Supervisor Ronen's legislation was additionally created through thoughtful conversations with a broad range of relevant parties, from my organization, Tenderloin Housing Clinic, Housing Rights Committee and San Francisco Apartment Association. As San Francisco's Board of Supervisors, your decision on this legislation will have a serious impact on how tenants regard the safety they find in their private apartments. Considering that the bulk of San Francisco residents reside in private apartments and that fires are the leading cause of damage or destruction to the city's rent controlled housing stock, we wholeheartedly urge you to support this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rosamaria Cavalho', written over a circular scribble.

Rosamaria Cavalho

**Rosamaria Cavalho**

**Program Manager-CEOP, Code Enforcement Outreach Program**

Tenderloin Housing Clinic

48 Turk Street

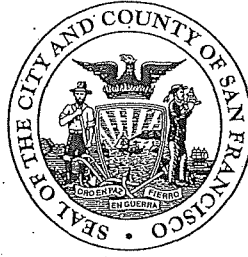
San Francisco, CA. 94102-2808

Office: (415) 775-7110 ext.112

Fax (415) 775.7170



BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
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TDD/TTY No. 554-5227

## MEMORANDUM

TO: Robert Collins, Executive Director, Rent Board  
Kate Hartley, Director, Mayor's Office of Housing and Community  
Development  
Joanne Hayes-White, Chief, Fire Department

FROM: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

DATE: September 27, 2018

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

---

The Board of Supervisors' Rules Committee has received the following substitute legislation, introduced by Supervisor Ronen on September 25, 2018:

**File No. 180756-2**

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org).

c: Eugene Flannery, Mayor's Office of Housing and Community Development  
Amy Chan, Mayor's Office of Housing and Community Development  
Kelly Alves, Fire Department

BOARD of SUPERVISORS



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

September 27, 2018

File No. 180756

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

Dear Ms. Gibson:

On September 25, 2018, Supervisor Ronen submitted the substitute legislation:

File No. 180756

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning

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

## MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection  
Sonya Harris, Secretary, Building Inspection Commission

FROM: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

DATE: September 27, 2018

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following substitute legislation, introduced by Supervisor Ronen on September 25, 2018:

**File No. 180756-2**

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

The proposed ordinance is being transmitted pursuant to Charter, Section D3.750-5, for public hearing and recommendation. It is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org).

c: William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection

## Major, Erica (BOS)

---

**From:** Major, Erica (BOS)  
**Sent:** Thursday, September 27, 2018 10:36 AM  
**To:** Collins, Robert (RNT); Hartley, Kate (MYR); Hayes-White, Joanne (FIR)  
**Cc:** Flannery, Eugene (MYR); Chan, Amy (MYR); Alves, Kelly (FIR)  
**Subject:** REFERRAL FYI (180756-2) Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards  
**Attachments:** 180756-2 FYI.pdf

Greetings:

This matter is being forwarded to your department for informational purposes. If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

### ERICA MAJOR

Assistant 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](mailto:Erica.Major@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



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## Major, Erica (BOS)

---

**From:** Major, Erica (BOS)  
**Sent:** Thursday, September 27, 2018 9:43 AM  
**To:** Gibson, Lisa (CPC)  
**Cc:** Navarrete, Joy (CPC); Lynch, Laura (CPC)  
**Subject:** REFERRAL CEQA (180756-2) Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards  
**Attachments:** 180756 CEQA.pdf  
**Importance:** High

Greetings,

Attached is a referral for environmental review. This matter is anticipated to be heard at the Land Use and Transportation Committee meeting on Monday, October 1, 2018. If you could review the matter for determination before noon today, it will be part of the packet. Otherwise I'll loop back to find the response hopefully before Monday's meeting. Thanks!

ERICA MAJOR

Assistant Clerk

Board of Supervisors

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](mailto:Erica.Major@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



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## Major, Erica (BOS)

---

**From:** Major, Erica (BOS)  
**Sent:** Thursday, September 27, 2018 10:07 AM  
**To:** Hui, Tom (DBI); Harris, Sonya (DBI)  
**Cc:** Strawn, William (DBI); Jayin, Carolyn (DBI)  
**Subject:** REFERRAL BIC (180756-2) Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards  
**Attachments:** 180756-2 BIC.pdf

Greetings,

This matter is being referred to the Building Inspection Commission for comment and recommendation. This matter is on the Land Use and Transportation Committee meeting agenda for Monday, October 1, 2018. Version 2 of the legislation was heard and considered at the September 19, 2018, meeting and was voted unanimously in support. Please confirm if the Commission will be considering the substitute legislation for consideration.

ERICA MAJOR

Assistant 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](mailto:Erica.Major@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)



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**Somera, Alisa (BOS)**

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**From:** Alves, Kelly (FIR)  
**it:** Thursday, August 09, 2018 11:40 AM  
**Subject:** RE: BOS Referral: File No. 180756 - Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards

Good Afternoon Alisa,

The Fire Department reviewed the proposed legislation, File No. 180756, and supports the proposal.

Thank you.

Kind regards,

Kelly Alves  
Office of the Chief of Department  
San Francisco Fire Department  
698 Second Street  
San Francisco, CA 94107  
Phone: 415-558-3401 / Fax: 415-558-3407 / web: [www.sf-fire.org](http://www.sf-fire.org)

---

**From:** Lew, Lisa (BOS)  
**Sent:** Monday, July 30, 2018 10:22 AM  
**To:** Collins, Robert (RNT) <[robert.collins@sfgov.org](mailto:robert.collins@sfgov.org)>; Hartley, Kate (MYR) <[kate.hartley@sfgov.org](mailto:kate.hartley@sfgov.org)>; Hayes-White, Joanne (FIR) <[joanne.hayes-white@sfgov.org](mailto:joanne.hayes-white@sfgov.org)>  
**Cc:** Flannery, Eugene (MYR) <[eugene.flannery@sfgov.org](mailto:eugene.flannery@sfgov.org)>; Chan, Amy (MYR) <[amy.chan@sfgov.org](mailto:amy.chan@sfgov.org)>; FireChief, Secretary <[secretary.firechief@sfgov.org](mailto:secretary.firechief@sfgov.org)>; Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
**Subject:** BOS Referral: File No. 180756 - Various Codes - Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards

Hello,

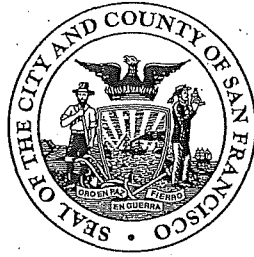
The following legislation is being referred to your department for informational purposes:

**File No. 180756**

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

Sent on behalf of Alisa Somera, Rules Committee. Please forward any comments or reports to Alisa Somera.

BOARD of SUPERVISORS



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

July 30, 2018

File No. 180756

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

Dear Ms. Gibson:

On July 17, 2018, Supervisor Ronen introduced the following proposed legislation:

**File No. 180756**

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

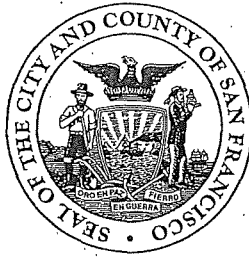
*Alisa Somera*  
for By: Alisa Somera, Legislative Deputy Director  
Rules Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Laura Lynch, Environmental Planning




BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Tom Hui, Director, Department of Building Inspection  
Sonya Harris, Secretary, Building Inspection Commission

FROM:  Alisa Somera, Legislative Deputy Director  
Rules Committee

DATE: July 30, 2018

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Rules Committee has received the following legislation, introduced by Supervisor Ronen on July 17, 2018:

**File No. 180756**

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

The proposed ordinance is being transmitted pursuant to Charter, Section D3.750-5, for public hearing and recommendation. It is pending before the Rules Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org).

c: William Strawn, Department of Building Inspection  
Carolyn Jayin, Department of Building Inspection

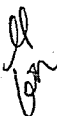
BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Robert Collins, Executive Director, Rent Board  
Kate Hartley, Director, Mayor's Office of Housing and Community  
Development  
Joanne Hayes-White, Chief, Fire Department

FROM:  Alisa Somera, Legislative Deputy Director  
Rules Committee

DATE: July 30, 2018

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Ronen on July 17, 2018:

**File No. 180756**

**Ordinance amending the Building, Housing, Fire, and Administrative Codes to authorize the Building and Fire Departments to require the installation of a new fire safety system or the improvement or upgrade of an existing system to current code requirements in a residential building of three or more dwelling units to remedy recurring or continuing fire hazards that substantially endanger the health and safety of the residents or the general public; amending the Rent Ordinance to prohibit landlords from increasing rents to cover the costs of compliance; 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 to forward this Ordinance to the California Building Standards Commission upon final passage.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco; CA 94102 or by email at: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org).

c: Eugene Flannery, Mayor's Office of Housing and Community Development  
Amy Chan, Mayor's Office of Housing and Community Development  
Kelly Alves, Fire Department

President, District 10  
BOARD of SUPERVISORS



BOS-11; Aides COB,  
Dep, Rules Clerk, LU Clerk,  
Dep. City Atty  
City Hall

1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689

Tel. No. 554-7670  
Fax No. 554-7674  
TDD/TTY No. 544-5227

Malia Cohen

**PRESIDENTIAL ACTION**

Date: 9/26/18

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,  
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. \_\_\_\_\_  
(Primary Sponsor)

Title \_\_\_\_\_

Transferring (Board Rule No 3.3)

File No. 180756 Ronen  
(Primary Sponsor)

Title. Various Codes - Authority to Require New or Upgraded Fire Safety  
Systems in Multi-Unit Residential Buildings with Recurring or

From: Rules \_\_\_\_\_ Committee

To: Land Use & Transportation \_\_\_\_\_ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor \_\_\_\_\_

Replacing Supervisor \_\_\_\_\_

For: \_\_\_\_\_ Meeting  
(Date) (Committee)

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2018 SEP 26 PM 2:47  
BY \_\_\_\_\_

Malia Cohen, President  
Board of Supervisors

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2010 SEP 25 PM 4:27  
Time stamp  
 or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.  
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [180756]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission     Youth Commission     Ethics Commission
- Planning Commission     Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative**

**Sponsor(s):**

Ronen, Mandelman, Fewer

**Subject:**

Various Codes- Authority to Require New or Upgraded Fire Safety Systems in Multi-Unit Residential Buildings with Recurring or Continuing Fire Hazards

**The text is listed below or attached:**

Please see attached ordinance

Signature of Sponsoring Supervisor: *Will Rowe*

For Clerk's Use Only:

