

BOARD of SUPERVISORS



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MEMORANDUM

TO: Patrick O'Riordan, Director, Department of Building Inspection
Sonya Harris, Commission Secretary, Building Inspection Commission

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: June 13, 2023

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, introduced by Supervisor Chan on June 6, 2023:

File No. 230703

Ordinance amending the Electrical Code to require electrical and communications work installations be performed by contractors with specific certifications under the California Labor Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

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 and Transportation 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 or by email at: Erica.Major@sfgov.org.

cc: Patty Lee, Department of Building Inspection

1 [Electrical Code - Installation Requirements]

2

3 **Ordinance amending the Electrical Code to require electrical and communications work**
 4 **installations be performed by contractors with specific certifications under the**
 5 **California Labor Code; and affirming the Planning Department's determination under**
 6 **the California Environmental Quality Act.**

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

11

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

13

14 Section 1. General Findings.

15 (a) The Planning Department has determined that the actions contemplated in this
 16 ordinance comply with the California Environmental Quality Act (California Public Resources
 17 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
 18 Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this
 19 determination.

20 (b) On _____, at a duly noticed public hearing, the Building Inspection
 21 Commission considered this ordinance in accordance with Charter Section D3.750-5 and
 22 Building Code Section 104A.2.11.1.1. A copy of a letter from the Secretary of the Building
 23 Inspection Commission regarding the Commission's recommendation is on file with the Clerk
 24 of the Board of Supervisors in File No. _____.

25

1 (c) No local findings are required under California Health and Safety Code Section
2 17958.7 because the amendments to the Existing Building Code contained in this ordinance
3 do not regulate materials or manner of construction or repair, and instead relate in their
4 entirety to administrative procedures for implementing and demonstrating compliance with the
5 code, which are expressly excluded from the definition of a “building standard” by California
6 Health and Safety Code Section 18909(c).

7 (d) To the extent the amendments contained in this ordinance requiring certification
8 requirements to perform certain electrical and communications work can be construed as
9 regulating the manner of construction, the Board of Supervisors hereby finds that, pursuant to
10 California Health and Safety Code Section 17958.7, the unique topography of San Francisco
11 with dense development over hilly terrain with high winds and seismic activity necessitates
12 electrical work be performed by licensed contractors to minimize potential for electrical fires
13 and power outtages.

14
15 Section 2. The Electrical Code is hereby amended by revising Section 89.122, to read
16 as follows:

17 **89.122 Permit Issuance.**

18 (A) **General.** An issued permit entitles the permittee to proceed with the installation
19 described therein. Work done in excess of that shown on the application will be subject to
20 extra permit fees as set forth in Section 110A, Table 1A-F – Specialty Permit Fees – of the
21 Building Code. The issuance of a permit does not constitute an approval or an authorization of
22 the work specified therein. Neither the issuance of a permit, nor the approval by the Building
23 Official of any document, shall constitute an approval of a violation of any provision of this
24 code or any law or ordinance. A permit or other document purporting to give authority to
25 violate any code, law or ordinance shall not be valid with respect thereto. Permits shall not be

1 transferable. Proposed electrical installations delineated on a permit application shall be
2 performed only by the permittee or bona fide employee thereof in accordance with the
3 California Code of Regulations, Title 8, Chapter 2, Part IV. The permit shall be posted on the
4 job site where the work is to be done.

5 (1) **Installation Requirements for Electrical Work.** All Electrical Work shall be
6 installed by a licensed C-10 Electrical Contractor employing properly certified personnel pursuant to
7 California Labor Code Chapter 4.5, as it may be amended from time to time, unless otherwise allowed
8 by state law. Electrical Work shall mean and include, but is not limited to, the layout, placement,
9 installation, alteration, removal, maintenance, modification, manipulation, processing, handling,
10 testing, erection, or connection of any electrical material, devices, wires, conductors, cables, fixtures,
11 fittings, hardware, appliances, apparatus, busway, equipment, raceways, conduits, panels, arrays,
12 supports or fasteners, or any combination thereof which shall serve to generate, store, transmit,
13 transform, utilize, or control electrical energy for light, heat, power, or other purposes including all
14 work subject to the provisions of this Code. Electrical Work also means and includes the installation of
15 Fire Alarm Systems, Life Safety Systems, Lighting Control Systems, Low Voltage Light Fixture
16 installations, Low Voltage Electrical Control Systems, Control Systems, Industrial Systems such as
17 process controls, robotics, and manufacturing, Building Automation Control Systems, Electrical (Non-
18 Pneumatic) HVAC Control Systems, or Streetlight and Traffic Signal Systems.

19 (2) **Installation Requirements for Communications Work.** All Communications Work
20 shall be installed by either a licensed C-7 Low Voltage Systems Contractor or a C-10 Electrical
21 Contractor employing properly certified personnel pursuant to California Labor Code Chapter 4.5, as
22 it may be amended from time to time, unless otherwise allowed by state law. Communications Work
23 means the installation, maintenance, service and testing of all apparatus and interconnecting cables,
24 including fiber optics and/or ethereal aid associated with systems utilizing the transmission and/or
25 transference of voice, audio, video, data, interactive services, and internet for systems such as CCTV

1 monitoring and surveillance, background-foreground music, intercom and telephone interconnect,
2 inventory control systems, microwave transmission, multi-media, multiplex, nurse call systems, radio
3 page, school intercom and sound, sound masking, sound reinforcement, teleconference and satellite
4 television systems, security systems, access control systems, burglar alarm systems and data systems.
5 Communications Work does not mean or include Fire Alarm Systems, Life Safety Systems, Lighting
6 Control Systems, Low Voltage Light Fixture installations, Low Voltage Control Systems, Building
7 Automation Control Systems.

8
9 Section 3. Effective Date. This ordinance shall become effective 30 days after
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
12 of Supervisors overrides the Mayor's veto of the ordinance.

13
14 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
17 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
18 additions, and Board amendment deletions in accordance with the "Note" that appears under
19 the official title of the ordinance.

20
21 APPROVED AS TO FORM:
22 DAVID CHIU, City Attorney

23 By: /s/ Robb Kapla
24 ROBB KAPLA
25 Deputy City Attorney

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LEGISLATIVE DIGEST

[Electrical Code - Installation Requirements]

Ordinance amending the Electrical Code to require electrical and communications work installations be performed by contractors with specific certifications under the California Labor Code; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

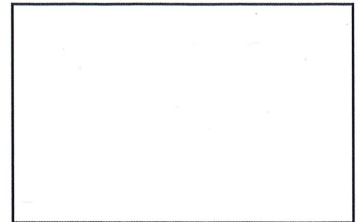
Article 89 of the San Francisco Electrical Code outlines the administrative requirements for building permits requiring electrical work.

Amendments to Current Law

The Proposed Legislation would require that electrical and communications work be performed by C-10 Electrical Contractors and/or C-7 Low Voltage Systems Contractors (for communications work). The licensing process to become certified contractors is governed by California Labor Code and the licenses are issued by the California State License Board.

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor [] inquires..."
- 5. City Attorney Request
- 6. Call File No. [] from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Chan

Subject:

Electrical Code - Installation Requirements

Long Title or text listed:

Ordinance amending the Electrical Code to require electrical and communications work installations be performed by contractors with specific certifications under the California Labor Code; and affirming the Planning Department's determination under the California Environmental Quality Act

Signature of Sponsoring Supervisor: