Ordinance amending the Building Code Section 102A.3 to assess a monthly monitoring fee for specified unsafe buildings; Table 1A-D concerning inspector fees; Table 1A-K concerning violation monitoring fees; and Table 1A-L concerning printing and document reproduction fees; and adopting environmental findings.

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

Section 1. (a) On August 19, 2009, at a duly noticed public hearing, the Building Inspection Commission considered this legislation.

(b) The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 100723 and is incorporated herein by reference.

Section 2. The San Francisco Building Code is hereby amended by amending Sections 102A.3, Table 1A-D, Table 1A-K, and Table 1A-L, to read as follows:

Section 102A.3 Inspections and Complaints. The Building Official is hereby authorized to inspect or cause the inspections of any building, structure, or property for the purpose of determining whether or not it is unsafe in any of the following circumstances:

1. Whenever the Building Official, with reasonable discretion, determines that such inspection is necessary or desirable.
2. Whenever any person files with the Building Official a complaint from which there is, in the Building Official’s opinion, probable cause to believe the building, structure or property or any portion thereof, is unsafe.

3. Whenever an agency of Department of the City and County of San Francisco transmits to the Building Official a written report from which there is, in the opinion of the Building Official, probable cause to believe that the building, structure or property, or any portion thereof, is unsafe.

Upon the completion of any such inspection and the finding by the Building Official of any condition which renders the building, structure, or property unsafe, and a failure or refusal of the owner to apply for a building permit within 30 days of the notification of such finding of any condition, the Building Official shall, within 10 days thereafter, serve a written notice of violation upon the building owner which shall contain specific allegations, setting forth each condition the Building Official has found which renders the building, structure, or property unsafe. The Building Official shall, within three days of mailing of such notice of violation, post a copy thereof in a conspicuous place in or upon such building, structure or property and provide make available a copy of the notice of violation to each tenant thereof. Such notice shall also set forth the penalties for violation prescribed in Section 103A of this code. In addition to the civil penalties prescribed in Section 103A, the Department’s cost of preparation for and appearance at the hearing required by Section 102A.4 and all prior and subsequent attendant administrative costs, shall be assessed upon the property owner monthly after failure to comply with the written notice of violation that has been served upon the property owner. Said violation will not be deemed legally abated until the property owner makes full payment of the assessment of costs to the Central Permit Bureau Department of Building Inspection. See Section 110A, Table 1A-D – Standard Hourly Rates and Table 1A-K – Penalties, Hearings, Code
Enforcement Assessments- for the applicable rates. Failure to pay the assessment of costs shall result in tax lien proceedings against the property per Section 102A.18.

TABLE 1A-D - STANDARD HOURLY RATES

1. Plan Review $187.00 per hour
2. Inspection $170.00 per hour, $180.00 per hour for OSHPD inspection
3. Administration $104.00 per hour, with a minimum charge of $52.00 for 30 minutes or less

TABLE 1A-K PENALTIES, HEARINGS, CODE ENFORCEMENT ASSESSMENTS

1. Abatement Appeals Board hearing, filing fee $170.00 per case
2. Board of Examiners filing fees:
   - Each appeal for variance from interpretation of Standard Hourly Plan Review Rate - code requirements Minimum Two Hours
   - Each appeal for approval of substitute materials or methods of construction Standard Hourly Plan Review Rate - Minimum Four Hours
3. Building Official's abatement orders Standard Hourly Plan Review Rate - Minimum Two Hours
4. Emergency order Standard Hourly Plan Review Rate - Minimum Two Hours
5. Exceeding the scope of the approved permit 2 times the issuance fee

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6. Access Appeals Commission:
   - Filing fee
   - Request for a rehearing
   - Standard Hourly Plan Review Rate - Minimum Two Hours per appeal

7. Lien recordation charges
   - $187.00 or 10 percent of the amount of the unpaid balance, including interest, whichever is greater.

8. Work without permit: investigation fee:
   - Building, Electrical, Plumbing or Mechanical Code violations
   - 9 times the Permit Issuance Fee plus the original permit fee

9. Building Inspection Commission hearing fees:
   - Notice of appeal
   - Request for jurisdiction
   - Request for rehearing
   - Standard Hourly Plan Review Rate - Minimum Four Hours

10. Additional Hearings required by Code
    - Standard Hourly Plan Review Rate - Minimum Four Hours

11. Violation Monitoring Fee (in-house)
    - Standard Administration Hourly Rate -
**TABLE 1A-L - PUBLIC INFORMATION**

1. Public notification and record keeping fees:
   - Structural addition notice
     - Standard Administration Hourly Rate - Minimum One-Half Hour
   - Affidavit record maintenance
     - $15.00
   - Posting of notices (change of use)
     - Standard Administration Hourly Rate - Minimum One-Half Hour
   - Requesting notice of permit issuance (each address) per year
     - Standard Administration Hourly Rate - Minimum One-Half Hour
   - 30-inch by 30-inch (762 mm by 762 mm) sign
     - $15.00

2. Demolition:
   - Notice of application and permit issuance by area/interested parties:
     - 1 area (1 area = 2 blocks)
     - $104.00 per annum

3. Notices:
   - 300-foot (91.44 m) notification letters
     - Standard Administration Hourly Rate - Minimum One and One-Half Hour
   - Residential tenants notification
     - Standard Administration Hourly
Rate - Minimum One-Half Hour

4. Reproduction and dissemination of public information:

Certification of copies:

1-10 pages $15.00

Each additional 10 pages or fraction thereof $3.50

Electrostatic reproduction:

Each page photocopy $0.10

35mm duplicards from roll film (Diazot card) $3.50

Microfilm hard Hard copy Prints:

8 ½ inch by 11 inch (215.9 mm by 279.4 mm) copy from

16mm roll film copy from microfilm roll $3.50

24 inch by 18 inch (609.6 mm by 457.2 mm) copy $5.00

from 35mm roll film

"Half-sized" copy from 35 mm roll film $6.00

8 ½ inch by 11 inch (215.9 mm by 279.4 mm) copy

from 16mm frame in aperture card or microfiche

jacket $3.00

Minimum microfilm reproduction charge $6.50

11 inch by 17 inch copy of plans $5.25

8 ½ inch by 11 inch copy from aperture cards, electronic copies of building records (scanned or computer generated) $3.00

5. Replacement of approved construction documents:
Section 3. This Section is uncodified. The fees set forth herein shall apply to all permits and permit applications that have not been deemed complete for building plan review by the Department of Building Inspection on or after the effective date of this Ordinance.

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

By: John D. Malamut
Deputy City Attorney
Ordinance amending the Building Code, Chapter 1A, to amend Section 102A.3 to assess a monthly monitoring fee for specified unsafe buildings; Table 1A-D concerning inspector fees; Table 1A-K concerning violation monitoring fees; and Table 1A-L concerning printing and document reproduction fees; and adopting environmental findings.

June 29, 2010 Board of Supervisors - PASSED, ON FIRST READING
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

July 13, 2010 Board of Supervisors - FINALLY PASSED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100723 I hereby certify that the foregoing Ordinance was FINALLY PASSED on 7/13/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board

Mayor Gavin Newsom Date Approved