



Edwin M. Lee, Mayor
Mohammed Nuru, Director



Jerry Sanguinetti, Bureau Manager

DPW Order No: 182912

ESTABLISHING RULES AND REGULATIONS FOR THE PLACEMENT OF MOBILE STORAGE CONTAINER COMPANIES WITHIN PUBLIC RIGHT-OF-WAYS.

1. Purpose:

The purpose of this Order is to establish guidelines for the placement of Mobile Storage Containers within the Public Right-of-Way as defined in Public Works Code Article 15, Section 726

2. General Information:

A mobile storage container is a temporarily facility that may be placed, may occupy the public right-of-way and used by property owners or tenants for short-term storage of items, including, but not limited to: clothing, equipment, goods, household/office fixtures or furnishings, materials, and merchandise. The containers shall be used only for the purpose of loading and transporting the items specified above.

3. Placement of Containers:

A Mobile Storage Container shall be placed in the roadway area of the right-of-way, level with the existing street grade/slope and parallel to the curb with its outer edge no more than eight feet from the face of the curb. The Container shall not occupy more than the designated parking lane width along the frontage of the subject property. Its placement shall also be subject to all existing parking regulations unless specifically exempted from compliance therewith by written approval of the Director of Public Works. Further, no Mobile Storage Container shall be placed in the sidewalk area without permission of said Director. A minimum clear path of travel for pedestrians of four (4) feet shall be maintained at all times on sidewalks. In commercial areas and/or in other areas with a high volume of pedestrians, a minimum six (6) foot path of travel shall be provided and maintained.

4. Insurance and Bond Requirements:

All Mobile Storage Container operators shall file and maintain a Performance Bond in the minimum amount of \$25,000 with the Department of Public Works (DPW). All operators are also required to maintain and submit proof of General Liability Insurance in the minimum amount \$1,000,000, naming the City and County of San Francisco as additional insured on the policy(ies).

5. Required Permits:

All companies operating and providing Mobile Storage Containers, who plan to locate said containers in the public right of ways shall obtain an annual permit from DPW. Said permits will allow the permit holder to place a Mobile Storage Container in the public right of way subject to provisions of Section 726. An applicant for an annual permit shall submit to DPW a written request for a permit no sooner



than 15 days prior to the first day of occupancy of the public right-of-way with a Mobile Storage Container. The application shall contain the name of the company or individual seeking the annual permit, local contact information, an annual permit fee of \$500.00, the deposit set forth in Section 726.3, and any other information specified in this Departmental Order or other regulations.

Annual Mobile Storage Container Permits may be obtained at the Bureau of Street-Use & Mapping (BSM), located at 1155 Market Street, 3rd Floor, San Francisco, CA 94103, Telephone (415) 554-5810.

a. Individual Location Permit

An individual location permit may be obtained for each Mobile Storage Container that is proposed to be placed within the public right-of-way.

1. Only annual permit holders may apply for individual location permits. Said permit holders shall submit a written request to DPW no later than three (3) days prior to occupancy of the public right-of-way with a Mobile Storage Container at a specific location. The application shall contain the name of the annual permit holder, local contact information for the permit holder, the proposed location of the Mobile Storage Container (s), name and contact information for the property owner or tenant who will use the container, and any other information specified in this Departmental Order or other regulations.
2. The individual location permit fee shall be as specified in the fee schedule per day of occupancy. When the permit is to be issued for a period not to exceed 24 hours, or for the first three (3) days of occupancy, said fee(s) may be paid separately for each individual location permit or deducted from the deposit. (See Fee Schedule).
3. No individual location permit shall be issued for a period that exceeds seven (7) days.
4. The property owner shall apply for a Temporary Occupancy Permit (providing at least 72 hours for permit verification) from the Bureau of Street-Use and Mapping (BSM) at 1155 Market St 3rd Floor and post "No Parking" signs at least 72-Hours in advance for the occupancy of the public right of way. The permit fees charged will include only signage, meter fees if applicable, and a Board of Appeals surcharge. A certificate of general liability insurance will not be required.

The Director, in his or her discretion, may approve, conditionally approve, or disapprove a Mobile Storage Container Permit.

The Director's decision on an annual permit shall be appealable to the Board of Appeals.

6. Other Requirements:

- a. A valid registration number or permit shall be affixed to either end of the Mobile Storage Container.
- b. Debris boxes shall be placed in the roadway area parallel to the curb with its outer edge no more than 8-ft from the face of the curb.
- c. No Mobile Storage Container or debris box shall be placed within the public right-of-way without prior approval from DPW.



- d. No Mobile Storage Container shall be delivered, placed or removed in a residential area between the hours of 7:00 pm and 6:00 am.
- e. Four (4) reflective type warning devices, each having a red reflecting area of at least 3-inches in diameter shall be installed on the exterior ends of each container. The reflective device shall be placed so that one device shall be located near each edge that abuts the side of the box and shall be no less than 24-inches or more than 45-inches from the ground level. Both ends of each box shall be painted entirely in 4-inch wide alternate diagonal striping with a color to be approved by DPW.
- f. All contents of a Mobile Storage Container shall be completely covered at all times while being transported.
- g. The owner's name, address, telephone number and debris box identification number shall be clearly printed on both sides of each box.
- h. Advertisement on any box is strictly prohibited.
- i. Mobile Storage Containers shall be locked and covered at all times unless contents are being removed or added to the container.
- j. All Mobile Storage Containers shall be governed by existing parking and traffic regulations, including but not limited to: tow-a-way zones, accessible curb ramps, bus stops, blue zones for disability parking and fire hydrants. If the SFMTA Blue Book requirements cannot be satisfied, you will need to obtain a Special Traffic Permit from SFMTA, located at 1 South Van Ness Ave., 7th Floor San Francisco, telephone: (415) 701-4500.
- k. Upon registration with DPW, the registrant(s) and all agents of the Mobile Storage Container companies shall be bound by the Public Works Code and all other applicable laws, codes and ordinances.
- l. By acceptance of each registration number and/or permit number issued for a debris box and/or Mobile Storage Container, this shall bind the owner of the debris box and/or Mobile Storage Container to indemnify and hold harmless the City and County of San Francisco, its officers, agents and employees.
- m. An individual location permit sign shall be posted on the street-facade of each storage container. The sign shall include the name of the annual permit holder, a 24-hour local contact person and telephone number for the Permittee; the name and address of the property owner or tenant who is renting the storage container, the duration of the permit, including the starting and completion dates, a geographic description of the public right-of-way occupied under the permit, the annual and individual location permit numbers, and the DPW's Street Space hotline telephone number. All information contained on the sign shall be legible. An additional sign shall be posted on the storage container's side that faces the fronting property. This informational sign shall also include the 24-hour local contact person and telephone number for the Permittee, and DPW's Street Space hotline telephone number. DPW shall provide sign templates for each annual permit holder. It shall be the responsibility of the annual Permittee to insert the required information, mount the sign, keep the sign posted during the entire term of the permit, and ensure proper maintenance of the sign.

7. Violations and Penalties

Violations of DPW Code may result in the imposition of a financial penalty. Nonconformance to any related City regulation may result in the revocation of the annual and/or individual Permits

Failure to comply with the rules and regulations of this Order are deemed as violations, and may be subject to the issuance of Notice of Violations and associated penalties.



Violations may include, but are not limited to the following:

- a. Placement of container in restricted traffic street zonesshall result in a \$1,000/day fine and/or cost of removal.
- b. Placement of the container on a sidewalk area without special permits shall result in a \$1,000/day fine and/or cost of removal.
- c. No permits posted on mobile storage container shall result in a \$100/day fine, plus the cost of a seven (7)-day permit
- d. Absent or missing registration number on Mobile Storage Container shall result in a \$1,000/day fine.
- e. Mobile Storage Container with missing or damaged reflectors or safety striping shall result in a \$1,000/day fine.
- f. Failure to notify DPW prior to placement of a Mobile Storage Container in the right-of-way shall result in a \$1,000/day fine.
- g. Failure to pay fines may result in the following penalties: invalidation of all current permits held by the debris box and/or mobile storage container Permittee(s).

8. Removal of Mobile Storage Containers:

The Director of Public Works is authorized to order the immediate removal of a Mobile Storage Container when, in his or her opinion, the storage container constitutes a safety hazard or public nuisance, or when the presence of an emergency requires removal. Upon the Director's notification of the removal, the responsible annual permit holder or person(s) shall immediately remove the storage container from the right-of-way. If the Permittee or person(s) do not remove the storage container immediately, the Director may order DPW to remove the container. The Permittee or person shall pay DPW for the costs of removal. If a Permittee does not pay such cost, the Director shall deduct said cost from the Permittee's deposit. No Mobile Storage Container shall be placed at that location until all the conditions, which have caused the removal of said Containe, have been abated to the satisfaction of the Director. In addition, any use of the Mobile Storage Containers that is inconsistent with PWC Sections 726 et seq. shall be grounds for immediate removal.

9. Fees

Mobile Storage Container permits are issued on a per-day (per container over three (3) days) basis and include SFMTA meter fees. A processing fee shall be applied to any permit requiring modification. Please see Fee Schedule for updated fees. Any requested permit shall be submitted a minimum of 72-hours in advance of the proposed occupancy.

10. Hold Harmless Clause

In consideration of this Permit being issued for the work described in the application, Permittee on its behalf and that of any successor or assign, and on behalf of any lessee, promises and agrees to perform all the terms of this Permit and to comply with all applicable laws, ordinances and regulations.

Permittee agrees on its behalf and that of any successor or assign to hold harmless, defend and indemnify the City and County of San Francisco, including, without limitation, each of its commissions, departments, officers, agents and employees (hereinafter collectively referred to as the "City) from and against any and all losses, liabilities, expenses, claims, demands, injuries, damages, fines, penalties, costs or judgments including, without limitation, attorneys' fees and costs (collectively, "claims") of any kind allegedly arising directly or indirectly from (i) any act by, omission by, or negligence of, Permittee or its subcontractors, or the officers, agents, or employees of either, while engaged in the performance of the work authorized by this Permit, or while in or about the property subject to this Permit for any reason connected in any way whatsoever with the performance of the work authorized by this Permit, or allegedly resulting directly or indirectly from the maintenance or installation of any equipment, facilities or structures authorized under this Permit, (ii) any accident or injury to any contractor or subcontractor, or any officer,



agent, or employee of either of them, while engaged in the performance of the work authorized by this Permit, or while in or about the property, for any reason connected with the performance of the work authorized by this Permit, or arising from liens or claims for services rendered or labor or materials furnished in or from the performance of the work authorized by this Permit, (iii) injuries or damages to real or personal property, good will, and persons in, upon or in any way allegedly connected with the work authorized by this Permit from any cause or claims arising at any time, and (iv) any release or discharge, or threatened release or discharge, of any hazardous material caused or allowed by Permittee in, under, on or about the property subject to this Permit or into the environment. As used herein, "hazardous material" means any substance, waste or material which, because of its quantity, concentration of physical or chemical characteristics is deemed by any federal, state or local governmental authority to pose a present or potential hazard to human health or safety or to the environment.

Permittee must hold harmless, indemnify and defend the City regardless of the alleged negligence of the City or any other party, except only for claims resulting directly from the sole negligence or willful misconduct of the City. Permittee specifically acknowledges and agrees that it has an immediate and independent obligation to defend the City from any claim which actually or potentially falls within this indemnity provision, even if the allegations are or may be groundless, false or fraudulent, which obligation arises at the time such claim is tendered to Permittee by the City and continues at all times thereafter. Permittee agrees that the indemnification obligations assumed under this Permit shall survive expiration of the Permit or completion of work.

Permittee shall obtain and maintain through the terms of this Permit general liability, automobile liability or workers' compensation insurance as the City deems necessary to protect the City against claims for damages for personal injury, accidental death and property damage allegedly arising from any work done under this Permit. Such insurance shall in no way limit Permittee's indemnity hereunder. Certificates of insurance, in form and with insurers satisfactory to the City, evidencing all coverages above shall be furnished to the City before commencing any operations under this Permit, with complete copies of policies furnished promptly upon City request.

This DPW Order supersedes and rescinds DPW Order No. 182767, approved July 9, 2014.

9/15/2014

9/15/2014

X



Sanguinetti, Jerry
Bureau Manager

X



Sweiss, Fuad
Deputy Director and City Engineer

9/15/2014

X

Mohammed Nuru

Nuru, Mohammed
Director, DPW

