



# Appeal Filing to the Board of Supervisors Subsidewalk or Minor Encroachment Permits/Building Construction, Rehabilitation, or Maintenance Permits Appeal [Public Works Code, Section 723.2\(e\)](#)

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The decision of the Director of Public Works either approving, denying, or revoking a Subsidewalk or Minor Encroachment Permit and Building Construction, Rehabilitation, or Maintenance Permits. Further details are contained in [Public Works Code, Section 723.2\(e\)](#). In case of a conflict between these paragraphs and the Public Works Code, the Public Works Code provisions control.

## **Who May File An Appeal:**

Any person may file an appeal of the Director of Public Work's decision for subsidewalk encroachment permits and building construction, rehabilitation, or maintenance permits (approval, denial or revocation of a permit).

*NOTE: When the encroachment is related to building construction, rehabilitation or maintenance, any person may appeal the encroachment permit decision to the Building Inspection Commission.*

*A person waives his or her right to appeal to the Building Inspection Commission by filing the appeal with the Board of Appeals or Board of Supervisors. No encroachment permit decision may be appealed to both parties.*  
[Public Works Code, Section 723.2\(e\)\(3\)](#)

## **Filing Deadline:**

The notice of appeal must be filed within 15 days following the date of the notice of the Director of Public Work's decision (approval, denial or revocation of a permit).  
[Public Works Code, Section 723.2\(e\)](#)

*NOTE: If the 15th day falls on a Saturday, Sunday or holiday, the appeal may be filed before 5:00 p.m. on the next business day.*



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**What to File:**

(1 original and 2  
hard-copies)

The following shall be filed with the Clerk of the Board of Supervisors:

- 1) Notice of original signed letter of appeal, addressed to the Clerk of the Board, containing the detailed factual and legal basis for the claim of approval, denial, or revocation of a permit;
- 2) A copy of the Director of the Department of Public Work's Decision; and
- 3) Any documentation to be included as evidence to support your appeal.

No appeal fee is required.

*NOTE: Any materials will become public records, therefore, if any private information is included, Appellant is responsible for redacting such information prior to submission.*

**Where to File:**

Clerk of the Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

**Hearing Date:**

Upon receipt, the Clerk shall set a time and place for hearing. No timeframes are required for such appeals.

Typically, appeals will be scheduled at regular meetings of the full Board of Supervisors within 30 days of the appeal filing.

Appeals are scheduled on the last Tuesday within the 30 day period at 3:00 p.m., or at the next regularly scheduled Board meeting should such timeframe fall within a Board recess. If more than one appeal is scheduled the Clerk of the Board may consolidate and/or schedule the second or later appeals at a specified time later than 3:00 p.m.

No Committee hearing is held.

**Decision:**

The Board of Supervisors may affirm, reverse or modify any permit decision made by the Director of Public Works by a majority vote of all its members.



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Subsidewalk or Minor Encroachment  
Permits/Building Construction, Rehabilitation, or  
Maintenance Permits Appeal**  
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**Next Steps:**

Once the Appeal is determined ripe and timely, the Clerk will notify the appellant of the date, time, and place for the hearing before the Board of Supervisors.

Additionally, 11 days prior to the hearing, the appellant shall provide the names and addresses of the interested parties to be notified in label format.

Any additional documentation the appellant would like the Board Members to consider must be delivered to the Clerk no later than eight days prior to the hearing.

**Contact:**

Office of the Clerk of the Board  
(415) 554-5184

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Maintenance Permits Appeal Info Sheet.docx  
DATE 2/27/2020