	Presidio Trust **Fire Marshal's Office** *1750 Lincoln Blvd. San Francisco, California 94129*	**Date**: February 16, 2024 **Revision**: Sept 28, 2026 **Standard**: *ADM-002*
Title: **Fire & Life Safety Code Inspection and Enforcement Process**	**Approved By**: *Randy Amores*	

SCOPE

The Department of Public Safety, Presidio Trust Fire Marshal's Office, hereto known as the Authority having Jurisdiction (AHJ), is charged with the responsibility of conducting inspections of buildings and structures within Area B of the Presidio of San Francisco in accordance with the following codes:

- California Fire Code
- National Fire Protection Association, NFPA 5000 Building Construction and Safety Code U.S. Government Code, Code of Federal Regulations
- U.S. Government Code, Code of Federal Regulations

1. COMPLIANCE

1.1. Policy: It is the policy of the Presidio Trust to achieve compliance by traditional means of inspection, notification, granting of reasonable time to comply, and re-inspection.

1.2. Enforcement: If compliance cannot be obtained through traditional means, escalating enforcement shall be used only after all reasonable means to gain compliance have failed or, with proper justification, at the discretion of the AHJ.

1.2.1. Escalating enforcement utilizes formal notices to the buildings' occupants, notices to appear in Federal Court and the occupant's loss of use of the building until such time as corrective action has been completed.

2. INSPECTION PROCESS

2.1. General: An inspection for compliance with the Codes shall occur annually – at a minimum.

2.1.1. Occupancies identified by the AHJ are subject to more frequent inspection. Inspections will occur on a regular schedule and administered by the AHJ.

2.2. Inspection: The inspection will be conducted by the AHJ or designated representative in coordination with the occupant and in a manner that is respectful to the occupant's operation.

2.2.1. A representative of the occupant should accompany the AHJ or designated representative during the inspection.

2.3. Findings: The findings of the inspection will be documented on the Fire & Life Safety Inspection Report, a copy of which will be provided to the occupant.

2.3.1. The report will list deficiencies and/or violations of the Codes that were discovered in the course of the inspection.

2.4. Corrective Action: The Fire & Life Safety Inspection Report will indicate the corrective action that is required and specify a period of time for corrective action to be completed.

2.4.1. The period of time for corrective action under normal circumstances shall be thirty (30) days.

2.4.2. Situations deemed unacceptably hazardous to life or property, at the discretion of the AHJ, can require a period of time for corrective action to be significantly less than thirty (30) days.

2.5. Re-inspection: A re-inspection of the occupancy will occur at any time after the specified period of time for

corrective action has passed.

2.5.1. The re-inspection will be conducted by the AHJ or designated representative in coordination with the occupant and in a manner that is respectful to the occupant's operation.

2.5.2. A representative of the occupant should accompany the AHJ or designated representative during the re-inspection.

2.6. Re-inspection Findings: The findings of the re-inspection will be documented in the *Fire & Life Safety Inspection Report*, a copy of which will be provided to the occupant.

2.6.1. Clearance: A clearance notice will be issued for items found to have been corrected as a result of the corrective action period, a copy of which will be provided to the occupant.

2.6.2. Violations/Deficiencies: Any deficiencies and/or violations of the Codes that are still in existence at the time of the re-inspection will be listed in the report.

2.6.3. Re-inspections/Corrective Action: The Fire & Life Safety Inspection Report will indicate corrective the action required and specify a final period of time for corrective action must be completed. The final period of time for corrective action under normal circumstances shall be thirty (30) days. Situations deemed unacceptably hazardous to life or property, at the discretion of the AHJ, can require a period for corrective action that is significantly less than thirty (30) days.

2.7. Final Re-inspection: A final re-inspection of the occupancy will occur at any time after the specified final period of time for corrective action has passed. The final re-inspection will be conducted by the AHJ or designated representative in coordination with the occupant and in a manner that is respectful to the occupant's operation. A representative of the occupant should accompany the AHJ or designated representative during the final re-inspection.

2.8. Final Re-inspection Findings: The findings of the re-inspection will be documented in the standard *Fire & Life Safety Inspection Report*, a copy of which will be provided to the occupant.

2.8.1. Clearance: A clearance notice will be issued for items found to have been corrected as a result of the corrective action period, a copy of which will be provided to the occupant.

2.8.1.1. Any deficiencies and/or violations of the Codes that are still in existence at the time of the re-inspection will be listed in the report.

2.8.2. Violations/Deficiencies: Any deficiencies and/or violations of the Codes that are still in existence at the time of re-inspection will be listed in the report.

2.9. Formal Violation: Any deficiencies and/or violations that are still in existence at the time of the final re-inspection are deemed to be formal violations of the Codes. The AHJ or designated representative will issue a formal Notice of Violation to the occupant for the uncorrected deficiencies and/or violations.

2.9.1. Procedure: The AHJ or designated representative shall prepare the formal Notice of Violation, listing the uncorrected deficiencies and/or violations and specifying a period of time for corrective action that must be completed.

2.9.1.1. The period of time for corrective action under normal circumstances shall be thirty (30) calendar days.

2.9.1.2. Situations deemed unacceptably hazardous to life or property, at the discretion of the AHJ, can require a period of time for corrective action to be significantly less than thirty (30) calendar days.

2.9.1.3. The AHJ or designated representative shall deliver the formal Notice of Violation to the occupant in the presence of a Law Enforcement Officer from the United States Park Police — San Francisco Field Office and the Presidio Trust Fire Marshal's Office, directing the occupant to correct the deficiencies and/or violations listed on the form Notice of Violation.

2.9.2. Formal Violation/Re-inspection: A re-inspection of the occupancy will occur at any time after the specified period of time for corrective action has passed. The re-inspection will be conducted by the AHJ or designated representative in coordination with the occupant and in a manner that is respectful to the occupant's operation. A representative of the occupant should accompany the AHJ or designated representative during the re-inspection.

2.9.3. Formal Violation Re-inspection Findings: The findings of the re-inspection will be documented in the Fire & Life Safety Inspection Report, a copy of which will be provided to the occupant.

2.9.4. Clearance: A clearance notice, a copy of which will be provided to the occupant, will be issued for items found to have been corrected as a result of the corrective action period.

2.9.5. Violations/Deficiencies: Any deficiencies and/or violations of the Codes that are still in existence at the time of the re-inspection will be listed in the report.

3. FAILURE TO ABATE

3.1. Any deficiencies and/or violations that are still in existence at the time of the re-inspection are deemed to be unabated. The AHJ or designated representative will issue a Notice of Failure to Abate to the occupant for the uncorrected deficiencies and/or violations.

3.2. Procedure: The AHJ or designated representative shall prepare the formal Notice of Failure to Abate, listing the uncorrected deficiencies and/or violations, and specify a period of time within which corrective action must be completed.

3.2.1. The period of time for corrective action under normal circumstances shall be thirty (30) days.

3.2.2. Situations deemed unacceptably hazardous to life or property, at the discretion of the AHJ, can require a period of time for corrective action that is significantly less than thirty (30) days.

3.2.3. The AHJ or designated representative shall deliver the formal Notice of Failure to Abate to the occupant in the presence of a Law Enforcement Officer from the United States Park Police — San Francisco Field Office, directing the occupant to correct the deficiencies and/or violations listed on the form Notice of Failure to Abate.

3.2.4. The Law Enforcement Officer shall issue a federal notice to appear to the occupant for violation of 36 CFR 2.32 (a) (2) (Interfering with Agency Functions).

3.3. Failure to Abate Re-inspection: A re-inspection of the occupancy will occur at any time after the specified period of time for corrective action has passed.

3.3.1. The re-inspection will be conducted by the AHJ or designated representative in coordination with the occupant and in a manner that is respectful to the occupant's operation.

3.3.2. A representative of the occupant should accompany the AHJ or designated representative during the re-inspection.

3.4. Formal Violation Re-inspection of Findings: The findings of the re-inspection will be documented in the standard *Fire & Life Safety Inspection Report*, a copy of which will be provided to the occupant.

3.4.1. Clearance: A clearance notice will be issued for items found to have been corrected as a result of the corrective action period, a copy of which will be provided to the occupant.

3.4.2. Violations/Deficiencies: Any deficiencies and/or violations of the Codes that are still in existence at the time of the re-inspection will be listed in the report.

3.5. Notice of Violation**:** Any deficiencies and/or violations that are still in existence at the time of the re-inspection shall cause the AHJ to determine the building to be unsafe for occupancy.

3.5.1. The AHJ or designated representative will issue a Notice of No Entry to the occupant for uncorrected deficiencies and/or violations.

4. UNSAFE BUILDINGS AND FIRE HAZARDS

4.1. All buildings that are—or that hereafter become—characterized by the following, shall be considered unsafe:

4.1.1. Deficiency in means of egress.

4.1.2. Fire and life safety systems that do not have current certification or are not working properly.

4.1.3. Existence of unsanitary conditions.

4.1.4. Hazard from fire or natural or man-made threats.

4.1.5. Dangers to human life or public welfare by reason of illegal or improper use, occupancy, or maintenance.

4.1.6. Noncompliance with the provisions of codes applicable at time of construction.

4.1.7. Significant damage by fire or explosion or other natural or man-made cause.

4.1.8. Incomplete buildings for which building permits have expired or been revoked, excluding partially completed buildings with a valid certificate of occupancy.

4.1.9. Falling away, hanging loose, or loosening of away siding, block, or other building material, appurtenance, or part of a building.

4.1.10. Existence of structurally unsafe conditions.

5. DESCRIPTION OF BUILDING AS A FIRE HAZARD

5.1. A building shall be deemed to be a fire hazard and unsafe:

5.1.1. When vacant, unguarded, and open to unauthorized entry at door or window.

5.1.2. When there is an accumulation of combustible dust, debris, or materials deemed to be a hazard by the Presidio Trust Fire Marshal's Office.

5.1.3. When the building does not provide the exits or fire protection required for the most recent occupancy.

5.1.4. When electrical or mechanical installations of systems create a hazardous condition.

5.2. Procedure: At least fourteen (14) days prior to posting a noncompliant building, the Presidio Trust Fire Marshal's Office, in cooperation with the National Park Police, shall give the occupants of the premises written notice by certified mail, addressed to the occupants' legal address.

5.2.1. The written notice shall state the deficiencies that constitute a violation of stated codes and prescribe the action to be taken by the occupants to provide code compliance.

6. POSTING NOTICE OF VIOLATION

6.1. The Authority Having Jurisdiction shall post a signed notice (often referred to as "Red Tagging") in a conspicuous location on the building that has been determined to be unsafe/a fire hazard, but not before fourteen (14) days after the Notice Of Violation has been served.

6.1.1. The posted notice shall be on red paper with lettering in black or white, shall be dated, and shall read as follows:

WARNING: UNSAFE BUILDING
THIS BUILDING IS UNSAFE BASED ON THE PROVISIONS OF 1.7.5.3 OF *NFPA 5000*.
THIS BUILDING SHALL BE VACATED AND SHALL NOT BE OCCUPIED. ACTION TO REPAIR OR REMOVE THIS BUILDING SHALL BE TAKEN BY THE OWNER AS PRESCRIBED BY THE WRITTEN NOTICE PREVIOUSLY SERVED.
THIS NOTICE SHALL ONLY BE REMOVED BY THE PRESIDIO TRUST FIRE MARSHAL'S OFFICE

6.2. When the violation specified in the notice of violation has been corrected and any Presidio Trust filing fees incurred have been paid, the Presidio Trust Fire Marshal's Office shall file a certificate attesting that the

violation has been corrected.

7. EMERGENCY ACTION

6.3. When, in the opinion of the authority having jurisdiction, an imminent danger exists, the AHJ shall be authorized to order the occupants to vacate or temporarily close for use or occupancy the rights-of-way, sidewalks, streets, or adjacent buildings or nearby areas.

6.3.1. The AHJ shall be authorized to institute such other temporary safeguards as deemed necessary.

6.3.2. The AHJ shall be authorized to employ the necessary labor and materials to perform the required work.

6.3.3. The AHJ shall promptly notify the local emergency services of buildings posted as unsafe and ordered to be vacated.

6.3.4. The Presidio Trust Fire Marshal's Office, working with the Permitting Office, shall determine when unsafe conditions have been remedied and whether the building is safe for occupancy and use.

DEFINITIONS

AHJ – Authority having Jurisdiction. An organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.

Compliance – Adherence to or conformance to laws and standards.