10 Inspection and Enforcement
The San Francisco Public Utilities Commission and the Port of San Francisco require periodic inspections to ensure that BMPs are properly constructed and maintained and continue to provide effective stormwater management.

Once stormwater management facilities are incorporated into new development and redevelopment projects, the San Francisco Public Utilities Commission (SFPUC) and Port of San Francisco (Port) require periodic inspections to ensure that they are properly constructed and maintained and continue to provide effective stormwater management. Three types of inspections are required under this construction and maintenance verification program: SFPUC or Port construction inspection, annual self-certification inspections conducted by the property owner, Port tenant, or delegate thereof, and tri-annual inspections conducted by the SFPUC or the Port, depending on site jurisdiction. The SFPUC and the Port also inspect best management practices (BMPs) in response to complaints or emergencies. If maintenance requirements identified through inspections are not completed in accordance with the protocols described in this chapter, the SFPUC or the Port will take enforcement action.

Inspection and enforcement protocols described in this chapter apply to all projects required to submit a Stormwater Control Plan (SCP), that is, all projects creating and/or replacing 5,000 square feet or more of impervious surface (in both combined and separate sewer areas).
Inspections

Post-construction inspections

The Port or the SFPUC will inspect stormwater BMPs upon completion of construction. Inspection staff will confirm that stormwater facilities are built in conformance with the Final SCP approved plans. If there are issues that require follow-up, the Port or the SFPUC will send the property owner or Port tenant a notice stating what corrective action needs to be taken and the timeframe for corrective action. The deadline will be between 24 hours and 30 days from the date of the notice, depending on the severity of the problem. The property owner or Port tenant is responsible for correcting these issues and scheduling a follow-up inspection by the Port or the SFPUC. If the issues are rectified by the time of the follow-up inspection, the Certificate of Occupancy will be issued. A diagram showing the post-construction inspection process is shown in Figure 11.

Figure 11. Post-construction inspections.
**Annual Self-Certification**

After BMPs are successfully built, certified, and a Maintenance Agreement is recorded, the SFPUC will send annual self-certification inspection reminders to property owners at all sites with stormwater BMPs. The Port will send annual self-certification inspection reminders to Port tenants with stormwater BMP maintenance responsibilities as provided in lease agreements or comparable documents. These reminders include a submittal deadline and a blank *Self-Certification Checklist and Instructions* (available online at [www.sfwater.org/smr](http://www.sfwater.org/smr)). The property owner or Port tenant must perform the self-certification inspection and digitally submit the completed checklist for the prior year to the SFPUC or to the Port. With this submittal, the property owner or Port tenant must either propose approval or describe the maintenance to be performed if outstanding issues have not been resolved by the submittal date. The SFPUC or Port will either approve the submittal or prescribe the corrective actions necessary to address any problems identified. The property owner then submits documentation demonstrating the corrective actions were implemented. If corrective actions are not implemented, the Enforcement process begins.

If a property owner or Port tenant does not submit self-certification documents when due, the Enforcement process will take effect and the property owner or Port tenant may be required to pay a penalty. A diagram showing the annual self-certification process is shown in Figure 12.

**Figure 12. Annual self-certification inspections.**
Tri-annual SFPUC / Port Inspections

Every third year, the SFPUC or the Port will inspect stormwater BMPs. Property owners of sites or Port tenants due for inspection will be sent notices that include a proposed inspection date and time, as well as a phone number to call if property owner needs to reschedule or Port tenant needs to reschedule. If the inspection indicates that no maintenance issues require follow-up action, the annual certificate of compliance will be issued.

If there are issues that require follow-up, the SFPUC or Port will send the property owner or Port tenant a notice describing corrective action needed and when it must be completed. The deadline will be between 24 hours and 30 days from the date of the notice, depending on the severity of the problem. The property owner or Port tenant is responsible for correcting the issues and scheduling a follow-up inspection by the SFPUC or the Port within the time allotted. A diagram showing the tri-annual SFPUC or Port inspection process is shown in Figure 13.

Figure 13. Tri-annual Port/SFPUC inspections.
Enforcement

For all three types of inspections, if the property owner or Port tenant is unresponsive or if maintenance issues are not corrected by prescribed deadlines, the SFPUC or the Port will take enforcement action. If enforcement is necessary, the SFPUC or the Port will issue a warning with a deadline for the property owner or Port tenant to take corrective action and schedule a follow-up inspection. The warning includes a penalty. If outstanding issues remain or if the owner or Port tenant is unresponsive, the SFPUC or the Port will issue a notice of violation and levy a fine in accordance with Article 4.1 of the San Francisco Public Works Code.

If the issues have not been corrected by the deadline, the SFPUC or the Port will perform the required work and bill the owner or Port tenant for cost of the work as well as the fine. If the owner or Port tenant does not pay the fine and the bill within 30 days, the SFPUC has the option initiate proceedings for a lien against the property and the Port has to option to pursue lease, license, or management agreement termination. A diagram showing the enforcement process is shown in Figure 14.

*Figure 14. Enforcement.*