

FILE NO. 021218

ORDINANCE NO. **170-02**

1 [Requirements for automatic sprinklers in residential hotels.]

2  
3 **Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San**  
4 **Francisco Housing Code Section 904 to extend compliance with requirements**  
5 **regarding installation of automatic sprinkler systems in residential hotels, as defined in**  
6 **the Ordinance, to December 31, 2002 ~~January 31, 2003~~; providing findings as to local**  
7 **conditions pursuant to the California Health and Safety Code; and making this**  
8 **Ordinance retroactive to June 30, 2002.**

9 Note: Additions are *single-underline italics Times New Roman*;  
10 deletions are *strikethrough italics Times New Roman*.  
11 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

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

13 Section 1. Findings. The City and County of San Francisco is unique among  
14 communities generally in California with respect to its residential hotels in that, among other  
15 things, (1) due to the age of San Francisco itself, many of the City's residential hotels are of a  
16 greater average age than those located in other communities in California, (2) due to its  
17 relatively limited geographic area and unique topographical conditions, San Francisco has  
18 significantly more residential hotels per square mile than found in many other communities in  
19 California, and such hotels are typically directly adjacent to other such hotels as well as other  
20 types of occupancies, (3) as does San Francisco itself, the City's residential hotels reflect a  
21 wide range of construction techniques and materials, styles, and features, and therefore San  
22 Francisco is presented with a wide range of potential fire safety risks not necessarily found  
23 throughout California generally, and (4) San Francisco's residential hotels are intermingled  
24 with the City's residential, commercial, industrial, and other uses to a greater extent than is  
25

1 generally the case in many other communities in California, and this also presents a variety of  
2 fire safety risks not necessarily found in other areas of California.

3 Over the past several years, the City has experienced a near epidemic of residential  
4 hotel fires, resulting in significant loss of life, injuries, the loss of many residential units, and  
5 significant property damage. The causes of these fires, to the extent such causes have been  
6 determined, vary from case to case. However, it appears that smoking and cooking by  
7 residents, and either carelessness or malicious behavior by residents, ex-residents and  
8 property owners accounts for the majority of the reported fires. The incidence of reported fires  
9 in residential hotels appears to be far greater than occurs in residential occupancies of other  
10 types within the City.

11 In many cases, the residential hotels subject to fires were not equipped with sprinklers,  
12 or were equipped with sprinklers that were inoperable or inadequate to protect human life and  
13 property. The Fire Marshal, after investigation of several of these fires, has concluded that  
14 the presence of adequate and operational sprinkler systems would likely have significantly  
15 mitigated the damages caused by fire.

16 There is a severe shortage of decent, safe, sanitary and affordable rental housing in  
17 the City and County of San Francisco and this shortage affects most severely the elderly, the  
18 disabled, families, and low-income persons. Many of the elderly, disabled and low-income  
19 persons and families reside in residential hotel units. A housing emergency exists within the  
20 City and County of San Francisco for its elderly, disabled and low-income households and  
21 families, which is exacerbated by the loss of residential hotel units from the rental housing  
22 market due to fire. The loss of such residential hotel units affects those persons who are least  
23 able to cope with displacement in San Francisco's housing market.

24 Recognizing the above-stated unique fire safety characteristics of San Francisco as  
25 presented by the City's residential hotels, requiring the fire protection measures reflected in

1 this ordinance is intended to address the potential fire safety risks pertaining to residential  
2 hotels. Further, it is the purpose of this ordinance to benefit the general public by minimizing  
3 adverse impact on the housing supply and on displaced families and low income, elderly, and  
4 disabled persons resulting from the loss of residential hotel units through fire.

5 California Health and Safety Code Section 17958.5 requires the City to furnish specific  
6 reasons to the California Building Standards Commission for changes to the California Fire  
7 Code, the California Building Code and/or the Uniform Housing Code, based upon local  
8 conditions. Changes to the California Fire Code and California Building Code must be based  
9 upon local conditions related to climatic, geologic, or topographical conditions. On July 20,  
10 2001, the Board of Supervisors adopted Ordinance No. 165-01 (File No. 010224) to address  
11 the conditions described above. Since that time, the Board of Supervisors has determined  
12 that the requirements need to be modified to address additional safety issues and  
13 implementation concerns expressed by members of the public and affected property owners.  
14 Consequently, the Board of Supervisors finds and determines that the conditions described  
15 above continue to constitute a general summary of the most significant local conditions giving  
16 rise to the need for and justifying variance from the California Fire Code, California Building  
17 Code and Uniform Housing Code. Further, this legislation is more restrictive in part than the  
18 California Fire Code, the California Building Code and the Uniform Housing Code, requiring  
19 existing buildings to comply with current building standards. The Clerk of the Board of  
20 Supervisors is hereby directed to transmit this legislation, upon its final passage, to the  
21 California Building Standards Commission and the State Fire Marshal for filing, pursuant to  
22 the applicable provisions of State law.

23 Section 2. Article 90 of the San Francisco Fire Code is hereby amended by amending  
24 Section 9001.1.3, to read as follows:

25 Sec. 9001.1.3 [for SF] Local Standards for Existing Group R, Division 1 Occupancies.

1 (a) Sprinklers Required. An automatic sprinkler system, designed in  
2 accordance with NFPA 13 (1999 edition), shall be installed throughout the residential occupancy  
3 of every residential hotel building existing on October 16, 2001 ~~the effective date of this~~  
4 ~~Section and which is three or more stories in height or contains 20 or more guest rooms, as~~  
5 defined in the California Building Code. "Residential Hotel" for purposes of this Section shall  
6 mean each and every hotel for which a Certificate of Use for any residential units has been  
7 issued pursuant to San Francisco Administrative Code Chapter 41.

8 (b) Design Criteria. The design criteria for the installation of the sprinkler  
9 system shall be approved by the Fire Department and shall comply with NFPA 13 (1999  
10 edition). Those buildings that have installed a sprinkler system prior to August 20, 2001 that  
11 complies with a previous NFPA standard shall be exempt from this Ordinance. Where a  
12 partial sprinklers system has been previously have been installed in a building subject to this  
13 Section, the design criteria for such existing sprinkler system, or any new system may be  
14 approved or modified by the Chief of the San Francisco Fire Department or his/her authorized  
15 representative .

16 (c) Compliance Date. Residential hotels subject to this Section must submit  
17 a building permit application and plans to the Department of Building Inspection and the Fire  
18 Department by September 1, 2002, and complete the fire sprinkler installation as required  
19 within subsections (a) and (b) by December 31, 2002. ~~come into compliance with this Section~~  
20 ~~by June 30, 2002 January 31, 2003.~~ All buildings governed by this Ordinance which fail to  
21 comply with the September 1, 2002 filing deadline shall remain regulated by the original  
22 sprinkler installation deadline of June 30, 2002, and subject to immediate code enforcement  
23 action.

24 (d) Property owners who are subject to the requirements of this Section shall be  
25 prohibited from relocating tenants for the sole purpose of complying with this Section.

1 Section 3. Chapter 9 of the San Francisco Housing Code is hereby amended by  
2 amending Section 904, to read as follows:

3 SEC. 904. AUTOMATIC SPRINKLER SYSTEM. (a) Where Required. In any  
4 apartment house or hotel, any compartment or room in the basement containing more than  
5 1,800 square feet of floor area, or any compartment or room in such a building used for  
6 storing or using combustible or flammable materials, shall be equipped with an automatic  
7 sprinkler system of a type designed and installed according to the provisions of Chapter 9 of  
8 the Building Code. Automatic sprinkler systems designed and installed according to the  
9 provisions of Chapter 9 of the Building Code shall be furnished and installed in all hotels as  
10 required by this Code.

11 EXCEPTIONS:

12 (1) Any automatic sprinkler system required by this Section to be installed in an  
13 existing hotel pursuant to this Code shall not be required to have an on-site water supply.

14 (2) Any automatic sprinkler system required by this Section to be installed in an  
15 existing hotel pursuant to this Code may utilize existing standpipes as approved by the  
16 Director and the Bureau of Fire Prevention and Public Safety.

17 (3) Any automatic sprinkler system required by this Section to be installed in a  
18 maid's closet, or similar area, or a floor containing guest rooms in a hotel shall meet the  
19 following criteria: (a) Such system may be connected to a domestic water system, regardless  
20 of the number of maids' closets, or similar areas, in the hotel, as long as there is a minimum  
21 pressure of 15 p.s.i. at each sprinkler head; (b) only one sprinkler head need be installed in  
22 each such maid's closet, or similar area; and (c) no such system need be connected to the  
23 building's sprinkler alarm system.

24 (4) Any automatic sprinkler system required by this Section to be installed in an  
25 existing hotel pursuant to this Code (a) shall, in the event that such existing hotel is already

1 equipped with a supervised automatic sprinkler system, be connected to such existing other  
2 system for purposes of supervision only, or (b) shall, in the event that such existing hotel is  
3 not already equipped with a supervised automatic sprinkler system, be connected to a local  
4 alarm located at the front desk or other approved location.

5 (b) Domestic Water System. The sprinkler system in an area having less than  
6 1,800 square feet may be connected to a domestic water system if the water supply and  
7 pressure conform to the provisions of Chapter 9 of the Building Code.

8 (c) Exceptions. (1) Boiler rooms, central heating rooms and bank vaults are  
9 excluded from this Chapter. (2) Compartments or rooms in the basement of apartment houses  
10 containing four or less dwelling units, provided that there are no mattresses, upholstered  
11 furniture, or loose storage contained therein, are excluded from this Chapter.

12 (d) In existing Group R, Division 1 Occupancies with enclosed stairways in which an  
13 approved partial automatic sprinkler system is to be installed to satisfy the requirements of the  
14 Housing Code, the design of the system shall be based on all the following additional design  
15 criteria:

16 (1) The computations shall be based upon the most remote locations of sprinkler  
17 heads.

18 (2) The sprinkler water service size and riser size shall be determined by adding the  
19 total number of sprinkler heads on the floor requiring the greatest number of heads, plus one-  
20 half of the total number on the floor with the same or next greatest number of heads, plus the  
21 total number of all heads in all open stairwells.

22 (3) The maximum water supply required will be that necessary to supply 13  
23 sprinkler heads.

24 (4) There shall be a minimum pressure of 15 p.s.i. at each sprinkler head and  
25 delivery shall be a minimum of 22 g.p.m. from each head.

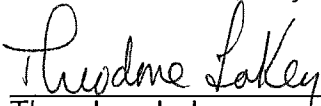
1 (5) Piping and spacing of sprinkler heads shall be based on ordinary Hazard  
2 Schedule of NFPA 13, in accordance with the Building Code.

3 (e) Residential Hotels. An automatic sprinkler system, *designed in accordance*  
4 *with NFPA 13 (1999 edition)*, shall be installed throughout the residential occupancy of every  
5 residential hotel building existing on October 16, 2001 ~~the effective date of this Subsection~~  
6 and which is ~~three or more stories in height~~ or contains 20 or more guest rooms, as defined in  
7 the California Building Code. "Residential Hotel" for purposes of this Subsection shall mean  
8 each and every hotel for which a Certificate of Use for any residential units has been issued  
9 pursuant to San Francisco Administrative Code Chapter 41. The design criteria for the  
10 installation of the sprinkler system shall be approved by the San Francisco Fire Department  
11 and shall comply with NFPA 13 (1999 edition). Those buildings that have installed a sprinkler  
12 system prior to August 20, 2001 that complies with a previous NFPA standard shall be exempt  
13 from this Ordinance. Where a partial sprinklers system has been previously have been  
14 installed in a building subject to this Section, the design criteria for such existing sprinkler  
15 system, or any new system, may be approved or modified by the Chief of the San Francisco  
16 Fire Department or his/her authorized representative. *Property owners who are subject to the*  
17 *requirements of this Subsection shall be prohibited from relocating tenants for the sole purpose of*  
18 *complying with this Subsection.* Residential hotels subject to this Subsection must submit a  
19 building permit application and plans to the Department of Building Inspection and the Fire  
20 Department by September 1, 2002, and complete the fire sprinkler installation as required  
21 within subsections (a) and (b) by December 31, 2002. ~~come into compliance with this~~  
22 ~~Subsection by June 30, 2002 January 31, 2003.~~ All buildings governed by this Ordinance which  
23 fail to comply with the September 1, 2002 filing deadline shall remain regulated by the original  
24 sprinkler installation deadline of June 30, 2002, and subject to immediate code enforcement  
25 action.

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Section 4. This Ordinance shall be retroactive to June 30, 2002.

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

By:   
Theodore Lakey  
Deputy City Attorney





# City and County of San Francisco

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

## Tails

## Ordinance

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**File Number:** 021218

**Date Passed:**

Ordinance amending the San Francisco Fire Code Section 9001.1.3 and the San Francisco Housing Code Section 904 to extend compliance with requirements regarding installation of automatic sprinkler systems in residential hotels, as defined in the Ordinance, to December 31, 2002; providing findings as to local conditions pursuant to the California Health and Safety Code; and making this Ordinance retroactive to June 30, 2002.

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July 15, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

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

July 15, 2002 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

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

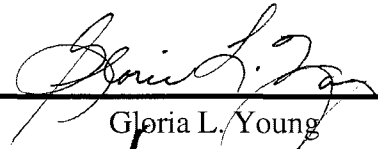
July 22, 2002 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Absent: 1 - Gonzalez

File No. 021218

I hereby certify that the foregoing Ordinance  
was FINALLY PASSED on July 22, 2002 by  
the Board of Supervisors of the City and  
County of San Francisco.



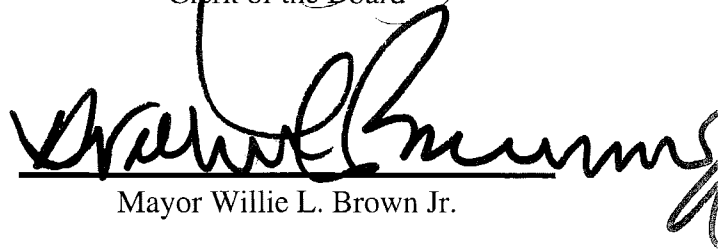
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Gloria L. Young  
Clerk of the Board

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AUG 02 2002

Date Approved



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Mayor Willie L. Brown Jr.