

[Housing Code - Structural Maintenance Inspections]

Ordinance amending the Housing Code to revise qualifications and deadlines for conducting structural maintenance inspections; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

Section 1. Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply 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. ____ and is incorporated herein by reference. The Board affirms this determination.

(b) On _____, the Building Inspection Commission considered this ordinance at a duly noticed public hearing pursuant to Charter Section 4.121 and Building Code Section 104A.2.11.2. A copy of a letter from the Secretary of the Building Inspection Commission regarding the Commission's recommendation is on file with the Clerk of the Board of Supervisors in File No. _____.

(c) No local findings are required under California Health and Safety Code Section 17958.7 because the amendments to the Housing Code contained in this ordinance do not

1 regulate materials or manner of construction or repair, and instead relate in their entirety to
2 administrative procedures for implementing the code, which are expressly excluded from the
3 definition of a “building standard” by California Health and Safety Code Section 18909(c).

4
5 Section 2. Chapter 6 of the Housing Code is hereby amended by revising Section 604,
6 to read as follows:

7 **SEC. 604. STRUCTURAL MAINTENANCE.**

8 (a) **Affidavit Required.** All wood and metal decks, balconies, landings, exit
9 corridors, stairway systems, guardrails, handrails, ~~fire escapes~~, or any parts thereof in weather-
10 exposed areas of apartment buildings and hotels shall be inspected by (i) a licensed general
11 contractor *with a minimum of five years’ experience holding the “A,” “B,” or “C-5” license*
12 *classifications (or any combination thereof) issued by the Contractors State License Board and a*
13 *minimum of five years’ experience in constructing multistory wood frame buildings, or (ii) an*
14 *individual certified as a building inspector or building official from a recognized state, national, or*
15 *international association, or a structural pest control licensee, or (iii) a licensed professional*
16 *architect or licensed professional civil or structural engineer, verifying that the exit system,*
17 *corridor, balcony, deck or any part thereof is in general safe condition, in adequate working*
18 *order, and free from hazardous dry rot, fungus, deterioration, decay, or improper alteration.*
19 *Licensed general contractors or any other individuals hired to complete this inspection shall not be*
20 *employed by the City and County of San Francisco while performing the inspection.* Property owners
21 shall provide proof of compliance with this subsection by submitting an affidavit form (provided
22 by the Department) signed by the responsible inspector to the Housing Inspection Services
23 Division every ~~six~~five years. *Properties subject to California Health and Safety Code Section 17973*
24 *may delay or advance the submittal deadline for the affidavit required by this subsection to align with*
25 *the timelines required for Section 17973 inspection reports. This alteration of the affidavit timeline*

1 may not allow any property to forgo submitting an affidavit for more than seven years. For purposes
2 of this subsection, "weather-exposed areas" means those areas which are not interior building
3 areas. The affidavit process shall commence on January 1, 2004.

4
5 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
6 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
7 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
8 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
9 additions, and Board amendment deletions in accordance with the "Note" that appears under
10 the official title of the ordinance.

11
12 Section 4. Effective Date. This ordinance shall become effective at 12:00 a.m. on the
13 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
14 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
15 or the Board of Supervisors overrides the Mayor's veto of the ordinance.

16
17
18 APPROVED AS TO FORM:
19 DAVID CHIU, City Attorney

20 By: /s/ Robb Kapla
21 ROBB KAPLA
22 Deputy City Attorney

23 4931-6950-2873, v. 1
24
25