File No. 120671 Committee Item No. _____
Board Item No. 6

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: **Date:**

Board of Supervisors Meeting **Date: 09/11/12**

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OTHER: (Use back side if additional space is needed)

☐	☒	Amended in Board 9/4/12
☐	☐	
☐	☐	

Completed by: Dena Braley **Date:** September 6, 2012
Completed by: **Date:**

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

[Police Code – ~~Repeal~~ Secondhand Dealer and Antique Dealer Permit Requirements]

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, ~~1279, 1279.1,~~ 1279.2, 1280, 1280.1, and **1281** ~~and 1282~~ to eliminate certain requirements for Secondhand and Antique Dealers; ~~and~~ **2)** amending Sections 1279, 1279.1 and 1282 to modify the Secondhand Dealer permit requirement; and 3) **amending Sections 2.26** ~~and 2.27~~ **to** set the permit application fee for a Secondhand Dealer permit at $200~~eliminate the permit requirement and other local regulation of secondhand dealers and antique dealers~~**.**

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Police Code is hereby amended by repealing Sections 850, 851, 852, 1276, ~~1279, 1279.1,~~ 1279.2, 1280, 1280.1, and 1281 ~~and 1282~~, as follows:

~~*SEC. 850. REGULATING SALE OF SECONDHAND SCHOOL BOOKS.*~~

~~*It shall be unlawful for any person, firm or corporation to purchase from any person, firm or corporation any secondhand school text book or books in use in any public or private school without first obtaining from the principal or administrative officer of the school where said text books are in use his or her written statement that the person offering the book for sale is the lawful owner thereof, and as such owner is free to make the sale.*~~

~~*SEC. 851. DEALER TO OBTAIN LIST OF BOOKS AND KEEP SAME POSTED.*~~

~~*On or before the 20th day of July in each year, every dealer in second hand books must apply to the office of the Board of Education and receive from the Secretary of said Board a complete list of all*~~

~~*Public School Text Books to be used in the public schools during the school year. Said dealer shall post said list and keep it conspicuously posted in his place of business throughout the school year, for the inspection of the police officers and others who may be interested in the sale and purchase of secondhand school text books.*~~

~~*SEC. 852. SALE OF TEXT BOOKS UNDER CERTAIN CONDITIONS PROHIBITED.*~~

~~*It shall be unlawful for any dealer in secondhand books to purchase or offer for sale any of the text books referred to in the preceding section, which are secondhand, without having first obtained the list of books mentioned in Section 851 of this Article, and without conspicuously posting it as required by Section 851 of this Article.*~~

~~*SEC. 1276. SECONDHAND DEALERS REQUIRED TO KEEP RECORDS OF PURCHASES AND SALES.*~~

~~*Every person, firm or corporation dealing in secondhand goods or licensed to deal in secondhand goods shall keep a record of the purchase and sale of all items of tangible personal property (as that term is defined in Section 1279.1 of this Code) sold or purchased (including the signature of the person selling the same), which shall at all times during business hours be open to the inspection of the Chief of Police, or of any police officer.*~~

~~*Such person, firm or corporation shall at least once a day make and deliver to the Chief of Police on a form to be furnished or approved by the State Department of Justice for that purpose, a full, true and complete record of all transactions in tangible personal property by such person, firm or corporation within the City and County of San Francisco during the 24 hours preceding said report, together with the time (meaning the hour of the day) when purchased or sold or otherwise dealt in or with, and a description of the person or persons from whom bought or to whom sold, or with whom dealt, and also the true name thereof as nearly as the same is known to the person making such report. Said report shall be written in the English language in a clear, legible manner.*~~

~~*SEC. 1279.2. ANTIQUE SHOPS; DEFINITION; PERMIT.*~~

~~*(a) Definition. As used in this Article:*~~

~~*"Antique Shop" means a shop where secondhand merchandise is sold at retail but where at least 90 percent, measured according to value, of the used or secondhand merchandise on hand at any one time consists of objects of art, bric-a-brac, curios or household furniture or furnishings, offered for sale upon the basis, express or implied, that the value of the property, in whole or in substantial part, is derived from its age or from its historical association.*~~

~~*(b) Permit Required. The operator of any antique shop may, in lieu of the secondhand dealer's permit required by Section 1279.1 hereof, apply for and obtain a special permit from the Chief of Police to conduct an antique shop. The license fee for an antique shop permit shall be paid annually on or before March 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.* **~~

~~*(c) Compliance with Provisions of Code. The holder of an antique shop permit shall comply with all the provisions of this Article pertaining to secondhand dealers.*~~

~~*SEC. 1280. DEALERS IN SPECIFIED SECONDHAND GOODS.*~~

~~*(a) Dealers in Secondhand Clothing. Every person, firm or corporation engaged in the principal business of buying, selling or exchanging secondhand clothing or personal apparel, or who, while so engaged in the principal business of buying, selling or exchanging secondhand clothing or personal apparel, buys, sells or exchanges as incidental to his aforesaid business, secondhand trunks, secondhand shoes, secondhand suitcases, secondhand musical instruments, secondhand jewelry, secondhand firearms, secondhand tools, or merchandise incidental or connected with the purchase, sale or exchange of secondhand clothing or personal apparel, shall (after securing a permit from the Chief of Police to carry on said business), pay a license fee; provided that nothing contained in this Section shall exempt any person, firm or corporation engaged in the business of buying, selling or exchanging secondhand furniture, from the paying of the license provided for in Section 1280.1 of this Article; and, provided further, that nothing contained in this Section shall relieve or exempt any*~~

~~*person, firm or corporation from complying with all provisions of Sections 612 to 617 of this Code relating to the acquisition of firearms.*~~

~~*(b) Dealers in Secondhand Furniture and Household Goods. Every person, firm or corporation engaged in the business of buying, selling or exchanging secondhand furniture and household goods, either exclusively or in conjunction with some other business, upon obtaining a permit from the Chief of Police to carry on said business, shall pay a license fee.*~~

~~*The term "furniture and household goods" as used in this Article shall mean and include beds, bedding, tables, desks, chairs, stoves, floor coverings, crockery, glassware, kitchen and cooking utensils.*~~

~~*(c) Dealers in Secondhand Barrels. Every person, firm or corporation engaged in the business of buying, selling or exchanging secondhand barrels shall pay a license fee.*~~

~~*SEC. 1280.1. DEALERS IN SECONDHAND GOODS.*~~

~~*Every person, firm or corporation engaged in the business of buying, selling or exchanging secondhand goods, such as provisions, goods, wares, merchandise, medicines, drugs, jewelry, precious metals or wares, upon obtaining a permit from the Chief of Police to carry on the business, shall pay a license fee.*~~

~~*SEC. 1281. FURNITURE AND HOUSEHOLD GOODS DEFINED.*~~

~~*The terms "furniture and household goods" as used in Sections 1276 to 1280, inclusive, of this Article shall mean and include beds, bedding, tables, desks, chairs, stoves, floor coverings, crockery, glassware, kitchen and cooking utensils; the terms "furniture and household goods" as used in Sections 1276 and 1280 of this Article shall mean and include, in addition to the articles listed above, books, periodicals and printed matter.*~~

Section 2. The San Francisco Police Code is hereby amended by amending Sections 1279, 1279.1 and 1282, to read as follows:

SEC. 1279. SECONDHAND DEALERS; DEFINITIONS.

As used in this Article:

(a) "Secondhand dDealer" means a person engaging in, conducting, managing or carrying on the business of buying, selling, or otherwise dealing ~~in secondhand or rebuilt, or reconditioned goods, wares or merchandise~~, in whole or in part, in Covered Secondhand Goods. The term does not include an Antique Dealer. ~~secondhand jewelry dealer, secondhand clothing dealer, secondhand furniture and household goods dealer, or secondhand book dealer;~~

(b) "Covered Secondhand Goods" means secondhand tangible personal property that falls into one or more of the following categories: (1) tangible personal property with a serial number or personalized initials or inscription, or which at the time it is acquired by the Secondhand Dealer, bears evidence of having had a serial number or personalized initials or inscription; (2) electronic personal property, including but not limited to televisions, stereos, radios, digital music players, computers, computer monitors and other accessories, tablet computers and cell phones; (3) firearms; (4) jewelry and watches; (7) precious and semi-precious stones and imitation precious and semi-precious stones; (8) musical instruments; and (9) sterling silver flatware, utensils and services, individually or as a set. ~~"Secondhand jewelry dealer" means a person engaging in, conducting, managing or carrying on the business of buying, selling, or otherwise dealing in secondhand jewelry, precious and semi-precious stones and metals and imitations thereof, watches, rings, bracelets, and other similar goods, wares or merchandise;~~

(c) "Antique Dealer" means a person engaging in, conducting, managing or carrying on a business where Covered Secondhand Goods are sold at retail, but where at least 90 percent of the Covered Secondhand Goods available for purchase on July 1 of each year are more than 80 years old. A person claiming exemption from the requirement to obtain a

Secondhand Dealer permit because the person is an Antique Dealer shall provide records and information as requested by the Chief of Police or designee to establish that the person is an Antique Dealer. ~~"Secondhand clothing dealer" means a person engaging in, conducting, managing or carrying on the business of buying, selling, or otherwise dealing in secondhand clothing, wearing apparel and other similar goods, wares and merchandise;~~

~~(d) "Secondhand furniture and household goods dealer" means a person engaging in, conducting, managing or carrying on the business of buying, selling, or otherwise dealing in secondhand beds, bedding, tables, desks, chairs, stoves, floor coverings, crockery, glassware, kitchen and cooking utensils and appliances, radios, televisions and other similar goods, wares and merchandise;~~

~~(e) "Secondhand book dealer" means a person engaging in, conducting, managing or carrying on the business of buying, selling or otherwise dealing in secondhand books and magazines, secondhand textbooks or secondhand educational materials.~~

SEC. 1279.1. PERMIT FROM CHIEF OF POLICE; RULES AND REGULATIONS; DEFINITIONS.

(a) Before any person shall engage in the business of ~~s~~Secondhand ~~d~~Dealer, ~~secondhand jewelry dealer, secondhand clothing dealer, secondhand furniture dealer and household goods dealer, or secondhand book dealer, either exclusively or in conjunction with some other business,~~ that person must apply to the Chief of Police for a permit therefor. The Chief may grant the permit application, and the applicant may receive a license from the Tax Collector upon the payment of the license fee. The license fee shall be paid annually on or before March 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

(b) ~~Secondhand dealers in tangible personal property, as that term is hereinafter defined, must also obtain a state secondhand dealer license. The Chief of Police shall not issue any permit and the Tax Collector shall not issue any license to any person, firm or corporation to conduct the business of a secondhand furniture and household goods dealer within 200 feet of the property line of any church or school. Such restrictions shall not apply to any secondhand furniture and household goods dealer now conducting business within such distance.~~ ~~Said~~The Chief of Police shall have the power to revoke said permit after hearing upon good cause being shown.

(c) The Chief of Police may adopt, after a noticed public hearing, such rules and regulations regarding s~~S~~econdhand d~~D~~ealers as will effectuate the purposes of this Article and are not in conflict therewith or in conflict with State laws regulating secondhand dealers. ~~Said~~ Unless otherwise specified therein, the rules and regulations shall become effective 10 days after adoption by the Chief of Police.

~~"Tangible personal property" is defined as set forth in the California Business and Professions Code sections governing secondhand dealers, and shall include all personal property commonly sold by secondhand dealers which is determined by the Attorney General to be frequently stolen and is contained in that list of such personal property which is compiled and periodically revised by the Attorney General and supplied to local law enforcement agencies. The Chief of Police may by rule or regulation amend the Attorney General's list to include additional items which the Chief has determined to be frequently stolen in the City and County. Such additional items shall thereafter be considered tangible personal property for purposes of this Article.~~

SEC. 1282. LICENSED AUCTIONEERS EXCEPTED.

~~The terms of~~ Sections 1279 and 1279.1~~1276 to 1281, inclusive, of this Article~~ shall not apply to any licensed and bonded auctioneer.

Section ~~2~~3. The San Francisco Police Code is hereby amended by amending Sections 2.26 ~~and 2.27~~, to read as follows:

SEC. 2.26. SCHEDULE OF PERMITS AND SERVICES; FILING AND SERVICE FEES.

The following filing fees, payable in advance to the City and County of San Francisco, are required when submitting applications for permits to the Police Department or Entertainment Commission:

TYPE OF PERMIT	FILING FEE
Permit Amendment	$ 257
Permit Renewal (unless otherwise specified)	600
Amusement Park	0
~~*Antique Shop*~~	~~*943*~~
Auto Wrecker	1,069
Ball or Ring Throwing Games	0
Balloon and Kite Advertising	0
Billiard Parlor	456
Bingo Games	257
Charitable Organizations - Certificate of Registration	

Sales Solicitations	130
Non-Sales Solicitations	99
Document Copies	25
ID Card	25
Circus	0
Closing-Out Sale	0
Commercial Parking (garage or lot)	455
Dance Hall Keeper	1,401
Amendment to Permit	660
One Night Dance	40
Dealer in Firearms and/or Ammunition	1,276
Renewal	364
Discharge of Cannon	636
Driverless Auto Rental	1,039
Encounter Studio	
Owner	725
Employee	202
Escort Service	
Owner	976

Employee	373
Extended Hours Permit	1,500
Amendment to Permit	660
Fortuneteller	0
Funeral Procession Escort	353
Insignia and Uniform	0
General Soliciting Agent	252
Itinerant Show	680
Itinerant Show/Nonprofit [Fee set by Police Code Section 1017.2]	100
Junk Dealer	1,358
Junk Gatherer	
Resident	768
Nonresident	841
Licensed Tour Guide	
Owner - Buses	975
Owner – Other Motorized Vehicles	694
Owner - Bicycle/Segway/Other Mechanism	483
Owner - Walking	389

Employee	114
Limited Live Performance	385
Amendment to Permit	129
Loudspeaker	416
Vehicle	416
Masked Ball	779
Massage Establishment	1,684
Masseur/Masseuse	202
Trainee	202
Mechanical Amusement Devices	568
Mechanical Contrivance	568
Miniature Golf Course	586
Mobile Caterer	1,092
Additional Stop	257
Assistant	320
Transfer of Stop	820
Museum	645
Nude Models in Public Photographic Studio	
Owner	704

Employee	202
Off-Heliport Landing Site	667
One Time Event	255
Outcall Massage	462
Pawnbroker	925
Peddler	
Food for Human Consumption	824
Nonfood	551
Employee	161
Pedicab Driver	165
Pedicab Owner	
First Pedicab	446
Each Additional Pedicab	161
Photographer, Public Place	
Owner	634
Solicitor	415
Photographic Solicitor	
Owner	634
Employee	227

Place of Entertainment	1,500
Amendment to Permit	660
Poker	1,259
Amendment to Permit	257
Public Bathhouse	1,122
Public Outcry Sales	1,134
Recreational Equipment Vendor	408
Rodeo Exhibition/Wild West Show	651
Second Hand Dealer	~~925~~200
Second Hand Dealer, Auto Accessories	1,075
Shooting Gallery	886
Skating Rink	693
Tow Car Driver	570
Tow Car Firm	1,013
Trade-In Dealer	1,039
Valet Parking	
Fixed Location	886
Annual Special Event	886
Vehicle for Hire, Nonmotorized	966

Advertising and notices	165
Backgrounds	66
Fingerprints	96

Section ~~3~~4. Effective Date. This ordinance shall become effective 30 days from the date of passage.

Section 45. Scope of Ordinance. This section is uncodified. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent part of the Police Code that are explicitly shown in this ~~legislation~~ Ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ~~legislation~~Ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
KATHARINE HOBIN PORTER
Deputy City Attorney

FILE NO. 120671

LEGISLATIVE DIGEST
(Amended September 4, 2012)

[Police Code – Secondhand Dealer and Antique Dealer Permit Requirements]

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279.2, 1280, 1280.1, and 1281 to eliminate certain requirements for Secondhand and Antique Dealers; 2) amending Sections 1279, 1279.1 and 1282 to modify the Secondhand Dealer permit requirement; and 3) amending Section 2.26 to set the permit application fee for a Secondhand Dealer permit at $200.

Existing Law

Under state law, secondhand dealers must get a license to operate, which the dealer obtains through the local police or sheriff department, which exercises delegated licensing authority for the California Department of Justice. State law requires secondhand dealers to maintain certain records and report transactions involving tangible personal property, with certain exceptions, that the dealer has purchased, taken in trade, taken in pawn, accepted for sale on consignment, or accepted for auctioning.

Under the San Francisco Police Code, secondhand dealers must obtain a permit from the Chief of Police. The Police Code includes record retention and reporting requirements. Instead of obtaining a secondhand dealer permit, an antique dealer may obtain an antique shop permit. An antique shop is one where at least 90 percent the value of the secondhand merchandise in the business is derived from its age or historical associations. The Police Code also includes requirements for specific categories of secondhand dealers, such as secondhand book dealers.

Amendments to Current Law

The initial ordinance proposed to eliminate the requirement that secondhand dealers and antique dealers obtain a permit from the Chief of Police, and local requirements for certain categories of secondhand dealers.

As amended, the proposed ordinance would retain a secondhand dealer permit requirement, but the permit would be required only for businesses that bought, sold, or otherwise dealt, in whole or in part, in "Covered Secondhand Goods," defined as secondhand tangible personal property that falls into one or more of the following categories: (1) tangible personal property with a serial number or personalized initials or inscription, or which at the time it is acquired by the Secondhand Dealer, bears evidence of having had a serial number or personalized initials or inscription; (2) electronic personal property, including but not limited to televisions, stereos, radios, digital music players,

computers, computer monitors and other accessories, tablet computers and cell phones; (3) firearms; (4) jewelry and watches; (7) precious and semi-precious stones and imitation precious and semi-precious stones; (8) musical instruments; and (9) sterling silver flatware, utensils and services, individually or as a set. The amended ordinance would exclude antique dealers from the requirement to obtain a secondhand dealer permit. As amended, the proposed ordinance would still eliminate local reporting and many other local requirements imposed on secondhand dealers. Finally, the amended ordinance would set the permit application fee for a secondhand dealer permit at $200.

Background Information

The California Legislature adopted laws regulating secondhand dealers in an effort to curtail the dissemination of stolen property and facilitate the recovery of stolen property by means of a "uniform, state-wide, state-administered program of regulation of persons whose principal business is the buying, selling, trading, auctioning or taking in paw of tangible personal property...." as well as a "uniform statewide reporting" process. Cal. Bus. & Prof. Code §21625. In light of the state regulation of secondhand dealers, many of the local requirements are unnecessary and impose a financial burden on these small businesses. To address law enforcement concerns regarding disposition of stolen property, the amended ordinance retains the local permit requirement, but narrows the scope of the businesses required to get permits, to those that buy categories of secondhand merchandise that are commonly stolen items. But the amended ordinance eliminates many other local requirements on secondhand dealers, such as a local requirement to report purchases and sales, and reduces the permit application fee to $200. The amended ordinance appropriately balances law enforcement and small business considerations.

SMALL BUSINESS COMMISSION
OFFICE OF SMALL BUSINESS

CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

July 24, 2012

Ms. Angela Calvillo, Clerk of the Board
Board of Supervisors
City Hall room 244
1 Carlton B. Goodlett Place
San Francisco, CA 94102-4694

File No. 120671 [Police Code - Repeal Secondhand Dealer and Antique Dealer Permit Requirements]

Small Business Commission Recommendation: **Approval with comments**

Dear Ms. Calvillo:

On July 9, 2012 the Small Business Commission held a hearing on Board of Supervisors File No. 120672 and voted 5-0 to recommend approval of the ordinance.

San Francisco currently has three permits that cover business that sell second hand goods. These permits are Pawnbrokers License, Antique Dealers and Secondhand Dealers. Pawnbrokers are dealers that do need to be regulated because cash is paid outright and thus have a greater propensity for purchasing stolen goods. Antique dealers and a vast majority of secondhand businesses purchase their product elsewhere, meaning not brought into the store and purchased on site. These businesses are purchasing their products in the same manner as retailers selling new products, which generally are furniture, clothing, books, and music. San Francisco does not require businesses that sell new products to obtain a special license or permit to sell their goods.

Currently, 4 police personnel are involved with processing the permits, 1426 Non Sworn Clerk, Sworn Permit Officer, Sworn 0380 Officer, and Sworn Statio n Officer. Additionally, fingerprinting, zoning approvals, background checks and a hearing are required prior to opening. The Small Business Commission is in agreement these requirements are not necessary and eliminating this permit does not pose a risk to consumers.

There is a small sector of secondhand dealers that conduct business by purchasing their products through "Buy-Sell-Trade" (direct by). Commission staff surveyed several of these direct buy businesses and found that they were committed to continuing the policies of requiring identifications for products purchased and that having a legal mandate that they do such provides security and justification for these procedures. Minus a legal responsibility by city code, the business may be subject to complaints about having to show ID which already occurs, though these concerns are minimized when customers are advised that the business is simply complying the law.

The Commission recommends that it may be prudent to maintain some of current regulations for "direct buy" secondhand dealers who exchange cash in return for secondhand products. The permit should be

simplified, without requirements of fingerprinting, zoning referral, hearing and advertizing for a hearing, and no more than a 1426 Non Sworn Clerk and Sworn Permit Officer to process. The permit should require the business to obtain a valid ID from the current list of approved ID and a notation of the amount of money paid out in cash or trade and kept on hand for no more than 6 months. While the Commission does make this recommendation, it will leave it as a policy matter for the Board of Supervisors as the "direct by" secondhand dealers are small number of total secondhand dealer businesses.

It should be noted that California Assembly member Pan has introduced a bill AB 391 that will require any business purchasing precious metals (i.e. jewelry) that have serial numbers is engraved or any other distinguishing mark will need to log and file an electronic report with the State DOJ. This is in response to the increase number of businesses purchasing gold. To purchase secondhand jewelry as a "direct buy" requires a pawnbrokers license.

Sincerely,

Regina Dick-Endrizzi
Director, Office of Small Business

Cc: Supervisor Wiener
Jason Elliott, Mayor's Office

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

GOVERNMENT AUDIT AND OVERSIGHT COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Mark Farrell, Chair
Government Audit and Oversight Committee

FROM: Victor Young, Committee Clerk

DATE: July 30, 2012

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, July 31, 2012

The following file scheduled to be presented as a **COMMITTEE REPORTS** at the July 31, 2012, Board meeting, was REFERRED WITHOUT RECOMMENDATION at the Committee meeting on Monday, July 30, 2012, at 11:00 a.m.

Item No. 59 was not sent as a Committee Report.

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Rick Caldeira, Deputy Legislative Clerk
Cheryl Adams, Deputy City Attorney

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
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TDD/TTY No. 554-5227

MEMORANDUM

TO: Chief Greg Suhr, Police Department

FROM: Rana Calonsag, Clerk, Government Audit and Oversight Committee
Board of Supervisors

DATE: June 28, 2012.

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by Supervisor Wiener on June 12, 2012, which is being forwarded to your department for informational purposes.

File No. 120671

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279, 1279.1, 1279.2, 1280, 1280.1, 1281, and 1282; and 2) amending Sections 2.26 and 2.27 to eliminate the permit requirement and other local regulation of secondhand dealers and antique dealers.

If you have any reports or comments to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Re: Government Audit & Oversight Committee-7/26/12 Draft Agenda
Angela Calvillo
to:
Catherine Stefani
07/19/2012 10:20 AM
Cc:
Andres Power, Margaux Kelly, Rick Caldeira, Rana Calonsag
Hide Details
From: Angela Calvillo/BOS/SFGOV
To: Catherine Stefani/BOS/SFGOV,
Cc: Andres Power/BOS/SFGOV, Margaux Kelly/BOS/SFGOV, Rick Caldeira/BOS/SFGOV, Rana Calonsag/BOS/SFGOV
Sounds fine thank you.

On Jul 19, 2012, at 9:34 AM, "Catherine Stefani" <Catherine.Stefani@sfgov.org> wrote:

> Hi Angela -
>
> Thank you for your response. I just spoke with Andres Power in Supervisor Wiener's office and he stated that they only need one of the items to go as a committee report. File No. 120671 [Police Code - Repeal Secondhand Dealer and Antique Dealer Permit Requirements]. The urgency rests in the fact that the businesses subject to the current law are being threatened with jail time for not complying with a provision in the law that Supervisor Wiener is trying to change through this legislation. Please let me or Andres know if you have any questions.
>
> Thus, the only items that will need to come out of GAO as a committee report and be on the Board Agenda for July 24th are the following:
>
> File No. 120671 - [Police Code - Repeal Secondhand Dealer and Antique Dealer Permit Requirements]
> File No. 120708 - [Grant Agreement - Local Operating Subsidy Program at the Arlington Hotel - Not to Exceed $9,354,007]
>
> Thanks!
>
> Catherine Stefani
> Legislative Aide
> Office of Supervisor Mark E. Farrell
> City Hall
> 1 Dr. Carlton B. Goodlett Place, Room 244
> San Francisco, CA 94102-4689
> Phone: (415) 554-7752
> Fax: (415)554-7843
> Angela Calvillo---07/18/2012 05:58:04 PM---Approved, Thank you Angela Calvillo

To: Rick Caldeira/BOS/SFGOV@SFGOV, Catherine Stefani/BOS/SFGOV@SFGOV
Cc: andres.power@sfgov.org, Lydia Ely/OCDHH/MAYOR/SFGOV@SFGOV, Margaux Kelly/BOS/SFGOV@SFGOV
Date: 07/18/2012 05:58 PM
Subject: Fw: Government Audit & Oversight Committee-7/26/12 Draft Agenda

Approved, Thank you

Angela Calvillo
Clerk of the Board

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548

---- Forwarded by Angela Calvillo/BOS/SFGOV on 07/18/2012 06:01 PM -----

From: Catherine Stefani/BOS/SFGOV
To: Rick Caldeira/BOS/SFGOV@SFGOV.
Cc: Angela Calvillo/BOS/SFGOV@SFGOV, andres.power@sfgov.org, Lydia Ely/OCDHH/MAYOR/SFGOV@SFGOV, Margaux Kelly/BOS/SFGOV@SFGOV
Date: 07/18/2012 05:37 PM
Subject: Fw: Government Audit & Oversight Committee-7/26/12 Draft Agenda

Hey there -

Please note that there are pending requests for committee reports for the following items that are expected to be heard in GAO on Monday, July 30th: (note we have to cancel the July 26th GAO meeting)

File Nos. 120671 and 120672 (Supervisor Wiener's request should be made soon)
File No. 120708 (Lydia Ely with MOH sent in her request to Angela)

I just want to make sure that these items make the Board agenda for Tuesday. Please let me know if you have any questions.

Sincerely,

Catherine Stefani
Legislative Aide
Office of Supervisor Mark E. Farrell
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7752
Fax: (415)554-7843
---- Forwarded by Catherine Stefani/BOS/SFGOV on 07/18/2012 05:36 PM ----

From: Rana Calonsag/BOS/SFGOV
To: Catherine Stefani/BOS/SFGOV@SFGOV
Date: 07/16/2012 12:50 PM
Subject: Re: Government Audit & Oversight Committee-7/26/12 Draft Agenda

Please review and approve:
(See attached file: GAO-July 26 DRAFT AGENDA.pdf)

Rana Calonsag
Board of Supervisors-Clerk's Office
415-554-7718
rana.calonsag@sfgov.org

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfbos.org/index.aspx?page=104

Rana Calonsag---07/16/2012 09:49:08 AM---Hi Catherine, Below is what I have on the calendar for next week's GAO Meeting. Please review and ad

From: Rana Calonsag/BOS/SFGOV
To: Catherine Stefani/BOS/SFGOV@SFGOV,
Date: 07/16/2012 09:49 AM
Subject: Government Audit & Oversight Committee-7/26/12 Draft Agenda

Hi Catherine,
Below is what I have on the calendar for next week's GAO Meeting. Please review and advise on any additions or changes. I will be out of the office tomorrow (7/17) and Wednesday (7/18). Please confirm as soon as possible. Thank you.

⇒ 120671 Repeal Secondhand Dealer & Antique Dealer Permit Requirements
⇒ 120672 Dogs Fastened to Lamp Post, Hydrant or Tree
⇒ 120708 Resolution authorizing the Director of the Mayor's Office of Housing to execute a Local Operating Subsidy Program Grant Agreement with Mercy Housing California

Rana Calonsag
Board of Supervisors-Clerk's Office
415-554-7718
rana.calonsag@sfgov.org

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http://www.sfbos.org/index.aspx?page=104

<GAO-July 26 DRAFT AGENDA.pdf>

120671

Fw: Government Audit & Oversight Committee-7/26/12 Draft Agenda

Rick Caldeira to: Rana Calonsag 07/19/2012 09:03 AM

fyi

Rick Caldeira, MMC
Legislative Deputy Director
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Phone: (415) 554-7711 | Fax: (415) 554-5163
rick.caldeira@sfgov.org | www.sfbos.org

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http://www.sfbos.org/index.aspx?page=104

---- Forwarded by Rick Caldeira/BOS/SFGOV on 07/19/2012 09:07 AM ----

From:	Angela Calvillo/BOS/SFGOV
To:	Rick Caldeira/BOS/SFGOV@SFGOV, Catherine Stefani/BOS/SFGOV@SFGOV,
Cc:	andres.power@sfgov.org, Lydia Ely/OCDHH/MAYOR/SFGOV@SFGOV, Margaux Kelly/BOS/SFGOV@SFGOV
Date:	07/18/2012 05:58 PM
Subject:	Fw: Government Audit & Oversight Committee-7/26/12 Draft Agenda

Approved, Thank you

Angela Calvillo
Clerk of the Board

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http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548

---- Forwarded by Angela Calvillo/BOS/SFGOV on 07/18/2012 06:01 PM ----

From:	Catherine Stefani/BOS/SFGOV
To:	Rick Caldeira/BOS/SFGOV@SFGOV
Cc:	Angela Calvillo/BOS/SFGOV@SFGOV, andres.power@sfgov.org, Lydia Ely/OCDHH/MAYOR/SFGOV@SFGOV, Margaux Kelly/BOS/SFGOV@SFGOV
Date:	07/18/2012 05:37 PM
Subject:	Fw: Government Audit & Oversight Committee-7/26/12 Draft Agenda

Hey there -

Please note that there are pending requests for committee reports for the following items that are expected to be heard in GAO on Monday, July 30th: (note we have to cancel the July 26th GAO meeting)

File Nos. 120671 and 120672 (Supervisor Wiener's request should be made soon)
File No. 120708 (Lydia Ely with MOH sent in her request to Angela)

I just want to make sure that these items make the Board agenda for Tuesday. Please let me know if you have any questions.

Sincerely,

Catherine Stefani
Legislative Aide
Office of Supervisor Mark E. Farrell
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7752
Fax: (415)554-7843
—— Forwarded by Catherine Stefani/BOS/SFGOV on 07/18/2012 05:36 PM ——

From: Rana Calonsag/BOS/SFGOV
To: Catherine Stefani/BOS/SFGOV@SFGOV
Date: 07/16/2012 12:50 PM
Subject: Re: Government Audit & Oversight Committee-7/26/12 Draft Agenda

---

Please review and approve:

GAO-July 26 DRAFT AGENDA.pdf

Rana Calonsag
Board of Supervisors-Clerk's Office
415-554-7718
rana.calonsag@sfgov.org

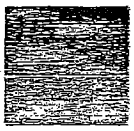
Complete a Board of Supervisors Customer Satisfaction form by clicking the link below. http://www.sfbos.org/index.aspx?page=104

Rana Calonsag	Hi Catherine, Belo...	07/16/2012 09:49:08 AM

From: Rana Calonsag/BOS/SFGOV
To: Catherine Stefani/BOS/SFGOV@SFGOV,
Date: 07/16/2012 09:49 AM
Subject: Government Audit & Oversight Committee-7/26/12 Draft Agenda

---

Hi Catherine,
Below is what I have on the calendar for next week's GAO Meeting. Please review and advise on any additions or changes. I will be out of the office tomorrow (7/17) and Wednesday (7/18). Please confirm as soon as possible. Thank you.



To: Greg Suhr/SFPD/SFGOV,
Cc:
Bcc:
Subject: Referral: BOS File No. 120671

Attached is a referral for BOS File No. 120671 (Police Code - Repeal Secondhand Dealer and Antique Dealer Permit Requirements), which is being referred to the Police Department for informational purposes. If you have any reports or comments to be included as part of the file, please forward those to me.

120671 FYI.doc 120671.pdf
Rana Calonsag
Board of Supervisors-Clerk's Office
415-554-7718
rana.calonsag@sfgov.org

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below. http://www.sfbos.org/index.aspx?page=104

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

☒ 1. For reference to Committee: Government Audit & Oversight

An ordinance, resolution, motion, or charter amendment.

☐ 2. Request for next printed agenda without reference to Committee.

☐ 3. Request for hearing on a subject matter at Committee:

☐ 4. Request for letter beginning "Supervisor inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No.

☐ 9. Request for Closed Session (attach written motion).

☐ 10. Board to Sit as A Committee of the Whole.

☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: **For the Imperative Agenda (a resolution not on the printed agenda), use a different form.**

Sponsor(s):

Supervisor Wiener

Subject:

Police Code – Repeal Secondhand Dealer and Antique Dealer Permit Requirements

The text is listed below or attached:

Ordinance amending the San Francisco Police Code by: 1) repealing Sections 850, 851, 852, 1276, 1279, 1279.1, 279.2, 1280, 1280.1, 1281 and 1282; and 2) amending Sections 2.26 and 2.27 to eliminate the permit requirement nd other local regulation of secondhand dealers and antique dealers.

Signature of Sponsoring Supervisor:

For Clerk's Use Only: