

# CHAPTER 1

## SAN FRANCISCO GENERAL CODE PROVISIONS

*The following sections supplement, modify, amend or delete specified provisions of the California Fire Code and the 2009 International Fire Code, as follows:*

### DIVISION 1 SAN FRANCISCO ADMINISTRATION

*The following San Francisco section replaces the corresponding California Fire Code section.*

#### 1.1.1 [For SF] Title.

These regulations shall be known as the 2010 San Francisco Fire Code, may be cited as such, and will be referred to herein as "this code." This code incorporates by reference the 2010 California Fire Code (Title 24, California Code of Regulations, Part 9) including appendices adopted by the State. In addition, this code incorporates by reference those portions of the 2009 International Fire Code that were not adopted by the California Building Standards Commission in the California Fire Code, except those portions of the 2009 International Fire Code that are expressly deleted, modified or amended herein. In addition, San Francisco specifically adopts the following appendices of the 2009 International Fire Code: Appendix D, Section D105 as amended; and Appendix I in its entirety.

#### 1.1.2.1 [For SF] Promotion of General Welfare.

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

#### 1.1.8.2 [For SF] Adoption of New Code.

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

## DIVISION II ADMINISTRATION

### PART 1 GENERAL PROVISIONS

*Section 101 is deleted.*

*Sections 102.6 through 102.8, and 102.10 through 102.12 are deleted.*

*Sections 103.1 through 103.3 are deleted.*

## SECTION 104-GENERAL AUTHORITY AND RESPONSIBILITIES

#### 104.1.1 [For SF] Administrative Bulletins.

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

#### 104.1.2 [For SF] New Administrative Bulletins; revisions to existing Administrative Bulletins.

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

#### 104.5.1 [For SF] Unauthorized tampering.

No person shall remove, obscure, mutilate, destroy or tamper with signs, tags or seals posted or affixed by the fire code official without authorization from the fire code official.

#### 104.6.2.1 [For SF] Photographs.

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

#### 104.10.2 [For SF] Photographs.

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

#### 104.10.3 [For SF] Reward.

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

## SECTION 105-PERMITS

*The following San Francisco section replaces the corresponding California Fire Code section.*

#### 105.1.1 [For SF] Permits required.

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

*The following San Francisco section replaces the corresponding International Fire Code section.*

**105.1.3 [For SF] Permits for the same location.**

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

*The following San Francisco section replaces the corresponding California Fire Code section.*

**105.2.3 [For SF] Time limitation of application.**

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

**105.2.5 [For SF] Hearing for certain permits.**

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

*The following San Francisco section replaces the corresponding International Fire Code section.*

**105.3.1 [For SF] Expiration.**

An operational permit shall remain in effect until re-issued, renewed, or revoked or for such a period of time as specified in the permit. Construction permits shall be administered through the San Francisco building permit process in accordance with the San Francisco Building Code. Permits are not transferable and a new permit is required for any change in occupancy, operation, tenancy, or ownership.

**105.3.9 [For SF] License.**

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

*EXCEPTION:* Permits for permitted activities occurring on Port of San Francisco property are administered separately.

*The following San Francisco section replaces the corresponding California Fire Code section.*

**105.4.1 [For SF] Submittals.**

Construction permit applicants shall submit documents and supporting data in accordance with procedures established in the 2010 San Francisco Building Code and San Francisco Fire Department Administrative Bulletins when applicable.

*The following San Francisco section replaces the corresponding California Fire Code section.*

**105.4.6 [For SF] Retention of construction documents.**

The Building Official shall be the custodian of approved construction documents in accordance with procedure established in the San Francisco Building Code.

*The following San Francisco section replaces the corresponding California Fire Code section.*

**105.6.23 [For SF] Hot work operations.**

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

1. Public exhibitions and demonstrations where hot work is conducted.
  2. Use of portable hot work equipment inside a structure.
- Exception:* Work that is conducted under a construction permit.
3. Fixed-site hot work equipment such as welding booths.
  4. Hot work conducted within a wildfire risk area.
  5. Application of roof coverings and any other associated work while roofing or waterproofing the exterior surfaces of a building with the use of an open-flame device.

6. When approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employee or hot work operations under their supervision.

*The following San Francisco section replaces the corresponding International Fire Code section.*

**105.6.27 [For SF] LP-gas.**

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

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

*The following San Francisco section replaces the corresponding International Fire Code section.*

**105.6.31 [For SF] Open flame and torches.**

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

**105.6.48. [For SF] Battery systems.**

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

#### **105.7.15 [For SF] Car stacking parking systems.**

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

#### **105.7.16 [For SF] Radio coverage systems.**

A construction permit is required to install emergency responder radio coverage systems.

*Section 107.5 is deleted.*

*Section 108 is deleted.*

*Section 109 of the California Fire Code is deleted and replaced with the following San Francisco section.*

### **SECTION 109-VIOLATIONS**

#### **109.1 [For SF] Unlawful acts.**

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

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

#### **109.2 [For SF] Person responsible.**

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

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

(c) The person responsible for a violation of Section 107.6 or Section 1030.2 of this code is the owner of the business operating at the building or premises.

#### **109.3 [For SF] Remedies available.**

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

#### **109.4 [For SF] Notice of violation.**

(a) When the fire code official finds a building, occupancy, premises, system, or vehicle, or any portion thereof, that is in violation of this code, the fire code official may prepare a written notice of violation, which shall identify the code sections violated, describe the violation, and where applicable require correction of the violation. When correction is not immediate, the notice of violation shall specify a time for compliance and re-inspection.

(b) When the fire code official finds a person performing any activity requiring a permit under this code without the required permit, or conducting an activity in violation of conditions set in a permit issued under this code, the fire code official may prepare a written notice of violation, which shall identify the code sections violated and describe the violation. In addition, the fire code official may issue a stop work order under Section 111 of this code, requiring the person to immediately cease performing the activity.

##### **109.4.1 [For SF] Service of notice of violation.**

(a) When a notice of violation pertains to a specific building, occupancy, premises, system, or vehicle, the fire code official shall serve the notice of violation upon the owner of the building, occupancy, premises, system, or vehicle as follows: by personal service or by regular U.S. mail and certified or registered mail, or by leaving it with a person of responsibility at the building or premises.

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

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

##### **109.4.2 [For SF] Re-inspection fee.**

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

##### **109.4.3 [For SF] Hearing on notice of violation.**

(a) If the person responsible to correct a violation fails to do so within the time period specified in the notice of violation, the fire code official may set the matter for hearing.

(b) *Notice of hearing.* If the fire code official determines to set the matter for hearing, the fire code official shall serve a notice of hearing that provides at least 30 days notice of the hearing. The notice shall include the following information: (1) the street address of the building, occupancy, premises, or system that is in violation of the code, or the date and location of any activity conducted without a required permit or in violation of permit conditions; (2) the date, hour and place of the hearing; (3) a statement that the hearing is an opportunity to appear before the fire code official to show cause why the fire code official should not order the building, occupancy, premises, or system repaired or altered to be brought into compliance with code, or vacated or demolished, or require a permit or compliance with permit requirements, (4) a warning that describes the penalties for violation as set forth in subsection (k) below and Section 109.4.4, and (5) a copy of the

notice of violation.

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

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

(e) *[Reserved.]*

(f) *Hearing.* The fire code official or designee shall conduct a public hearing on the matter, at the date, time and location specified in the notice of hearing. The fire code official or designee may continue the hearing for good cause, except that any continuance shall not exceed 30 days and only one continuance is allowed. Subject to any procedures prescribed by the fire code official for the orderly conduct of the hearing, the fire code official may permit persons with an interest in the building, occupancy, premises, or system, or with knowledge of facts material to the allegations of the notice of violation to present evidence for the fire code official to consider. The fire code official may promulgate procedures for appeal hearings after a noticed public hearing.

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

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

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

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

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

**109.4.4 [For SF] Civil action and penalties.**

Any person violating this code, or who violates, disobeys, omits, neglects or refuses to comply with any notice of violation or decision and order under this code, shall be liable for a civil penalty of up to \$1,000 for each day the violation is committed or permitted to continue, in addition to attorney's fees and costs, which penalty shall be assessed and recovered in a civil action brought by the City and County of San Francisco in any court of competent jurisdiction. In assessing the amount of the civil penalty, the court shall consider any one or more of the relevant circumstances presented by any of the parties to the case, including but not limited to, the following: the nature and seriousness of the misconduct, the number of violations, the persistence of the misconduct, the length of time over which the misconduct occurred, the willfulness of the defendant's misconduct, and the defendant's asset's, liabilities and net worth. Any penalties imposed pursuant to this section shall be paid to the City Treasurer and credited to the Fire Department. The remedies in this Section are in addition to any other remedies provided by law. No provision in this Section shall preclude prosecution of actions for criminal penalties concurrently, sequentially or individually.

**109.4.5 [For SF] Presumption of noncompliance.**

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

**109.5 [For SF] Administrative citations.**

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

**109.5.1 [For SF] City employees who may issue administrative citations.**

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

**109.5.2 [For SF] Fines for administrative citations for specific code violations.**

The fine for violation of Sections 105.1.1, 107.6, 111.4, 907.8.4 and 1030.2 of this code shall be \$1000.

**109.5.3 [For SF] Allocation of administrative citation fines.**

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

**109.6 [For SF] Criminal charges.**

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

**109.7 [For SF] Designated officers and employees.**

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

Classification No.	Class Title
H-51	Assistant Deputy Chief II
H-50	Assistant Chief
H-40	Battalion Chief
H-32	Captain Division of Fire Prevention and Investigation
H-30	Captain
H-24	Lieutenant Bureau of Fire Investigation
H-22	Lieutenant Bureau of Fire Prevention
H-20	Lieutenant
H-10	Chief's Aide
H-6	Investigator
H-4	Fire Inspector
6281	Fire Safety Inspector II
5215	Fire Protection Engineer

**109.8 [For SF] Civil action to recover costs.**

Under California Health and Safety Code Section 13009, any person who negligently, or in violation of the law, sets a fire, allows a fire to be set, or allows a fire kindled or attended by him or her to escape onto any public or private property is liable for the fire suppression costs incurred in fighting the fire and for the cost of providing rescue or emergency medical services, and those costs shall be charged against that person. The City and County of San Francisco may initiate a civil action in any court of competent jurisdiction to recover all amounts authorized under Health and Safety Code Section 13009 and Section 13009.1. Any amounts recovered shall be paid to the City Treasurer and credited to the Fire Department.

**SECTION 111-STOP WORK ORDER**

*The following San Francisco section replaces the corresponding California Fire Code section.*

**111.4 [For SF] Failure to comply.**

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

**SECTION 112-SERVICE UTILITIES**

*The following San Francisco section replaces the corresponding International Fire Code section.*

**112.1 [For SF] Authority to disconnect service utilities.**

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

**SECTION 113-FEES**

*The following San Francisco section 113 replaces the corresponding International Fire Code section 113.*

**113.1 [For SF] General.**

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

**113.2 [For SF] Operational permit filing fees.**



The filing fee for operational permits is set forth in Table 113-A. Inspections necessary for permit issuance that require more than two hours to complete shall be subject to an additional fee of \$110.00 for each hour. The Fire Department shall not issue a permit until the fees are paid.

**113.2.1 [For SF] Consolidation of permits fee.**

The fee for consolidation of operational permits is \$90.00 for each activity added to the original permit.

**113.2.2 [For SF] Posting fee.**

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

**113.2.3 [For SF] Permit fees for vendors at street fairs involving temporary street closures (ISCOTT).**

Permit fees for vendors at street fairs involving temporary street closures are set in the San Francisco Transportation Code.

**113.3 [For SF] Construction permit fees.**

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

**113.4 [For SF] Plan review fees.**

Upon application for a permit for the erection of a new building or for alteration work for which plans are required by the Department of Building Inspection, the Central Permit Bureau shall charge and collect a fee to compensate the Fire Department for its costs of reviewing plans submitted with building permit applications for compliance with fire safety regulations. The fee shall be based on the valuation of the work as determined by the Department of Building Inspection. The fee for each permit is set in Table 113-B. The Fire Department shall assess a fee in the amount of \$110.00 per hour to review revisions to any previously approved plans. The Central Permit Bureau shall collect the fee before issuing the permit.

**113.5 [For SF] Field inspection fees.**

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

After building permit issuance, when the fire code official notifies the applicant that additional inspection time is required over the amount of time set in Table 113-C, the applicant shall purchase additional inspection time before the inspector schedules additional inspections. The Fire Department shall collect a fee of \$110.00 per hour for the cost of providing the inspection service.

**113.6 [For SF] Pre-application plan review.**

When an applicant wishes to discuss specific design issues or submit preliminary designs for review and comment by the Fire Department before the applicant submits a formal application for permit, the Fire Department shall assess a fee of \$220.00. This fee provides the applicant with up to two hours for research and meeting with Fire Department personnel. When the time spent by the Fire Department exceeds two hours, the Department shall assess additional fees at the rate of \$110.00 per hour.

**113.7 [For SF] Re-inspection of violation fees.**

If the fire code official issues a notice of violation under this code, the notice of violation may set a period of time that is reasonable to remedy the violation and the fire code official may re-inspect the property to verify that the person responsible has made the required correction. The Fire Department shall collect a fee in the amount of \$220.00 for re-inspections. If the time required for the re-inspection exceeds one hour, the Fire Department shall assess an additional fee at the rate of \$110.00 per hour.

**113.8 [For SF] High-rise inspection fees.**

For inspections of high-rise structures pursuant to Section 13217 of the California Health and Safety Code, the owner of the structure shall pay a fee to cover the Fire Department's costs of inspection. The Department shall calculate the fee on the basis of \$12.00 per 1000 square feet of gross floor area.

**113.8.1 [For SF] Gross floor area.**

For purposes of this section, the term "gross floor area" is defined as the entire area of each floor, attic, basement or shaft of a building included within the exterior walls of a building, including any portion not included within the exterior walls that is under the horizontal projection of the roof or floor above.

**113.9 [For SF] Referral fees.**

If a government agency requests a preliminary site inspection or survey of a premise for compliance with this code or other regulatory codes enforced by the Fire Department, the Fire Department shall collect a service fee of \$110.00 per hour for the on-site inspections and consultations. When the referral inspection is requested by another San Francisco agency, the requesting agency shall transfer the fee to the Fire Department through electronic transfer. The requesting agency shall pay the fee before scheduling the inspection or consultation. Fees referenced in the California Health and Safety Code take precedence over this fee.

**113.10 [For SF] Overtime fee.**

If a person requests an inspection or other service that requires the assigned Fire Department employee to work outside of the employee's normal working schedule, the Department will charge an overtime fee of \$131.00 per hour. The person requesting the services shall pay the fee before the inspection or other service is performed. The minimum compensation is four hours.

(Amended by Ord. 169-12, File No. 120607, App. 7/27/2012, Eff. 8/26/2012)

**113.11 [For SF] Collection of other fees.**

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

**113.12 [For SF] Water flow request fee.**

Upon a request from a person for water flow information, the Department will charge a water flow fee of \$110.00. If the information requested requires that Fire Department employees perform an on-site water flow test, the Department will charge a fee of \$220.00.

**113.13 [For SF] False alarm fees.**

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

**113.14 [For SF] Residential apartment/hotel inspection fee.**

The Fire Department shall charge an inspection fee of \$157.00 to inspect buildings under the R1 and R2 Residential Apartment/Hotel Inspection Program.

**113.15 [For SF] Voluntary seismic retrofit fee waiver.**

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

**113.16 [For SF] Cost recovery related to vehicle incidents.**

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

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

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

(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.**

(a) 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 2011-2012 fiscal year shall be as set forth in the Business and Tax Regulations Code Section 75 *et seq.*

TABLE 113-A - OPERATIONAL PERMIT FEES	
TYPE OF PERMIT	FEE
Aerosol Products, Regulated Activities	\$330.00
Amusement Buildings, Operation	\$330.00
Aviation Facilities, Regulated Activities	\$330.00
Aviation Facilities, Aircraft Refueling Vehicle	\$330.00
Battery System, Operation	\$330.00
Carnivals and Fairs, Operation	\$330.00
Cellulose Nitrate Film, Regulated Activities	\$330.00
Combustible Dust-Producing Operations	\$330.00
Combustible Fiber, Regulated Activities	\$330.00
Combustible Material, Regulated Activities	\$330.00
Compressed Gas, Regulated Activities	\$330.00

Conditional Use	\$90.00
Covered Mall Buildings, Operation	\$330.00
Cryogenic Fluids, Regulated Activities	\$330.00
Dry Cleaning Plant, Operation	\$330.00
Exhibits and Trade Shows, Operation	\$330.00
Explosives, Regulated Activities	\$330.00
Fireworks, Display	\$330.00
Firefighter Air Systems, Maintenance	\$330.00
Flammable and Combustible Finishes, Application of (Including Floor Finishes)	\$330.00
Flammable or Combustible Liquids, Regulated Activities	\$330.00
Fruit and Crop Ripening	\$330.00
Fumigation and Thermal Insecticidal Fogging	\$330.00
Hazardous Materials, Regulated Activities	\$330.00
Hazardous Production Material (HPM) Facilities	\$330.00
High-Piled Storage	\$330.00
Hot Work Operations, Regulated Activities	\$330.00
Industrial Ovens	\$330.00
Liquefied Petroleum Gases, Regulated Activities	\$330.00
Live Audience, Production Facility, Studio, Sound Stage	\$330.00
Lumberyards and Woodworking Plants	\$330.00
Magnesium Processing	\$330.00
Open Burning	\$330.00
Open Flame and Candles in Assembly Areas	\$330.00
Organic Coating, Manufacturing	\$330.00
Place of Assembly	\$330.00
Place of Assembly-Permanent Occupancy for Non- Profit Group	\$0.00
Pyrotechnic Special Effects Material	\$330.00
Pyroxylin Plastics	\$330.00
Refrigeration Equipment	\$330.00
Repair Garages and Motor Fuel Dispensing Facilities	\$330.00
Rooftop Heliports	\$330.00
Temporary Membrane Structures and Tents	\$330.00
Tire Storage	\$330.00
Tire Rebuilding Plants	\$330.00
Waste Handling, Regulated Activities	\$330.00

TABLE 113-B - PLAN REVIEW FEES

VALUATION		FEE
\$0	\$500	\$65.46
\$500	\$2,000	\$99.54 plus \$22.795 per \$1,000 over \$500
\$2,000	\$25,000	\$129.93 plus \$15.001 per \$1,000 over \$2,000
\$25,000	\$50,000	\$474.96 plus \$10.104 per \$1,000 over \$25,000
\$50,000	\$100,000	\$727.56 plus \$6.752 per \$1,000 over \$50,000
\$100,000	\$500,000	\$1,065.15 plus \$2.776 per \$1,000 over \$100,000
\$500,000	\$1,000,000	\$2,175.71 plus \$1.554 per \$1,000 over \$500,000
\$1,000,000	\$5,000,000	\$2,952.95 plus \$1.182 per \$1,000 over \$1,000,000
\$5,000,000		\$7,680.20 plus \$0.596 per \$1,000 over \$5,000,000

NOTATION TO TABLE 113-B:  
EVACUATION SIGNAGE: Plan review beyond thirty minutes will be assessed at an hourly rate of \$110.00 per hour.

TABLE 113-C - FIELD INSPECTION FEES (See notation for additional fees)

VALUATION	FEE/INSP. TIME CREDIT
Over	Not More Than
\$0	\$10,000 \$110.00 ONE HOUR
\$10,000	\$50,000 \$220.00 TWO HOURS
\$50,000	\$500,000 \$330.00 THREE HOURS
\$500,000	\$5,000,000 \$550.00 FIVE HOURS
\$5,000,000	\$10,000,000 \$1100.00 TEN HOURS
\$10,000,000	\$25,000,000 \$2200.00 TWENTY HOURS



\$25,000,000

\$3300.00 THIRTY HOURS

NOTATION TO TABLE 113-C:

NEW FIRE ALARM SYSTEMS	\$220.00 TWO HOURS
NEW SPRINKLER SYSTEMS	\$330.00 THREE HOURS
NEW GASEOUS SUPPRESSION SYSTEMS	\$220.00 TWO HOURS

This initial minimum inspection fee covers all inspections up to the hours specified above. If the inspections for the new system exceed the hours specified above, additional hourly fees will be assessed.  
(Amended by Ord. 238-11, File No. 111101, App. 12/15/2011, Eff. 1/14/2012; Ord. 169-12, File No. 120607, App. 7/27/2012, Eff. 8/26/2012)

SECTION 114-[For SF] - FEE COLLECTION

*This section does not exist in the California Fire Code.*

114.1 [For SF] Collection of fees.

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

114.1.1 [For SF] First notice.

When fees are due under Sections 113.7, 113.8, 113.13, or 113.14 of this code, the Department shall send the responsible person a notice of payment due.

114.1.2 [For SF] Second notice.

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

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

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