

**ATTACHMENT III**

Department of Public Works  
Office of the Director  
City Hall, Room 348  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4645

**DPW ORDER NO. 175,487****ESTABLISHING POLICY AND GUIDELINES FOR DEPARTMENT OF PUBLIC WORKS PERMIT PROCESSING PRIORITY.****I: PURPOSE**

The purpose of this Order is to establish guidelines to ensure that permit applicants receive equal treatment, that permits are reviewed in the order received by the Department of Public Works, or reviewed in conformity to a policy that allows for alternative, priority processing of applications. This Order is in accordance with the requirements of San Francisco Campaign and Government Conduct Code Section 3.400, effective December 15, 2004, and supplements the Permit Processing Code of Conduct adopted by the Ethics Commission on January 10, 2005. This Director's Order recognizes the need for a policy that addresses such priority, necessity, efficiency and/or practical feasibility necessary to deliver customer service founded upon a basis of equal treatment to all applicants.

**II: REFERENCE**

San Francisco Public Works Code

Standing Director's Orders

Ordinance 115-04, Amends San Francisco Campaign and Government Conduct Code, Section 3.400 "Permit Application Processing."

**III: MANDATE OF POLICY**

This Director's Order provides guidelines for the implementation of legislation adopted by the Board of Supervisors to ensure that DPW, as a City Permitting Department, conducts its operations so that no appearance or actual preferential treatment is given to any permit applicant while allowing for a policy that considers priority, necessity, efficiency, and practical feasibility in the issuance of permits.

**IV: PROCEDURAL APPLICABILITY**

These procedures relate to assignment of permit applications and initial processing as well as to permit revisions and/or corrections submitted to the Department of Public Works through to the final permit issuance. The Department of Public Works recognizes that strict chronological review is infeasible for all permits following initial acceptance and, further, that employees need to exercise reasonable discretion in all permit review and issuance activities in order to fulfill the Department's customer service responsibilities.

When questions arise regarding this process, employees shall consult with their supervisors. Adherence to this Order allows alternatives to the strict chronological order of permit processing and issuance.

**V: GUIDELINES FOR PERMIT PROCESSING AND ISSUANCE**

Permit applications shall be entered into the permit database, assigned to staff for review, and reviewed in the order in which they are received in accordance with Rule 1, except as detailed for priority permits as set forth under Rule 2, 3, and 4A & 4B. A determination by Department of Public Works' Senior Staff as to whether priority permit review is acceptable will be made upon request by project sponsors, their representatives, or at such times as the Department becomes aware of a potential priority situation, such as clerical error or cases of less complexity, whereas the applicant's request is not required.

**DEFINITIONS:**

**Rule 1** All permits shall be processed and approved in the chronological order of date and time received.

Following an initial review in accordance with the guidelines established in this Order, permit applications may be placed on hold, routed to other divisions of DPW or other City agencies, issued, or disapproved pursuant to the Public Works Code and other adopted Orders, polices and procedures.

**Rule 2** Provides a listing of categories of permits eligible for consideration for priority review.

**Rule 3** Addresses issues related to the priority and review of revisions and of other materials submitted after initial permit acceptance and review, as well as issues related to final processing and issuance of permits.

**Rule 4A** Recognizes the concept of “lesser” permit complexity review requirements and “greater” permit review complexity, including listing types of permits.

**Rule 4B** Allows consideration be given due to the availability of qualified and/or authorized personnel to review and issue permits.

**DETAILED INFORMATION:**

**Rule 1** Permit application, data entry, assignment to staff, and review shall be chronologically assigned for plan review and processing by Department of Public Works staff based on date/time of permit filing, except as detailed in cases below.

**Rule 2** Permit applications for the following types of work may be given priority assignment for plan review and issuance. Each such case must be individually evaluated and approved in writing by the DPW Director or his/her designee:

1. Permits for necessary emergency work to secure the health or safety of building users or the public related to or occupying the public right-of-way (PROW).
2. Permits for construction work that utilizes public funds for any part of such work.
3. Permit for work on City-owned or leased properties when such priority permit review is specified in a written agreement between the Department of Public Works and such other City agencies.
4. Permits for work consisting solely for disabled access improvements.
5. Permits for maintenance or preservation of designated historic publicly owned areas.
6. Permits for work in the PROW in conjunction with buildings that meet or exceed LEED rating high efficiency “green” building under the Leadership in Energy and Environmental Design program of the U.S. Green Building Council).
7. Permits to respond to delay caused by an earlier procedural error by DPW in processing the permit or processing another permit for the same project.
8. Permits submitted to comply with Notices of Violation, Orders of Abatement, or any Notices to Repair, other official Department of Public Works enforcement, or abatement notices.
9. Permits for other work for which there is a significant public benefit or necessity.

**Rule 3** Revisions and other materials submitted to the Department of Public Works during the permit review process must be reviewed in the order in which such types of materials are received. Such submittal materials include revisions, corrections, addenda, and other materials related to an active permit. Certain exceptions to the strict chronological review and processing sequence are allowed when:

1. Procedural errors by DPW cause a processing delay in the permit review.
2. Materials lost or misplaced by DPW are being replaced.

3. Permit revisions are submitted pursuant to decision of the Board of Appeals or other review or appeals body.
4. Revisions, connections or other submittals are minor in nature and do not unreasonably delay the review, consideration, or processing of other such materials that are in queue.
5. Revisions for permits for work for which there is a significant public benefit or necessity.

**Rule 4A** Applications related to the use of the public right-of-way (PROW) encompass more than 22 distinct permits where the process time between review and issuance may vary from minutes to years. “Less” complex permits may be reviewed and issued prior to “greater” complexity as a matter of Department efficiency and service to the public. The following categories classify several DPW permits into the appropriate “lesser” and “greater” groupings based upon typical review times. Permits not listed are subject to Rules 1, 2, and/or 3.

LESSER COMPLEXITY		
Temporary Occupancy	Excavation Side Sewer	Café Tables/Chairs Renewals
Street Space Occupancy Additional Street Occupancy	Underground/Tank Removal	Street-Use Banners
Mobile Storage Container Municipal Excavation Permits	Boring/ Monitoring Well	Minor/Sidewalk Encroachment Related to Existing Conditions
Debris Box Sign Posting Registration	Display Merchandise Renewal	Permit Renewals/Extensions

GREATER COMPLEXITY
Major Encroachment
Sidewalk Underground Vault Encroachment

**Rule 4B** DPW employees may possess various professional licenses necessary to perform the duties of their job classification. Also, DPW employees are granted differing levels of authority to process and approve a variety of permits. Rule 4B recognizes that the availability of licensed or authorized person may restrict the Department’s ability to process and approve a variety of permits in strict chronological order. Thus, this policy allows that permits may be processed and issued considering the availability of authorized personnel to do so.

**DOCUMENTATION OF FINDINGS OF BASIS FOR PRIORITY PERMIT PROCESSING**

All rules for priority permit processing, except procedural correction, lost document replacement, and Rules 4A and 4B, shall be documented [See Attachment A], including written findings demonstrating conformity to one of the listed provisions. The documentation may be approved only by the Director of the Department of Public Works, a Senior Manager, Deputy Bureau Manager or other designated Staff person. The documentation of priority permit processing shall be maintained in a chronological file at the DPW Permit Manager’s Office located presently in Room 460, 875 Stevenson Street. Records are available for review to any member of the public or staff at any time during regular business upon request.

**QUALITY ASSURANCE PROCEDURES**

The assignment of permit applications for review by Department of Public Works staff shall be subject to periodic monthly review, by a Senior Staff person, Bureau Representative or persons designated by the Director. Documentation of actions that do not conform to this Order, or other procedures issued by the Director, or other official policies of the City shall be investigated and, if deemed appropriate by the Director, disciplinary action shall be taken as detailed in the Civil Service Rules.

APPROVED:  
Edwin M. Lee  
Director of Public Works

RECOMMENDED:  
Barbara L. Moy  
Bureau Manager  
Street Use and Mapping

RECOMMENDED:  
Robert P. Beck  
Deputy Director for Engineering

APPROVED: JUNE 22, 2005

EDWIN M. LEE, DIRECTOR

- Attachment A: Document of Priority Permit Processing
- Attachment B: SF Campaign and Governmental Conduct Code Section 3.400
- Attachment C: Permit Processing Code of Conduct

**Attachment A**

**DEPARTMENT OF PUBLIC WORKS**

City and County of San Francisco  
875 Stevenson Street, Room 460

**Documentation of Findings for Priority Permit Processing**

A copy of this form shall be maintained in the DPW Permit Office as part of the permanent records of the findings for priority permit processing at 875 Stevenson Street, Room 460.

Received on Date: \_\_\_\_\_ Time \_\_\_\_\_

Permit Application #: \_\_\_\_\_

Property Address: \_\_\_\_\_

Block and Lot: \_\_\_\_\_ / \_\_\_\_\_ Permit Type: \_\_\_\_\_ Use: \_\_\_\_\_

Description of Proposed Work:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Findings/Basis for Priority Permit Review:

Other (circle one) Rule 2, or Rule 3

Item #: \_\_\_\_\_

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Priority Permit Review Requested By: \_\_\_\_\_

Approved By: \_\_\_\_\_

Print name: \_\_\_\_\_ Title: \_\_\_\_\_

**Attachment B*****Editor's Note:***

*The provision quoted in this attachment was amended after the approval of this Administrative Bulletin. For the convenience of the user, the amended version is presented below.*

**THE SAN FRANCISCO CAMPAIGN AND GOVERNMENTAL CONDUCT CODE****CHAPTER 4: PERMIT APPLICATION PROCESSING**

Sec. 3.400. Permit Application Processing.

**SEC. 3.400. PERMIT APPLICATION PROCESSING.**

(a) **EQUAL TREATMENT OF PERMIT APPLICANTS.** It shall be the policy of the Department of Building Inspection, the Planning Department, the Department of Public Works and the officers and employees of such departments to treat all permit applicants the same regardless of the relationship of the applicant and/or the applicant's representatives to any officer or employee of the City and County and regardless of whether the applicant hires a permit consultant to provide permit consulting services. Intentional preferential treatment of any permit applicant and/or the applicant's representatives by any officer or employee of the Department of Building Inspection, the Planning Department, or the Department of Public Works shall subject the officer or employee to disciplinary action for official misconduct.

(b) **APPLICATION PRIORITY.** It shall be the policy of the Department of Building Inspection, the Planning Department, the Department of Public Works and the officers and employees of such departments to review, consider, and process all applications, revisions, corrections and other permit-related material in the order in which that type of material is received unless there is a written finding of a public policy basis for not doing so, such as the involvement of public funds in the project for which the permit is sought, or the response to a delay caused by an earlier procedural error in processing the permit or another permit for the same project. Absent such a finding, any officer or employee of the Department of Building Inspection, the Planning Department, the or Department of Public Works who intentionally fails to review, consider and process all applications, revisions, corrections and other permit-related material in the order in which that type of material is received shall be subject to disciplinary action for official misconduct. The Department of Building Inspection, the Planning Department, and the Department of Public Works shall each adopt written guidelines for determining when there is a public policy basis for processing permit material out of order. For purposes of this section, and any corresponding written guidelines, expediting of work consisting primarily of disability access improvements for real property shall qualify as a public policy basis for processing permit material out of order, on a priority basis.

(c) **PERMIT PROCESSING CODE OF CONDUCT.** No later than 60 days after the effective date of this Article, the Ethics Commission shall adopt a code of conduct for permit processing (the "Permit Processing Code of Conduct") containing ethical guidelines for permit applicants, permit consultants, and officers and employees of the Department of Building Inspection, the Planning Department, the and Department of Public Works. The Permit Processing Code of Conduct shall be posted in a conspicuous place in each department, and a copy shall be distributed to each officer of the City and County who makes or participates in making decisions related to permit applications.

(Added by Ord. 115-04, File No. 040907, App. 7/1/2004; amended by Ord. 187-12, File No. 111047, App. 9/11/2012, Eff. 10/11/2012)

Attachment C**ETHICS COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO****Permit Processing Code of Conduct**  
(adopted by Ethics Commission January 10, 2005)*Preamble*

The people of San Francisco are entitled to fair and equitable processes for the review and approval of permit applications by City departments. To this end and pursuant to Section 3.400(c) of the San Francisco Campaign and Governmental Conduct Code, the Ethics Commission adopts this Permit Processing Code of Conduct to guide the Department of Building Inspection, the Planning Department and the Department of Public Works, and members of the public who use their services.

*For the Staff*

As an employee or officer working on matters related to permits issued by the Department of Building Inspection, the Planning Department or the Department of Public Works, I will be honest in my dealings with permit applicants, permit consultants, members of the public and my colleagues. I will enforce compliance with Building, Planning and Public Works Codes and requirements in a consistent manner.

*For the Public*

I will be sensitive to the fact that officers and employees of the City must adhere to laws and rules that govern their conduct and I will respect their procedures. I will provide full, clear and accurate information to the officers and employees of the City.