

# SAN FRANCISCO FIRE COMMISSION

**Fire Commission Regular Meeting  
Wednesday, September 28, 2016 - 5:00 p.m.**

City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400 ■ San Francisco ■ California ■ 94102

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## AGENDA

*Item No.*

### 1. ROLL CALL

President	Francee Covington
Vice President	Ken Cleaveland
Commissioner	Stephen A. Nakajo
Commissioner	Michael Hardeman
Chief of Department	Joanne Hayes-White

### 2. PUBLIC COMMENT

Members of the public may address the Commission for up to three minutes on any matter within the Commission's jurisdiction and does not appear on the agenda. Speakers shall address their remarks to the Commission as a whole and not to individual Commissioners or Department personnel. Commissioners are not to enter into debate or discussion with a speaker. The lack of a response by the Commissioners or Department personnel does not necessarily constitute agreement with or support of statements made during public comment.

### 3. APPROVAL OF THE MINUTES *[Discussion and possible action]*

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on August 24, 2016

### 4. CHIEF OF DEPARTMENT'S REPORT *[Discussion]*

#### REPORT FROM CHIEF OF DEPARTMENT

Report on current issues, activities and events within the Department since the Fire Commission meeting of September 14, 2016, including Fiscal Year 2016-2017 budget, academies, 150<sup>th</sup> Anniversary update, Strategic Plan update, special events, communications and outreach to other government agencies and the public.

#### REPORT FROM ADMINISTRATION

Report on the Administrative Divisions, Fleet and Facility status, Finance, Support Services, Homeland Security and Training within the Department.

### 5. DISCUSSION ON CIVIL GRAND JURY REPORT *[Discussion]*

Discussion pertaining to the Fire Commissions Submitted Response to the Civil Grand Jury Report "Fire Safety Inspections in San Francisco: A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department.

### 6. RESOLUTION 2016-08 *[Discussion and possible action]*

Discussion and possible action to approve Resolution 2016-08, recommending that the Board of Supervisors authorize the San Francisco Fire Department to accept and expend a SAFER grant from FEMA in the amount of \$8,533,872 for the hiring of thirty-six new firefighters.

**7. RESOLUTION 2016-09 [Discussion and possible action]**

Discussion and possible action regarding proposed Resolution 2016-09, recommending that the Board of Supervisors authorize the San Francisco Fire Department to accept and expend Port Security Grant Program funding in the amount of \$60,524 from the Federal Emergency Management Agency to purchase a rapid deployment dock system.

**8. AMENDMENTS TO THE 2016 CALIFORNIA FIRE CODE [Discussion and possible action]**

Discussion and possible action to approve recommended amendments to the 2016 California Fire Code and recommending the Board of Supervisors approve amendments to the 2016 California Fire Code.

**9. UPDATE ON THE RESTORATION OF BATTALION 5 (Discussion)**

Discussion on developments pertaining to restoring Battalion 5 to the field.

**10. STATION 35/PIER 26 UPDATE ON PLANS, CONSTRUCTION AND PROGRESS [Discussion]**

Update on Station 35/Pier 26.

**11. AGENDA FOR NEXT FIRE COMMISSION MEETING [Discussion]**

Discussion regarding agenda for the October 12, 2016 regular meeting.

**12. ADJOURNMENT**

MINUTES FOR ADOPTION

SAN FRANCISCO FIRE COMMISSION

**FIRE COMMISSION REGULAR MEETING  
DRAFT MINUTES**

**Wednesday, August 24, 2016 – 5:00 p.m.**

**City Hall, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, California, 94102**

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The video recording has been at:

[http://sanfrancisco.granicus.com/MediaPlayer.php?view\\_id=180&clip\\_id=26047](http://sanfrancisco.granicus.com/MediaPlayer.php?view_id=180&clip_id=26047)

President Covington called the meeting to order at 5:02 PM.

**1. ROLL CALL**

Commission President	Francee Covington	Present
Commission Vice President	Ken Cleaveland	Present
Commissioner	Stephen Nakajo	Present
Commissioner	Michael Hardeman	Present
Acting Chief of Department	Mark Gonzales	Present
Raemona Williams	Deputy Chief – Administration	
Jeff Myers	EMS	
Dan DeCossio	Bureau of Fire Prevention	
Jeff Columbini	Division of Training	
Ken Lombardi	Staff Services	
Shane Francisco	Homeland Security	
Rudy Castellanos	Airport Division	
Assistant Chiefs		
Kevin Burke	Division 2	
Kevin Smith	Division 3	
Staff		
Mark Corso	CFO	
Olivia Scanlon	Communication and Outreach Coordinator	

**2. PUBLIC COMMENT**

There was no public comment.

**4. APPROVAL OF THE MINUTES *[Discussion and possible action]***

Discussion and possible action to approve meeting minutes.

- Minutes from Regular Meeting on July 27, 2016

Commissioner Hardeman Moved to approve the July 27, 2016 regular meeting Minutes. Vice President Cleaveland Seconded. Motion to approve above Minutes was unanimous.

There was no public comment.

#### 4. **DISCUSSION ON CIVIL GRAND JURY REPORT [Discussion]**

Discussion pertaining to the Civil Grand Jury Report "Fire Safety Inspections in San Francisco: A Tale of Two Departments: Department of Building Inspection & San Francisco Fire Department.

President Covington announced that the Commission's response to the Grand Jury Report is due on September 16, 2016 to the Board of Supervisors.

Vice President Cleaveland stated that he read the report and he believes that there is serious work to be done to address the issues of inspections, although he thinks that some of the recent legislation that has been passed will move the Department in the right direction. Chief Hayes-White responded that the Department's responses would be ready in draft form to discuss at the next Fire Commission meeting and that a number of the items that are recommended are already in play. Fire Marshal DeCossio explained what has been done in regards to inspections, fire complaints, tracking inspections, and writing notice of violations since the report came out and the strides that the Department has taken to address those issues. He also mentioned that he did not have the opportunity to give input to the Civil Grand Jury on the Department's complaint and inspection practices, and if he had, he would have been able to tell the Grand Jury that they already have a process in place, framework laid out that they are working on right now, and an end to end process. He added that at least 90 percent of the recommendations in the report have been addressed and are already underway. Fire Marshal DeCossio went on to explain the Fire Departments responsibilities compared to the Building Inspection Department with regards to R-1 and R-2 inspections. Chief Hayes-White wanted to make clear, that the Department does not agree with all their findings, and took personal offense to the allegation that company captains were not familiar with fundamental fire prevention codes and compliance requirements. She added that the Bureau of Fire Prevention has a lot more expertise than she or anyone else that's not in fire prevention, but at a basic fundamental level, every company officer has that expertise and the men and women of the Fire Department are very well trained.

Commissioner Nakajo stated that he read the CGJ report and digested it and noted that it is a complex document. He appreciated the Grand Jury process, but he also knows that a lot of the findings have limited real participation and answers in terms of departmental level. He added that he has confidence that the Department will address each and every issue raised in the report. He strongly believes that the department has internal mechanisms in place to be able to have the units, engines, trucks and personnel to implement the recommendations outlined in the report. He believes that they can live with the recommendations on the inspections and improvements but he is concerned with the item of transparency and he doesn't feel the Department should withhold any kind of information. Fire Chief DeCossio responded that they have always been transparent, but unfortunately, members of the public have to come to Headquarters to get the information, so they are working on getting the information online for people to access.

Commissioner Hardeman supported Commissioner Nakajo's comments and agreed that the report was done on limited knowledge of civilians of the Building Inspection and Fire Department and they are doing the best they can. He added that before he asks questions of the Fire Marshal and Chief of Department, he would like to see the draft responses that Chief Hayes-White put together and if the Department feels they can get the economics to do what they are recommending, then the Department will do it. Fire Marshal DeCossio agreed and mentioned that he is confident that with the plan they have and the structure and framework they have developed, they will be successful in addressing all the concerns in the CGJ report. Chief Hayes-White added that she reached out to the foreperson of the CGJ as she thought they missed an opportunity by not interviewing the Fire Marshal, who has the most expertise related to the topics raised. They didn't interview the Chief either because they had run out of time.

President Covington complimented the Civil Grand Jury, who are all volunteers for putting together a very comprehensive overview and she thought a lot of the recommendations are valuable. She suggested that the responses should include projections of what it's going to take to handle all the issues and to make sure we have met our own excellent standards. She acknowledged that one of the recommendations was for the Fire Commission to form a task force with the Building Inspection Commission to work on a code enforcement processes and make recommendations on how to coordinate efforts and to make it more of a transparent process.

There was no public comment.

#### **5. MUTUAL AID/STRIKE TEAM OVERVIEW [Discussion]**

Update on the Department's current obligations and policies for providing and receiving mutual aid and overview of recent strike team deployments.

Deputy Chief Gonzales gave an update and overview of the Department's Mutual Aid Strike Team. He described the deployment of personnel to the Cedar Fire, with Assistant Chief Franklin and Chief Velo as Strike Team Leaders, along with the OES State Rig. He went on to describe the origins of how Mutual Aid is conducted. That presentation is attached: <http://sf-fire.org/sites/default/files/COMMISSION/Fire%20Commission%20Support%20Documents%202015/CD2%20presentation%20to%20Commission%20Mutual%20Aid%20082416.pdf>

Chief Gonzales mentioned that California Disaster and Civil Defense Master Mutual Aid Agreement was established on November 15, 1950 and revised on November 23, 1970. He described the acronym "FIREScope" as Fire, Resources of Southern California Organized for Potential Emergency which developed the Incident Command System. He went on to describe the Mutual Aid Agreement and each party that has signed the agreement agrees to furnish resources and facilities to every party of the agreement to prevent and combat any disaster in accordance with mutual aid operational plans. He explained the coordination, the organizations and training involved with Mutual Aid.

Vice President Cleaveland thanked Chief Gonzales for his report and asked who in the Department has the ability to deploy the Strike Teams. Chief Gonzales stated it's covered in a General Order and that if the Chief is not available it would go to next in command of the Department and in accordance with the Agreement that was signed. He confirmed that the Department has 158 personnel trained to participate as a strike team.

Commissioner Hardeman thanked Chief Gonzales for his report. He confirmed that when a Strike Team is sent out for Mutual Aid, the members are obligated to stay for at least 10 days.

Commissioner Nakajo thanked Chief Gonzales for his report and asked who the incident commander is. Chief Gonzales stated that it would depend on the agency that calls for mutual aid. He confirmed that besides the State rigs the Department bought, they also have 5 pre-designated engines.

President Covington thanked Chief Gonzales for his report and asked if the State Rigs are used locally in San Francisco or reserved for State use. Chief Gonzales answered that they are not used on a daily basis, but if there was a big disaster, they would be used locally. She mentioned her concern for making sure all rigs are equipped and for budgetary reasons, she suggested going forward, to making sure there is a line item in the budget to equip all rigs. She recommended that a follow-up on the plan to equip the rigs be scheduled for the end of January. President Covington asked who pays for the wildland firefighting training. Chief Columbini stated that they provide the training at the Division of Training. There was brief discussion on the State rigs and how the Department would like to obtain more of them.

Sylvia Johnson gave public comment where she talked about personality and impersonators and installing walls that go up and down.

**6. CHIEF OF DEPARTMENT'S REPORT [Discussion]**

**REPORT FROM CHIEF OF DEPARTMENT**

Report on current issues, activities and events within the Department since the Fire Commission meeting of August 10, 2016, including Fiscal Year 2016-2017 budget, academies, 150<sup>th</sup> Anniversary update, special events, communications and outreach to other government agencies and the public.

Chief Hayes-White's report covered events since the last meeting on August 10, 2016. She announced that the budget has been signed and was formally approved by the Mayor on August 2, 2016 and they are moving forward with the purchase of replacement equipment which includes the purchase of eight new fire engines that she hopes to have ordered by the end of the month.

She touched on the 120<sup>th</sup> academy, who are in their 10<sup>th</sup> week with 54 members and they are preparing for the 121<sup>st</sup> academy class. She also touched on the 150<sup>th</sup> Anniversary, which included an overview of the First Responder Volunteers Day at Washington Square Park, the upcoming 9/11 ceremony to take place at the Public Safety Building, the September 24 and 25<sup>th</sup> Parade at the Wharf, the October 17, 2016 fire boat commissioning, the November 5<sup>th</sup> and 6<sup>th</sup> Film Festival at the San Francisco Main Library and a December 3, 2016 official celebration. She mentioned that she sent out an invitation to all employee groups in the continued effort to keep the lines of communication open but some have not availed themselves of that opportunity. She heard back from the newly formed Veterans Group and met with them on August 15, 2016 along with the Rescue Group and Paramedic Association. She announced the revitalization of Pier 80 which will soon be occupied by the Pasha Group. She added that she and the Deputies met with Local 798 as part of the monthly labor management meeting to discuss current activities and issues.

Vice President Cleaveland thanked the Chief for her report and was happy to hear that the City will be importing cars at Pier 80. He asked if the SFFD was responsible for protecting the Port. Chief Hayes-White stated that it is part of the SFFD jurisdiction, but they have their own Fire Marshal that works under the direction of Chief DeCossio.

Commissioner Hardeman thanked the Chief for her detailed report. He described a visit he had prior to the 9/11 events in New York and mentioned he's glad automobiles will be sold from Pier 80.

Commissioner Nakajo thanked the Chief for her report and acknowledged the great event that took place at Washington Square for the fire and police reserves 75<sup>th</sup> anniversary.

President Covington added that she thought the event at Washington Square Park was very nice and thanked the Guardians of the City for putting it together.

**Public Comment:**

Ms. Johnson spoke about the National Guard and wanted an explanation on the October 21, 2016 event at Washington Square Park and Washington D.C. and her experience in D.C.

## REPORT FROM ADMINISTRATION

Report on the Administrative Divisions, Fleet and Facility status, Finance, Support Services, Homeland Security and Training within the Department.

Chief Williams' report covered the month of August. She mentioned that the assignment office is currently working on the Department's annual seniority list in anticipation of the upcoming vacancy bid for members of Suppression, Station 49, and the Airport. She added that Homeland Security was awarded a fire investigation grant for air monitors, accelerant detectors, and 3-D modeling equipment. She mentioned that Chief Francisco attended the Korean War Memorial Dedication Ceremony, the 9<sup>th</sup> Civil Support Team Change of Command Ceremony and the International Association of Fire Chiefs Conference in San Antonio, Texas. She touched on Investigative Service Bureau and Department Physician, Support Services, In-Service Training and NERT.

Vice President Cleaveland thanked Chief Williams for her report and asked about the rebuild of Station 16. Chief Williams stated that Station 16 is scheduled for demolition the first week of October. The current members of Station 16 will be relocated to other firehouses.

There was no public comment.

### **7. END OF THE YEAR CALENDAR *[Discussion and possible action]***

Discussion by Commission Members to make changes to the current meeting calendar.

Vice President Cleaveland moved to cancel the regular commission meetings scheduled for November 23, 2016 and December 28, 2016. Commissioner Hardeman Seconded. The motion was unanimous.

Commission Secretary Conefrey will post an updated meeting calendar on the Commission website. President Covington pointed out that the meetings in January will be lengthy.

### **8. RESOLUTION 2016-06 *[Discussion and possible action]***

Discussion and possible action regarding proposed Resolution 2016-06, recommending that the Board of Supervisors authorize the San Francisco Fire Department to accept and expend a grant in the amount of \$134,858 from the Federal Emergency Management Agency to purchase fire investigation equipment.

Mark Corso gave an overview of the resolution which is attached: <http://sf-fire.org/sites/default/files/COMMISSION/Documents/Resolution%202016-06%20%28Purchase%20Fire%20Investigation%20Equipment%29.pdf>

Vice President Cleaveland moved to approve Resolution 2016-06. Commissioner Hardeman Seconded. The motion was unanimous.

There was no public comment.

### **9. RESOLUTION 2016-07 *[Discussion and possible action]***

Discussion and possible action regarding proposed Resolution 2016-07, recommending that the Board of Supervisors authorize the San Francisco Fire Department to donate a retired pick-up truck to San Francisco Firefighters Local 798 to be used for their toy program.

Mark Corso gave an overview of the resolution which is attached: <http://sf-fire.org/sites/default/files/COMMISSION/Documents/Resolution%202016-07%20%28Donate%20retired%20pick-up%20truck%20to%20798%29.pdf>

Vice President Cleaveland moved to approve Resolution 2016-07. Commissioner Hardeman Seconded. The motion was unanimous.



Vice President Cleaveland congratulated Local 798 for their toy program.

Ms. Johnson spoke on truck experience and 798 when she was younger.

**10. CORRESPONDENCE ADDRESSED TO COMMISSION FROM AUGUST 10 THROUGH AUGUST 19, 2016**

- Letter from Leif Johan Veimoen

Commissioner Hardeman commented on a copy of a letter that was in his packet from Chet Spirlin, Coordinator of Flame Athletics and he encouraged member of the public to support the Flame program because it's donations that keeps it going for thousands of kids.

**11. AGENDA FOR NEXT FIRE COMMISSION MEETING *[Discussion]***

Discussion regarding agenda for the September 14, 2016 regular meeting.

- Civil Grand Jury Report
- Fire Boat Pier 35 update (9/28/16)
- Establishment of H-23 classification
- Update on Station 49 EMS new building
- Presentation from Michael McDowell on Volunteers Then and Now.

**12. ADJOURNMENT**

President Covington adjourned the meeting at 7:12 p.m.

GENERAL ORDERS

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER

File Code 16 A-42  
September 8, 2016

From: Chief of Department  
To: Distribution List "A"  
Subject: September 11, 2016 – Remembrance at all SFFD Stations  
Reference: Rules & Regulations, Section 402  
Enclosure: Attachment "A" – Commemoration Ceremony Remarks  
Attachment "B" – List of FDNY Members who died on September 11, 2001

Officer Endorsement:  
Section 1108 – R & R

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1. On Sunday, September 11, 2016, the Department will participate in a remembrance ceremony for the Emergency Responders and civilians who perished in the tragic events of September 11, 2001 and for their families.
2. Company Officers will coordinate all activities. Battalion Chiefs will ensure compliance.
3. The remembrance ceremony will take place at all Stations.
4. The format for the remembrance will be as follows:

**0645 hours PST**

Apparatus roll out of bays, flanking the driveways on both sides.

**0658 hours PST**

All available Fire Department personnel assemble at attention in front of individual Station flag pole (or central location in front of building.)

**0659 hours PST – Time of South Tower Collapse**

Apparatus bell rings 3-3-3 (3 sets of 3 chimes each)

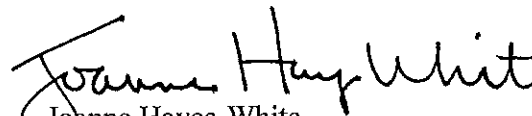
**0700 hours PST**

Lower Station flag to half staff, observe one minute of silence

**0702 hours PST**

- Commemoration for all victims of 9/11/01
- Commemoration and moment of silence for 2016 line of duty deaths
- Reading of the names of the 343 Firefighters from FDNY

5. Flags will remain at half staff for the remainder of the day.
6. Members will participate in complete Station uniform including caps and ties.

  
Joanne Hayes-White  
Chief of Department

SAN FRANCISCO FIRE DEPARTMENT  
GENERAL ORDER


File Code 16 A-43  
September 9, 2016

From: Chief of Department  
To: Distribution List "A"  
Subject: Year 2017 Vacation Selections for H1, H3L1, H3L2 Employees  
Reference: Rules & Regulations, Section 2519  
Enclosure: (A) Vacation Policy, Balance Limits, Accrual Rates, & Granting Rules  
(B) Annual Vacation Bidding Instructions  
(C) Annual IDV/TC Bidding Instructions

Officer Endorsement:  
Section 1108 – R & R

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1. Vacation selections for the Year 2017 shall be made via HRMS ("Employee" → "VA/IDV Bid"). All H1, H3L1, H3L2 Employees shall submit vacation bids. Vacations will be for a MINIMUM of 3 days.
2. Members in a probationary status (less than one year of service) are not eligible to participate in the bid process.
3. Officers are responsible for notifying all members who are on leave from their regular assignment of the vacation bidding process.
4. Bidding opens at 1200 hours on Wednesday, September 14, 2016. Close of bidding is 1200 hours Wednesday, September 21, 2016. No bids will be accepted after this deadline.
5. ANNUAL IDV & TC BIDDING: After the completion of the vacation awards, the IDV/TC bidding will open at 1200 hours Friday, September 23, 2016. Members shall make these requests via HRMS ("Employee" → "VA/IDV Request"). The deadline for the annual IDV/TC requests is 1200 hours Friday, September 30, 2016. Under no circumstances may the sum of IDV/TC/vacation days granted exceed the number of days listed under the Vacation Granting Rules section of Enclosure (A). Requests for IDV/TCs received after the above deadline will be granted via the Daily IDV process with due regard for Department staffing needs.

  
Joanne Hayes-White  
Chief of Department

CIVIL GRAND JURY RESPONSE

2015-16 Civil Grand Jury  
 Fire Safety Inspections in San Francisco  
 A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department

June 2016

CGJ Year	Report Title	Findings	Responding Dept.	2016 Responses (Agree/Disagree) Use the drop down menu	2016 Response Text
2015-2016	Fire Safety Inspections in San Francisco	F.III.1. DBI and SFFD inspect multi-unit residential buildings for many of the same fire safety hazards but do not coordinate any of their inspections or code enforcement efforts including not sharing information.	Fire Commission	Partially agree with finding (explanation in next column)	<p>SFFD is always open and willing to foster and improve interdepartmental engagement and collaboration. In the particular case of DBI and SFFD, one must take into consideration the very different business models of DBI and SFFD: DBI has staffing dedicated to R2 inspections, whereas the SFFD Fire Suppression Truck and Engine Companies are first and foremost tasked with first responder duties. SFFD inspection of R2 occupancies is both an imperative and a responsibility that must be timed in a manner so as to not compromise health and safety emergencies. In spite of differing business models per above, there are key ways to enhance and drive greater collaboration.</p> <ol style="list-style-type: none"> <li>1. Establish a perpetual, working committee (that meets with a regular cadence) and seeks to evaluate the Housing Code and the Fire Code *in parallel*, identify where there is a lack of overlap, and develop a referral process to support these areas in a proactive and transparent manner.</li> <li>2. Implement a 21st century closed loop, digital solution that enables DBI and SFFD to seamlessly share data across departments and provide online access to interdepartmental referral tracking and reporting.</li> </ol>

2015-16 Civil Grand Jury  
 Fire Safety Inspections in San Francisco  
 A Tale of Two Departments: Department of Building Inspection and San Francisco Fire Department  
 June 2016

CGJ Year	Report Title	Recommendations	Responding Dept.	2016 Responses (implementation) Use the drop down menu	
2015-2016	Fire Safety Inspections in San Francisco	R-111.1 The Building Inspection Commission and Fire Commission should require a task force be formed to study DBI and SFFD inspection and code enforcement processes and make recommendations on how they can coordinate their efforts.	Fire Commission	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	The Fire Commission will work with the DBI Commission to implement a task force. The goal is to have a task force in place by February 2017.

RESOLUTIONS



**FIRE COMMISSION**  
City and County of San Francisco  
Edwin M. Lee, Mayor

Francee Covington, *President*  
Ken Cleaveland, *Vice President*  
Stephen A. Nakajo, *Commissioner*  
Michael Hardeman, *Commissioner*



698 Second Street  
San Francisco, CA 94107  
Telephone 415.558.3451  
Fax 415.558.3413  
Maureen Conefrey, *Secretary*

**DRAFT RESOLUTION 2016-08**

**RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS AUTHORIZE THE  
SAN FRANCISCO FIRE DEPARTMENT TO ACCEPT AND EXPEND A GRANT IN THE  
AMOUNT OF \$8,533,872 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO  
HIRE THIRTY-SIX FIREFIGHTERS**

WHEREAS, The San Francisco Fire Department (SFFD) responds to over 130,000 incidents each year, including fires, vehicle accidents, and medical and other emergencies; and,

WHEREAS, Having sufficient numbers of operational personnel in order to respond to these incidents is of high priority for the Department; and,

WHEREAS, Due to funding issues, the Department has not been able to replace all of its members that have been lost due to retirement, attrition or separation; and,

WHEREAS, The San Francisco Fire Department applied for a 2015 Federal Emergency Management Agency (FEMA) Staffing for Adequate Fire and Emergency Response (SAFER) grant; and,

WHEREAS, The goal of the SAFER grant program is to enhance Fire Departments' abilities to comply with staffing, response and operational standards; and,

WHEREAS, In August 2016, the SFFD was awarded a SAFER grant in the amount of \$8,533,872 to hire 36 new firefighters; and,

WHEREAS, These grant funds will pay for the personnel costs of these thirty-six new firefighters for two years; and,

WHEREAS, The grant does not require the City to provide any matching funds; and,

WHEREAS, The performance period of this SAFER grant is from February 20, 2017 to February 19, 2019; and,

WHEREAS, The SFFD wishes to accept and expend the grant, to support its operational needs; now, therefore, be it

RESOLVED, That the Fire Commission recommends that the Board of Supervisors authorize the Fire Department to accept and expend a SAFER grant from FEMA in the amount of \$8,533,872 for the hiring of thirty-six new firefighters.

Adopted at the Regular Meeting of the San Francisco Fire Commission on September 28, 2016.

Ayes:

Nays:

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Maureen Conefrey, Fire Commission Secretary

# Award Package

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# FEMA

Ms. Joanne Hayes-White  
San Francisco Fire Department  
698 Second Street  
San Francisco, California 94107-2015

Re: Grant No.EMW-2015-FH-00787

Dear Ms. Hayes-White:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant has been approved in the amount of \$8,533,872.00. As a condition of this award, you are required to contribute a cost match in the amount of \$0.00 of non-Federal funds, or 0 percent of the Federal contribution of \$8,533,872.00.

**Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the Assistance to Firefighters Grant Programs' e-grant system.** By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo
- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Notice of Funding Opportunity.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

**Prior to requesting Federal funds, all recipients are required to register in the System for Award Management (SAM.gov).** As the recipient, you must register and maintain current information in SAM.gov until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that the recipient review and update the information annually after the initial registration, and more frequently for changes in your information. There is no charge to register in SAM.gov. Your registration must be completed on-line at <https://www.sam.gov/portal/public/SAM/>. It is your entity's responsibility to have a valid DUNS number at the time of registration.

In order to establish acceptance of the award and its terms, please follow these instructions:

**Step 1:** Please go to <https://portal.fema.gov> to accept or decline your award. This will take you to the Assistance to Firefighters eGrants system. Enter your User Name and Password as requested on the login screen. Your User Name and Password are the same as those used to complete the application on-line.

Once you are in the system, the Status page will be the first screen you see. On the right side of the Status screen, you will see a column entitled Action. In this column, please select the View Award Package from the drop down menu. Click Go to view your award package and indicate your acceptance or declination of award. PLEASE NOTE: your period of performance has begun. If you wish to accept your grant, you should do so immediately. When you have finished, we recommend printing your award package for your records.

**Step 2:** If you accept your award, you will see a link on the left side of the screen that says "Update 1199A" in the Action column. Click this link. This link will take you to the SF-1199A, Direct Deposit Sign-up Form. Please complete the SF-1199A on-line if you have not done so already. When you have finished, you must submit the form electronically. Then, using the Print 1199A Button, print a copy and take it to your bank to have the bottom portion completed. Make sure your application number is on the form. After your bank has filled out their portion of the form,

you must fax a copy of the form to FEMA's SF-1199 Processing Staff at 301-998-8699. You should keep the original form in your grant files. After the faxed version of your SF 1199A has been reviewed you will receive an email indicating the form is approved. Once approved you will be able to request payments online. If you have any questions or concerns regarding your 1199A, or the process to request your funds, please call (866) 274-0960.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Kamoie", written over a horizontal line.

Brian E. Kamoie  
Assistant Administrator  
Grant Programs Directorate

Summary Award Memo

**SUMMARY OF ASSISTANCE ACTION  
STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE GRANTS  
Application**

**INSTRUMENT:** GRANT  
**AGREEMENT NUMBER:** EMW-2015-FH-00787  
**GRANTEE:** San Francisco Fire Department  
**DUNS NUMBER:** 033428819  
**AMOUNT:** \$8,533,872.00, Hiring

**Project Description**

The purpose of the Staffing for Adequate Fire and Emergency Response Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Staffing for Adequate Fire and Emergency Response Grant program's purpose and worthy of award. The projects approved for funding are indicated by the budget or negotiation comments below. The recipient shall perform the work described in the grant application for the recipient's approved project or projects as itemized in the request details section of the application and further described in the grant application narrative. The content of the approved portions of the application - along with any documents submitted with the recipient's application - are incorporated by reference into the terms of the recipient's award. The recipient may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval, via amendment request, from FEMA.

**Period of Performance**

20-FEB-17 to 19-FEB-19

**Amount Awarded**

The amount of the award is detailed in the attached Obligating Document for Award. The following are the budgeted estimates for object classes for this grant (including Federal share plus recipient match):

Personnel:	\$6,092,604.00
Fringe Benefits	\$2,441,268.00
Travel	\$0.00
Equipment	\$0.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect Charges	\$0.00
Total	\$8,533,872.00

**NEGOTIATION COMMENTS IF APPLICABLE (max 8000 characters)**

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Edith Myerly at [Edith.Myerly@dhs.gov](mailto:Edith.Myerly@dhs.gov).

## **FEMA Officials**

**Program Officer:** The Program Specialist is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application. If you have any programmatic questions regarding your grant, please call the AFG Help Desk at 866-274-0960 to be directed to a program specialist.

**Grants Assistance Officer:** The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters. The Officer conducts the final business review of all grant awards and permits the obligation of federal funds. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a Grants Management Specialist.

**Grants Operations POC:** The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this grant award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.

### **ADDITIONAL REQUIREMENTS (IF APPLICABLE) (max 8000 characters)**

Any questions pertaining to your award package, please contact your GPD Grants Management Specialist: Edith Myerly at [Edith.Myerly@dhs.gov](mailto:Edith.Myerly@dhs.gov).



**FEMA**

U.S. Department of Homeland Security  
Washington, D.C. 20472

**AGREEMENT ARTICLES**

**STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) Grants**

**GRANTEE: San Francisco Fire Department**

**PROGRAM: Staffing for Adequate Fire and Emergency Response (SAFER) - Hiring**

**AGREEMENT NUMBER: EMW-2015-FH-00787**

**AMENDMENT NUMBER:**

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I. **Assurances, Administrative Requirements and Cost Principles**

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances - Non-Construction Programs. Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements and cost principles that apply to DHS award recipients originate from:

*2 C.F.R. Part 200, Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at 2 C.F.R. Part 3002.*

II. **Acknowledgement of Federal Funding from DHS**

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

III. **Activities Conducted Abroad**

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that

appropriate licenses, permits, or approvals are obtained.

IV. **Age Discrimination Act of 1975**

All recipients must comply with the requirements of the *Age Discrimination Act of 1975* (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

V. **Americans with Disabilities Act of 1990**

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101-12213).

VI. **Best Practices for Collection and Use of Personally Identifiable Information (PII)**

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.

Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) respectively.

VII. **Title VI of the Civil Rights Act of 1964**

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at [6 C.F.R. Part 21](#) and [44 C.F.R. Part 7](#).

VIII. **Civil Rights Act of 1968**

All recipients must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 *et seq.*), as implemented by the Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units-i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)-be designed and constructed with certain accessible features (see [24 C.F.R. § 100.201](#)).

IX. **Copyright**

All recipients must affix the applicable copyright notices of [17 U.S.C. §§ 401 or 402](#) and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

X. **Debarment and Suspension**

All recipients must comply with Executive Orders [12549](#) and [12689](#), which provide protection against waste, fraud and abuse by debarring or suspending those persons

deemed irresponsible in their dealings with the Federal government.

**XI. Drug-Free Workplace Regulations**

All recipients must comply with the *Drug-Free Workplace Act of 1988* (41 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R Part 3001.

**XII. Duplication of Benefits**

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

**XIII. Energy Policy and Conservation Act**

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issues in compliance with this Act.

**XIV. Reporting Subawards and Executive Compensation**

**a. Reporting of first-tier subawards.**

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. *Where and when to report.*

i. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

**b. Reporting Total Compensation of Recipient Executives.**

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed

fiscal year, if-

i. the total Federal funding authorized to date under this award is \$25,000 or more;

ii. in the preceding fiscal year, you received-

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at <https://www.sam.gov>.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

**c. Reporting of Total Compensation of Subrecipient Executives.**

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if-

i. in the subrecipient's preceding fiscal year, the subrecipient received-

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

**d. Exemptions**

If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

i. Subawards,

and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

**e. Definitions. For purposes of this award term:**

1. *Entity* means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. *Executive* means officers, managing partners, or any other employees in management positions.

3. *Subaward*:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an

eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. \_\_\_ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. *Subrecipient* means an entity that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

i. *Salary and bonus.*

ii. *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.

v. *Above-market earnings on deferred compensation which is not tax-qualified.*

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

**XV. False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of 31 U.S.C. §3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

**XVI. Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any Federal debt.

Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.

**XVII. Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

**XVIII. Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. §2225a, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, 15 U.S.C. §2225.

**XIX. Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

**XX. Lobbying Prohibitions**

All recipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

**XXI. Non-supplanting Requirement**

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been

budgeted for the same purpose through non-Federal sources. Where federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

**XXII. Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

**XXIII. Procurement of Recovered Materials**

All recipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

**XXIV. Contract Provisions for Non-federal Entity Contracts under Federal Awards**

**a. Contracts for more than the simplified acquisition threshold set at \$150,000.**

All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

**b. Contracts in excess of \$10,000.**

All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

**XXV. SAFECOM**

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.



**XXVI. Terrorist Financing E.O. 13224**

All recipients must comply with U.S. Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

**XXVII. Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)**

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

**XXVIII. Trafficking Victims Protection Act of 2000**

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act (TVPA) of 2000*, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

**XXIX. Rehabilitation Act of 1973**

All recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

**XXX. USA Patriot Act of 2001**

All recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act)*, which amends 18 U.S.C. §§ 175-175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

**XXXI. Use of DHS Seal, Logo and Flags**

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

**XXXII. Whistleblower Protection Act**

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

### **XXXIII. DHS Specific Acknowledgements and Assurances**

All recipients must acknowledge and agree-and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree-to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

### **XXXIV. System of Award Management and Universal Identifier Requirements**

#### **A. Requirement for System of Award Management**

Unless exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more

frequently if required by changes in your information or another award term.

**B. Requirement for unique entity identifier**

If authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

**C. Definitions**

For purposes of this award term:

1. *System of Award Management(SAM)* means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).

2. *Unique entity identifier* means the identifier required for SAM registration to uniquely identify business entities.

3. *Entity*, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- a. A Governmental organization, which is a State, local government, or Indian Tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization; and
- e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. *Subaward*:

- a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
- c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. *Subrecipient* means an entity that:

- a. Receives a subaward from you under this award; and
- b. Is accountable to you for the use of the Federal funds provided by the subaward.

**XXXV. Animal Welfare Act of 1966**

All recipients of financial assistance will comply with the requirements of the Animal Welfare Act, as amended (7 U.S.C. §2131 et seq.), which requires that minimum standards of care and treatment be provided for vertebrate animals bred for commercial sale, used in research, transported commercially, or exhibited to the public. Recipients must establish appropriate policies and procedures for the humane care and use of animals based on the Guide for the Care and Use of Laboratory Animals and comply with the Public Health Service Policy and Government Principles Regarding the Care and Use of Animals.

**XXXVI. Protection of Human Subjects**

All recipients of financial assistance will comply with the requirements of the Federal regulations at 45 CFR Part 46, which requires that recipients comply with applicable provisions/law for the protection of human subjects for purposes of research. Recipients must also comply with the requirements in DHS Management Directive 026-04, Protection of Human Subjects, prior to implementing any work with human subjects. For purposes of 45 CFR Part 46, research means a systematic investigation, including research, development, testing, and evaluation, designed to develop or contribute to general knowledge. Activities that meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program that is considered research for other purposes. The regulations specify additional protections for research involving human fetuses, pregnant women, and neonates (Subpart B); prisoners (Subpart C); and children (Subpart D). The use of autopsy materials is governed by applicable State and local law and is not directly regulated by 45 CFR Part 46.

**XXXVII. Incorporation by Reference of Notice of Funding Opportunity**

The Notice of Funding Opportunity for this program is hereby incorporated into your award agreement by reference. By accepting this award, the recipient agrees that all allocations and use of funds under this grant will be in accordance with the requirements contained in the Notice of Funding Opportunity.

**XXXVIII. Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. If you have questions about these procedures, please contact the AFG Help Desk at 1-866-274-0960, or send an email to [firegrants@dhs.gov](mailto:firegrants@dhs.gov).

**XXXIX. Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this

award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

**XL. Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
OBLIGATING DOCUMENT FOR AWARD/AMENDMENT**

1. AGREEMENT NO. EMW-2015-FH-00787	2. AMENDMENT NO. 0	3. RECIPIENT NO. 94-6000417	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX02376N2016T
6. RECIPIENT NAME AND ADDRESS San Francisco Fire Department 698 Second Street San Francisco California, 94107-2015	7. ISSUING OFFICE AND ADDRESS Grant Programs Directorate 500 C Street, S.W. Washington DC, 20472 POC: Walter Pickett 202-786-9524	8. PAYMENT OFFICE AND ADDRESS FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20472		
9. NAME OF RECIPIENT PROJECT OFFICER Joanne Hayes-White	PHONE NO. 4155583417	10. NAME OF PROJECT COORDINATOR Catherine Patterson	PHONE NO. 1-866-274-0960	
11. EFFECTIVE DATE OF THIS ACTION 20-FEB-17	12. METHOD OF PAYMENT SF-270	13. ASSISTANCE ARRANGEMENT Cost Sharing	14. PERFORMANCE PERIOD From:20-FEB-17 To:19-FEB-19  Budget Period From:30-MAR-16 To:01-OCT-16	

15. DESCRIPTION OF ACTION

a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
SAFER	97.083	2016-F5-C211-P4310000-4101-D	\$0.00	\$8,533,872.00	\$8,533,872.00	\$0.00
TOTALS			\$0.00	\$8,533,872.00	\$8,533,872.00	\$0.00

b. To describe changes other than funding data or financial changes, attach schedule and check here.  
N/A

16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)

SAFER recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.

16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN

This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)  
N/A

DATE  
N/A

18. FEMA SIGNATORY OFFICIAL (Name and Title)  
Rosalie Vega

DATE  
09-AUG-16

**FIRE COMMISSION**  
City and County of San Francisco  
Edwin M. Lee, Mayor

Francee Covington, *President*  
Ken Cleaveland, *Vice President*  
Stephen A. Nakajo, *Commissioner*  
Michael Hardeman, *Commissioner*



698 Second Street  
San Francisco, CA 94107  
Telephone 415.558.3451  
Fax 415.558.3413  
Maureen Conefrey, *Secretary*

**DRAFT RESOLUTION 2016-09**

**RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS AUTHORIZE  
THE SAN FRANCISCO FIRE DEPARTMENT TO ACCEPT AND EXPEND PORT  
SECURITY GRANT PROGRAM FUNDING IN THE AMOUNT OF \$60,524 FROM THE  
FEDERAL EMERGENCY MANAGEMENT AGENCY TO PURCHASE A RAPID  
DEPLOYMENT DOCK SYSTEM.**

WHEREAS, The San Francisco Fire Department (SFFD) responds to over 130,000 incidents each year, including fires, vehicle accidents, and medical and other emergencies; and,

WHEREAS, Due to its geographic and topographic layout, as well as other factors, the SFFD is confronted with unique challenges in responding to these incidents; and

WHEREAS, One of these unique challenges consists of the Department's responsibilities for the protection of the Port of San Francisco and the San Francisco Bay; and,

WHEREAS, The SFFD applied for and was awarded a Fiscal Year 2016 Port Security Grant Program (PSGP) from the Federal Emergency Management Agency (FEMA) in the amount of \$60,524 for a rapid deployment dock system; and,

WHEREAS, The use of these grant funds will allow the Department to procure a rapid deployment dock, supporting the Department's water response assets; and

WHEREAS, The grant requires the City to supply matching funds worth 25 percent of the total award, or \$20,175; and,

WHEREAS, The SFFD wishes to accept and expend the grant, to support and promote marine operations and enhance its protection of the San Francisco Bay and Port of San Francisco; now, therefore, be it

RESOLVED, That the Fire Commission recommends that the Board of Supervisors authorize the Fire Department to accept and expend Port Security Grant funding from FEMA in the amount of \$60,524 to purchase a rapid deployment dock to support the Department's water response capabilities and increase Port protection.

Adopted at the Regular Meeting of the San Francisco Fire Commission on September 28, 2016.

Ayes:

Nays:

---

Maureen Conefrey, Fire Commission Secretary



U.S. Department of Homeland Security  
Washington, D.C. 20472

Mark Corso  
San Francisco Fire Department  
698 Second Street  
San Francisco, CA 94107 - 2015

Re: Grant No.EMW-2016-PU-00604

Dear Mark Corso:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2016 Port Security Grant Program has been approved in the amount of \$60,524.00. As a condition of this award, you are required to contribute a cost match in the amount of \$20,175.00 of non-Federal funds, or 25 percent of the total approved project costs of \$80,699.00.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2016 Port Security Grant Program Notice of Funding Opportunity.

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please log in to the ND Grants system at <https://portal.fema.gov>.

Step 2: After logging in, you will see the Home page with a Pending Tasks menu. Click on the Pending Tasks menu, select the Application sub-menu, and then click the link for "Award Offer Review" tasks. This link will navigate you to Award Packages that are pending review.

Step 3: Click the Review Award Package icon (wrench) to review the Award Package and accept or decline the award. Please save or print the Award Package for your records.

System for Award Management (SAM): Grant recipients are to keep all of their information up to date in SAM, in particular, your organization's name, address, DUNS number, EIN and banking information. Please ensure that the DUNS number used in SAM is the same one used to apply for all FEMA awards. Future payments will be contingent on the information provided in the SAM; therefore, it is imperative that the information is correct. The System for Award Management is located at <http://www.sam.gov>.

If you have any questions or have updated your information in SAM, please let your Grants Management Specialist (GMS) know as soon as possible. This will help use to make the necessary updates and avoid any interruptions in the payment process.

BRIAN KAMOIE

U.S. Department of Homeland Security  
Washington, D.C. 20472

**AGREEMENT ARTICLES**  
**Port Security Grant Program**

**GRANTEE:** San Francisco Fire Department  
**PROGRAM:** Port Security Grant Program  
**AGREEMENT NUMBER:** EMW-2016-PU-00604-S01

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**Article I - Summary Description of Project**

Project 1: Rapid Deployment Dock System funded for \$60,524.

**Article II - Assurances, Administrative Requirements, Cost Principles, and Audit Requirements**

DHS financial assistance recipients must complete either the OMB Standard Form 424B Assurances - Non-Construction Programs or OMB Standard Form 424D Assurances - Construction Programs as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the financial assistance office if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at 2 C.F.R. Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

**Article III - DHS Specific Acknowledgements and Assurances**

All recipients, sub-recipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations *and* other applicable laws or program guidance.

3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS financial assistance office and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at [crcl@hq.dhs.gov](mailto:crcl@hq.dhs.gov) or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS financial assistance office and the CRCL office by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

#### **Article IV - Whistleblower Protection Act**

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. section 2409, 41 U.S.C. 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

#### **Article V - Use of DHS Seal, Logo and Flags**

All recipients must obtain permission from their financial assistance office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

#### **Article VI - USA Patriot Act of 2001**

All recipients must comply with requirements of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (USA PATRIOT Act), which amends 18 U.S.C. sections 175 and 175c.

#### **Article VII - Universal Identifier and System of Award Management (SAM)**

All recipients are required to comply with the requirements set forth in the government-wide Award Term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference in the terms and conditions of your award.

#### **Article VIII - Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal assistance office exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the terms and conditions of your award.

#### **Article IX - Rehabilitation Act of 1973**

All recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, 29 U.S.C. section 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

#### **Article X - Trafficking Victims Protection Act of 2000**

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000*, (TVPA) as amended (22 U.S.C. section 7104). The award term is located at 2 CFR section 175.15, the full text of which is incorporated here by reference in the terms and conditions of your award.

## **Article XI - Terrorist Financing**

All recipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the Order and laws.

## **Article XII - SAFECOM**

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

## **Article XIII - Reporting Subawards and Executive Compensation**

All recipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the terms and conditions of your award.

## **Article XIV - Procurement of Recovered Materials**

All recipients must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

## **Article XV - Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. section 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

## **Article XVI - Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the terms and conditions of your award. All recipients must comply with any such requirements set forth in the program NOFO.

## **Article XVII - Non-supplanting Requirement**

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources.

## **Article XVIII - Lobbying Prohibitions**

All recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

## **Article XIX - Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

## **Article XX - Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with

the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, as amended, 15 U.S.C. section 2225.

#### **Article XXI - Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974* (49 U.S.C. section 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

#### **Article XXII - Best Practices for Collection and Use of Personally Identifiable Information (PII)**

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template respectively.

#### **Article XXIII - Americans with Disabilities Act of 1990**

All recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. (42 U.S.C. sections 12101 12213).

#### **Article XXIV - Age Discrimination Act of 1975**

All recipients must comply with the requirements of the *Age Discrimination Act of 1975* (Title 42 U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance

#### **Article XXV - Activities Conducted Abroad**

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

#### **Article XXVI - Acknowledgment of Federal Funding from DHS**

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds

#### **Article XXVII - Federal Leadership on Reducing Text Messaging while Driving**

All recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official Government business or when performing any work for or on behalf of the federal government.

#### **Article XXVIII - Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

#### **Article XXIX - False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of 31 U.S.C. section 3729 - 3733 which prohibits the submission of false or fraudulent claims for payment to the Federal Government. See 31 U.S.C. section 3801-3812 which details the administrative remedies for false claims and statements made.

#### **Article XXX - Energy Policy and Conservation Act**

All recipients must comply with the requirements of 42 U.S.C. section 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

#### **Article XXXI - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX**

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

#### **Article XXXII - Duplication of Benefits**

Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude a recipient from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal award.

#### **Article XXXIII - Drug-Free Workplace Regulations**

All recipients must comply with the *Drug-Free Workplace Act of 1988* (41 U.S.C. section 701 et seq.), which requires all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 C.F.R Part 3001.

#### **Article XXXIV - Debarment and Suspension**

All recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

#### **Article XXXV - Copyright**

All recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards.

#### **Article XXXVI - Civil Rights Act of 1968**

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. section 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) be designed and constructed with certain accessible features (See 24 C.F.R. section 100.201).

#### **Article XXXVII - Civil Rights Act of 1964 - Title VI**

All recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F. R., Part 21 and 44 C.F.R. Part 7.

#### **Article XXXVIII - Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov) if you have any questions.

#### **Article XXXIX - Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

## Article XL - Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

## Article XLI - National Environmental Policy Act

All recipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

## Article XLII - Nondiscrimination in Matters Pertaining to Faith-based Organizations

Faith-based organizations are, under 6 C.F.R. Part 19, afforded certain protections as it relates to eligibility to receive financial assistance from DHS for social service programs, or to participate in social service programs administered or financed by DHS. Organizations that receive financial assistance from DHS for a social service program or participate in DHS social service programs have an obligation to comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19, which, among other provisions, prohibit recipient organizations from discriminating against beneficiaries on the basis of religion or religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice; and generally require recipients subject to the rule to provide certain protections, and notice of those protections, to their beneficiaries. Recipients must also comply with any other policies and procedures regarding the participation of faith-based organizations contained in applicable statutes, regulations, and guidance governing individual DHS programs.

Personnel	\$0.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$64,749.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Indirect Charges	\$0.00
Other	\$15,950.00



**Obligating Document for Award/Amendment**

1a. AGREEMENT NO. EMW-2016-PU-00604-S01  
 2. AMENDMENT NO. \*\*\*  
 3. RECIPIENT NO. 946000417  
 4. TYPE OF ACTION AWARD  
 5. CONTROL NO. W510977N

6. RECIPIENT NAME AND ADDRESS  
 San Francisco Fire Department  
 698 Second Street  
 San Francisco, CA, 94107-2015  
 7. ISSUING FEMA OFFICE AND ADDRESS  
 Grant Operations  
 245 Murray Lane - Building 410, SW  
 Washington DC, 20528-7000  
 POC: 866-927-5646  
 8. PAYMENT OFFICE AND ADDRESS  
 Financial Services Branch  
 500 C Street, S.W., Room 723  
 Washington DC, 20472

9. NAME OF RECIPIENT PROJECT OFFICER  
 Mark Corso  
 PHONE NO. 415-558-3417  
 10. NAME OF FEMA PROJECT COORDINATOR  
 Central Scheduling and Information Desk  
 Phone: 800-368-6498  
 Email: Askesid@dhs.gov

11. EFFECTIVE DATE OF THIS ACTION  
 09/01/2016  
 12. METHOD OF PAYMENT PARS  
 13. ASSISTANCE ARRANGEMENT  
 Cost Reimbursement  
 14. PERFORMANCE PERIOD  
 From: 09/01/2016 To: 08/31/2019  
 Budget Period 09/01/2016 08/31/2019

15. DESCRIPTION OF ACTION  
 a. (Indicate funding data for awards or financial changes)

PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
Port Security Grant Program	97.056	2016-SL-B411-P410- -4101-D	\$0.00	\$60,524.00	\$60,524.00	See Totals
<b>TOTALS</b>			<b>\$0.00</b>	<b>\$60,524.00</b>	<b>\$60,524.00</b>	<b>\$20,175.00</b>

b. To describe changes other than funding data or financial changes, attach schedule and check here.  
 N/A

16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address)  
 Port Security Grant Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.  
 16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN  
 This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title) \_\_\_\_\_ DATE \_\_\_\_\_  
 18. FEMA SIGNATORY OFFICIAL (Name and Title) ANDREW MCLARTY, \_\_\_\_\_ DATE Thu Sep 01 13:29:48 GMT 2016

**FIRE CODE AMENDMENTS**

FILE NO.

**LEGISLATIVE DIGEST**  
(Amended XXXXXX XX, 20XX)

[San Francisco Fire Code]

**Ordinance repealing the San Francisco Fire Code in its entirety and replacing that code with a new 2016 San Francisco Fire Code consisting of the 2016 California Fire Code and portions of the 2015 International Fire Code together with San Francisco amendments; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7 and directing the Clerk of the Board 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 2016 California Fire Code (Title 24, California Code of Regulations, Part 9) and those portions of the 2015 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 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 2016 San Francisco 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 2016 San Francisco Fire Code carries forward the 2013 San Francisco Fire Code without substantive modification. The primary changes and new requirement are described below.

FILE NO.

*Section 102.3.1 of the proposed Fire Code sets a requirement 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 student in the school and they will be added to the current list for annual safety inspections.*

*The proposed Fire Code updates and adds new procedures and enforcement as introduced by Supervisor Wiener and recently adopted by the Board of Supervisors in Section 109, Violations. Section 109.4 requires that the fire code official shall issue a Notice of Violation within 15 days if any violation of the code is found, while also distinguishing if the violation is a "priority complaint" or a "standard complaint". Posting the Notice of Violation in a "conspicuous location" is set in Section 109.4.1. Section 109.4.3 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. The section sets notice and service requirements, procedures and timelines for the hearing, requirements related to the decision and order after the hearing, and penalties for violating the decision and order. Section 109.9 establishes that the City may institute civil proceedings for injunctive and monetary relief.*

*Section 109.5.2 of the proposed Fire Code has added San Francisco Fire Code Section 901.8 (Removal or Tampering with Equipment) to the list violations for an Administrative Citation with fees set at \$1000 due to the seriousness of the violation.*

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

*The proposed Fire Code adds new procedures and enforcement as introduced by Supervisor Tang and recently adopted by the Board of Supervisors as Section 409- Fire Safety Information Disclosure. The new procedures include providing "Disclosure Information" to each resident (409.2), posting safety information in the building accessible to all residents (409.3), requiring building owners of 16 or more units to offer annual fire safety training (409.4), and establishing penalties and enforcement (409.6).*

*The proposed Fire Code removes Section 503.4 which allows a portion of 6" curbed sidewalk, adjacent to the street and without fixed obstructions, to be calculated as required street width for maneuvering fire apparatus on City streets. This use is in conflict with both the fire department's desire not to cause damage the valuable fire apparatus and the safety of the pedestrians who consider the sidewalk or bulb-out a safety zone away from vehicles.*

*The proposed Fire Code establishes a required 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.*

FILE NO.

*Section 507.7 of the proposed Fire Code establishes that new developments shall 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 matters to the local jurisdiction. The Fire Department has determined that NFPA 1221 (2016), Sections 5.10 and 9.6 are the appropriate standards for San Francisco, and set that standard in Section 510.1.1.*

*Section 905.4 of the proposed Fire Code maintains the same location requirements that were in the 2013 Fire Code. The 2016 California Fire Code removed the requirement for standpipes on exterior stairs which are necessary for our local firefighting operations.*

*The proposed Fire Code updates and adds new procedures and enforcement introduced by Supervisor Campos and recently adopted by the Board of Supervisors in Section 907 for fire alarm systems. The new procedures include the requirement 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).*

*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).*

*Water tanks are a required and are an essential part of the fire suppression system of a high-rise building when, in a fire emergency, the City water supply is unavailable due to a damaged water main. Section 914.3 establishes the following requirements to maintain integrity of the 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).*

*Section 914.12 of the proposed Fire Code has added the "F"-occupancy (fabrication/factory) to the already required "A"-occupancy (assembly) as occupancy that shall also be required to be sprinklered if established on a pier due to the difficulty of firefighting on piers over water.*

*The proposed Fire Code adds the following occupancies to those already not permitted per the 2016 California Fire Code to use horizontal sliding doors as egress doors due to firefighting operations of the fire department: A, E, R and high-rise buildings (1010.1.2 and 1010.1.4.3).*

FILE NO.

*Sections 905.3.4, 1013.1.1, and 1030.1.1 of the proposed Fire Code adds those fire code sections for stage fire hose requirements, fire escape signs, and egress passageways from housing units in back of lots that are in the San Francisco Building Code for uniformity of the two codes.*

*The proposed Fire Code incorporates 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). The increase of 6 feet of width for these roads will insure that aerial ladder trucks have room to operate. Minimum street widths will only pertain to newly developed streets. The proposed Fire Code also incorporates 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. Incorporating this Appendix will assist the Fire Department in explaining the importance of maintenance and will help 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.

1 [Fire Code – Repealing 2013 Code, Adopting 2016 Code]

2

3 **Ordinance repealing the current San Francisco Fire Code in its entirety and replacing**  
4 **that code with a new 2016 San Francisco Fire Code consisting of the 2016 California**  
5 **Fire Code and portions of the 2015 International Fire Code, together with San Francisco**  
6 **amendments to the 2016 California Fire Code, with an operative date of January 1,**  
7 **2017; adopting findings of local conditions pursuant to California Health and Safety**  
8 **Code section 17958.7; directing the Clerk of the Board of Supervisors to forward San**  
9 **Francisco’s amendments to the California Building Standards Commission and State**  
10 **Fire Marshal; and making environmental findings.**

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

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

19

20 Section 1. Environmental Findings.

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

26

27 Section 2. General Background for Repealing and Replacing the Fire Code.

1           The 2016 San Francisco Fire Code is designed to regulate and govern the  
2 safeguarding of life and property from fire and explosion hazards arising from the storage,  
3 handling, and use of hazardous substances, materials, and devices, and from conditions  
4 hazardous to life or property in the occupancy of buildings and premises. The 2016 San  
5 Francisco Fire Code is also designed to provide for the issuance of permits, inspections, and  
6 other Fire Department services, as well as the assessment and collection of fees for those  
7 permits, inspections, and services.

8           Generally, the State of California adopts a new California Fire Code every three years,  
9 with the new code going into effect 180 days after publication. The California Fire Code  
10 consists of a base model code with amendments made by various State agencies with  
11 jurisdiction over the California Fire Code. The 2016 California Fire Code is based on the 2015  
12 International Fire Code.

13           Local jurisdictions are required to enforce the California Fire Code. In addition, local  
14 jurisdictions may enact more restrictive building standards than those set in the California Fire  
15 Code, where those more restrictive standards are reasonably necessary because of local  
16 conditions caused by climate, geology, or topography. For San Francisco to enact more  
17 restrictive standards, the Board of Supervisors must make express findings regarding the  
18 local conditions to support the more restrictive provisions. Local amendments to building  
19 standards are not effective until the required findings are locally adopted and sent to the  
20 California Building Standards Commission.

21           The California Building Standards Commission recently issued the 2016 California Fire  
22 Code. That Code will go into effect on January 1, 2017. A copy of the 2016 California Fire  
23 Code is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is  
24 incorporated herein by reference. The San Francisco Fire Department must enforce the  
25



1 California Fire Code. State and local law allow local amendments in the interim between code  
2 adoptions.

3 As in past code cycles, San Francisco will repeal its existing Fire Code and enact a  
4 new 2016 Fire Code. The current Fire Code incorporates by reference the 2013 California  
5 Fire Code (Title 24, California Code of Regulations, Part 9), including appendices adopted by  
6 the State. In addition, except as expressly deleted, modified, or amended, the 2013 San  
7 Francisco Fire Code incorporates by reference those portions of the 2012 International Fire  
8 Code that were not adopted by the California Building Standards Commission in the California  
9 Fire Code. The 2013 San Francisco Fire Code also includes local amendments specific to  
10 San Francisco.

11 The 2016 San Francisco Fire Code incorporates by reference the 2016 California Fire  
12 Code (Title 24, California Code of Regulations, Part 9), including appendices adopted by the  
13 State. In addition, except as expressly deleted, modified, or amended, the 2016 San  
14 Francisco Fire Code incorporates by reference those portions of the 2015 International Fire  
15 Code that were not adopted by the California Building Standards Commission in the California  
16 Fire Code. The 2016 San Francisco Fire Code also includes local amendments specific to  
17 San Francisco.

### 18 19 Section 3. Findings Regarding Local Conditions and Directions to Clerk.

20 The City and County of San Francisco is unique among California communities with  
21 respect to local climatic, geological, topographical, and other conditions. Among other things,  
22 (1) certain buildings/occupancies in San Francisco are at increased risk for earthquake-  
23 induced structural failure and consequent fire due to local hazardous microzones, slide areas,  
24 and local liquefaction hazards; (2) certain buildings/occupancies in San Francisco are at  
25 increased risk of fire due to high density of buildings on very small lots, with many buildings

1 built up to the property lines; (3) the topography of San Francisco has led to development of a  
2 high density of buildings on small lots, necessitating special provisions for exiting, fire  
3 separation, or fire-resistive construction; (4) many buildings are built on steep hills and narrow  
4 streets, requiring special safety considerations; (5) additional fire, structural, and other  
5 protection is required due to high building density and crowded occupancy; and (6) the City is  
6 experiencing a surge in high-rise and super-high-rise development, requiring special safety  
7 considerations. Because of the great density of buildings, occupants, and pedestrians in San  
8 Francisco, fires in San Francisco can be especially devastating.

9 California Health and Safety Code sections 17958 and 17958.5 allow the City and  
10 County to change or modify requirements contained in the provisions published in the  
11 California Building Standards Code, including the California Fire Code, when the City and  
12 County determines that those changes or modifications are reasonably necessary because of  
13 local climatic, geological, or topographical conditions. California Health and Safety Code  
14 section 17958.7 provides that before making any such changes or modifications, the  
15 governing body must make an express finding that such changes or modifications are  
16 reasonably necessary because of specified local conditions, and those findings shall be filed  
17 with the California Building Standards Commission. A list of the "Standard Findings for San  
18 Francisco Fire Code Amendments" and a "2016 San Francisco Fire Code Findings" providing  
19 a section-by-section statement of the reasons for each deviation from the 2016 California Fire  
20 Code is set forth in the document entitled "Exhibit A," which is on file with the Clerk of the  
21 Board of Supervisors in File No. \_\_\_\_\_, and which is hereby declared to be a part of  
22 this ordinance as if set forth fully herein.

23 Pursuant to the applicable California Health and Safety Code sections, the Board of  
24 Supervisors finds and determines that the local climatic, geological, and topographical  
25 conditions described above constitute a general summary of the most significant local

1 conditions compelling variance from the California Fire Code and any other applicable  
2 provisions published by the California Building Standards Commission. Further, the Board of  
3 Supervisors finds and determines that, as set forth in Exhibit A, the proposed variances are  
4 reasonably necessary based on these local conditions and that these conditions justify more  
5 restrictive standards applicable to buildings and occupancies in San Francisco.

6 Upon enactment of this ordinance, the Clerk of the Board of Supervisors is hereby  
7 directed to transmit this ordinance, including Exhibit A, to the California Building Standards  
8 Commission and the State Fire Marshal for filing, pursuant to the applicable provisions of  
9 California law.

10  
11 Section 4. Repeal of 2013 San Francisco Fire Code; Adoption of 2016 San Francisco  
12 Fire Code.

13 The San Francisco Fire Code is hereby repealed in its entirety. The 2013 San  
14 Francisco Fire Code being repealed consists of Ordinance 200-13, as amended by  
15 Ordinances 144-15, 60-16, 154-16, 163-16, and 165-16. These ordinances are available on  
16 the website of the Board of Supervisors.

17 The repealed 2013 San Francisco Fire Code is being replaced with the following 2016  
18 San Francisco Fire Code. The 2016 San Francisco Fire Code incorporates by reference Title  
19 24, California Code of Regulations, Part 9, including appendices adopted by the State  
20 ("California Fire Code"). In addition, except as expressly deleted, modified, or amended  
21 herein, the 2016 San Francisco Fire Code incorporates by reference those portions of the  
22 2015 International Fire Code that were not adopted by the California Building Standards  
23 Commission in the California Fire Code.

24 The 2016 San Francisco Fire Code is adopted to regulate and govern the safeguarding  
25 of life and property from fire and explosion hazards arising from the storage, handling, and

1 use of hazardous substances, materials, and devices, and from conditions hazardous to life or  
2 property in the occupancy of buildings and premises as herein provided. The 2016 San  
3 Francisco Fire Code is also designed to provide for the issuance of permits, inspections, and  
4 other Fire Department services, as well as the assessment and collection of fees for those  
5 permits, inspections, and services.

6 The following sections supplement, modify, amend, or delete specified provisions of the  
7 2016 California Fire Code and the 2015 International Fire Code, as follows:

8  
9 **CHAPTER 1. – SAN FRANCISCO GENERAL CODE PROVISIONS.**

10  
11 **DIVISION 1. – SAN FRANCISCO ADMINISTRATION.**

12 **SECTION 1.1.**

13 The following 2016 San Francisco section replaces the corresponding 2016 California Fire  
14 Code section:

15  
16 1.1.1 [For SF] Title.

17 These regulations shall be known as the 2016 San Francisco Fire Code, may be cited as such,  
18 and will be referred to herein as "this code." This code incorporates by reference the 2016 California  
19 Fire Code (Title 24, California Code of Regulations, Part 9), including appendices adopted by the  
20 State. In addition, this code incorporates by reference those portions of the 2015 International Fire  
21 Code that were not adopted by the California Building Standards Commission in the California Fire  
22 Code, except those portions of the 2015 International Fire Code that are expressly deleted, modified, or  
23 amended herein.

24  
25 1.1.2.1. [For SF] Promotion of General Welfare.

1 In undertaking the adoption and enforcement of this code, the City and County of San Francisco  
2 is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing  
3 on itself or its officers and employees, an obligation for breach of which it is liable in money damages  
4 to any person who claims that such breach proximately caused injury.

5  
6 1.1.8.3. [For SF] Adoption of New Code.

7 The Chief of the Fire Department shall review all adoptions of the California Fire Code by the  
8 California Building Standards Commission. Within 180 days of publication of such adoptions, the  
9 Chief shall recommend, through the Fire Commission, to the Board of Supervisors more restrictive  
10 standards of this code as are reasonably necessary to accommodate local climate, geological, or  
11 topographical conditions. This section does not prohibit amendments to this code in the interim  
12 between code adoptions by the California Building Standards Commission.

13  
14 **DIVISION II. – ADMINISTRATION.**

15  
16 **PART 1. – GENERAL PROVISIONS.**

17  
18 Section 101 is deleted from the International Fire Code.

19  
20 **SECTION 102.**

21  
22 102.3.1. [For SF] Group E.

23 All schools shall register with the Fire Department's Bureau of Fire Prevention prior to  
24 occupancy.

1        Sections 102.6 through 102.8, and 102.10 through 102.12 are deleted from the International  
2 Fire Code.

3  
4        **SECTION 103.**

5  
6        Sections 103.1 through 103.3 are deleted from the International Fire Code.

7  
8        **SECTION 104. – GENERAL AUTHORITY AND RESPONSIBILITIES.**

9  
10       104.1.1. [For SF] Administrative Bulletins.

11       The Fire Department is authorized to issue Administrative Bulletins that establish or clarify  
12 requirements under this code, provide interpretations of this code, and set policies and procedures of  
13 the Bureau of Fire Prevention. These bulletins shall be posted on the Fire Department's website.

14       104.1.2. [For SF] New Administrative Bulletins; Revisions to Existing Administrative Bulletins.

15       When the fire code official determines that it is appropriate to develop or revise an  
16 Administrative Bulletin ("Bulletin"), the Fire Department shall post the proposed new or revised  
17 Bulletin on its website for 30 days, and provide notice of that Bulletin to parties who have registered to  
18 receive notice on the Department's website. The posting shall include instructions for providing written  
19 comments on the proposed Bulletin and notice of a public hearing regarding the proposed Bulletin. The  
20 fire code official shall conduct a public hearing on the proposed Bulletin, to obtain public comment.  
21 The hearing shall be held after the 30-day posting period. The Fire Commission shall approve any  
22 proposed new or revised Bulletin at a noticed meeting. A Bulletin shall not be effective until approved  
23 by the Fire Commission. The fire code official and the Fire Commission may amend the proposed  
24 Bulletin during the approval process without re-posting the Bulletin for 30 days.

25       104.6.2.1. [For SF] Inspection Photographs.

1           The fire code official is authorized to take photographs during inspections as deemed  
2 appropriate by the fire code official.

3           104.10.2 [For SF] Investigation Photographs.

4           The fire code official is authorized to take photographs during fire investigations as deemed  
5 appropriate by the fire code official.

6           104.10.3 [For SF] Reward.

7           The Mayor is authorized to offer a reward for the arrest and conviction of any person found  
8 guilty of arson or attempted arson according to the California Penal Code.

9  
10           **SECTION 105. – PERMITS.**

11  
12           The following San Francisco section replaces the corresponding California Fire Code section:

13  
14           105.1.1. [For SF] Permits Required.

15           Any person who engages in an activity for which an operational permit is required under  
16 Section 105.6 shall obtain the appropriate permit from the fire code official prior to engaging in the  
17 activity. Any person installing or modifying systems or equipment that require construction permits  
18 under Section 105.7 shall obtain a building permit from the Department of Building Inspection prior to  
19 the start of work. Any person applying for a permit shall pay permit fees, as required by Section 113,  
20 and any fees required by other departments as applicable, prior to the applicable department issuing  
21 the permit. The permit holder shall keep the permit on the premises designated therein at all times and  
22 shall make the permit readily available for inspection by the fire code official.

23  
24           The following San Francisco section replaces the corresponding California Fire Code section:  
25

1  
2 105.1.3. [For SF] Multiple Permits for the Same Location.

3 When more than one Fire Department permit is required for the same location, the fire code  
4 official may consolidate the permits into a single permit at the time of issuance. The applicant shall  
5 pay a fee for permit consolidation as specified in Section 113.2.1.

6  
7 The following San Francisco section replaces the corresponding International Fire Code  
8 section:

9  
10 105.2.3. [For SF] Time Limitation of Application.

11 The fire code official is authorized to cancel a permit application when the applicant fails to  
12 make corrections or to provide additional information required by the fire code official within 180 days  
13 after filing the application.

14 105.2.5. [For SF] Hearing for Certain Permits.

15 Certain permit applications are subject to hearings in accordance with Business and Tax  
16 Regulation Code, Article 1, Section 22.

17  
18 The following San Francisco section replaces the corresponding International Fire Code  
19 section:

20  
21 105.3.1. [For SF] Expiration.

22 An operational permit shall remain in effect until re-issued, renewed, or revoked or for such a  
23 period of time as specified in the permit. Construction permits shall be administered through the San  
24 Francisco building permit process in accordance with the San Francisco Building Code. Permits are



1 not transferable and a new permit is required for any change in occupancy, operation, tenancy, or  
2 ownership.

3 105.3.9. [For SF] License.

4 When Business and Tax Regulation Code, Article 1, Section 23, requires a license in  
5 conjunction with the issuance of a permit, the fire code official shall forward an approved permit to the  
6 Tax Collector for issuance.

7 Exception: Permits for permitted activities occurring on Port of San Francisco property are  
8 administered separately.

9  
10 The following San Francisco section replaces the corresponding California Fire Code section:

11  
12 105.4.1. [For SF] Submittals.

13 Construction permit applicants shall submit documents and supporting data in accordance with  
14 procedures established in the 2016 San Francisco Building Code and Fire Department Administrative  
15 Bulletins when applicable.

16  
17 The following San Francisco section replaces the corresponding California Fire Code section:

18  
19 105.4.6. [For SF] Retention of Construction Documents.

20 The building official shall be the custodian of approved construction documents in accordance  
21 with procedure established in the San Francisco Building Code.

22  
23 The following San Francisco section replaces the corresponding California Fire Code section:

24  
25 105.6.24. [For SF] Hot Work Operations.

1 An operational permit is required for hot work including, but not limited to:

2 1. Public exhibitions and demonstrations where hot work is conducted.

3 2. Use of portable hot work equipment inside a structure.

4 Exception: Work that is conducted under a construction permit.

5 3. Fixed-site hot work equipment such as welding booths.

6 4. Hot work conducted within a wildfire risk area.

7 5. Application of roof coverings and any other associated work while roofing or waterproofing  
8 the exterior surfaces of a building with the use of an open-flame device.

9 6. When approved, the fire code official shall issue a permit to carry out a hot work program.

10 This program allows approved personnel to regulate their facility's hot work operations. The approved  
11 personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for  
12 issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall  
13 be issued only to their employee for hot work operations under their supervision.

14  
15 The following San Francisco section replaces the corresponding International Fire Code  
16 section:

17  
18 105.6.28. [For SF] LP-Gas.

19 An operational permit is required for storage and use of LP-gas.

20 Exception: A permit is not required to use one LP-fueled cooking device per building or to  
21 store one additional cylinder with a 20 lb. (9.1-kg) aggregate water capacity outside of the building of  
22 residential occupancies. See Section 308.1.4 for additional requirements.

23  
24 The following San Francisco section replace the corresponding International Fire Code  
25 section:

1  
2 105.6.33. [For SF] Open Flame and Torches.

3 An operational permit is required to use a torch or open-flame device in a wildfire risk area.

4 105.6.50. [For SF] Operational Permits for Battery Systems.

5 An operational permit is required for stationary storage systems having a liquid capacity of  
6 more than 50 gallons (189L). See Section 608.

7 105.6.51. [For SF] Operational Permits for Mobile Fueling.

8 An operational permit is required for mobile fueling operations carrying a liquid capacity in  
9 excess of 10 gallons, in aggregate, of flammable or combustible liquids. (38L).

10 105.7.19 [For SF] Car Stacking Parking Systems.

11 A construction permit is required to install car stacking parking systems in buildings.

12  
13 **SECTION 108. – [DELETED].**

14  
15 Section 108 is deleted from the International Fire Code.

16  
17 **SECTION 109. – VIOLATIONS.**

18  
19 Section 109 of the California Fire Code is replaced with the following San Francisco section:

20  
21 109.1. [For SF] Unlawful Acts.

22 (a) It shall be unlawful for a person to erect, construct, enlarge, alter, repair, move, improve,  
23 remove, convert, demolish, equip, use, occupy, or maintain a building, occupancy, premises, system, or  
24 vehicle, or any portion thereof, or cause the same to be done, in violation of any of the provisions of  
25 this code.

1 (b) It shall be unlawful for a person to engage in any activity for which a permit is required  
2 under this code without the required permit, or to engage in any activity in violation of conditions set in  
3 a permit issued under this code.

4 109.2. [For SF] Person Responsible.

5 (a) Except as provided in subsection (c), the person responsible for a violation that pertains to  
6 a building, occupancy, premises, system, or vehicle is the owner of the building, occupancy, premises,  
7 system, or vehicle.

8 (b) The person responsible for a violation that pertains to an activity conducted without a  
9 permit required under this code or in violation of a permit issued under this code is the person  
10 engaging in that activity, except that if the person engaging in the activity is the employee of a business  
11 and is performing the activity in the course and scope of his or her employment, and/or the owner of  
12 the business is the person responsible.

13 (c) The person responsible for a violation of Section 107.5 or Section 1030.2 is the owner of the  
14 business operating at the building or premises.

15 109.3. [For SF] Remedies Available.

16 The fire code official may enforce the provisions of this code by: issuing a notice of violation  
17 under Section 109.4; issuing an administrative citation under Section 109.5; and issuing criminal  
18 penalties under Section 109.6.

19 109.4. [For SF] Notice of Violation.

20 (a) When the fire code official finds a building, occupancy, premises, system, or vehicle, or any  
21 portion thereof, that is in violation of this code, the fire code official shall, within 15 days, prepare a  
22 written notice of violation, which shall identify the code sections violated, describe the violation, and,  
23 where applicable, require correction of the violation. The notice of violation shall also set forth the  
24 penalties, fees, and costs for the violation. The notice of violation shall also identify the violation as a  
25 priority complaint, for violations presenting immediate life safety issues, or a standard complaint, for

1 all other violations. When correction is not immediate, the notice of violation shall specify a time for  
2 compliance and re-inspection.

3 (b) When the fire code official finds a person performing any activity requiring a permit under  
4 this code without the required permit, or conducting an activity in violation of conditions set in a  
5 permit issued under this code, the fire code official may prepare a written notice of violation, which  
6 shall identify the code sections violated and describe the violation. The notice of violation shall also  
7 set forth the penalties, fees, and costs for the violation. The notice of violation shall also identify the  
8 violation as a priority complaint, for violations presenting immediate life safety issues, or a standard  
9 complaint, for all other violations. In addition, the fire code official may issue a stop work order under  
10 Section 111, requiring the person to immediately cease performing the activity.

11 109.4.1. [For SF] Service of Notice of Violation.

12 (a) When a notice of violation pertains to a specific building, occupancy, premises, system, or  
13 vehicle, the fire code official shall mail a copy of the notice of violation to the owner of the building,  
14 occupancy, premises, system, or vehicle by regular U.S. mail. The fire code official shall post the  
15 notice of violation in a conspicuous place on the subject property.

16 (b) When a notice of violation pertains to a person engaged in an activity for which a permit is  
17 required without the required permit, or in violation of a permit issued under this code is the person  
18 engaging in that activity, the fire code official shall serve the notice of violation upon the person  
19 responsible for the activity as follows: by personal service, by regular U.S. mail and certified mail, or  
20 by leaving it with a person of responsibility at site of the activity. The fire code official shall post the  
21 notice of violation in a conspicuous place on the subject property.

22 (c) Service by certified or registered mail is effective on the date of mailing if the certified or  
23 registered letter is mailed, postage prepaid, return receipt requested, to the person responsible at that  
24 person's current address as listed with the Assessor's Office. If the Assessor's Office records do not  
25 include an address for a person entitled to notice, then the fire code official shall serve that person by

1 mailing the letter to the address of the building, occupancy, premises, or system involved in the  
2 proceedings.

3 109.4.2. [For SF] Re-Inspection Fee.

4 When the fire code official issues a notice of violation and sets a date for compliance and re-  
5 inspection to certify compliance with code requirements, the fire code official shall charge a fee for the  
6 re-inspection and the person responsible shall pay that fee.

7 109.4.3. [For SF] Hearing on Notice of Violation.

8 (a) If the person responsible to correct a violation identified as a priority complaint fails to do  
9 so within the time period specified in the notice of violation, the fire code official shall set the matter  
10 for hearing, to be heard within 60 days of the deadline. If the person responsible to correct any other  
11 violation fails to do so within the time period specified in the notice of violation, the fire code official  
12 shall set the matter for hearing, to be heard within 180 days of the deadline.

13 (b) Notice of hearing. If the fire code official determines to set the matter for hearing, the fire  
14 code official shall serve a notice of hearing that provides at least 10 days notice of the hearing. The  
15 notice shall include the following information: (1) the street address of the building, occupancy,  
16 premises, or system that is in violation of the code, or the date and location of any activity conducted  
17 without a required permit or in violation of permit conditions; (2) the date, hour and place of the  
18 hearing; (3) a statement that the hearing is an opportunity for all interested parties to appear before  
19 the fire code official to show cause why the fire code official should not order the building, occupancy,  
20 premises, or system repaired or altered to be brought into compliance with code, or vacated or  
21 demolished, or require a permit or compliance with permit requirements; (4) a warning that describes  
22 the penalties for violation as set forth in subsection (k) below and Section 109.4.4; and (5) a copy of the  
23 notice of violation.

24 (c) Service of hearing notice. The fire code official shall serve the notice of hearing on each of  
25 the following persons: (1) the person, if any, in real or apparent charge and control of the building,

1 occupancy, premises, or system, or responsible for any activity; (2) the owner of record of any  
2 building, occupancy, premises, or system, or where an activity occurred; (3) the holder of any  
3 mortgage, deed of trust, lien or encumbrance of record; (4) the owner or holder of any recorded lease;  
4 and (5) the holder of any other recorded estate or interest in the building, occupancy, premises, or  
5 system, or the land upon which it is located. The fire code official shall include an affidavit or  
6 declaration under penalty of perjury, certifying to the time and manner in which the notice was served.  
7 The fire code official shall serve the notice of hearing as follows: by personal service; or by regular  
8 U.S. Mail and certified or registered mail. Service by certified or registered mail is effective on the date  
9 of mailing if the certified or registered letter is mailed, postage prepaid, return receipt requested, to  
10 each person entitled to notice as that person's address appears on the last annual tax roll of the county  
11 or at the address to which the Tax Collector mailed the most recent real property tax bill for the  
12 building, occupancy, premises, or system. If the annual tax roll or the Tax Collector records do not  
13 include an address for a particular person entitled to notice, then the fire code official shall serve the  
14 notice to that person at the address of the building, occupancy, premises, or system involved in the  
15 proceedings. The failure of any owner or other person to receive a notice of hearing shall not affect in  
16 any manner the validity of any proceeding taken or order issued under this section.

17 (d) Posting of notice. The fire code official shall ensure that a copy of the notice of hearing and  
18 notice of violation is posted in a conspicuous place on the building or property, and at the location of  
19 the hearing. The notice shall be posted at both locations at least 10 days before the date set for the  
20 hearing.

21 (e) [Reserved]

22 (f) Hearing. The fire code official or designee shall conduct a public hearing on the matter, at  
23 the date, time and location specified in the notice of hearing. The fire code official or designee may  
24 continue the hearing for good cause, except that any continuance shall not exceed 30 days, and only  
25 one continuance is allowed. Subject to any procedures prescribed by the fire code official for the

1 orderly conduct of the hearing, the fire code official may permit persons with an interest in the  
2 building, occupancy, premises, or system, or with knowledge of facts material to the allegations of the  
3 notice of violation, to present evidence for the fire code official to consider. The fire code official shall  
4 promulgate procedures for implementation of the hearing.

5 (g) Decision and order. The fire code official shall give full and fair consideration to the  
6 evidence received at the hearing, and within 30 days of the conclusion of the hearing, shall issue a  
7 written decision either: (1) finding no violation and issuing an Order of Rescission that withdraws the  
8 notice of violation and dismisses the proceedings; or (2) finding that the building, occupancy, premises,  
9 or system, or any portion thereof, is in violation of this code and ordering that the person responsible  
10 take action as ordered by the fire code official to bring the building, occupancy, premises, or system  
11 into compliance with this code. The order may also direct that the building, occupancy, or premises be  
12 vacated pending compliance with the requirements of this code. Any order to correct a violation of this  
13 code or to vacate a building, occupancy or premises shall include the following: the street address of  
14 the building, occupancy, premises, or system; findings and conclusions about the specifics of the  
15 violations and the code section violated; a statement of work the person responsible must perform to  
16 remedy the violation and, if applicable, an order to vacate; and time requirements for compliance with  
17 the order. The fire code official shall require the person responsible to commence work required under  
18 the order within not more than 30 days from the date of the decision, and shall set a reasonable period  
19 of time, not to exceed six months from commencement, for the person responsible to complete the  
20 required work.

21 (h) Service of, posting, and recording decision. The fire code official shall serve the decision  
22 and order on the persons and in the manner specified in subsection (c) above. The fire code official  
23 shall post the decision and order in the manner specified in subsection (d) above. The fire code official  
24 shall record the decision and order in the Assessor-Recorder's Office.



1           (i) Extension. The person responsible may submit a written application to extend the date to  
2 commence work required under the decision and order or to extend the date to complete required work.  
3 The fire code official may grant a request to extend the time to commence or to complete work, for  
4 good cause shown, only where there is no imminent risk to life or property, and for a time not to exceed  
5 90 days.

6           (j) Compliance, Order of Compliance. When the fire code official determines that the person  
7 responsible has completed all work required under the order, and that the building, occupancy,  
8 premises, or system complies with the requirements of this code, the fire code official shall issue an  
9 Order of Compliance, acknowledging that the person responsible has complied with the original order.  
10 The fire code official shall serve and post the Order of Compliance, and file it in the Assessor-  
11 Recorder's Office.

12           (k) Penalties for disregarding order. Any person responsible who fails to comply with an order  
13 under this section shall be guilty of a misdemeanor as set forth in Section 109.6. Any person in  
14 possession who fails to comply with an order to vacate shall be guilty of a misdemeanor as provided in  
15 Section 109.6. Any person who removes any notice or order posted as required in this section shall be  
16 guilty of a misdemeanor as provided in Section 109.6.

17           109.4.4. [For SF] Civil Action and Penalties.

18           Any person violating this code, or who violates, disobeys, omits, neglects or refuses to comply  
19 with any notice of violation or decision and order under this code, shall be liable for a civil penalty of  
20 up to \$1,000 for each day the violation is committed or permitted to continue, in addition to attorney's  
21 fees and costs, which penalty shall be assessed and recovered in a civil action brought by the City and  
22 County of San Francisco in any court of competent jurisdiction. In assessing the amount of the civil  
23 penalty, the court shall consider any one or more of the relevant circumstances presented by any of the  
24 parties to the case, including but not limited to, the following: the nature and seriousness of the  
25 misconduct, the number of violations, the persistence of the misconduct, the length of time over which

1 the misconduct occurred, the willfulness of the defendant's misconduct, and the defendant's assets,  
2 liabilities and net worth. Any penalties imposed pursuant to this section shall be paid to the City  
3 Treasurer and credited to the Fire Department. The remedies in this Section are in addition to any  
4 other remedies provided by law. No provision in this section shall preclude prosecution of actions for  
5 criminal penalties concurrently, sequentially, or individually.

6 109.4.4.1 [For SF] Allocation of Civil Penalty Fines.

7 All fines and late payment fees shall be credited to the Fire Department and used to support  
8 Community Outreach fire safety and prevention programs.

9 109.4.5. [For SF] Presumption of Noncompliance.

10 Notwithstanding any other provision of this code, any person served with a notice of violation  
11 that sets a date to correct the violations shall be presumed, in civil proceedings, to have failed to  
12 comply with that notice of violation if the date to correct the violation has passed without correction of  
13 the violation.

14 109.5. [For SF] Administrative Citations.

15 Violations of this code may be punishable by administrative citation. Chapter 100 of the  
16 Administrative Code is herein incorporated in its entirety and shall govern the amount of fees and the  
17 procedure for imposition, enforcement, collection and administrative review of administrative citations  
18 under this section, except that the amount of the penalties for the code sections set in Section 109.5.2  
19 shall be the amount specified in that section, and all fines shall be allocated as specified in Section  
20 109.5.3.

21 109.5.1. [For SF] City Employees Who May Issue Administrative Citations.

22 The City employees specified in Section 109.7 may issue administrative citations for any  
23 violation of this code.

24 109.5.2. [For SF] Fines for Administrative Citations for Specific Code Violations.

1           The fine for violation of Sections 105.1.1, 107.6, 111.4, 901.8, 907.7.4, and 1031.2 shall be  
2 \$1000.

3           109.5.3 [For SF] Allocation of Administrative Citation Fines.

4           All fines and late payment fees shall be payable to the Fire Department and shall be used to  
5 support fire safety and prevention programs.

6           109.6. [For SF] Criminal Penalties.

7           Pursuant to California Government Code Section 36900, any person who violates, disobeys,  
8 omits, neglects, or refuses to comply with any of the provisions of this code or any lawful order issued  
9 under this code shall be guilty of an infraction or a misdemeanor. The fire code official shall  
10 determine, and the citation shall specify, whether the violation charged is a misdemeanor or an  
11 infraction. If charged as an infraction, the penalty shall be a fine not to exceed \$100 for a first  
12 violation, not to exceed \$500 for a second violation of the same section or subsection within one year of  
13 the date of the first violation, and not to exceed \$1,000 for each additional violation of the same section  
14 or subsection within one year of the date of the second or any subsequent violation. If charged as a  
15 misdemeanor, the penalty shall be a fine of not less than \$500 or more than \$1,000 or imprisonment in  
16 the county jail not exceeding six (6) months, or both fine and imprisonment, no part of which may be  
17 suspended. Every day such violation, disobedience, omission, neglect or refusal continues is a new  
18 offense. Any person engaging in any work in violation of the provisions of this code, and any person  
19 having charge of such work who permits it to be done, shall be liable for the penalty provided.

20           109.6.1 [For SF] Allocation of Criminal Penalty Fines.

21           All fines and late payment fees shall be payable to the Fire Department and shall be used to  
22 support Community Outreach fire safety and prevention programs.

23           109.7. [For SF] Designated Officers and Employees.

1 Pursuant to California Penal Code Section 836.5, the classes of officers or employees of the  
2 City and County of San Francisco listed below are empowered to enforce all provisions of this code  
3 against violations as a misdemeanor or infraction by exercising arrest and citation authority:

<u>Classification No.</u>	<u>Class Title</u>
<u>H-51</u>	<u>Assistant Deputy Chief II</u>
<u>H-50</u>	<u>Assistant Chief</u>
<u>H-42</u>	<u>Assistant Fire Marshal</u>
<u>H-40</u>	<u>Battalion Chief</u>
<u>H-32</u>	<u>Captain Division of Fire Prevention and Investigation</u>
<u>H-30</u>	<u>Captain</u>
<u>H-24</u>	<u>Lieutenant Bureau of Fire Investigation</u>
<u>H-22</u>	<u>Lieutenant Bureau of Fire Prevention</u>
<u>H-20</u>	<u>Lieutenant</u>
<u>H-10</u>	<u>Chief's Aide</u>
<u>H-6</u>	<u>Investigator</u>
<u>H-4</u>	<u>Fire Inspector</u>
<u>6281</u>	<u>Fire Safety Inspector II</u>

18 109.8. [For SF] Civil Action to Recover Costs.

19 Under California Health and Safety Code Section 13009, any person who negligently, or in  
20 violation of the law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her  
21 to escape onto any public or private property is liable for the fire suppression costs incurred in fighting  
22 the fire and for the cost of providing rescue or emergency medical services, and those costs shall be  
23 charged against that person. The City and County of San Francisco may initiate a civil action in any  
24 court of competent jurisdiction to recover all amounts authorized under Health and Safety Code

1 Section 13009 and Section 13009.1. Any amounts recovered shall be paid to the City Treasurer and  
2 credited to the Fire Department.

3 109.9. [For SF] Remedies are Non-Exclusive.

4 Notwithstanding the provisions of Sections 109.1 through 109.8, the City may institute civil  
5 proceedings for injunctive and monetary relief, including civil penalties, against any person for  
6 violations of the Fire Code under any circumstances, without regard to whether a complaint has been  
7 filed or the fire official has issued a notice of violation under Section 109.4 or an order to correct  
8 under Section 109.4.3(g).

9 **SECTION 111. – STOP WORK ORDER.**

10  
11 The following San Francisco section replaces the corresponding California Fire Code section:

12  
13 111.4. [For SF] Failure to Comply.

14 Any person who continues any work after having been served with a stop work order, except  
15 such work as that person is directed to perform to remove a violation or unsafe condition, shall be in  
16 violation of this code.

17  
18 **SECTION 112. – SERVICE UTILITIES.**

19  
20 The following San Francisco section replaces the corresponding International Fire Code  
21 section:

22  
23 112.1. [For SF] Authority to Disconnect Service Utilities.

24 The fire code official may order disconnection of utility service to a building, structure, or  
25 system in order to safely execute emergency operations or to eliminate an immediate hazard.

1  
2 **SECTION 113. – FEES.**

3  
4 The following San Francisco Section 113 replaces the corresponding International Fire Code  
5 Section 113:

6  
7 113.1. [For SF] General.

8 The Fire Department shall assess fees in accordance with the provisions of this section.

9  
10 113.2. [For SF] Operational Permit Filing Fees.

11 The filing fee for operational permits is set forth in Table 113-A. Inspections necessary for  
12 permit issuance that require more than two hours to complete shall be subject to an additional fee of  
13 \$120 for each hour. The Fire Department shall not issue a permit until the fees are paid.

14 113.2.1 [For SF] Consolidation of Operational Permits Fee.

15 The fee for consolidation of operational permits is \$95 for each activity added to the original  
16 permit.

17 113.2.2. [For SF] Posting Fee.

18 The fee for posting notice of application for certain permits are set in the San Francisco  
19 Business and Tax Regulation Code, Article I, Section 27.

20 113.2.3. [For SF] Permit Fees for Vendors at Street Fairs Involving Temporary Street Closures  
21 (ISCOTT).

22 Permit fees for vendors at street fairs involving temporary street closures are set in the  
23 Transportation Code, Division 1, Article 6, Section 6.6.

24 113.3. [For SF] Construction Permit Fees.

1           The Central Permit Bureau at the Department of Building Inspection collects construction  
2 permit (building permit) fees in accordance with the San Francisco Building Code. When the Fire  
3 Department conducts plan review for buildings or portions of buildings under its authority, the  
4 Department will assess plan review fees in accordance with Section 113.4. When the Fire Department  
5 conducts inspections for buildings or portions of buildings under its authority, the Department will  
6 assess inspection fees in accordance with Section 113.5.

7           113.4. [For SF] Plan Review Fees.

8           Upon application for a permit for the erection of a new building or for alteration work for  
9 which plans are required by the Department of Building Inspection, the Central Permit Bureau shall  
10 charge and collect a fee to compensate the Fire Department for its costs of reviewing plans submitted  
11 with building permit applications for compliance with fire safety regulations. The fee shall be based on  
12 the valuation of the work as determined by the Department of Building Inspection. The fee for each  
13 permit is set in Table 113-B. The Fire Department shall assess a fee in the amount of \$120per hour to  
14 review revisions to any previously approved plans. The Central Permit Bureau shall collect the fee  
15 before issuing the permit.

16           113.5. [For SF] Field Inspection Fees.

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

23           After building permit issuance, when the fire code official notifies the applicant that additional  
24 inspection time is required over the amount of time set in Table 113-C, the applicant shall purchase  
25

1 additional inspection time before the inspector schedules additional inspections. The Fire Department  
2 shall collect a fee of \$120 per hour for the cost of providing the inspection service.

3 113.6. [For SF] Pre-Application Plan Review.

4 When an applicant wishes to discuss specific design issues or submit preliminary designs for  
5 review and comment by the Fire Department before the applicant submits a formal application for  
6 permit, the Fire Department shall assess a fee of \$360. This fee provides the applicant with up to two  
7 hours for research and meeting with Fire Department personnel. When the time spent by the Fire  
8 Department exceeds three hours, the Department shall assess additional fees at the rate of \$120 per  
9 hour.

10 113.7. [For SF] Re-Inspection of Violation Fees.

11 If the fire code official issues a notice of violation under this code, the notice of violation may  
12 set a period of time that is reasonable to remedy the violation and the fire code official may re-inspect  
13 the property to verify that the person responsible has made the required correction. The Fire  
14 Department shall collect a fee in the amount of \$240 for re-inspections. If the time required for the re-  
15 inspection exceeds one hour, the Fire Department shall assess an additional fee at the rate of \$120 per  
16 hour.

17 113.8. [For SF] High-Rise Inspection Fees.

18 For inspections of high-rise structures pursuant to Section 13217 of the California Health and  
19 Safety Code, the owner of the structure shall pay a fee to cover the Fire Department's costs of  
20 inspection. The Department shall calculate the fee on the basis of \$12.50 per 1000 square feet of gross  
21 floor area.

22 113.8.1. [For SF] Gross Floor Area.

23 For purposes of this section, the term "gross floor area" is defined as the entire area of each  
24 floor, attic, basement or shaft of a building included within the exterior walls of a building, including  
25



1 any portion not included within the exterior walls that is under the horizontal projection of the roof or  
2 floor above.

3 113.9. [For SF] Referral Fees.

4 If a government agency requests a preliminary site inspection or survey of a premise for  
5 compliance with this code or other regulatory codes enforced by the Fire Department, the Fire  
6 Department shall collect a service fee of \$120 per hour for the on-site inspections and consultations.  
7 When the referral inspection is requested by another San Francisco agency, the requesting agency  
8 shall transfer the fee to the Fire Department through electronic transfer. The requesting agency shall  
9 pay the fee before scheduling the inspection or consultation. Fees referenced in the California Health  
10 and Safety Code take precedence over this fee.

11 113.10. [For SF] Overtime Fee.

12 If a person requests an inspection or other service that requires the assigned Fire Department  
13 employee to work outside of the employee's normal working schedule, the Department will charge an  
14 overtime fee of \$134 per hour. The person requesting the services shall pay the fee before the  
15 inspection or other service is performed. The minimum compensation is four hours.

16 113.11. [For SF] Collection of Other Fees.

17 The fire code official may collect fees as required by other portions of the San Francisco  
18 Municipal Code for services by other City departments pertinent to the issuance of permits required by  
19 this code.

20 113.12. [For SF] Water Flow Request Fee.

21 Upon a request from a person for water flow information, the Department will charge a water  
22 flow fee of \$120. If the information requested requires that Fire Department employees perform an on-  
23 site water flow test, the Department will charge a fee of \$240.

24 113.13. [For SF] False Alarm Fees.

1           The Fire Department shall charge a service fee of \$250 for each false fire alarm to which the  
2 Department responds after the first two false fire alarms at that address within any calendar year. The  
3 Fire Department shall charge a service fee of \$500 for each false fire alarm to which the Department  
4 responds after the first five false fire alarms at that address within any calendar year. The fire code  
5 official may waive the false alarm fee for good cause as determined by the Chief. The Fire Department  
6 shall send notice of the fee to the responsible person, requiring payment within 30 days of the date of  
7 the notice.

8           113.14. [For SF] Residential Apartment/Hotel Inspection Fee.

9           The Fire Department shall charge an inspection fee of \$157 to inspect buildings under the R1  
10 and R2 Residential Apartment/Hotel Inspection Program.

11           113.15. [For SF] Voluntary Seismic Retrofit Fee Waiver.

12           Notwithstanding the fees established herein, if a project involves voluntary seismic retrofit  
13 upgrades to soft-story, wood-frame buildings, as defined by the Director of the Department of Building  
14 Inspection, the project applicant is exempt from the proportionate share of plan review fees specified  
15 under this code that related to the retrofit work.

16           113.16. [For SF] Cost Recovery Related to Vehicle Incidents.

17           (a) The Fire Department may submit a claim to recover its reasonable costs incurred  
18 responding to a motor vehicle incident in the City and County of San Francisco where a person has  
19 willfully or negligently caused or permitted the contents of a motor vehicle to be deposited on a street  
20 or highway, or its appurtenances, and the Fire Department removes those vehicle contents from the  
21 street or highway, or its appurtenances. Vehicle contents may include gas, oil and vehicle debris. The  
22 Fire Department shall submit the claim to the insurance company of the person responsible for willfully  
23 or negligently causing or permitting the vehicle contents to be deposited on the street or highway, or its  
24 appurtenances.

25           (b) The Fire Department shall submit claims in the following amounts:

<u>Description of Incident</u>	<u>Charge</u>
<u>One suppression unit provided vehicle content removal (one hour or less)</u>	<u>\$249</u>
<u>Two or more suppression units provided vehicle content removal (one hour or less)</u>	<u>\$498</u>
<u>Any incident where the vehicle content removal exceeds one hour</u>	<u>An amount based on the reasonable time and materials costs incurred</u>

(c) After a noticed hearing, the Chief of the Fire Department may promulgate rules to effectuate the purposes of this section or to facilitate the claim process.

113.17. Reserved.

113.18. Reserved.

113.19. Reserved.

113.20. Reserved

113. 21. [For SF] Fee-Setting Procedure.

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 2016-2017 fiscal year shall be as set forth in the Business and Tax Regulations Code Section 75 et seq.

1            **TABLE 113-A. — OPERATIONAL PERMIT FEES.**

2		
3	<b><u>TYPE OF PERMIT</u></b>	<b><u>FEE</u></b>
4	<i><u>Aerosol Products, Regulated Activities</u></i>	<i><u>\$345</u></i>
5	<i><u>Amusement Buildings, Operation</u></i>	<i><u>\$345</u></i>
6	<i><u>Aviation Facilities, Regulated Activities</u></i>	<i><u>\$345</u></i>
7	<i><u>Aviation Facilities, Aircraft Refueling Vehicle</u></i>	<i><u>\$345</u></i>
8	<i><u>Battery System, Operation</u></i>	<i><u>\$345</u></i>
9	<i><u>Carnivals and Fairs, Operation</u></i>	<i><u>\$345</u></i>
10	<i><u>Cellulose Nitrate Film, Regulated Activities</u></i>	<i><u>\$345</u></i>
11	<i><u>Combustible Dust-Producing Operations</u></i>	<i><u>\$345</u></i>
12	<i><u>Combustible Fiber, Regulated Activities</u></i>	<i><u>\$345</u></i>
13	<i><u>Combustible Material, Regulated Activities</u></i>	<i><u>\$345</u></i>
14	<i><u>Compressed Gas, Regulated Activities</u></i>	<i><u>\$345</u></i>
15	<i><u>Conditional Use</u></i>	<i><u>\$95</u></i>
16	<i><u>Covered Mall Buildings, Operation</u></i>	<i><u>\$345</u></i>
17	<i><u>Cryogenic Fluids, Regulated Activities</u></i>	<i><u>\$345</u></i>
18	<i><u>Dry Cleaning Plant, Operation</u></i>	<i><u>\$345</u></i>
19	<i><u>Exhibits and Trade Shows, Operation</u></i>	<i><u>\$345</u></i>
20	<i><u>Explosives, Regulated Activities</u></i>	<i><u>\$345</u></i>
21	<i><u>Fireworks, Display</u></i>	<i><u>\$345</u></i>
22	<i><u>Firefighter Air Systems, Maintenance</u></i>	<i><u>\$345</u></i>
23	<i><u>Flammable and Combustible Finishes, Application of</u></i>	<i><u>\$345</u></i>
24	<i><u>(Including Floor Finishes)</u></i>	
25	<i><u>Flammable or Combustible Liquids, Regulated Activities</u></i>	<i><u>\$345</u></i>

1	<u>Fruit and Crop Ripening</u>	\$345
2	<u>Fumigation and Thermal Insecticidal Fogging</u>	\$345
3	<u>Hazardous Materials, Regulated Activities</u>	\$345
4	<u>Hazardous Production Material (HPM) Facilities</u>	\$345
5	<u>High-Piled Storage</u>	\$345
6	<u>Hot Work Operations, Regulated Activities</u>	\$345
7	<u>Industrial Ovens</u>	\$345
8	<u>Liquefied Petroleum Gases, Regulated Activities</u>	\$345
9	<u>Live Audience, Production Facility, Studio, Sound Stage</u>	\$345
10	<u>Lumberyards and Woodworking Plants</u>	\$345
11	<u>Magnesium Processing</u>	\$345
12	<u>Mobile Fueling</u>	\$345
13	<u>Open Burning</u>	\$345
14	<u>Open Flame and Candles in Assembly Areas</u>	\$345
15	<u>Organic Coating, Manufacturing</u>	\$345
16	<u>Place of Assembly</u>	\$345
17	<u>Place of Assembly-Permanent Occupancy for Non-Profit Group</u>	\$0
18	<u>Pyrotechnic Special Effects Material</u>	\$345
19	<u>Pyroxylin Plastics</u>	\$345
20	<u>Refrigeration Equipment</u>	\$345
21	<u>Repair Garages and Motor Fuel Dispensing Facilities</u>	\$345
22	<u>Rooftop Heliports</u>	\$345
23	<u>Temporary Membrane Structures and Tents</u>	\$345
24	<u>Tire Storage</u>	\$345
25	<u>Tire Rebuilding Plants</u>	\$345

1 Waste Handling, Regulated Activities

\$345

2  
3 **TABLE 113-B. – PLAN REVIEW FEES.**

4 **VALUATION**

**FEE**

5 \$1 TO \$2,000

\$68.31 for the First \$1,000 or less plus \$67.273 for each

6 additional \$1,000 or fraction thereof, to and including \$2,000

7 \$2,001 TO \$50,000

\$135.58 for the First \$2,000 or less plus \$12.992 for each

8 additional \$1,000 or fraction thereof, to and including \$50,000

9  
10 \$50,001 TO \$200,000

\$759.19 for the First \$50,000 or less plus \$5.2137 for each

11 additional \$1,000 or fraction thereof, to and including \$200,000

12  
13 \$200,001 TO \$500,000

\$1,541.25 for the First \$200,000 or less plus \$2.4302 for each

14 additional \$1,000 or fraction thereof, to and including \$500,000

15  
16 \$500,001 TO \$1,000,000

\$2,70.31 for the First \$500,000 or less plus \$1.6221 for each

17 additional \$1,000 or fraction thereof, to and including \$1,000,000

18  
19 \$1,000,001 TO \$5,000,000

\$3,081.34 for the First \$1,000,000 or less plus \$1.2332 for each

20 additional \$1,000 or fraction thereof, to and including \$5,000,000

21 \$5,000,001

\$8,014.12 for the First \$5,000,000 or less plus \$0.6219 for each

22 additional \$1,000 or fraction thereof

23 **NOTATION TO TABLE 113-B:**

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

1  
2 TABLE 113-C. — FIELD INSPECTION FEES (See notation for additional fees).

3 VALUATION FEE/INSP. TIME CREDIT

4 <u>Over</u>	5 <u>Not More Than</u>	
6 <u>\$0</u>	7 <u>\$10,000</u>	8 <u>\$120 ONE HOUR</u>
9 <u>\$10,001</u>	10 <u>\$50,000</u>	11 <u>\$240 TWO HOURS</u>
12 <u>\$50,001</u>	13 <u>\$500,000</u>	14 <u>\$360 THREE HOURS</u>
15 <u>\$500,001</u>	16 <u>\$5,000,000</u>	17 <u>\$600 FIVE HOURS</u>
18 <u>\$5,000,001</u>	19 <u>\$10,000,000</u>	20 <u>\$1200 TEN HOURS</u>
21 <u>\$10,000,001</u>	22 <u>\$25,000,000</u>	23 <u>\$2400 TWENTY HOURS</u>
24 <u>\$25,000,000</u>		25 <u>\$3600 THIRTY HOURS</u>

26 NOTATION TO TABLE 113-C:

27 <u>NEW FIRE ALARM SYSTEMS</u>	28 <u>\$240 TWO HOURS</u>
29 <u>NEW SPRINKLER SYSTEMS</u>	30 <u>\$360 THREE HOURS</u>
31 <u>NEW GASEOUS SUPPRESSION SYSTEMS</u>	32 <u>\$240 TWO HOURS</u>

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

36 SECTION 114. [For SF] – FEE COLLECTION.

37 This section does not exist in the California Fire Code or International Fire Code.

38 114.1. [For SF] Collection of Fees.

1 For services that are conducted before the collection of fees, the Department shall proceed in  
2 accordance with this section.

3 114.1.1. [For SF] First Notice.

4 When fees are due under sections 113.7, 113.8, 113.13, or 113.14, the Department shall send  
5 the responsible person a notice of payment due.

6 114.1.2. [For SF] Second Notice.

7 If the Fire Department does not receive full payment within 60 days after it sent a notice of  
8 payment due pursuant to Section 114.1.1, the Department shall send a second notice of payment due to  
9 the responsible person. That written notice shall state that the responsible person is liable for the  
10 payment of the fee indicated on the notice and provide notice that if payment of the Fire Department  
11 does not receive the fee within 30 days of the mailing date of the second notice, a penalty of 10 percent  
12 plus interest at the rate of one percent per month on the outstanding balance shall be added to the fee  
13 indicated on the notice from the date that notice of payment due was sent under Section 113.

14 114.1.3. [For SF] Report to Bureau of Delinquent Revenue Collection.

15 If the Department does not receive payment within 30 days following mailing of the second  
16 notice, the Department may report all accounts receivable over \$300 to the Bureau of Delinquent  
17 Revenue Collection in accordance with Administrative Code, Chapter 10, Article V. Accounts  
18 receivable under \$300 shall be administered in accordance with Administrative Code Section 10.41-1.

19  
20 **CHAPTER 2. – DEFINITIONS.**

21  
22 The following San Francisco definition replaces the corresponding International Fire Code  
23 definition in section 202:  
24  
25



1 [For SF] STANDPIPE SYSTEM, CLASSES OF. A standpipe system is a wet system of piping,  
2 valves, outlets and related equipment designed to provide water at specified pressures and installed  
3 exclusively for the fighting of fires, including the following:

4 Class I is a standpipe system equipped with 3-inch (76.2 mm) outlets.

5 Class II is a standpipe system directly connected to a water supply and equipped with 1½-inch  
6 (38.1 mm) outlets and hose.

7 Class III is a standpipe system directly connected to a water supply and equipped with 3-inch  
8 (76.2 mm) outlets or 3-inch (76.2 mm) and 1½-inch (38.1 mm) outlets when a 1½-inch (38.1 mm) hose  
9 is required. Hose connections for Class III systems may be made through 3-inch (76.2 mm) hose valves  
10 with easily removable 3-inch by 1½ -inch (76.2 mm by 38.1 mm) reducers.

11  
12 **CHAPTER 3. – GENERAL PRECAUTIONS AGAINST FIRE.**

13  
14 **SECTION 308. – OPEN FLAMES.**

15  
16 The following San Francisco sections replace the corresponding International Fire Code  
17 sections:

18  
19 308.1.3. [For SF] Torches for Removing Paint.

20 The use of torches or other flame-producing devices to remove paint is prohibited.

21 The following San Francisco section replaces the corresponding International Fire Code  
22 section:

23 308.1.6.2. [For SF] Portable Fueled Open-Flame Devices.

24 Portable open-flame devices fueled by flammable or combustible gases or liquids shall be  
25 enclosed or installed in such a manner as to prevent the flame from contacting combustible material.

1           Exceptions:

- 2           1. LP-gas-fueled devices used for sweating pipe joints in accordance with Chapter 61.
- 3           2. Hot work and cutting and welding operations in accordance with Chapter 35.
- 4           3. Candles and open-flame decorative devices in accordance with Section 308.3.

5

6           Section 308.2 is deleted from the International Fire Code.

7

8           **SECTION 316. – HAZARDS TO FIREFIGHTERS.**

9

10          316.3.1. [For SF] Barbed or Razor Wire.

11          Barbed or razor wire shall not be on or attached to any fire escape, dry standpipe or other fire

12 extinguishing facility, fence, parapet, roof surface, or any other place on a building or structure where

13 it might hinder or obstruct firefighters in performing their duties. Where barbed or razor wire is on or

14 attached to any location, structure or surface specified in this section, it shall be removed.

15          Exception: Barbed or razor wire may be installed on fences provided it does not obstruct or

16 hinder egress, rescue operations, or access to hazardous areas, as determined by the fire code official,

17 in the event of fire or other emergency.

18          316.7. [For SF] Signage for Buildings with Certain Types of Construction.

19          If a building has roofs or floors of composite wood joist or truss construction, the owner shall

20 post a sign specifying this type of construction. The sign shall be located adjacent to the main entrance

21 door or in a location(s) as required by the fire code official. The sign shall comply with San Francisco

22 Fire Department Administrative Bulletin 5.05.

23

24          **CHAPTER 4. – EMERGENCY PLANNING AND PREPAREDNESS.**

1           **SECTION 403**

2  
3           Sections 403.1 and 403.2.1 through 403.11.4 of the International Fire Code and California Fire  
4 Code are deleted.

5  
6           **SECTION 404**

7  
8           Sections 404.1 through 404.4 of the International Fire Code and California Fire Code are  
9 deleted.

10           The following three San Francisco sections replace the corresponding International Fire Code  
11 sections:

12           404.1. [For SF] State of California Requirements.

13           Emergency plans and preparedness shall be provided in accordance with Title 19, California  
14 Code of Regulations, and California Health and Safety Code, section 13220.

15           404.2. [For SF] Fire Safety Director.

16           Owners of buildings having floors used for human occupancy located more than 75 feet above  
17 the lowest level of Fire Department access are responsible to provide or employ a fire safety director.  
18 The fire safety director shall possess a current and valid certificate of completion of an approved fire  
19 safety director training program. A certificate of completion shall be valid for not more than five  
20 years.

21           404.3. [For SF] Emergency Procedures Information.

22           Emergency procedures information required by the California Code of Regulations, Title 19,  
23 Section 3.09, shall comply with San Francisco Fire Department Administrative Bulletin 2.11.

24  
25           **SECTION 405. – [DELETED].**

1  
2 Section 405 of the International Fire Code is deleted.

3  
4 **SECTION 406. – [DELETED].**

5  
6 Section 406 of the International Fire Code is deleted.

7  
8 **SECTION 408. – [RESERVED].**

9  
10 Section 408 is not found in either the California Fire Code or the International Fire Code.

11  
12 **SECTION 409. – FIRE SAFETY INFORMATION DISCLOSURE.**

13  
14 409.1. [For SF] Purpose.

15 It is the purpose of this Section 409 to reduce the risk of fires and of damage from fires by  
16 requiring owners of buildings with three or more dwelling units to disclose fire safety information to  
17 new residents on or before they begin to live in the building and once a year thereafter, post fire safety  
18 information in a place that is accessible to all residents, and also to require owners of buildings with  
19 16 or more dwelling units to offer an annual fire safety training to all residents.

20 409.2. [For SF] Disclosure Requirements.

21 (a) The following information (the "Disclosure Information ") shall be disclosed to each  
22 resident of an Apartment House as defined in the Housing Code:

23 (1) The location of all fire extinguishers in the building, and the dates of last servicing;

24 (2) The location of all emergency exits in the building, and a statement that they must remain  
25 unobstructed;

1 (3) The location of all fire escapes in the building, and the dates of last inspection;

2 (4) The location of the building fire alarm system, the date when the building fire alarm system  
3 was last inspected and tested as required by Section 907.8.5 of this Code, and confirmation that the  
4 building fire alarm system is certificated under Section 907.7.4 of this Code, if applicable;

5 (5) The location of all smoke alarms in the resident's dwelling unit, instructions on how to  
6 confirm that the smoke alarms are in working condition, and a statement of when the smoke alarms  
7 were last replaced;

8 (6) The location of all carbon monoxide detectors in the resident's dwelling unit, instructions  
9 on how to confirm that the carbon monoxide detectors are in working condition, and a statement of  
10 when the carbon monoxide detectors were last replaced;

11 (7) The phone number of the appropriate contact within the San Francisco Fire Department for  
12 reporting suspected violations of this Section 409.

13 The Disclosure Information may also include any other information that would assist a resident  
14 to escape or prevent a fire in the building.

15 (b) The owner of the Apartment House or the owner's agent shall provide an oral explanation  
16 of the Disclosure Information to new residents before the new residents commence occupancy in the  
17 building, a written copy of the Disclosure Information to new residents on or before the commencement  
18 of occupancy, and a written copy, updated as appropriate, to all building residents on or before  
19 January 31 of each year.

20 (c) The owner of the Apartment House shall maintain a record of its compliance with this  
21 Section 409.2 by requesting that a resident from each dwelling unit execute a statement (the "Resident's  
22 Statement") and transmit the Resident's Statement to the owner within 20 business days after the  
23 resident has received the Disclosure Information, both upon commencement of occupancy and in each  
24 subsequent year. The Resident's Statement shall identify the date that the resident received the  
25 Disclosure Information. If the resident fails to complete and transmit a Resident's Statement as

1 requested, the owner shall execute a written statement (the "Owner's Statement") which confirms the  
2 date that the owner provided the resident the Disclosure Information, and which states that the resident  
3 did not execute the statement as requested. The owner shall provide the resident a copy of the Owner's  
4 Statement within five business days after it is executed. The owner shall retain copies of all Resident's  
5 Statements and Owner's Statements for at least two years. An owner's failure to maintain such records  
6 shall create a rebuttable presumption that the owner has violated this Section 409.2.

7 (d) A resident's failure to complete and transmit a Resident's Statement shall not constitute just  
8 cause under Administrative Code Section 37.9(a).

9 (e) It is recommended that residents test the smoke alarms and carbon monoxide detectors in  
10 their dwelling units on a monthly basis, and immediately report any problems or needed repairs to the  
11 building owner.

12 (f) This Section 409.2 shall become operative six months after the effective date of this Section  
13 409. (Oper. 3/10/2017)

14 409.3. [For SF] Posting Requirements.

15 (a) The information required to be disclosed under Section 409.2, subdivisions (a)(1), (a)(2),  
16 (a)(3), (a)(4), and (a)(7) (collectively, the "Posted Information"), shall be posted in a common area  
17 frequented by the residents in each Apartment House, as defined in the Housing Code.

18 (b) The Posted Information shall be updated as appropriate on or before January 31 of each  
19 year.

20 (c) A sign or sticker shall be affixed at the main point of entry to the Apartment House, or at  
21 such other location that the Fire Marshal approves in writing, that contains the phone number of the  
22 owner, property manager, or other person who can give the Fire Marshal or other building inspector  
23 prompt access to the building to conduct safety inspections.

24 (d) The Department of Building Inspection shall enforce this Section 409.3 pursuant to periodic  
25 health and safety inspections required by code.

1 (e) This Section 409.3 shall become operative six months after the effective date of this Section

2 409.

3 409.4. [For SF] Training Requirements.

4 (a) The owner of any building with 16 or more dwelling units must offer building residents an  
5 annual fire safety training that covers the following information:

6 (1) The Disclosure Information,

7 (2) Best practices for how to prevent and escape from building fires; and

8 (3) Any other fire safety information that the building owner deems appropriate. 14

9 Owners are encouraged to walk through their buildings with residents to address the location of  
10 fire extinguishers, emergency exits, and other fire safety information.

11 (b) The owner shall provide residents advance written notification of the training, and shall  
12 provide a written summary of the training to each dwelling unit that did not send at least one resident  
13 to attend.

14 (c) The owner shall maintain a record going back at least two years that shows the notice  
15 provided to residents before each training, confirmation that each training occurred, a list of attendees  
16 at each training, and confirmation that the owner provided a written summary of the training to each  
17 dwelling unit that did not send at least one resident to attend. An owner's failure to maintain such  
18 records shall create a rebuttable presumption that the owner has violated this Section 409.4.

19 (d) A resident's failure to attend trainings required by this Section 409.4 shall not constitute  
20 just cause under Administrative Code Section 37.9(a).

21 (e) This Section 409.4 shall become operative one year after the effective date of this Chapter.

22 409.5. [For SF] Printing Requirements.

23 (a) The Posted Information, Disclosure Information, and training materials if applicable shall  
24 be printed, and posted in the case of Posted Information, in compliance with Section 11B-703.5 of the  
25 California Building Code, as it may be amended from time to time.

1           409.6. [For SF] Penalties and Enforcement.

2           The Chief of the Fire Department or his or her designee may assess and collect administrative  
3 penalties from the owner for any violation of this Section 409 in accordance with Administrative Code  
4 Chapter 100, "Procedures Governing the Imposition of Administrative Fines, " as may be amended  
5 from time to time. Chapter 100, which is incorporated herein in its entirety, shall govern the amount of  
6 fees and the procedures for imposition, enforcement, collection, and administrative review of  
7 administrative citations. Each day a violation of one of the aforementioned sections occurs shall  
8 constitute a separate violation of that section.

9  
10           **CHAPTER 5. – FIRE SERVICE FEATURES.**

11  
12           **SECTION 503. – FIRE APPARATUS ACCESS ROADS.**

13           Section 503 of the California Fire Code is adopted

14  
15           **SECTION 504. – ACCESS TO BUILDING OPENINGS AND ROOFS.**

16  
17           504.2.1 [For SF] Breakable Window Marking.

18           Red reflectors shall be installed to indicate the location of existing breakable, tempered glass  
19 windows required under previous codes. Reflectors inside buildings shall be at least 1½ inches (381  
20 mm) in the least dimension. They shall be on the glass and within 6 inches (1524 mm) of a lower corner  
21 of the pane. Reflectors outside buildings shall be at least 3 inches (762 mm) in the least dimension.  
22 They shall be placed on the wall below the lowest window in each vertical line of windows containing  
23 tempered glass. A 24-inch (609-mm) clear space shall be maintained around the reflectors.

24           504.3.1 [For SF] Access to Roofs With Doors and Hatches.



1 Doors and hatches to a roof must be able to be opened from the inside without the use of a key,  
2 code or any special knowledge.

3 **Exceptions:**

4 1. Doors that can be unlocked upon a signal from a central control station or other unlocking  
5 system approved by the fire code official. Upon failure of electrical power, the locking mechanisms  
6 shall retract to the unlocked position.

7 2. Doors may be locked when approved by the fire code official.

8 **504.5. [For SF] Identification on Steel Doors.**

9 When rolling steel shutters or similar steel doors are located on any building or structure and  
10 there is no easily accessible opening giving access to the building or structure within 25 feet (7620 mm)  
11 of the shutter or door, an approved marking shall be affixed on the shutter or door designating or  
12 outlining an area which, when removed by burning or cutting, will give access to locking devices,  
13 hoisting chains or other devices that control the operation of the shutter or door.

14  
15 **SECTION 506. – KEY BOXES.**

16  
17 **506.2.1. [For SF] Key Box Installation and Maintenance.**

18 Key boxes shall be installed and maintained in accordance with San Francisco Fire Department  
19 Administrative Bulletin 5.09.

20  
21 **SECTION 507. – FIRE PROTECTION WATER SUPPLIES.**

22  
23 The following San Francisco section replaces the corresponding California Fire Code section:

24  
25 **507.4. [For SF] Water Flow and Supply Information.**

1           The Fire Department will provide water flow and supply information when requested by the  
2 applicant. The Department shall assess fees for this service as stated in section 113.12.

3           507.5.3.1 [For SF] Clear space around underground emergency water supply tanks.

4           A 5-foot (1524 mm) clear space shall be maintained around the circumference of cistern  
5 openings, except as otherwise required or approved. Manhole openings shall be on the same surface  
6 level of cistern.

7  
8           The following San Francisco section replaces the corresponding California Fire Code section:

9  
10          507.5.5. [For SF] Clear space around hydrants.

11          A 5-foot (1524 mm) clear space shall be maintained around the circumference of fire hydrants,  
12 except as otherwise required or approved.

13          507.6. [For SF] Other Water Supplies.

14          Water tanks or pools within, on or about any building premises shall be connected with  
15 approved 6-inch (152-mm) pipe leading from the bottom of the tank to a point designated by the fire  
16 code official. Piping for tanks located at or below grade shall be designed and installed for drafting by  
17 Fire Department apparatus.

18          **Exceptions:**

19          1. Industrial process water tanks.

20          2. Tanks or pools with a capacity of less than 75,000 gallons (94.6 m3).

21          3. Tanks or pools used to supply automatic fire sprinkler systems.

22          4. Water tanks or pools installed in R3 Occupancies.

23          507.7 [For SF] Auxiliary Water Supply System.

1           The requirements for the installation and modification of the Auxiliary Water Supply System  
2 shall comply with the Subdivision Code and any requirements of the San Francisco Public Utilities  
3 Commission.

4           **SECTION 508. – FIRE COMMAND CENTER.**

5  
6           508.1.6.1. [For SF] Local Additional Features.

7           The fire command center shall contain the following additional features:

- 8           1. The stock of spare sprinklers required by National Fire Protection Association (“NFPA”) 13  
9 (2016).
- 10           2. Permanent signage with the name and telephone number of the applicable elevator service  
11 company.
- 12           3. Building contact phone numbers.
- 13           4. Utility shut-off location map.
- 14           5. Public address system instructions.
- 15           6. Smoke control system procedures.
- 16           7. Sprinkler shut-off valve and standpipe isolation valve locations.
- 17           8. Emergency evacuation/relocation procedures, location of tenant areas of refuge, and  
18 location of any tenants requiring evacuation assistance.
- 19           9. Hazardous materials inventory statement and management plan, when required by the fire  
20 code official.

21  
22           **SECTION 510.-EMERGENCY RESPONDER RADIO COVERAGE.**

23  
24           510.1.1. [For SF] Local Standard for Emergency Responder Radio Coverage.

1 The applicable standard for the design, installation, testing, maintenance and use of Emergency  
2 Responders Radio Converge systems shall be NFPA 1221-2016 Sections 5.10 and 9.6.

3  
4 **SECTION 511. — LOCAL FIRE SAFETY FEATURE REQUIREMENTS.**

5  
6 511.2. [For SF] Local Standards for High-Rise Buildings and Tunnels.

7 Except as stated in the next paragraph, an approved air replenishment system shall be installed  
8 in all buildings having floors used for human occupancy located more than 75 feet (22,860 mm) above  
9 the lowest level of Fire Department vehicle access. This requirement shall apply for all buildings  
10 meeting this definition when the building permit application for construction was made after March 30,  
11 2004.

12 Exception: All buildings that are covered by this section but that are equipped with a fire  
13 service access elevator (“FSAE”) pursuant to California Building Code Section 3007 are not required  
14 to install an air replenishment system.

15 The air replenishment system will provide a means for firefighters to refill air bottles for self-  
16 contained breathing apparatus (SCBA) through a permanently installed piping distribution system.  
17 The system shall be tested and maintained in accordance with San Francisco Fire Department  
18 Administrative Bulletin 5.07.

19 The air replenishment system may be installed in all new underground transportation or  
20 pedestrian tunnels exceeding 300 feet (91,440 mm).

21  
22 **CHAPTER 6. – BUILDING SERVICES AND SYSTEMS.**

23  
24 **SECTION 607. – ELEVATOR RECALL AND MAINTENANCE.**

1           607.10. [For SF] Maintenance of Elevators.

2           At least one passenger elevator shall be maintained in working order and accessible for  
3 immediate use by the Fire Department at all times.

4  
5           **CHAPTER 9. — FIRE-PROTECTION SYSTEMS.**

6  
7           **SECTION 901.—GENERAL.**

8  
9           901.8.3. [For SF] Subsurface Construction.

10           Any person performing any subsurface work in close proximity or adjacent to any valve, gate,  
11 hydrant, main, street cistern, or other part of the auxiliary water supply system (high pressure system),  
12 any hydrant, hydrant piping, or hydrant gate valve connected to the mains of the Water Department  
13 shall comply with all Fire Department regulations and specifications, which are on file with the  
14 Department of Public Works Bureau of Engineering.

15  
16           **SECTION 902.—DEFINITIONS.**

17  
18           The following definition shall be added to Section 902.1 of the California Fire Code:

19  
20           [For SF] CERTIFICATED FIRE ALARM SYSTEM is a fire alarm system for which a serially  
21 numbered certificate has been issued to the property owner by an organization that is part of the  
22 Occupational Safety and Health Administration Nationally Recognized Testing Laboratory Program.  
23 The certificate is a tool for assuring the reliability of fire alarm systems and is the alarm company's  
24 declaration that the system will be installed, maintained, tested and monitored in accordance with the

1 applicable codes and standards. San Francisco Fire Department Administrative Bulletin 3.03 contains  
2 details of the fire alarm certification program.

3  
4 **SECTION 903.—AUTOMATIC SPRINKLER SYSTEMS.**

5  
6 Table 903.2.11.6 Add a new line to the Table as follows:

7  
8 **TABLE 903.2.11.6.**

9  
10 **ADDITIONAL REQUIRED FIRE SUPPRESSION SYSTEMS**

11 **SECTION SUBJECT**

12 3202.3.4 Pedestrian Walkways over Public Streets

13  
14 903.3.6.1. [For SF] Fire Department Hose Connection Type.

15 Fire Department connections shall have 3-inch national standard hose thread.

16  
17 **SECTION 904.—ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS.**

18  
19 The following San Francisco section replaces the corresponding California Fire Code section:

20  
21 904.12.6.2 [For SF] Extinguishing System Service.

22 Automatic fire-extinguishing systems shall be serviced at least every 6 months and after  
23 activation of the system. Inspection shall be by qualified individuals, and the owner shall maintain the  
24 certificate of inspection on site for at least 1 year following the inspection.

1                    **SECTION 905.—STANDPIPE SYSTEMS.**

2  
3                    905.2.1. [For SF] Local Installation Standard.

4                    Standpipe systems shall be installed using 3-inch (76.2 mm) national standard hose thread.  
5                    Each standpipe outlet shall be placed to provide a minimum of six inches on all sides of the handle and  
6                    18 inches on all sides of the outlet, or located as approved by the fire code official.

7  
8                    The following San Francisco sections replace the corresponding California Fire Code sections:

9  
10                   905.3.4. [For SF] Stages.

11                   Stages greater than 1,000 square feet in area (93 m<sup>2</sup>) shall be equipped with a Class III wet  
12                   standpipe system with 1-1/2-inch and 3-inch (38 mm and 76.2 mm) hose connections on each side of  
13                   the stage.

14                   905.3.12. [For SF] Buildings with Limited Fire Department Access.

15                   Horizontal and/or vertical Class I standpipes shall be installed and maintained in any building,  
16                   regardless of the height thereof, wherever, in the opinion of the fire code official, standpipes are  
17                   necessary to make hose connections available to firefighters.

18  
19                   The following San Francisco section item only replaces the corresponding California Fire Code  
20                   section item:

21  
22                   905.4 Location of Class I Standpipe Hose Connections

23                   1. In every required stairway, a hose connection shall be provided for each story above or  
24                   below grade. Hose connections shall be located at an intermediate landing between stories, unless

1 otherwise approved by the fire code official. See Section 909.20.2.3 of the California Building Code for  
2 additional provisions in smokeproof enclosures.

3 905.4.3. [For SF] Local Requirement for Location of Class I Standpipe Hose Connections.

4 There shall be at least one two-way outlet above the roofline when the roof has a slope of less  
5 than 4 units vertical in 12 units horizontal (33.3% slope).

6  
7 **SECTION 907.—FIRE ALARM AND DETECTION SYSTEMS.**

8  
9 The following San Francisco sections replace the corresponding California Fire Code sections:

10  
11 907.2.8.2. [For SF] Automatic Smoke Detection System.

12 An automatic smoke detection system that activates the occupant notification system in  
13 accordance with Section 907.5 shall be installed throughout all interior corridors serving sleeping  
14 units.

15 **Exceptions:**

16 1. An automatic smoke detection system is not required in buildings that do not have interior  
17 corridors serving sleeping units and where each sleeping unit has a means of egress door opening  
18 directly to an exit or to an exterior exit access that leads directly to an exit.

19 2. An automatic smoke detection system is not required in buildings when all of the following  
20 conditions are met:

21 2.1. The building is equipped throughout with a supervised automatic sprinkler system installed  
22 in accordance with Section 903.3.1.1 or 903.3.1.2;

23 2.2. The notification devices will activate upon sprinkler water flow; and

24 2.3. At least one manual fire alarm box is installed in an approved location.

25 907.2.9.1. [For SF] Manual fire alarm system



1           The following San Francisco section items replace only the corresponding California Fire Code  
2 section items:

3           3. The building contains more than 6 dwelling units or sleeping units.

4           4. Congregate living facilities or congregate residences three or more stories in height or  
5 having an occupant load of 11 or more.

6           907.2.11.10. [For SF] Smoke Alarm Information Disclosure.

7           (a) Annual Smoke Alarm Information Notice. On or before January 31, 2017, and on or before  
8 January 31 of each year thereafter, owners of a dwelling unit intended for human occupancy in which  
9 one or more units is rented or leased shall provide each tenant with a written notice regarding smoke  
10 alarm requirements on a form provided by the Fire Department. The Fire Department shall develop the  
11 notice in consultation with the Department of Building Inspection and shall make the notice available  
12 on its website in English, Spanish, and Chinese. The Fire Department shall update the notice as  
13 necessary from time to time to reflect changes in the law, and the owner shall provide the most recent  
14 notice to tenants. The notice shall include, but not be limited to, the following information:

15           (1) information regarding the importance of maintaining smoke alarms in working condition for  
16 life safety;

17           (2) a brief summary of legal requirements for smoke alarms in dwelling units;

18           (3) a statement that the landlord is obligated to provide operable smoke alarms in good working  
19 condition in the dwelling unit in accordance with the Housing Code and Fire Code and the landlord  
20 must promptly repair or replace inoperable smoke alarms upon request; and

21           (4) attached as a separate appendix to the notice, a list, to be prepared by the Rent Board, of  
22 tenants' rights organizations that provide counseling to tenants on issues related to fires, and contact  
23 information [or those organizations].

1           **(b) Posting Requirement. For all Apartment Houses as defined in the Housing Code, the**  
2 **building owner shall post the notice referenced in subsection (a) in at least one conspicuous location in**  
3 **a common area of each floor of the building.**

4           **907.5.2.2.6. [For SF] Local Requirements for Emergency Voice Alarm-Signaling System.**  
5           **Multichannel capability is required for new emergency voice/alarm communication systems in**  
6 **high-rise buildings.**

7           **907.6.4.1.2. [For SF] Local Annunciation Requirement.**  
8           **Building fire alarm systems shall include visible annunciation in buildings with more than four**  
9 **floors, or when required by the fire code official. Visible annunciation shall be a light-emitting diode**  
10 **(LED) type display. The annunciator panel shall indicate the type of device by floor, zone or other**  
11 **approved designation from which the signal originated.**

12           **907.6.4.1.3. [For SF] Graphic Annunciation.**  
13           **Graphic annunciation shall be installed when required by the fire code official.**

14           **907.6.4.3.1. [For SF] High-Rise Building Fire Alarm Annunciation.**

15           **Item:**

16           **6. Status of emergency equipment such as the emergency generator, fire pump, and secondary**  
17 **water supply. Shall comply with San Francisco Fire Department Administrative Bulletin 3.01**

18           **907.7.4. [For SF] Fire Alarm Certification Required.**

19           **All new fire alarm systems shall be certificated. Fire alarm systems providing service that**  
20 **complies with all requirements of this code shall be certificated by an organization that is part of the**  
21 **Occupational Safety and Health Administration Nationally Recognized Testing Laboratory Program.**  
22 **A document attesting to the certification shall be located on or near the fire alarm system control unit**  
23 **or, if no control unit exists, on or near a fire alarm system component.**

24           **Exceptions:**

1 1. Household fire-warning systems and fire alarm systems in one- or two-family dwellings or  
2 three-unit apartment houses.

3 2. Fire alarm control panels whose primary function is to monitor a sprinkler system.

4  
5 The following San Francisco section replaces the corresponding California Fire Code section:

6  
7 907.8.5. [For SF] Maintenance, Inspection, and Testing.

8 (a) Testing, Inspection and Filing Requirements. The building owner is responsible to maintain  
9 the fire and life safety systems in an operable condition at all times. The building owner must have the  
10 system(s) tested and inspected every year by service personnel who meet the qualification requirements  
11 of NFPA 72, as amended from time to time, for maintaining, inspecting, and testing of the systems.

12 (1) Filing Statement of Compliance. With regard to fire alarm systems in Apartment Houses, as  
13 defined in the Housing Code, the building owner shall file a Statement of Compliance with this annual  
14 testing and inspection requirement with the Fire Department, on a form provided by the Fire  
15 Department, in accordance with the following schedule: (A) for buildings with nine or more units, on  
16 or before January 31, 2017, and thereafter on or before January 31 of each odd-numbered year, and  
17 (B) for buildings with less than 9 nine units, on or before January 31, 2018, and thereafter on or before  
18 January 31 of each even- numbered year. The Fire Department shall consult with the Department of  
19 Building Inspection in developing the Statement of Compliance form. The Fire Department shall post  
20 all Statements of Compliance it receives on a City website maintained by the Fire Department no later  
21 than 60 days from January 31 each year.

22 (2) Posting Statement of Compliance in Common Area. In addition to filing the Statement of  
23 Compliance, the building owner shall post a copy of the most recently filed Statement of Compliance in  
24 at least one conspicuous location in a common area of each floor of the building or, if no such common  
25 area(s) exist, the building owner shall provide a copy to each residential tenant in the building. The

1 building owner shall comply with this requirement no later than 60 days from the date of filing of the  
2 Statement of Compliance.

3 (3) Enforcement. For purposes of enforcement of this subsection (a), the Fire Department shall  
4 be responsible only for posting the Statement of Compliance forms on the City website, and the Fire  
5 Department and/or the Department of Building Inspection shall respond to any complaint received by  
6 the respective department pertaining to compliance with this subsection in the case of the Fire  
7 Department, or compliance with Section 908 of the Housing Code in the case of the Department of  
8 Building Inspection. The Departments may also enforce these requirements pursuant to periodic health  
9 and safety inspections required by code.

10 (b) Recordkeeping. The building owner shall maintain written records of inspection and testing,  
11 as specified in NFPA 72, as amended from time to time, until the next test and for one year thereafter.

12 (c) Sticker. The building owner shall place, or shall cause service personnel to place, a sticker  
13 on the exterior of the fire alarm control panel cover that includes the company name, phone number,  
14 and the date of the last inspection or testing.

15 907.8.6. [For SF] Certificated Fire Alarm System for Existing Buildings.

16 Existing buildings are required to have certificated fire alarm systems in accordance with  
17 Section 1103.7.10.

18  
19 **SECTION 912- FIRE DEPARTMENT CONNECTIONS**

20  
21 912.8. Number of connections required.

22 Sprinkler systems requiring a 4-inch (101.6 mm) or larger water service shall have two or more  
23 inlet connections as necessary to meet hydraulic demand.

24  
25 **SECTION 913- FIRE PUMPS**

1  
2 913.2.3. [For SF] Integrity of the fire pump room.

3 The integrity of the fire pump room shall not be compromised. All non-fire pump related  
4 equipment, piping, drains, electrical equipment, and electrical services shall not be routed through or  
5 located within the fire pump room. Examples include, but are not limited to:

6 (1) Non-fire water system piping

7 (2) Domestic water equipment and piping

8 (3) Drain piping

9 (4) HVAC equipment, ducts, fans, and piping

10 (5) Boilers or furnaces, fuel equipment, and piping (unless feeding a diesel fire pump motor)

11 (6) Electrical equipment and service (e.g. transformers and switchgear)

12  
13 **SECTION 914. – FIRE PROTECTION BASED ON SPECIAL DETAILED**  
14 **REQUIREMENTS OF USE AND OCCUPANCY.**

15  
16 The following San Francisco section replace the corresponding California Fire Code sections:

17  
18 914.3.1.1. [For SF] Number of Sprinkler Risers and System Design.

19 Each zone of the sprinkler system shall connect to at least two risers on each floor. Hydraulic  
20 calculations shall be based solely on the riser with the greatest hydraulic demand.

21 914.3.1.2.2. Fire pump drives.

22 The drive for each pump (including power sources, power supply lines, motors or engines, fuel  
23 supplies, and controllers) shall be independent of the drive for the other pump.

24 914.3.1.3. [For SF] Fire Department Connections.

1 A Fire Department connection shall be located on each side of a building that fronts a street,  
2 and shall provide four inlets for each connection.

3 914.3.2.1 [For SF] Integrity of fire water storage tank.

4 The integrity of the fire water storage tank shall not be compromised. Any non-fire water  
5 related system piping, electrical wiring, or drain piping shall not be routed through or located within  
6 the fire water storage tank. Examples include, but are not limited to:

7 (1) Domestic water lines

8 (2) Sanitary sewer lines

9 (3) Electrical conduit

10 914.3.2.2. [For SF] Tank overflow line and drain line routing.

11 The tank overflow line and drain line shall be routed to a remote drain that is designed to  
12 handle the maximum flow without flooding or damaging the fire pump room, its equipment, or any  
13 other room in the building. The routing shall not be located in the fire pump room.

14 914.3.2.2.1. [For SF] Drain ejector pumps (Sump Pumps).

15 Drain ejector pumps shall be permitted to manage fire water tank overflow. Ejector pumps are  
16 only to be used when gravity drainage is not available (CPC 709.1). Where overflow lines route to a  
17 drain-ejector pump, the following shall apply:

18 (1) Redundant or backup drain ejector pump(s) shall be provided.

19 (2) All drain ejector pumps shall be installed in a remote location approved by the Fire  
20 Department, and shall not be located inside or near the fire pump room.

21 (3) All drain ejector pumps shall be sized and rated for the maximum fill flow rate of the water  
22 tank.

23 (4) All drain ejector pumps shall be provided with approved emergency/standby power.

24 (5) All drain ejector pumps shall discharge to a safe location that will not subject any portion  
25 of the building to flooding.

1            914.12. [For SF] Piers.

2            Group A and F occupancies located on piers of combustible construction shall include an  
3 approved installed automatic sprinkler system.

4  
5            **CHAPTER 10 – MEANS OF EGRESS**

6  
7            **SECTION 1010. – DOORS, GATES AND TURNSTILES.**

8  
9            The following San Francisco section replaces the corresponding California Fire Code section:

10  
11           1010.1.2. [For SF] Door Swing

12           Exception 6:

13           In other than Group A, E, H, I, R, and high-rise building occupancies, special purpose  
14 horizontal sliding, accordion, or folding door assemblies complying with Section 1010.1.4.3.

15  
16           The following San Francisco section replaces the corresponding California Fire Code section:

17  
18           1010.1.4.3. [For SF] Special Purpose Horizontal sliding door, accordion or folding doors

19           In other than Group A, E, H, I, R, and high-rise building occupancies, special purpose  
20 horizontal sliding, accordion, or folding door assemblies permitted to be a component of a means of  
21 egress in accordance with Exception 6 of Section 1010.1.2 shall comply with all of the following  
22 criteria:

23  
24           **SECTION 1013. – EXIT SIGNS.**

1           1013.1.1 Fire escape signs. Doorways or other openings leading to a fire escape, except  
2 within individual dwelling units, shall be provided with a sign reading "FIRE ESCAPE" in letters not  
3 less than 6 inches (152 mm) high, in high contrast with the background.

4  
5           **SECTION 1030. – EMERGENCY ESCAPE AND RESCUE.**

6  
7           1030.1.1. [For SF] Direct Access to Public Way

8           When buildings are constructed on lot lines an emergency escape and rescue egress may pass  
9 through the building via an exit passageway (per SFFC Section 1024) with approval from the AHJ.

10  
11           **SECTION 1031. – MAINTENANCE OF THE MEANS OF EGRESS.**

12  
13           1031.2.2. [For SF] Fire Escape Obstructions.

14           Fire escapes and related balconies, ladders, landings, and operating devices shall not be  
15 obstructed in any manner. No object shall be stored on or attached to a fire escape without the  
16 approval of the fire code official.

17  
18  
19           **CHAPTER 11. – CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS.**

20  
21           **SECTION 1101. – [DELETED].**

22  
23           Sections 1101.1 through 1101.4.3 are deleted from the International Fire Code.

24  
25           **SECTION 1102. – [DELETED].**



1  
2 Sections 1102.1 is deleted from the International Fire Code.

3  
4 **SECTION 1103. – FIRE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS.**

5  
6 Sections 1103.1 through 1103.1 and 1103.3 through 1103.4.10 are deleted from the  
7 International Fire Code.

8  
9 The following San Francisco sections replace the corresponding International Fire Code  
10 sections:

11  
12 1103.5. [For SF] Sprinkler Systems.

13 An automatic sprinkler system shall be provided and maintained in accordance with Sections  
14 1103.5.1, 1103.5.2, and 1103.5.3.

15 1103.5.1. [For SF] Automatic Sprinkler System for Existing SRO Hotel Buildings.

16 Every residential hotel building existing on October 16, 2001, that contains twenty (20) or more  
17 guest rooms, as defined in the California Building Code, shall provide and maintain an automatic  
18 sprinkler system installed to comply with San Francisco Ordinance 170-02 throughout the residential  
19 occupancy, including accessory areas. For purposes of this section, "Residential Hotel" means each  
20 and every hotel for which a Certificate of Use for any residential units has been issued pursuant to  
21 Administrative Code Chapter 41. Any Residential Hotel that does not maintain an installed automatic  
22 sprinkler system throughout the residential occupancy is out of compliance and subject to immediate  
23 code enforcement action. The owner shall maintain the sprinkler system in accordance with Title 19 of  
24 the California Code of Regulations.

25 1103.5.2. [For SF] Automatic Sprinkler System for Existing High-Rise Buildings.

1 All existing high-rise buildings shall maintain an automatic sprinkler systems installed to  
2 comply with San Francisco Ordinance 377-93.

3 Exceptions:

4 1. Qualified historical buildings as defined in the California Health and Safety Code  
5 section 18950.

6 2. Apartment houses, condominiums, or other R-2 Occupancies.

7 3. A mixed-use occupancy building containing an R-2 Occupancy.

8 Any existing high-rise not exempted from this section that does not provide an automatic  
9 sprinkler system throughout the residential occupancy is out of compliance and subject to immediate  
10 code enforcement action. The owner shall maintain the sprinkler system in accordance with Title 19 of  
11 the California Code of Regulations.

12 1103.5.3. [For SF] Automatic Sprinkler System for Existing Hotels.

13 All hotels described in San Francisco Ordinance 319-86 shall maintain an automatic sprinkler  
14 system installed to comply with San Francisco Ordinance 319-86 throughout all common areas of the  
15 hotel. Any existing hotel that does not provide an automatic sprinkler system in accordance with the  
16 ordinance is out of compliance and subject to immediate code enforcement action. The owner shall  
17 maintain the sprinkler system in accordance with Title 19 of the California Code of Regulations.

18  
19 Section 1103.7.1 and 1103.7.2 are deleted from the International Fire Code.

20  
21 Sections 1103.7.4 through 1103.7.7 are deleted from the International Fire Code.

22  
23 1103.7.6.1. [For SF] Sleeping Area Requirements.

24 For all buildings that are required to have a fire alarm system under this Code, the Building  
25 Code, the Housing Code or any other law, the building owner shall upgrade the fire alarm system, if

1 necessary, to comply with the sound level requirement for sleeping areas set forth in Section 18.4.5.1 of  
2 NFPA 72 (2013 edition), as amended from time to time, upon either (a) completion of work under a  
3 building permit with a cost of construction of \$50,000 or more or (b) July 1, 2021, whichever occurs  
4 first.

5 1103.7.10. [For SF] Certificated Fire Alarm Systems for Existing Buildings.

6 The fire code official may require owners to obtain a certificate for existing fire alarm systems  
7 based on severity of life safety hazards or problems identified with a system. Occupancies required to  
8 install certificated fire alarm systems are as follows:

- 9 1. Tourist and residential hotels with 20 or more guest rooms or three or more stories in  
10 height.
- 11 2. Apartment houses with 16 or more units.
- 12 3. Public assembly occupancies with an occupant load greater than 300 persons.
- 13 4. Day care facilities with 50 or more occupants.

14  
15 Sections 1104 through 1106 are deleted from the International Fire Code.

16  
17 **CHAPTER 35. – HOT WORK.**

18  
19 **SECTION 3511. – HOT WORK ON PIERS.**

20  
21 3511.1. [For SF] Scope.

22 Burning or hot work conducted on marine terminals, piers, and wharves or moored vessels  
23 shall be in accordance with this section.

24 3511.2 [For SF] Repairs on Vessels.

1           An applicant for a permit to perform hot work on a vessel shall provide a copy of a Marine  
2 Chemist's Certificate authorizing hot work with the permit application. If a permit is issued, the permit  
3 holder shall post a copy of the Certificate in a conspicuous place near the gangway of the vessel under  
4 repair. The permit holder shall perform all work in accordance with NFPA 306, Control of Gas  
5 Hazards on Vessels. Hot work is prohibited while a vessel is fueling, loading or unloading hazardous  
6 materials, or when Class "A" or "B" explosives are on board or within 100 feet (30,480 mm) of the  
7 vessel.

8           3511.3. [For SF] Repairs on Piers.

9           Hot work is prohibited at marine terminals and on piers, wharves, or moored vessels under any  
10 of the following conditions:

11           1. During gas freeing operations;

12           2. Within 100 feet (30,480 mm) of bulk cargo operations involving the loading or unloading of  
13 flammable or combustible materials;

14           3. Within 100 feet (30,480 mm) of fueling (bunkering) operations; and

15           4. Within 100 feet (30,480 mm) of explosives or 50 feet (15 240 mm) of other hazardous  
16 materials.

17           3511.4. [For SF] Requirements for Hot Work.

18           Any person performing hot work shall perform the work in compliance with this code and the  
19 regulations of the U.S. Department of Transportation, U.S. Department of Labor, and U.S. Coast  
20 Guard.

21  
22           **CHAPTER 56. – EXPLOSIVES AND FIREWORKS.**

23  
24           **SECTION 5601. – GENERAL.**

1           The following San Francisco section replaces the corresponding International Fire Code  
2 section:

3  
4           5601.2. [For SF] Permit Required for Explosives, Explosive Materials, Fireworks, and  
5 Pyrotechnics.

6           No person may manufacture, assemble, test, use, possess, handle, store, or sell explosives,  
7 explosive materials, fireworks, and pyrotechnic materials within the City and County unless the person  
8 has obtained a permit from the fire code official.

9  
10           The following San Francisco section replaces the corresponding International Fire Code  
11 section:

12  
13           5601.2.4. [For SF] Financial Responsibility and Insurance.

14           Before a permit is issued to use explosives, explosive materials, fireworks, or pyrotechnic  
15 special effects, the applicant shall submit to the fire code official a certificate evidencing Commercial  
16 General Liability insurance with limits not less than \$1,000,000 each occurrence, \$2,000,000 general  
17 aggregate, combined single limit for bodily injury and property damage, including coverage for  
18 Contractual Liability, independent contractors, Explosion, Collapse, and Underground (XCU),  
19 Personal Injury, Broadform Property Damage, products, and completed operations, along with an  
20 additional insured endorsement naming the City and County of San Francisco, its officers, agents and  
21 employees as an additional insured. The insurance policy and endorsement shall be from an insurer  
22 approved by the City's Risk Manager and in a form approved by the Risk Manager. In consultation  
23 with the Risk Manager, the fire code official may specify a greater or lesser amount for the policy  
24 when, in the fire code official's opinion, conditions at the location of use indicate a greater or lesser  
25 amount is required.

1 Exception: Government entities are exempt from this requirement.

2 **CHAPTER 81. [For SF] – PARKING LOTS AND GARAGES.**

3  
4 This Chapter does not exist in the California Fire Code or International Fire Code.

5  
6 **SECTION 8101. – [For SF] SCOPE.**

7  
8 Premises used for parking of motor vehicles and classified as Group S, Division 2 occupancies  
9 or as a parking lot shall be in accordance with Chapter 81. See the Building Code for construction  
10 requirements. Garages used to service or repair motor vehicles shall comply with Chapter 23.

11  
12 **SECTION 8102. – [For SF] DEFINITIONS.**

13  
14 PARKING LOTS AND GARAGES are lots and garages where the operator charges a fee for the  
15 storage of motor vehicles. Parking lots shall include those premises that are open to the sky.

16  
17 **SECTION 8103. – [For SF] GENERAL REQUIREMENTS.**

18  
19 8103.1. [For SF] Aisles.

20 A parking lot or garage shall include at least one aisle with a minimum width of 30 inches (762  
21 mm) and arranged to provide access to all portions of the parking lot or garage.

22  
23 8103.2. [For SF] Exit Width.

24 Vehicle exits and entrances shall be at least 15 feet (4572 mm) wide.

25 8103.3. [For SF] Vehicle Barriers.

1           The operator of a parking lot or garage shall install approved vehicle barriers to prevent  
2 encroachment on any public right of way and to prevent damage to adjoining property.

3           8103.4. [For SF] Illumination.

4           The operator of a parking lot shall illuminate the entire lot with light having intensity of not less  
5 than 1 foot-candle (10.76 lx) at the pavement.

6           8103.5. [For SF] Sign.

7           The operator of any unattended parking lot shall post a sign in a conspicuous location, stating  
8 the name and telephone number of the operator.

9           8103.6. [For SF] Vehicle Servicing.

10           Service or repair of motor vehicles is prohibited in parking lots.

11  
12           **APPENDIX D. – FIRE APPARATUS ACCESS ROADS.**

13           Section D105 of the California Fire Code is adopted

14  
15           Section 5. Abatement.

16           Nothing contained in this ordinance shall be construed as abating any action now  
17 pending under or by virtue of any ordinance of the City herein repealed; or as discontinuing,  
18 abating, modifying, or altering any penalties accruing, or to accrue, or as waiving any right of  
19 the City under any ordinance in force at the time of enactment of this ordinance regulating the  
20 hazards of fire and explosion arising from the storage, handling, and use of hazardous  
21 substances, materials, and devices, or from conditions hazardous to life or property in the use  
22 or occupancy of buildings or premises.

23  
24           Section 6. Severability.

1           If any section, subsection, sentence, clause, phrase, or word of this ordinance, or any  
2 application thereof to any person or circumstance, is held to be invalid or unconstitutional by a  
3 decision of a court of competent jurisdiction, such decision shall not affect the validity of the  
4 remaining portions or applications of the ordinance. The Board of Supervisors hereby  
5 declares that it would have passed this ordinance and each and every section, subsection,  
6 sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to  
7 whether any other portion of this ordinance or application thereof would be subsequently  
8 declared invalid or unconstitutional.

9  
10           Section 7. Effective and Operative Dates.

11           This ordinance shall become effective 30 days after enactment. Enactment occurs  
12 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
13 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
14 Mayor's veto of the ordinance.

15           The operative date of Section 4 of this ordinance shall be January 1, 2017, consistent  
16 with the operative date of the 2016 California Fire Code.

17  
18  
19 APPROVED AS TO FORM:  
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