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## CHAPTER 7: GREEN BUILDING REQUIREMENTS FOR CITY BUILDINGS

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### **SEC. 700. FINDINGS AND PURPOSE.**

The Board of Supervisors finds that:

1. Buildings are one of the distinguishing elements of human civilization. Traditional building design and construction practices have significant negative environmental impacts. In the United States, buildings consume 48 percent of all energy, 76 percent of all electricity, and generate 38 percent of all carbon (CO<sub>2</sub>) emissions. In San Francisco, buildings consume 54 percent of all energy, 80 percent of all electricity, and generate 56 percent of all carbon emissions. Advanced green buildings can generate their own energy, minimize carbon emissions, produce and process their own water, emphasize reuse of buildings and materials, and provide healthy interior environments.
2. The selection of sustainable design features and building materials is consistent with the City's Precautionary Principle Policy. This policy requires that the City consider a full range of alternatives in order to select products and procedures that minimize harm and maximize the protection of public health and natural resources.

3. The United States Green Building Council (USGBC) is a non-profit organization committed to a prosperous and sustainable future for our nation through cost-efficient and energy-saving green buildings. LEED® is an internationally-recognized green building certification system, developed by the USGBC.

4. Green buildings provide financial benefits while protecting human and environmental health. Total construction costs for buildings seeking LEED certification fall into the existing range of costs for buildings not seeking LEED certification. Green buildings, on average, result in savings of 20 percent of total construction costs over the first 20 years of operation.

(Added and former Sec. 700 repealed by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 701. DEFINITIONS.**

The following terms shall have the meanings set forth below.

(a) "Alternative Daily Cover" or "ADC" means materials, other than soil, that have been approved by the California Department of Resources Recycling and Recovery ("CalRecycle") or a successor agency for use as a temporary overlay on an exposed landfill face.

(b) "Beneficial reuse" means the reuse of material at a landfill that does not include ADC but shall include, but not be limited to, use of the material for or as the following: alternative intermediate cover; final cover foundation layer; liner operations layer; leachate and landfill gas collection system; construction fill; road base; wet weather operations pads and access roads; and, soil amendments for erosion control and landscaping. "Beneficial reuse" does not include disposal of material at a landfill.

(c) "BioMass Energy Generation" means the controlled combustion, when separated from other solid waste and used for producing electricity or heat, of wood, wood chips, wood waste, and tree and brush prunings. "Bio-mass Energy Generation" does not include the controlled combustion of recyclable pulp or recyclable paper materials, or medical or hazardous waste.

(d) "Building" means:

(1) Any structure used for support or shelter of any use or occupancy. "Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built or composed of parts joined together in some definite manner and permanently attached to the ground.

(2) "Building" includes office buildings, libraries, recreation centers, museums, airport buildings, public safety buildings, hospitals, clinics, education centers, transportation facilities, cruise ship terminals, marina buildings, convention facilities, and other structures.

(3) "Building" does not include machinery, equipment, or appliances installed for manufacture or process purposes only, any construction installation that is not part of a building, or any tunnel, roadway or bridge, or any vehicle or mobile equipment.

(e) "CALGreen" means the California State Green Building Code as adopted by San Francisco Building Code Chapter 13C.

(f) "City department" means any department of the City and County of San Francisco. City department does not include any other local agency or any federal or State agency, including but not limited to, the San Francisco Unified School District, the San Francisco Community College District, the San Francisco Redevelopment Agency and the San Francisco Housing Authority.

(g) "City-owned Facility" means any building owned by the City and County of San Francisco. "City-owned

Facility" includes City-owned facilities or portions thereof that the City leases to non-City entities.

- (h) "City Leasehold" means a building or portion thereof owned by others where the City is a tenant.
- (i) "City Representative" means the employee of the City who oversees the construction and/or demolition process for a City construction and/or demolition project and is responsible for ensuring that the contractor complies with all aspects of the contract documents.
- (j) "Commission" means the Commission on the Environment.
- (k) "Commissioning Process" means an independent process to ensure the attainment of quality facilities pursuant to this Chapter. The commissioning process verifies and documents that the energy using systems in buildings are installed, tested, and operate as designed. The Commissioning Process shall coordinate with, but not include, routine inspections performed by the code official having jurisdiction.
- (l) "Construction and Demolition Debris" or "C & D Debris" means building materials and solid waste generated from construction and demolition activities, including, but not limited to: fully-cured asphalt; concrete; brick; rock; soil; lumber; gypsum wallboard; cardboard and other associated packaging; roofing material; ceramic tile; carpeting; fixtures; plastic pipe; metals; and, tree stumps and other vegetative matter resulting from land clearing and landscaping for construction, deconstruction, demolition or land developments. "Construction and Demolition Debris" does not include refuse regulated under the 1932 Refuse Collection and Disposal Ordinance or sections of the Municipal Code that implement the provisions of that ordinance, or materials excavated from the public right-of-way. "Construction and Demolition Debris" does not include "hazardous waste," as defined in California Health and Safety Code Sections 25100 et seq.
- (m) "Construction Project" means any building, planning or construction activity, including demolition, new construction, major alteration, or building additions by a City department at a City-owned Facility, or City Leasehold.
- (n) "Contractor" means the company or person to whom the City awards a contract for a construction and/or demolition project. The contractor is responsible for complying with all aspects of Section 708 of this Chapter and for ensuring that all subcontractors, lower-tier subcontractors and suppliers also comply.
- (o) "Deconstruction" means the process of taking apart a structure with the primary goal of preserving the value of all useful building materials, so that they may be reused or recycled.
- (p) "Demolition Project" means the decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement, building, wall or fence, whether in whole or in part and whether interior or exterior.
- (q) "Department" means the Department of the Environment.
- (r) "Design Phases" means the generally-accepted stages of architectural design: conceptual design, schematic design, design development and construction documents.
- (s) "Director" means the Director of the Department of the Environment or his or her designee.
- (t) "Disposal" means final deposition of material at a legally operating permitted landfill that does not include beneficial reuse or at a permitted transformation facility. A legally operating, permitted landfill includes Class III landfills and inert fills. Disposal of inert materials at inert fills or inert backfill sites does not constitute recycling.
- (u) "Diversion" means use of material for any purpose other than disposal in a landfill or transformation facility, such as source reduction, reuse, recycling, and composting activities that do not result in material being disposed at permitted landfills and transformation facilities.
- (v) "Diversion Rate" means the percentage of total material that is diverted from disposal at permitted landfills and transformation facilities through processes such as source reduction, reuse, recycling, and composting.

- (w) "Green Building Certification Institute" or "GBCI" is the body providing independent third-party LEED certification and professional credentials recognizing excellence in green building performance and practice.
- (x) "Hazardous Material" means any material defined as hazardous in California Health and Safety Code Sections 25100 et seq., as amended.
- (y) "Indoor Air Quality" means the quality of indoor air, including the concentration of particulates, fumes, odors, carbon dioxide, etc.
- (z) "Indoor Environmental Quality" means the quality of the indoor environment, including air quality, thermal quality, acoustical quality, daylight, views and controllability of systems.
- (aa) "Landfill" means a facility that (i) accepts for disposal in or on land non-hazardous waste such as household, commercial, and industrial waste, and waste generated during construction, remodeling, repair and demolition operations, and (ii) has a valid current solid waste facilities permit from the California Department of Resources Recycling and Recover (CalRecycle).
- (bb) "Leadership in Energy and Environmental Design" or "LEED®" is an internationally recognized green building certification system developed by the USGBC, providing third-party verification that a building or community was designed and built using strategies aimed at improving performance across all the following metrics: energy savings; water efficiency; CO<sub>2</sub> emissions reduction; improved indoor environmental quality; and, stewardship of resources and sensitivity to their impacts. LEED provides building owners and operators with a concise framework for identifying an implementing practical and measurable green building design, construction, operations, and maintenance solutions. LEED certified buildings are rated on a scale from lowest to highest: LEED Certified, LEED Silver, LEED Gold and LEED Platinum. Wherever specific LEED prerequisites or credits are cited, such references are to LEED building Design and Construction (BD+C) 2009. More recent LEED versions may be used, provided the credits and points achieved are at least as stringent as LEED BD+C 2009.
- (cc) "LEED Accredited Professional" or "LEED AP" means an employee of a City department or a consultant retained by the City through a design or construction contract or other agreement who has fulfilled all requirements and passed the LEED accreditation exam issued by GBCI in applying LEED principles to technical fields of practice in building design, construction and operations.
- (dd) "LEED Project Administrator" means the individual member of the design team who registers a project with GBCI, and subsequently administers the LEED documentation process. For San Francisco municipal construction projects, the LEED Project Administrator shall be a LEED AP.
- (ee) "LEED Scorecard" means a summary chart indicating all LEED prerequisites and credits being pursued and reasonably expected to be achieved for a construction project.
- (ff) "Major Alteration" means construction work that is extensive enough such that normal building operations cannot be performed while the work is in progress, and/or a new certificate of occupancy, or similar official indication that it is fit and ready for use, is required.
- (gg) "Minimum Project Requirements" or "MPR" means the minimum requirements for projects to become LEED certified, as issued by the USGBC.
- (hh) "Mixed Construction & Demolition debris" or "Mixed C & D Debris" means "Construction and Demolition Debris" or "C&D Debris," but excluding materials source-separated for reuse or recycling.
- (ii) "New Construction" means construction from the ground up, including a new building envelope, and new structural, mechanical, electrical and plumbing systems.
- (jj) "Person" means a natural person, a firm, joint stock company, business concern, association, partnership or corporation or, to the extent permitted by law, governmental entity, including the City and County of San Francisco and

its departments, boards and commissions for projects within the nine counties surrounding the San Francisco Bay, and its or their successors or assigns.

(kk) "Recover" or "Recovery" means any activity, including source reduction, deconstruction and salvaging, reuse, recycling and com posting, which, causes materials to be recovered for use as a resource and diverted from disposal.

(ll) "Recycle" or "Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. "Recycling" does not include "transformation," as defined in Section 40201 of California Public Resources Code.

(mm) "Recycling Facility" means an operation or person that collects and processes materials for recycling.

(nn) "Registered Facility" means a facility that accepts mixed construction and demolition debris for processing and recycling and holds a valid registration issued by the City and County of San Francisco pursuant to Chapter 14 of the Environment Code.

(oo) "Registered Transporter" means a person who removes mixed construction and/or demolition (C&D) debris from a construction and/or demolition site, using a vehicle with more than two axles or two tires per axle (such as a large pickup truck with four tires on the rear axle or three-axle dump trucks), and hauling at least one (1) cubic yard of mixed construction and demolition debris. A "Registered Transporter" must hold a valid registration from the City and County of San Francisco and is obligated to take all mixed C&D material only to a Registered Facility.

(pp) "Reuse" means using an object or material again, either for its original purpose or for a similar purpose, without significantly altering the physical form of the object or material.

(qq) "Source Reduction" means any action which causes a net reduction in the generation of solid waste. Source reduction includes, but is not limited to, reducing the use of non-recyclable materials, replacing disposable materials and products with reusable materials and products, reducing packaging, reducing the amount of yard wastes generated, establishing garbage rate structures with incentives to reduce waste tonnage generated, and increasing the efficiency of the use of paper, cardboard, glass, metal, plastic, and other materials.

(rr) "Source-Separated Materials" means materials that have been separated or kept separate from the solid waste stream, at the point of generation, for the purpose of reuse, recycling or composting in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

(ss) The "United States Green Building Council" or "USGBC" is a non-profit organizations committed to a prosperous and sustainable future for our nation through cost-efficient and energy-saving green buildings.

(Added and former Sec. 701 repealed by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 702. MUNICIPAL GREEN BUILDING TASK FORCE.**

(a) **Establishment and Purpose.** The Board of Supervisors establishes the Municipal Green Building Task Force (the "Task Force") to oversee and assist in enhancing the environmental performance of City construction projects pursuant to this Chapter. The Task Force shall review municipal construction projects subject to this Chapter during their design and construction to ensure that the responsible City departments are complying with the requirements of the Chapter, and may advise the Department of the Environment on matters of policy related to this Chapter. The Task Force shall facilitate communication about green building issues throughout the City, and act as an educational forum to increase knowledge and share project-related successes and lessons learned.

(b) The Task Force will consist of one member of the public appointed by the Mayor, and a representative with building design, construction and/or finance experience from each of the following City departments:

- (1) The Department of the Environment;
- (2) The Division of Building Design and Construction within the Department of Public Works;
- (3) The Division of Infrastructure Design and Construction within the Department of Public Works;
- (4) The San Francisco Public Utilities Commission;
- (5) The Recreation and Park Department;
- (6) The San Francisco Municipal Transportation Agency;
- (7) The Department of Building Inspection;
- (8) The Port of San Francisco;
- (9) The San Francisco International Airport;
- (10) The San Francisco Public Library;
- (11) The Department of Public Health; and,
- (12) The Real Estate Division within the Department of Administrative Services.

(c) The Task Force shall adopt bylaws to govern its operations. At least one member of the Task Force shall be a LEED Accredited Professional.

(d) The Department of the Environment shall provide staff for the Task Force.

(Added and former Sec. 702 repealed by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 703. DUTIES OF THE DEPARTMENT OF THE ENVIRONMENT.**

(a) **General Duties Under this Chapter.** The Department of the Environment shall:

- (1) Develop goals, criteria, and strategies for optimizing municipal green building design, construction and operations and make policy recommendations regarding requirements for municipal construction projects to the Board of Supervisors;
- (2) Develop and oversee a training program in green building practices, including design, construction, alteration, renovation, operation and reuse of buildings for department heads and city architects, engineers, construction managers, building managers, department managers and finance officers employed by the City in order to implement the policies adopted by the Board of Supervisors;
- (3) Coordinate with the Task Force and other City departments having expertise with, or with responsibility for, compliance with the requirements of this Chapter, and on achieving municipal green building goals including, but not limited to, the Department of Public Works, the San Francisco Public Utilities Commission and the Department of Building Inspection. These departments shall also assist the Director in providing advice, assistance, outreach, and education to other City departments concerning green building practices;

- (4) Provide technical project oversight and assistance directly to City project teams or through green building technical assistance contracts; and
- (5) Develop forms and materials necessary for compliance with this Chapter.

(b) **Guidance, Rules and Regulations.** After a public hearing, the Director may promulgate such guidance, forms, performance procedures, rules and regulations as may be necessary or appropriate from time to time to carry out the provisions of this Chapter, including the adoption of forms necessary to implement this Chapter. The Director is authorized to call upon the Task Force and other City departments as necessary and appropriate to assist in developing such guidance, forms, performance procedures, rules and regulations. Such guidance, forms, performance procedures, rules and regulations may include adopting appropriate versions of LEED and adopting or modifying San Francisco-specific LEED requirements for municipal construction projects, as provided in Section 706.

(c) The Director shall determine the costs of implementing this Chapter and shall request that relevant City departments provide work orders to the Department to cover the costs of implementing and maintaining the programs required by this Chapter.

(Added and former Sec. 703 repealed by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 704. DUTIES OF CITY DEPARTMENTS.**

- (a) Each City department, board and commission subject to this Chapter shall administer its construction projects in accordance with the Chapter.
- (b) Each City department, board and commission subject to this Chapter shall cooperate with, and provide in writing to the Department all information necessary for the Department to carry out its duties under this Chapter.
- (c) Each City department shall designate an employee contact person for construction projects and green building communications.
- (d) Each City department shall assist the Director in providing advice, assistance, outreach and education to other City departments concerning municipal green building practices.
- (e) Appropriate City department personnel shall attend green building related training offered by the Department.
- (f) The San Francisco Public Utilities Commission may provide energy- or water-related technical project design review assistance directly to City project teams or through technical assistance contracts.

(Added as Sec. 709 by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

(Former Sec. 704 added and previous Sec. 704 repealed by Ord. 88-04, File No. 030679, App. 5/27/2004; repealed by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 705. LEED CERTIFICATION REQUIREMENTS FOR MUNICIPAL CONSTRUCTION PROJECTS.**

- (a) In addition to complying with this Chapter, municipal construction projects shall comply with the requirements of Chapter 13C of the San Francisco Building Code, "The San Francisco Green Building Code."
- (b) As described in this Chapter, the LEED rating system shall be used to certify the environmental design of the City's municipal construction projects. The minimum requirement for municipal construction projects of 5,000 square feet or more shall be LEED Gold certification by GBCI.

(c) In order to achieve LEED Gold certification, municipal construction projects must meet selected San Francisco-specific LEED credit requirements as further specified by Section 706 and this Chapter.

(d) **Operative Date.** This section shall apply to any construction project otherwise subject to the provisions of this Chapter 7 where the initial appropriation request, either whole or partial, is submitted to the board of supervisors after November 1, 2011.

(e) **Projects Less Than 5,000 Square Feet.** For construction projects less than 5,000 square feet and for construction projects of any size not meeting the Minimum Project Requirements to be eligible for LEED certification, the sponsoring City department, in consultation with a LEED AP, shall prepare and submit a conceptual design phase LEED Scorecard to the Department for informational and reporting purposes. The conceptual design phase LEED Scorecard shall demonstrate the maximum LEED credits that are practicable for the project. The sponsoring City department shall pursue these LEED credits throughout the design and construction process. The department, in consultation with a LEED AP, shall prepare and submit a final as-built LEED Scorecard to the Department indicating all LEED credits that would be achieved if the project had been certified. Documentation of LEED credits is not required for these projects.

(f) **Projects of 5,000 Square Feet or More.** For Construction Projects with square footage of 5,000 square feet or more the following applies:

(1) **Conceptual Design Phase.** During the conceptual design phase, the sponsoring City department shall assemble a design team, which shall include a LEED AP assigned to be the LEED Project Administrator. The LEED Project Administrator shall prepare and submit a conceptual phase LEED Scorecard to the Department for review by the Task Force. The conceptual phase LEED Scorecard shall demonstrate a LEED Gold rating or higher, including all San Francisco-specific LEED credit requirements. The Task Force shall review and make recommendations on the conceptual LEED Scorecard within 35 days of submittal.

(2) **Schematic Design, Design Development and Construction Document Phases.** During the Schematic Design phase, the LEED Project Administrator shall register the construction project with the GBCI as a LEED registered project. At the conclusion of each design phase (Schematic Design, Design Development, and Construction Documents), the LEED Project Administrator shall submit an updated LEED Scorecard to the Department; the Scorecard shall demonstrate a LEED Gold rating or higher for the project, including all San Francisco-specific LEED credit requirements. These interim LEED Scorecards shall be available for review by the Task Force.

(3) **Project Consultation.** At the completion of construction, the LEED Project Administrator shall submit the final LEED documentation to the GBCI for certification. Upon receiving the LEED rating from the GBCI, the LEED Project Administrator shall submit the LEED ratings and the final LEED Scorecard to the Department for review by the Task Force.

(g) The USGBC updates the LEED rating system on a three-year cycle. The Director shall as necessary adopt by the regulation the current applicable versions of LEED pursuant to Section 703(b).

(Added as Sec. 707 by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

(Former Sec. 705 added and previous Sec. 705 repealed by Ord. 88-04, File No. 030679, App. 5/27/2004; Ord. 103-10, File No. 090584, App. 5/21/2010; repealed by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## SEC. 705.1. RESERVED.

(Added by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. 103-10, File No. 090584, App. 5/21/2010; repealed by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## SEC. 705.2. RESERVED.



(Added by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. 103-10, File No. 090584, App. 5/21/2010; repealed by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## SEC. 705.3. RESERVED.

(Added by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. 103-10, File No. 090584, App. 5/21/2010; renumbered as Sec. 710 and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## SEC. 705.4. RESERVED.

(Added by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. 103-10, File No. 090584, App. 5/21/2010; renumbered as Sec. 711 and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## SEC. 705.5. RESERVED.

(Added by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. 103-10, File No. 090584, App. 5/21/2010; renumbered as Sec. 707 and amended in its entirety by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## SEC. 706. SAN FRANCISCO-SPECIFIC LEED CREDIT REQUIREMENTS FOR MUNICIPAL CONSTRUCTION PROJECTS.

(a) As part of the LEED Gold certification requirement for municipal construction projects, the projects must achieve the following LEED credits:

(1) **Stormwater Management.** The LEED Project Administrator shall submit documentation verifying that a construction project that is located outside the City and County of San Francisco achieves the LEED SS6.2 credit. Construction projects located within the City and County of San Francisco shall implement the applicable stormwater management controls adopted by the San Francisco Public Utilities Commission (the "SFPUC"). All construction projects shall develop and implement construction activity pollution prevention and stormwater management controls adopted by the SFPUC, and achieve LEED prerequisite SSp1 or similar criteria adopted by the SFPUC, as applicable.

(2) **Indoor Water Use Reduction.** The LEED Project Administrator shall submit documentation verifying a minimum 30 percent reduction in the use of indoor potable water, as calculated to meet and achieve LEED credit WE3.2.

(3) **Energy Performance.** Using an Alternative Calculation Method (ACM) approved by the California Energy Commission, the LEED Project Administrator shall calculate the project's energy use, and compare it to the standard or "budget" building to achieve LEED credit EA1 by either:

(A) A 15 percent compliance margin over Title 24, Part 6, 2008 California Energy Standards; or,

(B) Document compliance with Title 24, Part 6, 2008 California Energy Standards, including submittal of all standard documentation, and additionally demonstrate that the project achieves a 15 percent or greater compliance margin over the ASHRAE 90.1 2007 energy cost baseline using the published LEED 2009 rules. Such analysis shall include all on-site building energy use, including exterior and security lighting, elevators, all process loads, and receptacle loads.

(4) **Renewable Energy.** The LEED Project Administrator shall confer with SFPUC on renewable energy opportunities for municipal construction projects, including photovoltaics, solar hot water and wind power. Space allocation and infrastructure for future renewable energy installations shall be included in municipal construction projects, as advised by SFPUC, including but not limited to structural capacity, wiring conduits, supply and return piping, and control wiring. The LEED Project Administrator shall submit documentation verifying that either:

(A) At least 1 percent of the building's energy costs are offset by on-site renewable energy generation, achieving LEED credit EA 2, including any combination of: photovoltaic, solar thermal, wind, biofuel-based electrical systems, geothermal heating, geothermal electric, wave, tidal, or low impact hydroelectric systems, or as specified in Section 25741 of the California Public Resources Code; or,

(B) In addition to meeting LEED prerequisite EA 1 Energy Performance requirement, achieve an additional 10 percent compliance margin over Title 24, Part 6, 2008 California Energy Standards, for a total compliance margin of at least 25 percent.

(5) **Commissioning.** The LEED Project Administrator shall submit documentation verifying that the facility has been or will meet the criteria necessary to achieve LEED credit EA 3.0 (Enhanced Commissioning), in addition to LEED prerequisite EAp1 (Fundamental Commissioning of Building Energy Systems.)

(6) **Enhanced Refrigerant Management.** The LEED Project Administrator shall submit documentation verifying that the project will reduce ozone depletion, while minimizing direct contribution to climate change, achieving LEED credit EA 4.

(7) **Construction Debris Management.** The LEED Project Administrator shall submit documentation verifying the diversion of a minimum of 75 percent of the project's construction and demolition debris, as calculated to achieve LEED credit MR2.2. The project must also satisfy; the requirements of Section 708.

(8) **IAQ Management: During Construction.** The LEED Project Administrator shall submit documentation verifying that the sponsoring City department has prepared and implemented an Indoor Air Quality Management Plan that achieves LEED credit EQ 3.1. This requirement includes meeting or exceeding the recommended Control Measures of the Sheet Metal and Air Conditioning National Contractors Association (SMACNA) IAQ Guidelines for Occupied Buildings under Construction, 2nd Edition 2007, ANSI-SMACNA 008-2008 (Chapter 3).

(9) **IAQ Management: Before Occupancy.** The LEED Project Administrator shall submit documentation verifying that the sponsoring City department has prepared and implemented an Indoor Air Quality Management Plan that achieves LEED credit EQ 3.2.

(10) **Low Emitting Materials.** The LEED Project Administrator shall submit documentation verifying that the project is using low-emitting materials, subject to onsite verification, achieving LEED credits EQ 4.1. EQ 4.2. EQ 4.3. and EQ 4.4 wherever applicable:

(A) Adhesives, sealants and sealant primers shall achieve LEED credit EQ 4.1. including compliance with South Coast Air Quality Management District (SCAQMD) Rule #1168, amended January 7, 2005.

(B) Interior paints and coatings applied on-site shall achieve LEED credit EQ 4.2. including:

(i) Architectural paints and coatings shall meet the VOC content limits of Green Seal Standard GS-11 (1st Edition, 1993).

(ii) Anti-corrosive and anti-rust paints applied to interior ferrous metal substrates shall not exceed the VOC content limit of Green Seal Standard GC-03 (2nd Edition, 1997) of 250 g/L.

(iii) Clear wood finishes, floor coatings, stains, primers, and shellacs applied to interior elements shall not exceed SCAQMD Rule 1113 (2004) VOC content limits.

(C) Flooring systems shall achieve LEED credit EQ 4.3 Option 1. including:

(i) Interior carpet shall meet the testing and product requirements of the Carpet and Rug Institute Green Label Plus program.

(ii) Interior carpet cushioning shall meet the requirements of the Carpet and Rug Institute Green Label

program.

(iii) Hard surface flooring, including linoleum, laminate flooring, wood flooring, ceramic flooring, rubber flooring, and wall base shall be certified as compliant with the FloorScore standard, provided, however, that 100 percent reused or 100 percent post-consumer recycled hard surface flooring may be exempted from this LEED credit EQ 4.3 requirement. Projects exercising this exemption for hard surface flooring shall otherwise be eligible (or LEED credit EQ 4.3).

(D) Interior composite wood and agrifiber products shall achieve LEED credit EQ 4.4 by containing no added urea formaldehyde resins. Interior and exterior hardwood plywood, particleboard, and medium density fiberboard composite wood products shall additionally meet California Air Resources Board Air Toxics Control Measure for Composite Wood (17 CCR 93120 et seq.), by or before the dates specified in those sections.

(E) Project sponsors are encouraged to achieve LEED Pilot Credit 2: Persistent Bioaccumulative Toxic Chemicals Source Reduction: Dioxins and Halogenated Organic Compounds. This standard is consistent with Environment Code Chapter 5: Non-PVC Plastics.

(11) **Indoor Chemical and Pollutant Source Control.** The LEED Project Administrator shall submit documentation verifying that the project will minimize and control the entry of pollutants into buildings and later cross contamination of regularly occupied areas, achieving LEED credit EQ 5.

(Added by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

(Former Sec. 706 added and previous Sec. 706 repealed by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered as Sec. 708 and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 707. COLLECTION, STORAGE AND LOADING OF RECYCLABLE AND COMPOSTABLE MATERIALS.**

(a) All City departments shall ensure that adequate, accessible, and convenient recycling, composting and waste areas are provided within City-owned facilities and leaseholds, and that all contract documents for construction activities contain this requirement. In accordance with the City and County of San Francisco's solid-waste diversion goals, and the Mandatory Recycling and Composting Ordinance ( Chapter 19 of the Environment Code), the departments shall provide sufficient space to allow the collection, storage and loading of 100 percent of the facility's recyclable, compostable and waste materials. That space must be sufficient to accommodate containers consistent with both current methods and goals of refuse collection, storage and loading, and with projected needs when full zero waste goals are met.

(1) The departments shall integrate all areas designated for the collection, storage and loading of recyclable, compostable and waste materials into the design and construction of the project. The departments shall ensure that areas for collection, storage and loading of recyclable and compostable materials are at least as convenient and usable as spaces provided for non-recyclable waste disposal, and located in the same areas whenever possible. When separate locations must be provided due to space constraints, the locations for collection, storage and loading of recyclable and compostable materials shall be at least as convenient as non-recyclable waste disposal locations.

(2) All areas designated for the collection, storage and loading of recyclable, compostable and waste materials shall allow for easy access to the containers by collection vehicles.

(3) Each interior space shall include adequate area designed and designated for collection and storage of recyclable, compostable and waste materials.

(4) Any chute system for solid-waste disposal shall be designed for equal convenience to all users to separate the three waste streams of trash, recycling and compostable materials.

(b) **Surplus Furniture, Equipment, Computers and Supplies.** The Virtual Warehouse Program facilitates the

reuse, recycling, and disposal of surplus City materials. To the extent permitted by law, all surplus furniture, equipment, computers and supplies purchased with San Francisco City and County funds shall be turned in to the Virtual Warehouse. Before buying any new furniture, equipment or supplies. City employees shall check the Virtual Warehouse for available products that meet their needs.

(c) All City departments are required to recycle used fluorescent and other mercury containing lamps, batteries, and universal waste as defined by California Code of Regulations Section 66261.9.

(Added as Sec. 705.5 by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. 103-10, File No. 090584, App. 5/21/2010; renumbered and amended in its entirety by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011

(Former Sec. 707 added and previous Sec. 707 repealed by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered as Sec. 705 and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

## **SEC. 708. CONSTRUCTION AND DEMOLITION DEBRIS MANAGEMENT.**

(a) This requirement applies to all Construction and/or Demolition Projects at City-owned Facilities and City leaseholds, regardless of size of the project, located within the nine counties surrounding the San Francisco Bay. All City departments shall ensure that each Construction and/or Demolition Project subject to this Section shall meet the following requirements:

(1) The Contractor shall employ the following hierarchy of highest and best use for handling Construction & Demolition ("C&D") debris as follows:

- (A) Implement reduced material usage or reuse of materials before any recycling;
- (B) Implement recycling of source-separated material before any recycling of mixed C&D debris material;
- (C) Implement recycling of mixed C&D debris before all other forms of disposal.

(2) The contractor shall manage all project C&D debris materials to meet a minimum diversion rate of 75 percent. The Director may increase the minimum diversion rate by regulation under Section 703(b) based on the Director's assessment of infrastructure, markets and materials available to support the new rate.

(3) The contractor is prohibited from sending any C&D debris material directly to a landfill without submitting a request to and receiving approval from the Department. The request must demonstrate that all reuse and recycling options for the material have been evaluated and determined to be not possible. A request to send C&D material directly to landfill must demonstrate that beneficial reuse of the material is employed, if possible, before any material is used as alternative daily cover (ADC), and that material is used as landfill disposal only as a last resort if necessary, and shall include documentation such as a written statement by the landfill operator that the material will be used as designated.

The contractor should submit any initial request for approval to send C&D debris material directly to a landfill to the Department at the same time the contractor submits the Construction and Demolition and Debris Management Plan (CDDMP) to the City Representative, as provided in subsection (b)(2)(A)(ii), below. But if unforeseen circumstances affect the material during the project, the contractor may at that time submit an additional or amended request to the Department for its review and possible approval.

(4) The contractor is prohibited from sending any C&D debris materials directly to any facility that would incinerate such debris or otherwise process such debris using high temperature conversion technology, unless the debris is used as boiler fuel in BioMass Energy Generation, which will only be allowed after the contractor has submitted a request to and received approval from the Department. The contractor shall demonstrate in the request that all reuse and recycling options for the material have been evaluated and determined to be not possible.

(5) No solid waste or C&D debris material shall be buried or otherwise disposed of on the project site, unless

engineered and processed on site for on-site reuse such as engineered backfill or landscaping; any such use shall be documented on all C&D debris material management plans and reports.

(6) In order for C&D debris to be considered hazardous, such as containing asbestos or lead, it shall be tested and determined to be hazardous by an independent professional, such as a Cal/OSHA Certified Asbestos Consultant. The waste determination and other verification shall be included with the C&D Debris Management Plan, together with a list of hazardous materials found at the project site and plans for proper disposal.

(b) **Construction and Demolition Debris Management Plan.** The contract between the City department and the contractor shall require the contractor responsible for construction and/or demolition debris material management to:

(1) Conduct a site assessment to estimate the types of materials that will be generated during the construction and/or demolition project, including packaging or shipping materials.

(2) Complete a plan as set forth below describing procedures for reuse, recycling and material management.

(A) **Plan Requirements.** The contract between the City department and the contractor shall require that:

(i) After award of the contract and prior to commencement of the demolition or construction project, the City Representative shall ensure that the contractor develops a plan for managing C&D debris material from the project to meet the requirements of this Section.

(ii) The contractor shall prepare, sign and submit a Construction and Demolition Debris Management Plan ("CDDMP") to the City Representative. The City Representative shall review the plan to ensure the contractor and the City are maximizing highest and best use of all C&D debris material and are meeting the requirements of this Section. The City Representative shall, if appropriate, approve and sign the CDDMP to ensure that the contractor abides by all requirements of this Section.

(B) The Director shall specify the form of the CDDMP by regulation pursuant to Section 703(b). The form shall include, but not be limited to:

(i) Contractor and project identification information;

(ii) Procedures to be used for C&D debris management;

(iii) A list of the materials generated from the project, their estimated weight by tons, and how they will be reused, recycled, or otherwise handled; and,

(iv) The names and locations of reuse and recycling facilities or sites, and companies that will transport the material.

(3) If the project involves a Full Demolition Permit from the code official having jurisdiction, or if the projected cost of the project exceeds \$100,000, or as may be required by the Department, the City Representative shall send the approved CDDMP to the Department for optional review and approval.

(c) **Summary of Diversion; Disposal.** The contract between the City department and the contractor shall require that:

(1) With each application for progress payment, the contractor shall submit a signed Summary of Diversion to the City Representative showing C&D debris material diversion and disposal coinciding with the time period of the progress payment. This summary shall quantify all materials generated by the construction and/or demolition project, and how they were diverted from disposal through reuse or recycling, plus supporting documentation in the form of weight slips or other similar proof. The means used to reuse or recycle debris material must be consistent with the CDDMP for the project. No material may be taken to any landfill without prior approval pursuant to Section 708(a)(3), and landfill documentation provided with the Summary of Diversion must show that material was used as specified in

the CDDMP. Failure to submit the Summary of Diversion and supporting documentation to the City Representative shall render the application for progress payment incomplete and delay progress payment. The Summary of Diversion must be submitted on a form specified by regulation of the Director under Section 703(b).

(2) The City Representative shall review and, if appropriate, sign as approved. the Summary of Diversion and supporting documentation to ensure that the contractor is adhering to the approved CDDMP, and that the reported diversion rate is correct. The City Representative shall send the Department a copy of the approved Summary of Diversion for any projects subject to subsection (b)(3).

(d) **Final Diversion Report.** The contract between the City department and the contractor shall require that:

(1) A Final Diversion Report signed by the contractor showing the weight of C&D debris material diverted for the entire construction and/or demolition project and the overall diversion rate achieved shall be prepared and submitted to the City Representative for approval prior to final payment. The Final Diversion Report will be submitted on a form established by regulation, pursuant to Section 703(b).

(2) The City Representative will send an approved copy of the Final Diversion Report to the Department. The City Representative shall retain all supporting documentation and make it available to the Department upon request.

(e) **Retention of Records.** The City Representative shall retain all C&D Debris Management Plans, Summaries of Diversion, Final Diversion Reports and all supporting documentation after completion of the project for a period of time determined by the Department by regulation.

(f) **Revenue.** Revenues or other savings obtained from recycled or reused materials shall accrue to the City department or the contractor as negotiated between them and embodied in the contract.

(g) All factual representations required by this Section shall be signed under penalty of perjury.

(h) All forms and documentation required by this Section will be submitted electronically, if possible.

(i) **Enforcement.** The Director and his or her designee may administer all provisions of this section and enforce those provisions by any lawful means available for such purpose except as otherwise provided in this Chapter.

(Added as Sec. 706 by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

(Former Sec. 708 added by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered as Sec. 713 and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 709. WATER CONSERVATION RETROFIT REQUIREMENTS.**

(a) On or before January 1, 2017, the department responsible for any City-owned facility's operation and maintenance shall take all steps necessary to bring the facility into compliance with this Section.

(b) The department shall use San Francisco Public Utilities Commission ("SFPUC") guidelines to determine which of the following provisions applies.

(c) **Water Conservation Requirements for Water Closets (Toilets) and Urinals.**

(1) This subsection applies to all City-owned facilities.

(2) City leaseholds are subject to the all the requirements of the Commercial Water Conservation Ordinance of Chapter 13A of the San Francisco Building Code, including provisions requiring the replacement of non-compliant water closets and urinals on or before January 1, 2017.

(3) The responsible department shall ensure that all water closets in City-owned facilities with a rated flush volume exceeding 1.6 gallons per flush and all urinals with a rated flush volume exceeding 1.0 gallon per flush are replaced with high-efficiency water closets that use no more than 1.28 gallons per flush and high-efficiency urinals that use no more than 0.5 gallons per flush, respectively.

(4) The responsible department shall replace the bowl and flushometer valve together in all City-owned facilities to meet high-efficiency standards for flushometer type water closets and urinals. The department shall replace the bowl and tank together to meet high-efficiency standards for tank type water closets.

(5) The department shall be responsible for the costs of compliance and for ensuring that all applicable contract documents for the replacement of water closets and urinals contain the above requirement.

(6) Installation of water closets and urinals:

(A) City departments purchasing water closets and urinals may only purchase high-efficiency water closets and urinals listed by the General Manager of the SFPUC.

(B) City departments shall confer with the General Manger and incorporate technical assistance and water conservation audit findings in project plans.

(7) City departments shall comply with inspection findings determined to be necessary by the General Manager of the SFPUC to ensure that all fixtures have been properly installed for buildings subject to the requirements in subsection (c)(3) where four or more high-efficiency water closets or urinals are replaced.

(8) Should the General Manager of the SFPUC determine that water closets and urinals that are more water-efficient than those specified in the foregoing sections exist. City departments shall install fixtures identified on a SFPUC list of other water-efficient water closets and urinals that City departments may use pursuant to Section 703(b).

**(d) Water Conservation Requirements for Shower Heads.**

(1) This subsection applies to all City-owned facilities.

(2) City leaseholds are subject to the Commercial Water Conservation Ordinance of Chapter 13A of the San Francisco Building Code, including provisions requiring the replacement of non-compliant showerheads on or before January 1, 2017.

(3) The department responsible for any City-owned facility's operation and maintenance shall take all necessary steps to ensure that all showerheads in the facility having a maximum flow rate exceeding 2.5 gallons per minute are replaced with shower heads having a maximum flow rate, not to exceed 1.5 gallons per minute.

(4) The department shall be responsible for the costs of compliance and for ensuring that all applicable contract documents for the replacement of showerheads contain the above requirement.

(5) Should the General Manager of the SFPUC determine that shower heads that are more water efficient than those specified in the foregoing section exist, City departments shall install fixtures identified on a San Francisco Public Utilities Commission list of other water-efficient shower heads that City departments may use pursuant to Section 703(b).

**(e) Water Conservation Requirements for Faucets and Faucet Aerators.**

(1) This subsection applies to all City-owned facilities.

(2) City leaseholds are subject to requirements of the Commercial Water Conservation Ordinance of Chapter 13A of the San Francisco Building Code, including provisions requiring the replacement of non-compliant faucets and faucet aerators on or before January 1, 2017.

(3) The department responsible for any City-owned facility's operation and maintenance shall take all necessary steps to ensure that all faucets and faucet aerators in the facility with a maximum flow rate exceeding 2.2 gallons per minute are replaced with fixtures having a maximum flow rate not to exceed 0.5 gallons per minute per appropriate site conditions.

(4) The department shall be responsible for the costs of compliance and for ensuring that all applicable contract documents for the replacement of faucet or faucet aerators containing the above requirement.

(5) Should the General Manager of the SFPUC determine that faucet aerators that are more water efficient than those specified in the foregoing section exist, City departments shall install fixtures identified on a SFPUC list of other water-efficient faucets or faucet aerators that City departments may use pursuant to Section 703(b).

(Added by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

(Former Sec. 709 added by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered as Sec. 704 and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 710. ENERGY EFFICIENT LIGHTING RETROFIT REQUIREMENTS.**

(a) The requirements of this Section (or of California Code of Regulations Title 24, Part 6, or subsequent State standards, whichever are more stringent) shall apply in all cases except those in which a City department is not responsible for maintenance of light fixtures or exit signs.

(b) City departments shall be responsible for the cost of compliance and for ensuring that all applicable contract documents for the replacement and installation of light fixtures and exit signs contain the following requirements:

(1) **Exit Signs.** At the time of installation or replacement of broken or non-functional exit signs, all exit signs shall be replaced with light-emitting diode (L.E.D.)-type signs. Edge-lit compact fluorescent signs may be used as replacements for existing edge-lit incandescent exit signs.

(2) **Fluorescent Fixtures.**

(A) **Definitions.** For the purposes of this Section, the following definitions shall apply:

(i) "Luminaire" is an interior or exterior complete lighting unit, including internally or externally illuminated signs, consisting of the lamp and the parts designed to distribute the light, to protect the lamp, and to connect the lamp to the power supply, but not including illuminated utilization equipment or exit signs.

(ii) "Occupancy Sensor Control Device" is a device that automatically turns off a luminaire or series of luminaires no more than 30 minutes after it senses that the area is vacated.

(iii) "Utilization Equipment" is commercial, retail or industrial equipment, including but not limited to refrigeration equipment, fully enclosed retail display cases, vending machines, printing equipment or conveyors, which uses 4-foot or 8-foot fluorescent lamps ("tubes" or "bulbs") as an integrated part of such equipment. "Utilization Equipment" shall not include furniture or workstations.

(iv) "Compliance Deadline" is the final date by which all fixtures using 4-foot or 8-foot linear fluorescent lamps to provide illumination are to be in compliance.

(B) **Compliance Deadline.** The Compliance Deadline is December 31, 2011.

(C) **Mercury Content.** The mercury content of each 4-foot or 8-foot fluorescent lamp ("tube" or "bulb") installed in a luminaire after the Compliance Deadline shall not exceed 5 mg for each 4-foot fluorescent lamp, or 10 mg for each 8-foot fluorescent lamp.



(D) **Energy Efficiency.** The lamp and ballast system in each luminaire that utilizes one or more 4-foot or 8-foot linear fluorescent lamps to provide illumination in a City-Owned Facility must meet at least one of the following requirements:

(i) The lamp and ballast system emits 81 or more lumens per watt of electricity consumed;

(ii) The luminaire is controlled by an occupancy sensor control device that does not control an area in the building of more than 250 square feet;

(iii) The luminaire is fitted with a lighting efficiency measure approved by the Director as equivalent to the measures in subsections (i) or (ii) above;

(iv) The Director finds, based on the facts of the particular building and luminaire, that the energy savings from installing lighting efficiency measures meeting the requirements of this Section will be so insignificant over the life of the luminaire that the measure is not cost-effective; or,

(v) If the City department elects to meet the requirements of this Section with measures that require permits, such permits shall comply with all other applicable requirements of this Code and all other applicable state and local laws.

(E) **Low Light Levels.** The requirements of this Section shall not apply where the resulting luminaire will provide lighting levels at the work surface that are below the standards established by the Illuminating Engineering Society.

(F) **Waivers.** By September 30, 2011, the Director shall act on all pending requests for City Departments for a temporary waiver of the requirements of this Section. The criteria for waivers for this Section shall be described in rules issued by the Director. The Director shall submit to the Board of Supervisors a list of all departments receiving waivers, and shall identify budgetary or other barriers to compliance cited in those departments' waiver requests. Thereafter, the Director shall report on the effects of this Ordinance as part of the report required by Section 712.

(3) **Exterior Light Fixtures.** At the time of installation or replacement of broken or non-functional exterior light fixtures, a photocell or automatic timer shall be installed to prevent lights from operating during daylight hours. The existing switching capabilities shall be maintained. Upon written request by a City department the Director may grant an exemption from the requirement of this subsection where lighting is necessary during daylight hours.

(c) **Other Technologies.** Should the Director determine that light fixtures or exit signs that are more energy than those specified in the foregoing sections exist, the Director may, in consultation with the San Francisco Public Utilities Commission, establish a list of other energy-efficient light fixtures and exit signs that City departments may use pursuant to Section 703(b).

(Added as Sec. 705.3 by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. 103-10, File No. 090584, App. 5/21/2010; renumbered and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

(Former Sec. 710 added by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered as Sec. 712 and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## SEC. 711. INDOOR ENVIRONMENTAL QUALITY.

(a) The requirements of this Section apply to all City-Owned Facilities and City leaseholds.

(b) The San Francisco Department of Public Health ("DPH"), in consultation with the Department, shall track Indoor Environmental Quality (IEQ) problems, including indoor air pollution, fumes, odors, humidity problems, and thermal and acoustical comfort issues, in City-owned buildings and City leaseholds through the Department of Public Works and the Real Estate Division's Computerized Maintenance Management System (CMMS).

- (c) City Departments not using the CMMS may complete a voluntary annual survey of IEQ information.
- (d) DPH shall compile tracking information from the CMMS and survey results into an annual analysis including commonalities among complaints and preventative techniques. The annual survey results and analysis will provide information with which to provide better solutions to IEQ problems and improve IEQ policy-making.
- (e) DPH will coordinate research and interventions relating to the causes, effects, extent, prevention, and control of indoor pollution, and will disseminate outcomes to City departments.
- (f) Pursuant to Section 703(a)(2), the Department, in consultation with DPH, will provide outreach and education programs for City Departments and design professionals on the importance of IAQ management in the design, construction, operation and maintenance of municipal buildings.
- (g) Construction specifications and facility maintenance protocols for City-owned Facilities and City Leaseholds shall include the following:
- (1) Implementation of moisture and mold management practices during the design, construction and maintenance of a building. City-owned Facilities and City Leaseholds shall have a system in place that provides prompt response and remediation for moisture infiltration, water damage and/or mold.
  - (2) For new construction, elimination of building materials manufactured with lead. Eliminated materials are established by regulation, pursuant to Section 703(b).
- (h) Additional IEQ construction specifications and facility maintenance protocols for City-owned Facilities and City Leaseholds may be adopted by regulation pursuant to Section 703(b).

(Added as Sec. 705.4 by Ord. 88-04, File No. 030679, App. 5/27/2004; amended by Ord. 103-10, File No. 090584, App. 5/21/2010; renumbered and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 712. REPORT TO THE BOARD OF SUPERVISORS.**

No later than July 1, 2014, the Director, in consultation with the Task Force and affected City departments and with input from members of the public who have asked to be informed by the Task Force or the Department, shall submit to the Board of Supervisors a report on the effects of this Chapter, including but not limited to the following:

- (1) A report of the compliance of construction projects under the LEED rating system, including a report on waivers;
- (2) A report of City departments' compliance with this Chapter;
- (3) An assessment of whether this Chapter has achieved its stated goals; and
- (4) Recommended changes, if any, to this Chapter.

(Added as Sec. 710 by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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## **SEC. 713. WAIVERS.**

- (a) Waivers from the requirements of this Chapter are available under the following circumstances:
- (1) **Emergency.** A City department may grant itself a waiver from any requirement of this Chapter, except the requirements of Section 706(a)(4), when it is necessary to respond to an emergency which endangers public health or safety. In such case, the City department shall report to the Director on a form provided by the Director regarding the

emergency that prevented compliance with this Chapter within five business days. City departments desiring an emergency waiver from the requirements of Section 706(a)(4) shall confer with the General Manager of the San Francisco Public Utilities Commission.

(2) **Cost Prohibitive.** A City department may request a waiver from the Director on a form provided by the Director if compliance with this Chapter is cost prohibitive. The Task Force shall provide the Director with a recommendation with respect to the waiver request. The Director may grant a waiver upon a finding that the requesting department has:

(A) Demonstrated which specific requirements are cost prohibitive as weighed against the potential economic, environmental and health benefits posed by a particular requirement; and

(B) If applicable for Section 705, developed a reasonable plan to maximize the number of LEED points attainable.

(3) **Other.** If, due to specific circumstances, compliance would defeat the intent of this Chapter or create an unreasonable burden on the construction project or City department, the City department may request a waiver from that requirement from the Director on a form provided by the Director. The Task Force shall provide the Director with a recommendation with respect to the waiver request. The Director may grant a waiver upon a finding that the requesting Department has:

(A) Documented the circumstances and burdens at issue; and

(B) If applicable for Section 705, developed a reasonable plan to maximize the number of LEED points attainable.

(b) The Director shall respond to a request for a waiver within 35 days.

(c) The Director may not waive the requirements of Sections 706(a)(4), 707, and 708, except in the case of emergencies as provided in subsection (a)(1). Departments seeking waivers of the requirements of Section 710(b) must follow the procedures provided for in Section 710(b)(2)(F). Granting of a waiver for any requirement of this Chapter does not waive any requirement of San Francisco Building Code Chapter 13C.

(d) The Director shall report to the Commission on the Environment regularly on waivers requested, granted and denied.

(Added as Sec. 708 by Ord. 88-04, File No. 030679, App. 5/27/2004; renumbered and amended by Ord. [204-11](#), File No. 110854, App. 10/11/2011, Eff. 11/10/2011)

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