

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Tom Hui, Acting Director, Department of Building Inspection
Sonya Harris, Secretary, Building Inspection Commission

FROM: Alisa Miller, Clerk, Land Use and Economic Development Committee
Board of Supervisors

DATE: October 29, 2012

SUBJECT: LEGISLATION INTRODUCED: HOUSING CODE AMENDMENT

The Board of Supervisors' Land Use and Economic Development Committee has received the following proposed ordinance, introduced by Supervisor Mar on October 16, 2012:

File No. 121018

Ordinance amending the San Francisco Housing Code by: 1) amending Section 206 to add Section 1002 to the list of retroactive provisions; 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities; 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental findings, legislative findings, and findings pursuant to California Health and Safety Code Section 17958.5.

The proposed ordinance is being transmitted pursuant to Charter Section D3.750-5 for public hearing and recommendation. It is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Please forward me the Commission's recommendation and reports at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Carolyn Jayin, Department of Building Inspection

[Housing Code - Telephone Jacks and Grab Bars]

Ordinance amending the San Francisco Housing Code by: 1) amending Section 206 to add Section 1002 to the list of retroactive provisions; 2) amending Section 505 to require grab bars in hotel common-use water closets and bathing facilities; 3) amending Section 1002 to include as a substandard housing condition the failure to provide a usable telephone jack and telephone wiring as required by the California Civil Code; and 4) making environmental findings, legislative findings, and findings pursuant to California Health and Safety Code Section 17958.5.

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

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

Section 1. Findings.

(a) Environmental Finding. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Section 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.

(b) Findings pursuant to Health and Safety Code Section 17958.5. The Board of Supervisors finds that the legislative findings set forth in Subsection (c) below constitute findings of local conditions justifying deviation from the California Housing Code.

(c) Legislative Findings.

1 (1) The high cost of housing in San Francisco makes residential hotel guest rooms with
2 common toilet and bathing facilities ("SROs") the only available housing option for many
3 seniors, persons with disabilities, and others on low or fixed incomes.

4 (2) The Mayor's Office of Housing 2010-2014 Consolidated Plan (with the Mayor's
5 Office of Economic and Workforce Development and the former San Francisco
6 Redevelopment Agency) identified 8,000 seniors and young adults with disabilities living in
7 SROs.

8 (3) In 2012, the Senior Action Network and Mission SRO Collaborative, Central City
9 SRO Collaborative, and SRO Families United Collaborative prepared "The 2012 Senior and
10 Adults with Disabilities in SRO's Survey," which found that 48 percent of the 151 respondents
11 surveyed did not have grab bars in their common toilet and bathing facilities. There is no
12 current grab bar requirement.

13 (4) It is important that seniors and persons with disabilities residing in SROs have
14 access to a working telephone in the room in which they reside. California Civil Code Section
15 1941.4 requires the lessor of a building intended for residential occupancy to be responsible
16 for installing at least one usable telephone jack and for placing and maintaining in good
17 working order inside telephone wiring that meets the applicable standards of the most recent
18 National Electrical Code adopted by the Electronic Industry Association.

19 Section 2. The San Francisco Housing Code is hereby amended by amending Section
20 206, to add the following:

21 1002: Section 1002(f).

22 Section 3. The San Francisco Housing Code is hereby amended by amending Section
23 505 to add subsection (j), to read as follows:

1 **SEC. 505. SANITATION.**

2 *(j) **Grab Bars.** The water-closet, lavatory, and bathing facilities provided for guest rooms*
3 *situated on the same floor and used in common are required to have grab bars that comply with*
4 *Chapter 11B of the California Building Code; provided, however, that for existing tank type toilets,*
5 *grab bars may be mounted between 33" and 35" above the finish floor.*

6 Section 4. The San Francisco Housing Code is hereby amended by amending Section
7 1002, to read as follows:

8 **SEC. 1002. ADDITIONAL SUBSTANDARD CONDITIONS: ELECTRICAL OUTLETS,**
9 **ELEVATORS, ILLEGAL CONVERSION OF RESIDENTIAL HOTELS, ~~AND~~ RESIDENTIAL**
10 **HOTEL MAIL RECEPTACLES, TELEPHONE JACKS AND WIRING, AND NOTICE**
11 **POSTING.**

12 In addition to the provisions set forth in Section 1001 of this chapter prescribed by
13 California Health and Safety Code, Division 13, Part 1.5, State Housing Law, Sections
14 17920.3 et seq., the following conditions are considered substandard:

15 (a) **Electrical Outlets.** Habitable rooms and kitchens with insufficient number of
16 electrical convenience outlets as required by Section 504 of this Code.

17 (b) **Elevators.** Lack of elevator service as required by Section 713 of this Code.

18 (c) **Illegal Conversion of Residential Hotels.** Illegal conversion of any residential unit
19 of a residential hotel, or improper recordkeeping as defined and required by Chapter 41 of the
20 San Francisco Administrative Code.

21 (d) **Mold and Mildew.** The existence of mold and mildew which is chronic or severe as
22 defined by Chapter 4 of this code.

23 (e) **Residential Hotel Mail Receptacles.** Lack of an individual mail receptacle for each
24 residential unit in a residential hotel, as required by Section 41E of the San Francisco
25 Administrative Code. The hotel owner is responsible for making arrangements with the United

1 States Postal Service for the installation of these receptacles and delivery of mail thereto.
2 Installation and maintenance of the mail receptacles shall meet all of the specifications and
3 requirements of the United States Postal Service. Compliance with United States Postal
4 Service specifications and requirements, and delivery of mail by the United States Postal
5 Service, will not be enforced by the Department of Building Inspection.

6 (f) Telephone Jack and Wiring. Lack of at least one usable telephone jack and working inside
7 telephone wiring, as required by Section 1941.4 of the California Civil Code;

8 (g) Grab Bars. Lack of grab bars in common-use bathing and lavatory facilities for guest rooms
9 as required by Section 505(j) of this Code .

10 ~~(f)~~ (h) Residential hotel notice posting requirement. The owner or operator of a
11 residential hotel, as defined in Chapter 41 of the San Francisco Administrative Code, shall
12 post a notice approved by the Department of Building Inspection notifying the occupants that
13 they may contact the City and County of San Francisco's 24×7 Customer Service Center at
14 311 to report alleged violations of this Code. The notice shall be posted in a conspicuous
15 location at the lobby. If there is no lobby, the notice shall be posted in the public entranceway.

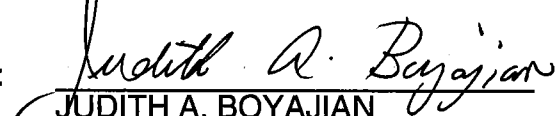
16 Section 5. Effective Date. This ordinance shall become effective 30 days from the
17 date of passage.

18 Section 6. This section is uncodified. In enacting this Ordinance, the Board intends to
19 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
20 punctuation, charts, diagrams, or any other constituent part of the Housing Code that are
21 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
22
23
24
25

1 Board amendment deletions in accordance with the "Note" that appears under the official title
2 of the legislation.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:


7 JUDITH A. BOYAJIAN
8 Deputy City Attorney