

# 2022

# PORT OF SAN FRANCISCO EXISTING BUILDING CODE

Based on the 2022  
California Existing  
Building Code

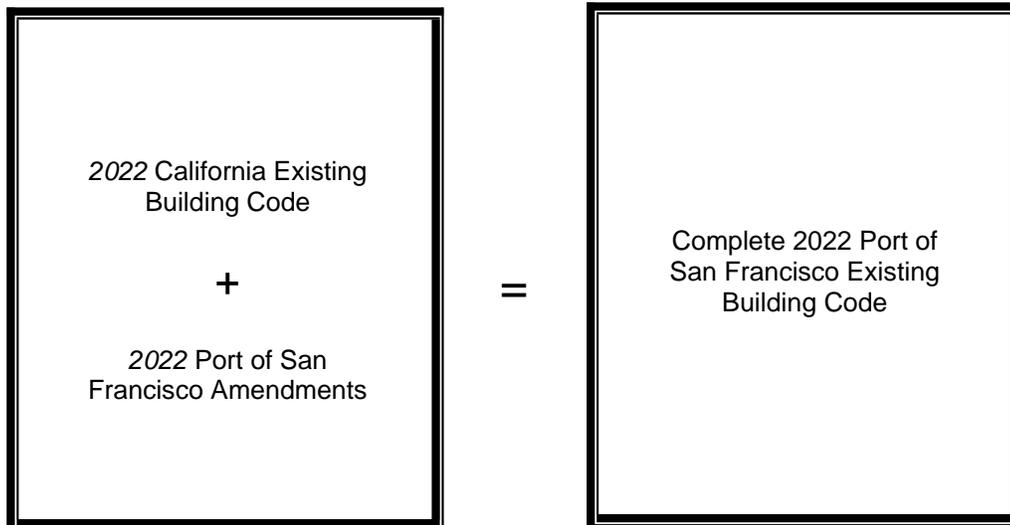




## 2022 Port of San Francisco Existing Building Code

The complete 2022 Port of San Francisco Existing Building Code adopts and amends the 2022 edition of the California Existing Building Code

**Effective Date: January 1, 2022**



### PUBLISHER'S NOTE

To simplify the use of the Port of San Francisco amendments with corresponding sections of the 2022 California Codes, explanatory remarks appearing in *italics* are provided at the beginning of each amendment indicating whether the Port of San Francisco Amendments to the 2022 California Codes are adding, revising, or replacing a section or portion of a section.

Should you find publication (e.g., typographical) errors or inconsistencies in this code or wish to offer comments toward improving its format, please address your comments to:

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**CHAPTER 1 SCOPE AND ADMINISTRATION**

No Port of San Francisco Code Amendments

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**CHAPTER 2 DEFINITIONS**

No Port of San Francisco Code Amendments

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**CHAPTER 3 PROVISIONS FOR ALL COMPLIANCE METHODS**

**SECTION  
301 ADMINISTRATION**

304.3.2 Replace item 2 to read as follows:

**304.3.2 Compliance with Port of San Francisco Building Code-level seismic forces.**

2. Except where these requirements are triggered by Section 503.11, structures or portions of structures that comply with the requirements of the applicable chapter in Appendix A as specified in Items 2.1 through 2.5 and subject to the limitations of the respective Appendix A chapters shall be deemed to comply with this section.

304.4 Add the following section:

**304.4 Minimum Lateral Force for Existing Buildings.**

**304.4.1 General.** This section is applicable to existing buildings when invoked by Port of San Francisco Existing Building Code (PSFEBC) when considering repairs, additions, alterations, and change of occupancy to the building. This section may be used as a standard for voluntary upgrades.

An existing building or structure which has been brought into compliance with the lateral force resistance requirements of the Port of San Francisco Building Code in effect on or after the dates shown in Table 304.4.1, shall be deemed to comply with this section except when a vertical extension or other alterations are to be made which would increase the mass or reduce the seismic resistance capacity of the building or structure. Where multiple building types apply, the later applicable date shall be used. Where none of the building types apply, compliance shall be at the discretion of the Chief Harbor Engineer. Building type definitions are given in ASCE 41, Table 3-1.

**TABLE 304.4.1– DATES REQUIRED TO DEMONSTRATE BUILDING COMPLIANCE**

Building Type	Date of Compliance	Model Code (for reference)
For structures not supported on marine piers and wharves ( i.e., landside structures):		
Wood Frame, wood shear panels (Types W1 & W2)	1/1/1984	UBC 1976
Wood Frame, wood shear panels (Type W1A)	7/1/1999	UBC 1997
Floor areas greater than 3,000 ft <sup>2</sup> per level		
Steel moment-resisting frame (Types S1 & S1a)	12/28/1995	UBC 1994
Steel concentrically braced frame (Types S2 & S2a)	7/1/1999	UBC 1997
Steel eccentrically braced frame (Types S2 & S2a)	1/1/1990	UBC 1988
Buckling-restrained braced frame (Types S2 & S2a)	1/1/2008	IBC 2006

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Light metal frame (Type S3)	1/1/2008	IBC 2006
Steel frame w/ concrete shear walls (Type S4)	12/28/1995	UBC 1994
Steel plate shear wall (Type S6)	1/1/2008	IBC 2006
Reinforced concrete moment-resisting frame (Type C1)	12/28/1995	UBC 1994
Reinforced concrete shear walls (Types C2 & C2a)	12/28/1995	UBC 1994
Tilt-up concrete (Types PC1 & PC1a)	7/1/1999	UBC 1997
Precast concrete frame (Types PC2 & PC2a)	1/1/2008	IBC 2006
Reinforced masonry (Type RM1)	7/1/1999	UBC 1997
Flexible diaphragms		
Reinforced masonry (Type RM2)	12/28/1995	UBC 1994
Stiff diaphragms		
Seismic isolation or passive dissipation	7/1/1992	UBC 1991

For structures supported on marine piers and wharves (i.e. waterside structures):

- All structures (including bulkhead)<sup>1</sup> 5/21/1973 UBC 1973
- 1 Existing building or structures, supported on marine piers and wharves, that have previously been brought into compliance include Piers 1, 1.5, 3 bulkhead, 5, 15, 29 (substructure), 27 (substructure; superstructure is new), 39, 48 (substructure only), Ferry Plaza, and the Ferry Building (superstructure; by review, substructure was deemed to be in compliance).

**304.4.2 Wind forces.** Buildings and structures shall be capable of resisting wind forces as prescribed in Port of San Francisco Building Code Section 1609.

**304.4.3 Seismic forces.** Buildings and structures shall comply with the reduced seismic forces, as defined in Section 304.3.2. The building separation limitations of Section ASCE 7 Section 12.12.3 need not be considered.

When upper floors are exempted from compliance by Section 503.11.1, the lateral forces generated by their masses shall be included in the analysis and design of the lateral force resisting systems for the strengthened floor. Such forces may be applied to the floor level immediately above the topmost strengthened floor and distributed in that floor in a manner consistent with the construction and layout of the exempted floor.

### SECTION 314 –EXISTING HIGH-RISE BUILDINGS [SFM]

Not Used

### SECTION 326 EXISTING BUILDINGS OR OTHER STRUCTURES LOCATED ON A MILITARY BASE

**SELECTED FOR CLOSURE**

Not Used

**SECTION  
327 WORK PRACTICES FOR LEAD-BASED PAINT ON PRE-1979 BUILDINGS AND STEEL  
STRUCTURES**

Add the following new section:

**SECTION 327 WORK PRACTICES FOR LEAD-BASED PAINT ON PRE-1979 BUILDINGS AND STEEL  
STRUCTURES**

**327.1 General.** Any buildings, structures, and properties on which the original construction was completed on or before December 31, 1978, or any steel structures to which lead-based paint disturbance or removal, including surface preparation, additions, alterations, repairs, or demolitions are made, shall comply with the requirements of this section.

**327.1.1 Purpose, intent and scope.**

**327.1.1.1 Purpose.** The purpose of this section is to ensure that any person undertaking activities that result in the disturbance or removal of interior or exterior lead-based paint on pre-1979 buildings, structures and properties and on steel structures uses work practices that minimize or eliminate the risk of lead contamination of the environment.

**327.1.1.2 Intent.** The intent of this section is to encourage safe work practices for activities resulting in the disturbance or removal of lead-based paint while providing a reasonable level of health and safety for the occupants and the public at large.

**327.1.1.3 Scope.**

**327.1.1.3.1 Interior.** The requirements of this section apply to any activity resulting in the disturbance or removal of lead-based paint in the interior of pre-1979 buildings, structures and properties or portions thereof with one of the following occupancy classifications: Group E for Day Care and Group R, Divisions 1, 2 and 3. The requirements of this section with regard to the interior of a facility shall include, but are not limited to, residential-based family child-care facilities licensed by the State of California.

**327.1.1.3.2 Exterior.** The requirements of this section apply to any activity resulting in the disturbance or removal of lead-based paint on the exterior of any pre-1979 buildings, structures and properties and any steel structures.

**327.2 Definitions.** Except as otherwise specified herein, the terms used in this section shall have the same meanings as those set forth in Port of San Francisco Building Code Chapter 2.

**ACCREDITED LABORATORY** means a laboratory that operates within the EPA National Lead Laboratory Accreditation Program.

**ADJACENT PROPERTIES** means properties that adjoin the regulated area, including but not limited to properties next to and at the corners of lot lines.

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**CERTIFIED LEAD INSPECTOR/ASSESSOR** means any person licensed or certified by the California Department of Health Services (DHS), as authorized by the United States Environmental Protection Agency (EPA), in accordance with 40 CFR Part 745, subparts L or Q, to perform risk assessment and/or lead-based paint inspection.

**CLEARANCE INSPECTION** means an on-site limited investigation using visual observation and sampling techniques performed by an independent certified lead inspector/assessor to verify the absence of lead-based paint hazards, as specified in Title 17, California Code of Regulations, Division 1, Chapter 8: Accreditation, Certification and Work Practices for Lead-Based Paint and Lead Hazards. Any analytical testing of sample(s) collected during such inspection shall be performed by an accredited laboratory.

**COMMON AREA** means any interior part of a multi-unit residential building that is accessible to all occupants, including but not limited to: corridor, hallways, lobbies, laundry rooms, storage areas, stairways, porches and interior play areas.

**CONTAINMENT AND BARRIER SYSTEMS** refers to various measures that prevent the migration of work debris beyond the regulated area, and usually includes the use of disposable polyethylene plastic sheeting that is at least 6 mils thick (or two layers each 3 mils thick) to protect the ground, floor or other interior surfaces, and to seal off windows, doors and ventilation openings.

**CONTRACTOR** means any person, whether or not in possession of a valid State contractor's license, who undertakes to or offers to undertake to or purports to have the capacity to undertake to or submits a bid to, or does, by himself or herself or by or through others, any action that may or will disturb or remove lead-based paint. For purpose of this section, "contractor" shall also include subcontractors.

**DISTURB OR REMOVE LEAD-BASED PAINT** means any action that creates friction, pressure, heat or a chemical reaction upon any lead-based paint on an interior or exterior surface so as to abrade, loosen, penetrate, cut through or eliminate paint from that surface. This term shall include all demolition and surface preparation activities that are performed upon any surface containing lead-based paint.

**EXTERIOR** means the outside of a building or steel structure and the areas around it within the boundaries of the property, including without limitations the outside of any detached structures, including but not limited to outside and common walls, stairways, fences, light wells, breezeways, sheds, and garages.

**HEPA** means a high efficiency particulate air filter.

**INTERIOR** means the inside of a building, including but not limited to the inside of any detached structures, interior common walls, common areas, and overhangs (projections).

**LEAD** means metallic lead and all inorganic compounds of lead.

**LEAD-BASED PAINT or LEAD PAINT** means (1) any paint, varnish, shellac, or other coating on surfaces with lead in excess of 1.0 mg/cm<sup>2</sup> (milligram per square centimeter) as measured by x-ray fluorescence (XRF) detector or laboratory analysis or in excess of 0.5 percent by weight, also expressed as 5,000 ppm (parts per million), 5,000 mg/g (micrograms per gram), or 5,000 mg/kg (milligrams per kilogram) as measured by laboratory analysis; or (2) any paint, varnish, shellac, or

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other coating found in the interior or on the exterior of pre-1979 buildings, structures, or properties or on the exterior of any steel structures, unless such paint, varnish, shellac or other coating is shown, by a lead-based paint testing, that it does not have the characteristics specified in (1).

**LEAD-BASED PAINT TESTING** means testing of surfaces, by laboratory analysis of bulk sample or measurement using x-ray fluorescence detector, to determine the presence of lead-based paint performed by an independent certified lead inspector/assessor. Where laboratory analysis is used as a method of testing bulk paint samples, the laboratory shall be an accredited laboratory.

**PERSON** shall have the same meaning as that defined in Port of San Francisco Building Code Chapter 2 and shall also include any department, agency, or commission of the City and County of San Francisco, and State or federal agencies and departments to the extent allowable by law.

**PRE-1979 BUILDING** means any building whose original construction was completed on or before December 31, 1978.

**PROHIBITED PRACTICES** means any work practice that disturbs or removes lead-based paint using any of the following methods: (1) open flame burning or torching; (2) heat guns without containment and barrier systems, or operating above 1,100 degrees Fahrenheit (611.1 degrees Celsius) or causing the charring of paint; (3) hydroblasting or high-pressure washing without containment and barrier systems; (4) dry manual sanding or scraping, or machine sanding or grinding, or abrasive blasting or sandblasting without containment and barrier systems or a HEPA vacuum local exhaust tool.

**REGULATED AREA** means an area in the interior of any pre-1979 buildings, structures or properties with one of the following occupancy classifications: Group E for Day Care and Group R, Divisions 1, 2 and 3; or on the exterior of any pre-1979 buildings or any steel structures, in which work is being performed that disturbs or removes lead-based paint, and to which access is restricted in order to prevent migration of work debris. "Regulated area" shall also include any area contaminated with work debris as a result of a breach or lack of containment and barrier system, which constitutes a violation of the requirement set forth in Section 327.4.2.

**RESPONSIBLE PARTY** means either (1) the tenant of the property where the tenant or the tenant's employees or persons otherwise under the control of the tenant are performing the activities regulated under this section; or (2) the tenant and the contractor where the tenant has entered into a contract with another to carry out the activities regulated under this section.

**STEEL STRUCTURE** means any structure that is not a building and which has exterior surfaces made of steel or other metal, such as bridges, billboards, walkways, water towers, steel tanks and roadway or railway overpasses.

**WORK DEBRIS** means any debris, including without limitations paint chips and dust, resulting from any activity that disturbs or removes lead-based paint.

**327.3 General Prohibitions.** No person shall disturb or remove lead-based paint through the use of prohibited practices, or in any other way that generates work debris during demolition or work on the interior of Occupancy Group E for Day Care and Group R, Divisions 1, 2 and 3 or exterior of any pre-1979 buildings or any steel structure except in accordance with the requirements of this section.

For purposes of this section, all paint on the exterior of any pre-1979 building or any steel structure

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shall be presumed to be lead-based paint. Any person seeking to rebut this presumption shall establish through lead-based paint testing, or other means satisfactory to the Chief Harbor Engineer, that the paint on the building or steel structure in question is not lead-based paint.

Exemption: Not used

### 327.4 Performance Standards.

**327.4.1 Restrict access.** Any person performing work subject to this section shall restrict access by third parties to the regulated area, except as authorized by this section or until the regulated area is cleaned in accordance with Section 327.4.4. This subsection shall not apply to regulated areas that are required for access or egress during the course of the work, such as common areas, and where no alternative exists for access or egress, in which case dust generation and migration shall be controlled through the use of HEPA-attached tools or other feasible containment and barrier systems that allow for access or egress.

**327.4.2 Containment and barrier systems.** Any person performing work subject to this section shall establish containment and barrier systems that contains the work debris within the regulated area.

**327.4.2.1 Protect ground.** Any person performing exterior work subject to this section shall, to the maximum extent possible, protect the ground from contamination by work debris by laying 6 mil plastic (or two layers each 3 mil thick) on the ground extending at least 10 feet (3048 mm) from the work surface when possible.

**327.4.2.2 Protect floor and furnishings.** Any person performing interior work subject to this section shall protect with the use of 6 mil plastic (or two layers each 3 mil thick) any floors and other interior horizontal surfaces, carpets, rugs, drapes, curtains, blinds, shades and furniture in the regulated areas from work debris when it is impracticable to remove such items from the regulated areas during the course of the work.

**327.4.3 Prevent migration.** Any person performing work subject to this section shall make all reasonable efforts to prevent the migration of work debris beyond the established containment and barrier systems during the course of the work. Such efforts may include, but are not limited to, providing secure 6 mil plastic (or two layers each 3 mil thick) protective covering, bagging, shrouding, and/or other safe containment and barrier systems to prevent the migration of work debris; covering and sealing any windows, vent openings and doors in the regulated area to prevent migration; and instituting measures to prevent the tracking of dust from the regulated areas.

**327.4.4 Clean up standards.** At the completion of any work that disturbs or removes lead-based paint or when access to the regulated areas are required by State law or local ordinance during the course of such work, the responsible party shall:

327.4.4.1 For interior work, make all efforts to remove all visible work debris from the regulated areas. Such efforts shall include but are not limited to wet clean with detergent any exposed interior horizontal hard surfaces in the regulated areas and HEPA vacuum the regulated areas.

327.4.4.2 For exterior work, make all efforts to remove all visible work debris from the regulated areas.

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### 327.5 Notification Requirements.

**327.5.1 Notification to the Chief Harbor Engineer.** Except as otherwise authorized by this section, prior to the commencement of exterior work subject to this section, the tenant or contractor shall provide written notice to the Chief Harbor Engineer, either in person, by U.S. mail or by fax, of the following:

3.27.5.1.1 The address and location of the project;

3.27.5.1.2 The scope of work, including the specific location of the work to be performed;

3.27.5.1.3 The methods and tools for paint disturbance and/or removal;

3.27.5.1.4 The approximate age of the building or steel structure;

3.27.5.1.5 The anticipated job start and completion dates for work subject to this section;

3.27.5.1.6 Whether the building is residential or nonresidential, and whether it is owner-occupied or rental property;

3.27.5.1.7 The dates by which the responsible party has or will fulfill any residential occupant or adjacent property notification requirements as described in Sections 327.5.4, 327.5.5 and 327.5.6 below; and

3.27.5.1.8 The name, address, telephone number and, if available, pager number of the party who will perform the specified work.

3.27.5.1.9 The Chief Harbor Engineer shall make available to the public a form containing blank spaces for the information required by Sections 327.5.1.1 to 327.5.1.8, inclusive.

3.27.5.1.10 In lieu of the submission of the form set forth in Section 327.5.1.9, the tenant or contractor may submit the Lead Work Pre-Job Notification form required by the California Division of Occupational Health and Safety pursuant to Section 1532.1 of Title 8 of the California Code of Regulations.

**3.27.5.2 De minimis exemption.** Any person performing exterior work that disturbs or removes less than 100 square feet or 100 linear feet of lead-based paint in total shall be exempted from the requirements of Section 327.5.1.

**327.5.3 Sunset.** Unless extended by the Port Commission, the requirements of Section 327.5.1 shall terminate two years from this effective date of this subparagraph.

**327.5.4 Post sign.** Not later than the commencement of work subject to this section, the tenant or, where the tenant has entered into a contract with a contractor to perform work subject to this section, the contractor shall post signs in a location or locations clearly visible at the access points to interior regulated areas, such as at the entrances of the affected residential unit(s) or common areas, and in the case of exterior work, shall post signs in a location or locations clearly visible to adjacent properties stating the following:

**LEAD WORK IN PROGRESS**

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### PUBLIC ACCESS TO REGULATED AREA PROHIBITED POSTED IN ACCORDANCE WITH PORT OF SAN FRANCISCO EXISTING BUILDING CODE SECTION 327.5.4

**327.5.5 Requirements for sign.** The sign required by Section 327.5.4 shall be not less than 24 inches (609.6 mm) square and shall be in large boldface capital letters no less than ½ inch (12.7 mm) in size. The Chief Harbor Engineer shall make available to the public a sign that complies with these requirements and states the required information in English, Chinese and Spanish. The sign required by this section shall remain in place until the work subject to this section has been completed. Where it is not possible to post signs in a conspicuous location or locations clearly visible at the access points to interior regulated areas, such as at the entrances of the affected residential unit(s) or common areas, and in the case of exterior work, in a location or locations clearly visible to the adjacent properties, the tenant or, where the tenant has entered into a contract with a contractor to perform work subject to this section, the contractor shall provide the notice in written form, such as a letter or memorandum, to the occupants of adjacent properties.

**327.5.6 Not used**

**327.5.7 Not used**

**327.5.8 Not Used**

#### **327.6 Inspection and Sampling.**

**327.6.1 Authority to inspect.** The Chief Harbor Engineer is authorized to inspect the interior or exterior of any building or steel structure upon which work subject to the requirements of this section is being performed for the purpose of determining whether the work is being carried out in accordance with the requirements of this section. This inspection authority shall be exercised in accordance with Port of San Francisco Building Code Section 104A.2.3.

**327.6.2 Response to complaint.** Upon receiving a complaint, the Chief Harbor Engineer shall (1) review the complaint; (2) determine whether a valid notification form has been filed with the Chief Harbor Engineer for the property in compliance with the requirements of Section 327.5.1; and (3) where deemed necessary by the Chief Harbor Engineer, conduct an inspection at the job site within two business days to determine the validity of the complaint.

**327.6.3 Evaluation of complaint.** When determining the validity of a complaint, if the Chief Harbor Engineer is not able to observe the actual performance of any work practices constituting violations of Sections 327.3, 327.4 and/or 327.5, the Chief Harbor Engineer shall investigate and consider the following:

327.6.3.1 The containment and barrier systems, work measures and work tools being used by the responsible party;

327.6.3.2 The color(s) of paint being disturbed or removed by the responsible party;

327.6.3.3 The color(s), quantities, nature and locations of work debris;

327.6.3.4 The color(s), locations and conditions of paint on buildings or steel structures adjacent to

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the regulated area, including without limitations adjacent properties, to determine if such paint could be a source of the work debris;

327.6.3.5 Any work being performed on adjacent properties which could be a source of the work debris; and

327.6.3.6 A record of clearance inspection of the regulated area performed after the completion of the work regulated under this section or records of any lead-based paint testing performed for the regulated area, if available; and

327.6.3.7 Any other relevant evidence that the Chief Harbor Engineer determines in the exercise of his or her discretion would help to determine whether a violation of this section has occurred.

**327.6.4 Authority of Chief Harbor Engineer.** The Chief Harbor Engineer or the Department of Public Health may also collect paint, dust and soil samples from the property where the work is being performed and from adjacent properties in order to determine the validity of a complaint. The Chief Harbor Engineer shall have the authority to order a clearance inspection of the regulated area if he or she determines that there has been a violation of the requirements of Section 327.3 or 327.4.

**327.7 Enforcement.** Not Used

**327.8 Penalties.**

Not used

**327.9 Administrative Enforcement Procedures.**

**327.9.1 Action by the Chief Harbor Engineer.** If the responsible parties failed to comply with the notice of violation, Stop Work Order and/or notice of fee issued pursuant to this code, the Chief Harbor Engineer may:

327.9.1.1 Refer the matter for a hearing in accordance to the provision of this subsection; or

327.9.1.2 Issue another notice of violation, Stop Work Order, and/or notice of fee, if appropriate; or

327.9.1.3 In the case where the responsible party is a contractor, file a complaint with the State Contractor Licensing Board.

**327.9.2 Notice of hearing.** Notice of any hearing conducted under this section shall be given in accordance with Port of San Francisco Building Code Chapter 1.

**327.9.3 Hearing.** Any hearing held pursuant to this section shall be conducted in accordance with Port of San Francisco Building Code Chapter 1.

**327.9.4 Decision.** Except as otherwise provided for in this subsection, any decision issued pursuant to this subsection shall be issued in accordance with Port of San Francisco Building Code Chapter 1A.

327.9.4.1 Where the order imposes administrative penalties, the order shall apprise the responsible parties of their rights to seek judicial review in the Superior Court of San Francisco pursuant to

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Section 1094.6 of the California Code of Civil Procedure.

**327.9.5 Posting and service of order.** The Chief Harbor Engineer's order shall be posted and served in accordance with Port of San Francisco Building Code Chapter 1A.

**327.9.6 Appeal of order.** Any person may appeal the nonmonetary portion of the Chief Harbor Engineer's order issued pursuant to Section 327.9.4, provided that such appeal is in writing and filed with the Chief Harbor Engineer pursuant to Port of San Francisco Building Code Chapter 1A. Upon the determination that all requirements to make an appeal have been met, the monetary portion of the Chief Harbor Engineer's order shall be stayed pending the appeal.

327.9.6.1 not used

**327.9.7 Referral to the City Attorney's Office.**

Not used

**327.10 Miscellaneous.**

**327.10.1 Method of service.** Unless otherwise specified, any notices and orders issued pursuant to this section shall be served in accordance with San Francisco Building Code Chapter 1A .

**327.10.2 Proof of service.** The person serving the notice or order as provided herein shall file an affidavit or declaration thereof under the penalty of perjury, certifying the time and manner in which such notice was given. Such person shall also file therewith any receipt card of such notice or order if service was performed by certified mail.

**327.11 Remedies and Enforcement by City Officials.**

**327.11.1 No obligation by City.** In undertaking the enforcement of this section, 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 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.

**327.11.2 Discretionary duty.** Subject to the limitations of due process, notwithstanding any other provision of this section, whenever the words "shall" or "must" are used in establishing a responsibility or duty of the City, its elected or appointed officers, employees or agents, it is the legislative intent that such words establish a discretionary responsibility or duty requiring the exercise of judgment and discretion.

**327.12 Severability.** If any section, paragraph, sentence, clause or phrase of this section is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this section. The Port Commission declares that it would have passed each section, paragraph, sentence, clause or phrase of this section irrespective of the fact that any portion of this section could be declared unconstitutional, invalid or ineffective.

## SECTION 328 ASBESTOS INFORMATION AND NOTICE

## 2022 Port of San Francisco Existing Building Code

Add the following section:

### SECTION 328 — ASBESTOS INFORMATION AND NOTICE

**328.1 Definitions.** For the purpose of this chapter the following definitions shall apply:

**ASBESTOS** means naturally occurring fibrous hydrated mineral silicates, chrysotile, crocidolite, amosite, fibrous tremolite, fibrous anthophyllite and fibrous actinolite.

**ASBESTOS-CONTAINING CONSTRUCTION MATERIAL** means any manufactured construction material, including structural, mechanical and building material, which contains more than one percent asbestos by weight.

**ASBESTOS-RELATED WORK** means any activity which by disturbing asbestos-containing construction materials may release asbestos fibers into the air and which is not related to its manufacture, the mining or excavation of asbestos-bearing ore or materials, or the installation or repair of automotive materials containing asbestos.

**MISCELLANEOUS MATERIAL** means interior building material on structural components, structural members or fixtures, such as floor and ceiling tiles, and does not include surfacing material or thermal system insulation.

**NONRESIDENTIAL BUILDING** means any building as defined in this code except:

- (1) A building which is used exclusively as a single-dwelling unit or multiple-dwelling units and is not occupied as a mixed residential-commercial use;
- (2) A building owned or operated by the state or federal government and exempt from the building permit requirements under Port of San Francisco Building Code Section 106A.2;
- (3) A school building as defined in 15 U.S.C. 2642.

**SURFACING MATERIAL** means material in a building that is sprayed-on, troweled-on or otherwise applied to surfaces, such as acoustical plaster on ceilings and fireproofing materials on structural members or other materials on surfaces for acoustical, fireproofing or other purposes.

**THERMAL SYSTEM INSULATION** means material in a building applied to pipes, fittings, boilers, breeching, tanks, ducts or other interior structural components to prevent heat loss or gain, or water condensation, or for other purposes.

**TRANSFER OF TITLE** means the conveyance of title to real property by one or more persons as a result of sale or exchange, and including the execution of a real property sales contract as defined in Section 2985 of the California Civil Code and any change in ownership described in subdivisions (c) and (h) of Section 61 and subdivision (c) of Section 64 of the California Revenue and Taxation Code, with the following exceptions:

- (1) Transfers pursuant to court order, including, but not limited to, transfers ordered by a probate court in administration of an estate, transfers pursuant to a writ of execution, transfers by a trustee in bankruptcy, transfers by eminent domain or transfers resulting from a decree for specific performance;

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- (2) Transfers to a mortgage by a mortgagor in default, transfers to a beneficiary of a deed of trust by a trustor in default, transfers by any foreclosure sale after default in an obligation secured by a mortgage, or transfer by a sale under a power of sale after a default in an obligation secured by a deed of trust or secured by any other instrument containing a power of sale;
- (3) Transfers by a fiduciary in the course of the administration of a guardianship, conservatorship or trust;
- (4) Transfers from one co-owner to one or more co-owners;
- (5) Transfers made to a spouse, or to a person or persons in the linear line of consanguinity of one or more of the transferors;
- (6) Transfers between spouses resulting from a decree of dissolution of a marriage or a decree of legal separation or from a property settlement agreement incidental to such decrees;
- (7) Transfers by the State Controller in the course of administering the Unclaimed Property Law, Chapter 7 (commencing with Section 1500) of Title 10 of Part 3 of the Code of Civil Procedure;
- (8) Transfers under the provisions of Chapter 7 (commencing with Section 3691) and Chapter 8 (commencing with Section 3771) of Part 6 of Division 1 of the Revenue and Taxation Code;
- (9) Transfers resulting by operation of law;
- (10) Transfers by which title to real property is reconveyed pursuant to a deed of trust.

### 328.2 Asbestos Information Notice.

**328.2.1 Nonresidential disclosure.** The seller of any nonresidential building, except a nonresidential building for which a building permit to erect the structure was filed with the Port on or after January 1, 1979, shall disclose to the buyer, prior to transfer of title, what efforts, if any, the seller has made to determine if the building contains asbestos-containing construction materials and provide relevant documentation of these efforts.

**328.2.2 Knowledge of seller.** The seller of any nonresidential building, except a nonresidential building for which a building permit to erect the structure was filed with the Port on or after January 1, 1979, who knows that the nonresidential building contains asbestos-containing construction materials, shall provide notice to the buyer prior to transfer of title of the following:

- (1) The existence of, conclusions from and a description or list of the contents of any survey conducted to determine the existence and location of asbestos-containing construction materials within the nonresidential building. The seller shall provide copies of any documentation of the final survey results, including any documentation of the inspector's, laboratory's or consultant's asbestos inspection qualifications and state certification.
- (2) Locations within the nonresidential building identified by the survey or known to the seller where asbestos-containing construction materials in the form of surfacing material, thermal system insulation or miscellaneous material are present.

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- (3) Any final operation and management plans prepared for the seller by consultants, agents or employees of the seller identifying procedures or handling restrictions to minimize or prevent disturbance, release or exposure to the asbestos-containing construction material.
- (4) Results of any bulk sample analysis or air monitoring conducted for or by the seller or within the seller's control, including reference to sampling and laboratory procedures utilized, and copies of the laboratory reports, monitoring data and sampling procedures.
- (5) Information in a final survey or other document prepared for the seller by consultants, agents or employees of the seller that (a) assesses the condition of asbestos-containing construction material in the form of surfacing material, thermal system insulation or miscellaneous material; or (b) evaluates the potential for exposure to building occupants.

**328.3 Asbestos-Related Work Sign Posting and Affidavits.** In addition to any other requirements for notice set forth in this code, any person filing an application for a building permit to perform work in an apartment house or a residential hotel [as defined in Section 41.4(p) of the San Francisco Administrative Code], which work includes asbestos-related work as defined in this code, shall comply with the following requirements:

**328.3.1 Sign posting.** Prior to commencement and for the duration of any asbestos-related work, post a sign readable at 20 feet (6.096 m) at each noncontiguous location where any asbestos-related work is performed in the apartment house or residential hotel, or in any appurtenant buildings thereto and facilities supplied in connection with the use or occupancy thereof, including garage and parking facilities, stating "Danger - Asbestos. Cancer and Lung Hazard. Keep Out." Notwithstanding this requirement, if a tenant or contractor of the tenant subject to the requirements of California Labor Code Sections 6501.5 et seq., and regulations promulgated pursuant thereto, is in compliance with the requirements for posting locations of asbestos-related work, such tenant or contractor shall be deemed to have complied with this requirement.

**328.3.2 Time of posting.** Unless the requirement for plans and specifications is waived by the Chief Harbor Engineer pursuant to Port of San Francisco Building Code Section 106A.3.2, provide a notice at least 72 hours prior to commencement of any asbestos-related work to the residential tenants in the building. The notice shall advise the residential tenants of the nature of the asbestos-related work to be performed, the date and time the work is scheduled to commence, the specific location or locations in the building where the work will occur, the name and address of the person or firm performing the work and the name and telephone number of a person to contact on site if the residential tenant has questions or concerns. The notice shall be provided in one of the following ways:

- (1) At least 72 hours prior to commencement and for the duration of any asbestos-related work, post a notice containing the required information in a conspicuous common area of the apartment house or residential hotel measuring 15 inches by 15 inches (381 mm x 381 mm);  
or
- (2) Mail, by first-class registered mail, a notice containing the required information to each person who rents or leases residential space in the apartment house or residential hotel, postmarked at least five days plus 72 hours prior to commencement of any asbestos-related work; or

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- (3) Personally deliver a notice containing the required information to each person who rents or leases residential space in the apartment house or residential hotel, at least 72 hours prior to commencement of the asbestos-related work.

### **328.3.2.1 Affidavits.**

**328.3.2.1 Affidavits.** The applicant shall thereafter submit an affidavit signed under penalty of perjury stating that the notice has been posted in the building or mailed or personally delivered to each person who rents or leases residential space in the building. See Port of San Francisco Building Code, for fee, if any, to defray the cost of maintaining records of said affidavits. If there is reason to believe that the notice was not posted, mailed or personally delivered as required, the Chief Harbor Engineer shall investigate the matter, shall provide the applicant an opportunity to respond to any complaint of noncompliance, shall determine whether the requirements of this section have been substantially met and shall revoke the permit if it is determined they have not been substantially met.

### **328.3.3 Apartment house and residential hotel exclusions.**

Not used

## **SECTION 329 EARTHQUAKE EVALUATION OF PRIVATE SCHOOL STRUCTURES**

Not Used

## CHAPTER 4 REPAIRS

### SECTION 405.1.1 REPAIRS

Add the following new section:

**405.1.1 Repairs.** Unless otherwise approved by the Chief Harbor Engineer, all structural damage shall be repaired.

Repairs to buildings or structures which have sustained substantial structural damage to vertical elements of the lateral force resisting elements shall comply with the minimum lateral force design requirements of Section 304.4 or with the code under which the building or structure was designed, whichever is more restrictive.

Damage may be caused by events or a combination of events, including, but not limited to, fire, explosion, structural pest or wood-destroying organism attack, earthquake, wind storm, vehicular impact, ground subsidence or failure, or the collapse or dislodgement of any portion of any adjacent building or structure. The removal or alteration of structural elements as part of the work described in an approved building permit application shall not be considered to be “damage.”

*Add the following section:*

**405.2.1.2 Other damage.** For damage less than substantial structural damage that is not Disproportionate Earthquake Damage, repairs shall be allowed that restore the building to its pre-damage state, based on material properties and design strengths applicable at the time of original construction. New structural members and connections used for this repair shall comply with the detailing provisions of this code for new buildings of similar structure, purpose and location.

Add a second paragraph as follows:

**405.2.2 Disproportionate earthquake damage.** Permit application for required rehabilitation work shall be submitted to the Department within 1 year after the earthquake, and the work shall be completed as specified by Port of San Francisco Building Code Section 106A.4.4.

Replace with the following section:

**405.2.3.1 Evaluation.** The building shall be evaluated by a registered design professional, and the evaluation findings shall be submitted to the Chief Harbor Engineer within 60 days of completion of the evaluation.

The evaluation shall establish whether the damaged building, if repaired to its predamage state, would comply with the provisions of this code for wind and earthquake loads. Evaluation for earthquake loads shall be required if the substantial structural damage was caused by or related to earthquake effects or if the building is in Seismic Design Category C, D, E or F.

Wind loads for this evaluation shall be those prescribed in Port of San Francisco Building Code Section 1609. Earthquake loads for this evaluation, if required, shall be according to section 304.4.

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CHAPTER 5 PRESCRIPTIVE COMPLIANCE METHOD

SECTION  
501 GENERAL

Add the following section:

**501.1.3 General.** Buildings, structures and property to which additions, alterations or repairs are made shall comply with all the requirements of this code for new facilities, except as specifically provided in this section, in the San Francisco Housing Code and in other applicable ordinances and regulations. See Section 501.6 for provisions requiring installation of smoke detectors in existing Group R, Division 3 Occupancies.

Add the following section:

**501.6 Additions,** alterations or repairs to Group R Occupancies. When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds \$1,000 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R Occupancies, smoke alarms shall be installed in accordance with Port of San Francisco Building Code Section 907.

EXCEPTION: Repairs to the exterior surfaces of a Group R Occupancy are exempt from the requirements of this section.

Add the following section:

**501.7 Homeless Shelters.** Notwithstanding any other provision of this section, any addition, alteration, repair, installation, change or reconstruction of any building or structure, which is made in order to initiate, expand or continue a facility which, as approved by an authorized government agency, shelters otherwise homeless persons and which is operated by an organization exempt from federal income tax under Internal Revenue Code Sections 501(c)(3) or 501(d), shall meet only those requirements of this code which are determined by the Chief Harbor Engineer, pursuant to rules and regulations adopted by the Chief Harbor Engineer in accordance with Port of San Francisco Building Code Section 104A.1, after consultation with the Fire Department, to be necessary or appropriate to prevent a life hazard, or to prevent the building or structure from being or becoming substandard. With respect to minimum lateral force requirements, said bulletin shall not waive any requirement which can be satisfied by work eligible to receive financial assistance from the State of California. Any provisions waived by said bulletin shall be applied when homeless shelter use ceases and may be applied when homeless shelter use is reduced.

Add the following section:

**501.8 Fire alarm systems.** For all buildings that are required to have a fire alarm system under this Code, the Fire Code, the Housing Code, or any other law, the building owner shall upgrade the fire alarm system, if necessary, to comply with the sound level requirement for sleeping areas set forth in Section 18.4.5.1 of NFPA 72 (2013 edition), as amended from time to time, upon either (a) completion of work under a building permit with a cost of construction of \$50,000 or more, (b) July 1, 2021, or (c) for buildings sold or transferred after September 1, 2017, twelve months after the sale of the property, whichever occurs first.

Exception. Subsection 501.8(a) shall not apply to mandatory seismic strengthening alterations being

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performed pursuant to Chapter 5C of this Code, or to transient Hotels within the Residential Group R-1 Occupancy Classification of Section 310.2 of the Building Code

Add the following section:

**501.9 Open, accessible attics.** When performing additions, alterations, or repairs in Group 3 R occupancies of six units or more under a building permit with a cost of construction of \$50,000 or more, fire blocks, draft-stops, or fire-safe insulation (approved noncombustible material used as a fire barrier) shall be installed in open attics of 30 inches in height or greater that are accessible from other than an occupied residential unit.

Exception. This requirement shall not apply to mandatory seismic strengthening alterations being performed pursuant to Chapter 5C of this Code.

### SECTION 502 ADDITIONS

Add the following section:

**502.10 High-rise buildings.** Any existing building or structure to which an addition is made which causes the building or structure to fall within the scope of Port of San Francisco Building Code Section 403 shall comply with the provisions of that section.

Add the following section:

**502.11 Horizontal additions.** Horizontal additions shall meet the following requirements:

- (1) When the cumulative area of horizontal additions, excluding basement additions, exceeds 30 percent of the area of the original building or structure, excluding basements, and the additions are structurally interconnected to, or not separated to comply with ASCE 7 Section 12.12.3, the entire structure shall comply with Section 304.4.
- (2) For the purpose of this Section 502.11, the term "original building or structure" shall mean the building or structure as it existed on May 21, 1973. The combined building or structure may be used for more restrictive occupancy classifications as determined in Port of San Francisco Building Code Chapter 3 only when the structure as a whole meets the requirements in this code for such occupancy.

### SECTION 503 ALTERATIONS

Add the following section:

**503.1.1.1 Stairways.** For stairway replacement, see Port of San Francisco Building Code Section 1011.12.3.

Revise this section as follows:

**503.11 Substantial Structural alterations.** Where work involves a substantial structural alteration, the lateral load-resisting system of the altered building shall satisfy the requirements of Section 1609

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and 1613 of the Port of San Francisco Building Code. Reduced seismic forces shall be permitted.

Exceptions:

1. Buildings of Group R occupancy with not more than five dwelling or sleeping units used solely for residential purposes that are altered based on the conventional light-frame construction methods of the Port of San Francisco Building Code.
2. Where the intended alteration involves only the lowest story of a building and Section 506 does not apply, only the lateral load-resisting components in and below that story need comply with this section

Add the following section:

**503.17 Mandatory Seismic Retrofit.** Submittal documents shall include plans indicating locations and construction of existing, new and modified building elements used to comply with Chapter 5C.

### SECTION 508 MOVED STRUCTURES

Add the following section:

**508.1 Conformance.** Structures moved into or within the jurisdiction shall comply with the provisions of this code for new structures.

Add the following section:

**508.2 Removal of Debris.** Immediately after the building is moved and before it is occupied at the new site, the permittee must remove all debris and all walls and footings above grade at the site from which it has been moved, except where such walls provide support to adjacent buildings, structures or property. All excavated areas must be filled in or protected by substantial fences not less than 5 feet (1524 mm) in height.

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**CHAPTER 6 TO CHAPTER 15**

These chapters are not adopted *by the Port of San Francisco*.

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**CHAPTER 16 REFERENCED STANDARDS**

No Port of San Francisco Existing Building Code Amendments

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**CALIFORNIA EXISTING BUILDING CODE (CEBC) APPENDICES**

Add the following appendices:

**(CEBC) APPENDIX A CHAPTER A1  
SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY BEARING  
WALL BUILDINGS**

No Port of San Francisco Existing Building Code Amendments

**REFERENCED STANDARDS**

No Port of San Francisco Existing Building Code Amendments

**(CEBC) APPENDIX A CHAPTER A3  
PRESCRIPTIVE PROVISIONS FOR SEISMIC STRENGTHENING OF CRIPPLE WALLS AND  
SILL PLATE ANCHORAGE OF LIGHT, WOOD-FRAME RESIDENTIAL BUILDINGS**

No Port of San Francisco Existing Building Code Amendments

**(CEBC) APPENDIX A CHAPTER A4  
EARTHQUAKE RISK REDUCTION IN WOOD-FRAME RESIDENTIAL BUILDINGS WITH  
SOFT, WEAK OR OPEN FRONT WALLS**

No Port of San Francisco Existing Building Code Amendments

**(CEBC) APPENDIX A CHAPTER A6  
REFERENCED STANDARDS**

No Port of San Francisco Existing Building Code Amendments

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