

1 [Building Code - Registration of Vacant/Abandoned Buildings; Annual Fee and Penalties for  
2 Violation.]

3 **Ordinance amending the San Francisco Building Code by adding Section 103A.4 to**  
4 **require the owner of a vacant or abandoned building to register the building with the**  
5 **Department of Building Inspection, require the owner to maintain the grounds and the**  
6 **exterior and interior of the building in good condition, and provide that a property in**  
7 **violation of the requirements is a public nuisance; and by amending Section 110, Table**  
8 **1A-J to establish an annual registration fee; adopting environmental and other**  
9 **findings.**

10 NOTE: Additions are *single-underline italics Times New Roman*;  
11 deletions are *strike-through italics Times New Roman*.  
12 Board amendment additions are double-underlined;  
Board amendment deletions are ~~strikethrough-normal~~.

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

14 Section 1. Findings.

15 (a) Environmental Findings. The Planning Department has determined that the  
16 actions contemplated in this Ordinance are in compliance with the California Environmental  
17 Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is  
18 on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is  
19 incorporated herein by reference.

20 (b) General Findings.

21 (1) Abandoned or vacant buildings are a major cause and source of blight in both  
22 residential and nonresidential neighborhoods, especially when the owner of the property fails  
23 to actively maintain and manage it.  
24  
25

1 (2) Boarded buildings, substandard or unkempt properties, and long-term vacancies  
2 discourage economic development, lower property values or retard their appreciation, and  
3 constitute a public nuisance.

4 (3) Vacant properties are often overgrown with weeds and other vegetation, used  
5 as a dumping ground for debris, toxic or other hazardous substances, and used drug needles.  
6 Blighted vacant properties also attract vagrants, gang members, and other criminal elements  
7 as prime locations to conduct their illegal activities.

8 (4) When the owner of a vacant or abandoned building allows the building to  
9 deteriorate to such an extent that the building must be demolished, persons and neighboring  
10 properties could be endangered. In these circumstances, the owner of the building can often  
11 evade Planning Code notice and hearing procedures that would otherwise be required, and  
12 the neighborhood and the City as a whole lose an important and sometimes historically  
13 significant resource.

14 Section 2. The San Francisco Building Code is hereby amended by adding Section  
15 103A.4, to read as follows:

16 103A.4. Vacant or Abandoned Buildings – Annual registration; registration fee.

17 Whenever the Building Official has probable cause to believe that a building is vacant or  
18 abandoned, the Building Official shall serve the owner of record, as shown on the Assessor's Records,  
19 or authorized agent with a written notice requiring the owner to register the building with the  
20 Department as vacant or abandoned within the period of time specified in the notice. A registration fee  
21 shall be paid at the time of registration and annually thereafter. See Section 110A, Table 1A-J for  
22 applicable fee.

23 For purposes of this Section 103A.4, a building shall not be considered vacant if:  
24  
25

1           (1) There is a valid building permit for repair, rehabilitation, or construction of a building  
2 on the parcel and the owner is progressing diligently to complete the repair, rehabilitation, or  
3 construction;

4           (2) The building complies with all codes, does not contribute to blight, is ready for  
5 occupancy, and is actively being offered for sale, lease, or rent.

6           103A.4.1 Sign posting. The owner of record of the vacant building is required to post a sign at  
7 the front of the building, in a conspicuous location protected from the weather, that provides the  
8 current name, address, and phone number of the owner of record or an authorized agent. If a notice of  
9 default or foreclosure has been recorded for the property, the lender's name, address, and telephone  
10 number must also be provided. The sign shall be no smaller than 8 1/2 inches by 11 inches.

11           104A.4.2 Maintenance of property - exterior. The property owner shall actively maintain and  
12 monitor the exterior of the building and the grounds so that they remain in continuing compliance with  
13 all applicable codes and regulations, and do not contribute to and are not likely to contribute to blight.  
14 Active maintenance and monitoring shall include, but not be limited to:

15           (1) Maintenance of landscaping and plant materials in good condition;

16           (2) Regular removal of all exterior trash, debris, and graffiti .

17           (3) Maintenance of the exterior of the building in a good condition that is structurally safe  
18 and preserves the physical integrity of the structure, including but not limited to paint and finishes,  
19 foundation, roof, chimneys, flues, gutters, downspouts, scuppers, flashing, exterior stairs and decks.

20           (4) Prevention of criminal activity on the premises and trespass by unauthorized persons.

21           104A.4.3 Maintenance of property – interior. The property owner shall preserve the interior of  
22 the building from damage by the elements or plumbing leaks, and keep it free from accumulation of  
23 garbage and other debris, and from infestation by rodents, insects, or other pests.

24           104A.4.4 Security. The building shall be secured against unauthorized entry. For the first  
25 year, doors, windows, and other openings may be secured with plywood panels. After the first year,

1 plywood panels must be replaced with steel security panels or secured doors and windows, and the  
2 property owner shall install a commercially-serviced, 24-hour burglar alarm system approved by the  
3 Director.

4 104A.4.5 Insurance. The owner of record shall maintain fire and liability insurance coverage  
5 in an amount that the Building Official, in consultation with the City's Risk Manager, determines is  
6 sufficient to protect the property under standard insurance industry practices. Proof of insurance shall  
7 be required at the time of the initial and annual registration with the Department, and the insurance  
8 policy shall require notice to the Department in the event of cancellation of insurance or a reduction in  
9 coverage.

10 104A.4.6 Violation a public nuisance; enforcement. A property in violation of the provisions of  
11 this section is deemed to be a public nuisance and subject to enforcement by the Department and  
12 penalties under Section 102A and 103A of this Code or under other applicable sections of the San  
13 Francisco Municipal Code.

14 Section 3. The San Francisco Building Code is hereby amended by amending Section  
15 110, Table 1A-J, to read as follows:

16 TABLE 1A-J – MISCELLANEOUS FEES

17 1. Central Permit Bureau Processing Fee for	Standard Administrative Hourly Rate –
18 Miscellaneous Permits from other disciplines	Minimum One-Half Hour
19 2. Building numbers (each entrance)	\$210.00
20 3. Extension of time: application cancellation and	
21 permit expiration:	
22 Each application extension (in plan review)	\$160.00 plus 20% of All Plan Review
23	Fees
24 Each permit extension	\$160.00 plus 10% of all Permit
25	Issuance Fees

1 4. Product approvals

2 General approval – initial or reinstatement

Standard Hourly Plan Review Rate –

3 Minimum Three Hours

4 General approval – modification or revision

Standard Hourly Plan Review Rate –

5 Minimum Three Hours

6 General approval – biannual renewal

Standard Hourly Plan Review Rate –

7 Minimum Three Hours

8 5. Vacant building –initial and annual registration fee

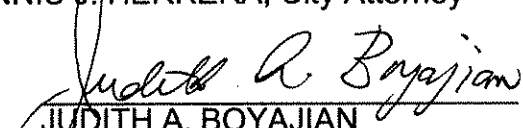
Standard Inspection Hourly Rate –

9 Minimum Six Hours

10 Section 4. Statement of General Welfare. In undertaking the enforcement of this  
11 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not  
12 assuming, or is it imposing on its officers and employees, an obligation for breach of which it  
13 is liable in money damages to any person who claims that such breach proximately caused  
14 injury.

15 APPROVED AS TO FORM:  
16 DENNIS J. HERRERA, City Attorney

17 By:

  
18 JUDITH A. BOYAJIAN  
19 Deputy City Attorney

