

FILE NO. 020155

ORDINANCE NO. 214-02

1 [Multiple languages in Building and Planning Code neighborhood notices.]

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3 Ordinance amending the San Francisco Building Code by adding Sections 104.6 through
4 104.6.3 and amending the San Francisco Planning Code by adding Section 306.10 to require
5 publication of a cover sheet with neighborhood notices advising how to request information
6 about the notices in multiple languages and making findings.

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~striketrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

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

11 Section 1. The San Francisco Building Code is hereby amended by adding Section
12 104.6, to read as follows:

13 Sec. 104.6 Multiple Languages in Notices

14 Sec. 104.6.1 Definitions. For the purposes of this section, the following definitions shall
15 apply:

16 DEDICATED TELEPHONE NUMBER means a telephone number for a recorded message in a
17 Language of Limited English Proficient Residents. The recorded message shall advise callers as to
18 what information they should leave on the message machine so that the Department may return the call
19 with information about the notice in the requested language.

20 LANGUAGE OF LIMITED ENGLISH PROFICIENT RESIDENTS means each of the two
21 languages other than English spoken most commonly by San Francisco residents of limited English
22 proficiency as determined by the Planning Department based on its annual review of United States
23 census and other data as required by San Francisco Administrative Code Section 91.2(j).

24 Sec. 104.6.2 Applicability of Multiple Language Requirement. The requirements of Section
25 104.6.3 shall apply to the following notices:

Supervisor Yee, Supervisor Sandoval, Supervisor Gonzalez
BOARD OF SUPERVISORS

- 1 1. Notices required by Section 103.3.3 that are mailed or personally served..
- 2 2. Notices required by Section 106.3.2.2.1.
- 3 3. Notices required by Section 106.3.2.3.
- 4 4. Notices required by Section 106.4.6, subsection 2.
- 5 5. Notices required by Section 106.4.6, subsection 3.
- 6 6. Notices required by Section 3408.3.2.
- 7 7. Any other notices required by the Building Code to be mailed or personally served to
- 8 property owners or occupants adjacent to or near a property for which Building Department
- 9 development approval is sought.

10 Sec. 104.6.3. Multiple Language Statement in Notices. The Building Department shall prepare
11 a cover sheet as specified below and include it with each notice of the type listed in Section 104.6.2 that
12 is mailed or personally served. For posted notices listed in Section 104.6.2, the Department shall post
13 the cover sheet next to the posted notice. The cover sheet shall contain the following statement, printed
14 in each Language of Limited English Proficient Residents and, to the extent available Department
15 resources allow, such other languages that the Department determines desirable, with the name of the
16 language in which the statement is made, the time period for a decision on the matter and the
17 Dedicated Telephone Number for the language of the statement inserted in the appropriate blank
18 spaces:

19 "The attached notice is provided under the Building Code. It concerns property located
20 at the address shown on the attached notice. A hearing may occur, a right to request
21 review may expire or a development approval may become final unless appealed within
22 [insert days until a hearing or deadline for requesting review or appealing a decision].
23 To obtain information about this notice in [insert name of language] please call [insert
24 Dedicated Telephone Number]. Please be advised that the Building Department will
25 require at least one business day to respond to any call. Provision of information in

1 [insert name of language] is provided as a service by the Building Department and does
2 not grant any additional rights or extend any time limits provided by applicable law.”

3 The Department shall maintain a Dedicated Telephone Number for each Language of Limited
4 English Proficient Residents. The Department shall place a return telephone call by the end of the
5 following business day to each person who leaves a message concerning a neighborhood notice at a
6 Dedicated Telephone Number and when the caller is reached, provide information to the caller about
7 the notice in the language spoken by the caller.

8 Section 2. The San Francisco Planning Code is hereby amended by adding Section
9 306.10 to read as follows:

10 **SEC. 306.10. MULTIPLE LANGUAGE REQUIREMENT FOR NOTICES.**

11 **(a) Applicability.** In addition to the notice requirements set forth elsewhere in this Code, the
12 requirements of this section shall apply to the mailed notices that are required by the following sections
13 of the Planning Code: Sections 228.4(c), 304.5(d), 306.3, 306.7(g), 306.9(c), 309(c) through 309(h),
14 311, 312., 313.4(b), 314.4(a), 316.3(d), 330.7, and any other section of the Planning Code that requires
15 a notice to be mailed or personally served to property owners or occupants adjacent to or near a
16 property for which Planning Department development approval is sought.

17 **(b) Definitions.** The following definitions shall apply for the purposes of this section:

18 **(1) Dedicated Telephone Number means a telephone number for a recorded message in a**
19 **Language of Limited English Proficient Residents. The recorded message shall advise callers as to**
20 **what information they should leave on the message machine so that the Department may return the call**
21 **with information about the notice in the requested language.**

22 **(2) Language of Limited English Proficient Residents means each of the two languages other**
23 **than English spoken most commonly by San Francisco residents of limited English proficiency as**
24 **determined by the Planning Department based on its annual review of United States census and other**
25 **data as required by San Francisco Administrative Code Section 91.2(j).**

1 (c) Multiple Language Statement in Notices. The Planning Department shall prepare a
2 cover sheet as specified below and include it with each notice of the type listed in subsection (a). The
3 cover sheet shall contain the following statement, printed in each Language of Limited English
4 Proficient Residents and, to the extent available Department resources allow, such other languages
5 that the Department determines desirable, with the name of the language in which the statement is
6 made, the time period for a decision on the matter and the Dedicated Telephone Number for the
7 language of the statement inserted in the appropriate blank spaces:

8 “The attached notice is provided under the Planning Code. It concerns property located
9 at the address shown on the attached notice. A hearing may occur, a right to request
10 review may expire or a development approval may become final unless appealed within
11 [insert days until a hearing or deadline for requesting review or appealing a decision].
12 To obtain information about this notice in [insert name of language], please call [insert
13 Dedicated Telephone Number] . Please be advised that the Planning Department will
14 require at least one business day to respond to any call. Provision of information in
15 [insert name of language] is provided as a service by the Planning Department and does
16 not grant any additional rights or extend any time limits provided by applicable law.”

17 The Department shall maintain a Dedicated Telephone Number for each Language of Limited
18 English Proficient Residents. The Department shall place a return telephone call by the end of the
19 following business day to each person who leaves a message concerning a neighborhood notice at a
20 Dedicated Telephone Number, and when the caller is reached, provide information to the caller about
21 the notice in the language spoken by the caller.

22 Section 3. Findings.

23 The Board of Supervisors finds that this ordinance will serve the public necessity,


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convenience and welfare by making public notices provided to neighbors of a proposed development project more accessible to non-English speaking residents of San Francisco.

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

By: 
ELAINE C. WARREN
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 020155

Date Passed:

Ordinance amending San Francisco Building Code by adding Sections 104.6 through 104.6.3 and amending the San Francisco Planning Code by adding Section 306.10 to require publication of a cover sheet with neighborhood notices advising how to request information about the notices in multiple languages and making findings.

October 7, 2002 Board of Supervisors — CONTINUED ON FIRST READING

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin,
Sandoval

Absent: 2 - McGoldrick, Yee

October 15, 2002 Board of Supervisors — PASSED ON FIRST READING

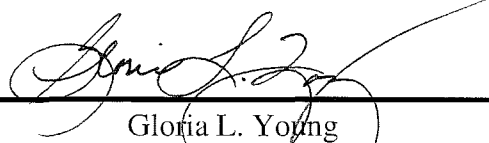
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval, Yee

October 21, 2002 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval, Yee

File No. 020155

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on October 21, 2002
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

NOV 01 2002

Date Approved



Mayor Willie L. Brown Jr.