

File No. 120984

Committee Item No. 1

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: City Operations

Date 11/5/12

Board of Supervisors Meeting

Date \_\_\_\_\_

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- Subcontract Budget
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- Award Letter
- Application
- Public Correspondence

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

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Completed by: Derek Evans Date 11/1/12

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 - Prohibiting Public Nudity]

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Ordinance amending the San Francisco Police Code by adding Section 154 to prohibit nudity on public streets, sidewalks, street medians, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

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 adding Section 154, to read as follows:

**SEC. 154. PROHIBITING PUBLIC NUDITY.**

(a) A person may not expose his or her genitals, perineum, or anal region on any public street, sidewalk, street median, parklet, or plaza, or in any transit vehicle, station, platform, or stop of any government operated transit system in the City and County of San Francisco.

(b) The provisions of this chapter shall not apply to (1) any person under the age of five years or (2) any permitted parade, fair, or festival held under a City or other government issued permit. Notwithstanding this exemption, all persons participating in or attending permitted parades, fairs or festivals shall comply with Section 1071.1(b)(2) of the San Francisco Police Code.

(c) Any person who violates this Section 154 shall be guilty of an infraction and upon conviction thereof such person shall be punished by a fine not to exceed one hundred dollars (\$100) for a first violation, and not to exceed two hundred dollars (\$200) for a second violation within twelve months of the first violation.

(d) Upon the third or subsequent conviction under this Section 154 within twelve months of the first violation, such person shall be guilty of an infraction or a misdemeanor. The complaint charging

1 such violation shall specify whether, in the discretion of the District Attorney, the violation is an  
2 infraction or a misdemeanor. If charged as an infraction, upon conviction, the violator shall be  
3 punished by a fine not to exceed \$500. If charged as a misdemeanor, upon conviction, the violator  
4 shall be punished by a fine not to exceed \$500 or by imprisonment in the County Jail for a period not to  
5 exceed one year or by both such fine and imprisonment.

6 (e) This Section shall not supersede or otherwise affect existing laws regulating nudity under  
7 the San Francisco Municipal Code, including but not limited to the Park Code, Police Code, and Port  
8 Code. But in the event of a conflict between this Section 154 and Police Code 1071.1(b)(2), this  
9 Section 154 shall prevail.

10 (f) A violation of this Section does not require lewd or sexually motivated conduct as required  
11 under the indecent exposure provisions of California Penal Code Section 314 or for purposes of  
12 California Penal Code Section 290(c).

13 Section 2. Severability. If any section, subsection, sentence, clause, or phrase of this  
14 Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of  
15 competent jurisdiction, such decision shall not affect the validity of the remaining portions of  
16 the Ordinance. The Board of Supervisors hereby declares that it would have passed this  
17 Ordinance and each and every section, subsection, sentence, clause, or phrase not declared  
18 invalid or unconstitutional without regard to whether any portion of this Ordinance would be  
19 subsequently declared invalid or unconstitutional.

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

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

24 By: Adine Varah  
25 ADINE VARAH  
Deputy City Attorney

Supervisor Wiener  
BOARD OF SUPERVISORS



**Fw: San Francisco Board of Supervisors: Refuse to ban public nudity in San Francisco**

Linda Wong to: Derek Evans

11/01/2012 03:16 PM

----- Forwarded by Linda Wong/BOS/SFGOV on 11/01/2012 03:22 PM -----

From: Glendon Anna Conda Hyde <mail@change.org>  
To: Linda.Wong@sfgov.org  
Date: 11/01/2012 11:56 AM  
Subject: San Francisco Board of Supervisors: Refuse to ban public nudity in San Francisco

---

Hey,

I just signed the petition "San Francisco Board of Supervisors: Refuse to ban public nudity in San Francisco" and wanted to see if you could help by adding your name.

Our goal is to reach 25,000 signatures and we need more support. You can read more and sign the petition here:

<https://www.change.org/petitions/san-francisco-board-of-supervisors-refuse-to-ban-public-nudity-in-san-francisco>

Thanks!  
Glendon Anna

You're receiving this message because Glendon Anna Conda Hyde sent you an email through Change.org's petition sharing tool. If you believe you have received this message in error, respond directly to Glendon Anna Conda Hyde at herrachick@yahoo.com.



Please include my email in the LEGISLATIVE FILE

Joseph A. Mott

to:

Derek.Evans, Linda.Wong

11/01/2012 01:57 PM

Hide Details

From: "Joseph A. Mott" <jmottmd@sbcglobal.net>

To: <Derek.Evans@sfgov.org>, <Linda.Wong@sfgov.org>,

Please respond to "Joseph A. Mott" <jmottmd@sbcglobal.net>

**From:** Joseph A. Mott

**Sent:** Wednesday, October 24, 2012 9:10 PM

**To:** [John.Avalos@sfgov.org](mailto:John.Avalos@sfgov.org) ; [David.Campos@sfgov.org](mailto:David.Campos@sfgov.org) ; [David.Chiu@sfgov.org](mailto:David.Chiu@sfgov.org) ; [Carmen.Chu@sfgov.org](mailto:Carmen.Chu@sfgov.org) ; [Malia.Cohen@sfgov.org](mailto:Malia.Cohen@sfgov.org) ; [Sean.Elsbernd@sfgov.org](mailto:Sean.Elsbernd@sfgov.org) ; [Mark.Farrell@sfgov.org](mailto:Mark.Farrell@sfgov.org) ; [Jane.Kim@sfgov.org](mailto:Jane.Kim@sfgov.org) ; [Eric.L.Mar@sfgov.org](mailto:Eric.L.Mar@sfgov.org) ; [Christina.Olaque@sfgov.org](mailto:Christina.Olaque@sfgov.org) ; [Scott.Wiener@sfgov.org](mailto:Scott.Wiener@sfgov.org)

**Subject:** Against Proposed Nudity Ban

Dear Scott and others on the Board of Supervisors,

I've lived in San Francisco since 1994, and I spend a great deal of time in The City, and particularly in the Castro neighborhood.

I'd like to register my opposition to the proposed new legislation banning nudity. I believe in people's right to free expression, and I think that our society's discomfort with the nude human form, and with sexuality, is unhealthy. Nude people on the street do no actual harm to anyone, and any laws proscribing nudity will tend to overreach, to be arbitrary and difficult to enforce, to be subject to interpretation and abuse, and to infringe on the freedom of expression in that very BASTION of free speech, the public square. The slippery slope arguments also hold water in this instance, because who is to determine what is, and what is not so "obscene" or "objectionable" as to be criminal? The majority? 50% plus one? On which day?

San Francisco has a colorful history, and we have made room for LOTS of different sorts of personal expression here – much of which has been found to be "objectionable" or "obscene" to whole swaths of normative observers. But by doing so, we have MADE history, as well.

We must resist the fear-based, conservative forces that are at work weakening the roots of our democratic society. Personal freedom of expression is a critical part of democracy and it works to promote and protect civil rights of many stripes.

Joseph Mott, M.D., J.D.

555 John Muir Drive, Apt. B410

San Francisco, CA 94132

[jmottmd@sbcglobal.net](mailto:jmottmd@sbcglobal.net)

---

**avast! Antivirus:** Outbound message clean.

Virus Database (VPS): 121101-0, 11/01/2012

Tested on: 11/1/2012 1:55:59 PM

avast! - copyright (c) 1988-2012 AVAST Software.



**Please don't ban nudity in San Francisco...**  
douglasmont to: Derek.Evans

11/01/2012 09:03 AM

...we need more freedom, not less.. If no one is hurt, let people express them selves. Lets set a good example of tolerance and self expression and Not narrow our self expression in response to the most vocal, who are often a minority.

Thank you,

Joseph Montgomery

Sent from Xfinity Mobile App



Reference Number 120984 Ban on Public Nudity

Michael G. Bare

to:

Linda.Wong, Derek.Evans

11/01/2012 10:32 AM

[Hide Details](#)

From: "Michael G. Bare" <michaelgbare@gmail.com>

To: Linda.Wong@sfgov.org, Derek.Evans@sfgov.org,

Dear Ms. Wong and Mr. Evans,

I ask that my comments be included in the legislative file, reference number 120984, re: Ban on Public Nudity.

I am not a nudist. Nor do I care that others around me live comfortably without clothes. I believe that this ban removes a San Franciscan cultural institution of clothing optionality. Nudity on the streets, parks and beaches should be most certainly legal and tolerated. The basic human right of living in your body and deciding how to live in that body must not be taken away by cultural conservatives seeking to alter the personality of this great city. Many have moved here from oppressive environments to be in a place with permissive attitudes; I say if people don't like nudity they can live anywhere; people who want to be nude have few options comparatively.

Thanks for your time.

Michael G. Bare



File Reference Number 120984 Ban on Public Nudity

Mike Wepplo

to:

Derek.Evans

11/01/2012 11:29 AM

Hide Details

From: Mike Wepplo <shaheen@earthlink.net>

To: Derek.Evans@sfgov.org,

dear board member

i strongly urge you not to ban public nudity in san francisco. san francisco is the last truly unique city in america, the only city were people can be them selves without fear or persecution. we do not live in san francisco, but i visit it quite frequently for this very reason, we live in los angeles and los angeles is a very uptight city. i also hold all my business meetings in san francisco for the same reason, some times in vegas, but there is actually much much more freedom in your city.

when we come there we hang out in the castro district, my wife and i are not gay, but we dont care, the people there are the friendliest, the food is the best and i like it the way it is. the nudists never bother anyone, they are not offensive to see or talk to. it is very refreshing to see such freedom. with such freedoms gone my interest in coming to san francisco would be greatly diminished

thank you for your time

thank you

Mike Wepplo

[shaheen@earthlink.net](mailto:shaheen@earthlink.net)

909 527 3035



Nudity in San Francisco

Brian Powell

to:

Derek.Evans, Linda.Wong

11/01/2012 11:45 AM

Hide Details

From: "Brian Powell" <bepowell@ntlworld.com>

To: <Derek.Evans@sfgov.org>, <Linda.Wong@sfgov.org>,

Dear Sir/Madam,

There are parts of the world where women might be punished or killed for being "immodest". I feel that the United States should be an example of Freedom of Expression to the rest of the world. San Francisco typifies a truly open and accepting attitude to acceptance of the human body as something wonderful and not shameful or disgusting in any way. I would love to visit San Francisco and see this liberal attitude at first hand. There are so many places in the USA and elsewhere that are too happy to curtail the freedom of the individual. I do not wish San Francisco to become another one of these.

I request that there be no ban on public nudity in San Francisco.

Please add this email to the file below.

File Reference Number 120984 Ban on Public Nudity

Regards

Brian Powell B Ed.



Please confirm receipt of email. Please add to Nudity Ban Legislative File: File Reference Number 120984.

Craig Scott

to:

Derek.Evans@sfgov.org, Linda.Wong@sfgov.org

10/31/2012 02:50 PM

Hide Details

From: Craig Scott <craigscottsf@yahoo.com>

To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,

Please respond to Craig Scott <craigscottsf@yahoo.com>

Please add to Nudity Ban Legislative File: File Reference Number 120984. Please confirm receipt of email.

Dear Supervisors:

I encourage you not to approve the ban on nudity as it has been proposed. It is far too broad and not only steps on the rights of one group for the benefit of another but it also rejects San Francisco wonderful tradition of compromise and a test period on controversial issues. I urge you to consider postponing any decision so the parties may explore compromise. As of now, no attempt has been made to seek any sort of compromise.

There are many potential ways to compromise that have not been considered. Nudity on Saturdays only between May and October, is just one example. In certain areas only, etc.. San Francisco has dealt with many controversial issues this way. For example, Sunday Streets and transit only on Market Street. I urge you to postpone any decision until attempt have been made for compromise.

Thank you, Craig Scott



Fwd: Nudity Ban - Please do not vote for the nudity ban

Race Bannon

to:

Derek.Evans, Linda.Wong

10/31/2012 03:02 PM

Hide Details

From: Race Bannon <[race@racebannon.com](mailto:race@racebannon.com)>

To: [Derek.Evans@sfgov.org](mailto:Derek.Evans@sfgov.org), [Linda.Wong@sfgov.org](mailto:Linda.Wong@sfgov.org),

Please include my email comments below in the legislative file, File Reference Number 120984 Ban on Public Nudity.

Thank you very much for doing so.

--

Race Bannon

[Blog](#) [Facebook](#) [Twitter](#) [LinkedIn](#) [About.Me](#) [Foursquare](#) [Pinterest](#) [Tagged](#) [SoundCloud](#)

----- Forwarded message -----

From: **Race Bannon** <[race@racebannon.com](mailto:race@racebannon.com)>

Date: Sun, Oct 21, 2012 at 1:48 PM

Subject: Nudity Ban - Please do not vote for the nudity ban

To: [John.Avalos@sfgov.org](mailto:John.Avalos@sfgov.org), [David.Campos@sfgov.org](mailto:David.Campos@sfgov.org), [David.Chiu@sfgov.org](mailto:David.Chiu@sfgov.org),

[Carmen.Chu@sfgov.org](mailto:Carmen.Chu@sfgov.org), [Malia.Cohen@sfgov.org](mailto:Malia.Cohen@sfgov.org), [Sean.Elsbernd@sfgov.org](mailto:Sean.Elsbernd@sfgov.org), [Mark.Farrell@sfgov.org](mailto:Mark.Farrell@sfgov.org),  
[Jane.Kim@sfgov.org](mailto:Jane.Kim@sfgov.org), [Eric.L.Mar@sfgov.org](mailto:Eric.L.Mar@sfgov.org), [Christina.Olague@sfgov.org](mailto:Christina.Olague@sfgov.org)

As was clearly demonstrated by the very successful community rally yesterday to oppose the proposed nudity ban, the community is by no means united around this proposed ban. Many of us feel it will have a chilling effect on San Francisco and have far reaching negative repercussions on the city if it passes.

Please do not vote to pass the proposed nudity ban. There are already laws on the books today that clearly handle inappropriate public behavior. This law is an unnecessary over reach.

Thank you for taking the time to read my concerns.

--

Race Bannon

[Blog](#) [Facebook](#) [Twitter](#) [LinkedIn](#) [About.Me](#) [Foursquare](#) [Pinterest](#) [Tagged](#) [SoundCloud](#)



**Reject Wiener's Nudity Ban**

**James Borrazas** to: [Derek.Evans@sfgov.org](mailto:Derek.Evans@sfgov.org),  
[Linda.Wong@sfgov.org](mailto:Linda.Wong@sfgov.org)

10/31/2012 08:20 PM

To all SF Supervisors:

We don't need blue laws in SF. Vote down Wiener's nudity ban legislation.

Please include this message on the Legislative File.

James Borrazás  
SF Voter

Sent from my iPhone



Legislative file: File Reference Number 120984 Ban on Public Nudity

Patrick Mulcahey

to:

Linda.Wong, Derek.Evans

10/31/2012 08:29 PM

Hide Details

From: Patrick Mulcahey <patrickmulcahey@comcast.net>

To: Linda.Wong@sfgov.org, Derek.Evans@sfgov.org,

Please include my comments below in the legislative file reference number 120984, "Ban on Public Nudity"

Begin forwarded message:

**From:** Patrick Mulcahey <patrickmulcahey@comcast.net>

**Date:** October 3, 2012 3:03:47 PM PDT

**To:** [John.Avalos@sfgov.org](mailto:John.Avalos@sfgov.org), [David.Campos@sfgov.org](mailto:David.Campos@sfgov.org),

[David.Chiu@sfgov.org](mailto:David.Chiu@sfgov.org), [Carmen.Chu@sfgov.org](mailto:Carmen.Chu@sfgov.org),

[Malia.Cohen@sfgov.org](mailto:Malia.Cohen@sfgov.org), [Sean.Elsbernd@sfgov.org](mailto:Sean.Elsbernd@sfgov.org),

[Mark.Farrell@sfgov.org](mailto:Mark.Farrell@sfgov.org), [Jane.Kim@sfgov.org](mailto:Jane.Kim@sfgov.org), [Eric.L.Mar@sfgov.org](mailto:Eric.L.Mar@sfgov.org),

[Christina.Olague@sfgov.org](mailto:Christina.Olague@sfgov.org), [Scott.Wiener@sfgov.org](mailto:Scott.Wiener@sfgov.org)

**Subject:** public nudity ban

Dear Supervisors,

I am writing to express my strong opposition to the "nudity ban" proposed by my own supervisor, Scott Wiener. I find it regressive, disheartening, and unnecessary; and while it is far from being a "gay issue," it appears to pander to a new upscale heterocentric element in the Castro community with a penchant for waving the "Save the Children!" flag. There is absolutely no research to support the sentimental fear that casual adult non-sexual nudity harms children, and plenty of experience (and common sense) to dispute it.

There are already laws on the books against public lewdness. If public lewdness is the problem, by all means, arrest the offenders. That can be accomplished without implementing this overbearing, un-San Franciscan legislation. It is repressive insanity to restrict the personal liberties of 800,000 citizens because the behavior of a half-dozen men on one streetcorner in one neighborhood chafes the sensibilities of some. I am not at all opposed to some compromise or accommodation being reached to safeguard the rights and interests of all involved, but no other proposal or negotiation has even been attempted. Is legislation really the way of leadership in this matter? I say it is not.

Patrick Mulcahey

191 Carnelian Way

San Francisco CA 94131



Public Nudity

Andrae Vigil-Romero

to:

undisclosed-recipients;;

10/31/2012 08:46 PM

Hide Details

From: Andrae Vigil-Romero <andraevr@gmail.com>

To: undisclosed-recipients;;

Please support freedom of speech and vote NO on the Public Nudity Ban. San Francisco is a model for the nation in being open and accepting of different communities. This ban would send a message to the people of San Francisco that limiting speech and expression is okay. But, as you know from the 1st Amendment, that is not the case. Please be sure to showcase your commitment to freedom and freedom of speech/expression.

Thank you,  
Andrae Vigil-Romero

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.



against nudity ban

Geof

to:

Derek.Evans, Linda.Wong

10/31/2012 08:52 PM

Hide Details

From: Geof <geof@riverdream.org>

To: Derek.Evans@sfgov.org, Linda.Wong@sfgov.org,

Please include my comments in the Legislative File Reference Number 120984 Ban on Public Nudity

Begin forwarded message:

**From:** Geof <geof@riverdream.org>

**Subject:** **against nudity ban**

**Date:** October 3, 2012 1:48:04 PM PDT

**To:** David.Campos@sfgov.org

Mr. Campos,

I live in your district in San Francisco, and want to voice my strong opposition to the ban on nudity proposed by Mr. Wiener. Public nudity is part of the rich diversity of San Francisco, and does not harm anyone. Please don't bend to the publicity seeking stunt of Mr. Wiener. Please support free expression for all San Franciscans.

Yours,

Geoffrey Worcester

225 Harvard St.

San Francisco, CA 94134



Refuse to Ban Public Nudity

kenat1404@gmail.com

to:

Derek.Evans@sfgov.org

10/31/2012 08:53 PM

Cc:

Ken McBride

Hide Details

From: "kenat1404@gmail.com" <kenat1404@gmail.com>

To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,

Cc: Ken McBride <kkserv@mindspring.com>

Please Refuse to Ban Public Nudity  
This is freakin' SAN FRANCISCO !

Regards, in freedom,  
KENNETH MCBRIDE  
118 Cresta Vista Drive  
San Francisco, CA 94127



Refuse to ban public nudity in San Francisco include @ Legislative File 120984

John Iversen

to:

Change.org, john.avalos@sfgov.org

10/31/2012 09:20 PM

Cc:

"derek.evans@sfgov.org", "linda.wong@sfgov.org", Tommi Mecca, Tom Taylor, "scott.wiener@sfgov.org", Scott Carroll, Judy Greenspan, Judith Scherr, Tim Kingston, Alix Rosenthal, Glenn Reeder, Mitch Jeserich

Hide Details

From: John Iversen <johniversen94702@yahoo.com> Sort List...

To: "Change.org" <no-reply@change.org>, "john.avalos@sfgov.org" <john.avalos@sfgov.org>,

Cc: "derek.evans@sfgov.org" <derek.evans@sfgov.org>, "linda.wong@sfgov.org" <linda.wong@sfgov.org>, Tommi Mecca <avimecca@yahoo.com>, Tom Taylor <tommarc@sbcglobal.net>, "scott.wiener@sfgov.org" <scott.wiener@sfgov.org>, Scott Carroll <scottoutandabout@yahoo.com>, Judy Greenspan <judygreenspan@att.net>, Judith Scherr <judithscheer@gmail.com>, Tim Kingston <timwhitsedkingston@gmail.com>, Alix Rosenthal <aar@rosenthallegal.com>, Glenn Reeder <glenn@kpfa.org>, Mitch Jeserich <mjeserich@gmail.com>

Please respond to John Iversen <johniversen94702@yahoo.com>

Security:

To ensure privacy, images from remote sites were prevented from downloading. Show Images

Greetings should be Mayor Avalos and all,

ACT UP East Bay unanimously supports PUBLIC NUDITY. At this point it is a tourist attraction and draws tourists to the Castro hoping for a peek! Scott Weener/whiner is simply using this as an election ploy. If he cares about drawing attention to the netherworld, he should ban the wearing of cock rings not nudity.

His inner Church Lady needs to become his inner Bette Midler. What a tool. Vote NO on banning public nudity. I am an old prune, scott a young prude who is better suited for the Junior League than the County Bd.

Your truly, John Iversen

co-founder ACT UP/East Bay, Berkeley and Oakland Needle Exchanges and the most effective and known PWA global iads activist in the Bay Area, member-MN Chippewa tribe and a pretty good tango singer--writing from Buenso Aires now. There are more important issues. Weener is a tragic comedy. You should have seen Dana King's eyes roll when she first reported on Whiner's initiative. I think she even uttered "This is news?" How is it representing the 2% Mr. Weener?

---

**From:** mitch hightower <mail@change.org>

**To:** johniversen94702@yahoo.com

**Sent:** Thursday, November 1, 2012 12:02 AM

**Subject:** Update about "San Francisco Board of Supervisors: Refuse to ban public nudity in San Francisco"

This message is from mitch hightower who started the petition "San Francisco Board of

Supervisors: Refuse to ban public nudity in San Francisco," which you signed on Change.org.

---

Greetings Friends!

We appreciate your continued support as we do our best to prevent the proposed public nudity ban from becoming law in San Francisco.

Prior to the hearing coming up on November 5, we need to ask you to send another email or two about this matter.

PLEASE take the emails you have sent to supervisors on the PUBLIC NUDITY BAN issue and forward them to the emails that follow at the bottom of this message. Ask that your comments be included in the LEGISLATIVE FILE, reference number below.

This is the file that the supervisors look at when making decisions on how to vote, and there are very few public comments in the file right now. Let's fill it up!

File Reference Number 120984 Ban on Public Nudity

Email both: [Derek.Evans@sfgov.org](mailto:Derek.Evans@sfgov.org) and [Linda.Wong@sfgov.org](mailto:Linda.Wong@sfgov.org)

Thank you again for your time and support!

Mitch Hightower

---

[View the petition](#) | [View and reply to this message online](#)

[Unsubscribe from updates about this petition](#)



comments on the proposed ban on public nudity

wil Nolan

to:

Derek.Evans@sfgov.org, Linda.Wong@sfgov.org

10/31/2012 09:29 PM

Hide Details

From: wil Nolan <wilnolan1@yahoo.com>

To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,

Please respond to wil Nolan <wilnolan1@yahoo.com>

greetings my name wil Nolan. I am writing you to express my feelings on the proposed ban on public nudity in San Francisco. I am a 3rd generation San Francisco born resident. I love San Francisco. One of the wonderful things about SF is its tolerance towards all kinds of creative expression. it makes the city one of the most colorful places in the world. about the nudity issue...I am a professional nude figure art model and have been for over 25 years. It has given me a great appreciation for the beauty of the human form. I am also a nudist as a lifestyle. I started coming regularly to the Castro area about a year ago. I have been enjoying the freedom of nudism in the Castro and have met several wonderful fellow (and female) nudists. One point I wish to make is...there have been reports that stated that there were up to 14 nudists hanging around the Plaza, creating an uncomfortable situation for the rest of the people there. That number is simply not true. I have been there many times, and on many weekends, and even on a warm sunny day, there are perhaps up to five nudists at a time. I have been observing the reaction of the ( clothed ) people, and notice that most folks are either not even paying attention to the nudists, or are expressing positive comments about it. of course there are a few who complain, but that is to be expected in a public setting. Most people, I want to say, are positive about the nudity. I have spoken to the regular nudists there and we all agree that if we see any individual using nudity to disturb anyone or to use it for sexual purposes, that we should tell that individual to stop immediately. now about the tourists.... I have been photographed hundreds of times at the Castro with my arm around a smiling tourist. It really makes my day! They make comments like, wow! " they will never believe this at home! San Francisco is such a great City!" The tourists LOVE the nudists! it is like going to the Circus for them. it is all good fun! it makes me think that in a way the nudity ( which is word known ) is perhaps bringing more tourism to the Castro area and to SF in general, and helping the stores. More tourists, more purchases. these are som of my heart felt thoughts and observations about the nudity in Castro area. San Francisco is a great city, and the nudity is very harmless and part of the colorful nature of this city. we should focus on crime and sexual predators who are fully dressed. the few nude folks who are simply enjoying their freedom are a very harmless and fascinating part of San Francisco. I truly hope you do not vote to ban nudity. there will be alot of very sad tourists and a little less charm in San Francisco. thankyou very much for your time I would like my comments to be included in the Legislative File...reference number 120984 sincerely wil Nolan



File Reference Number 120984 Ban on Public Nudity

Woody

to:

Derek.Evans

10/31/2012 10:02 PM

[Hide Details](#)

From: Woody <[woody@nudewoody.com](mailto:woody@nudewoody.com)>

To: [Derek.Evans@sfgov.org](mailto:Derek.Evans@sfgov.org),

As a long time Castro resident and a nudist, it saddens me to see the neighborhood I have considered my home for two thirds of my life become so intolerant and unwilling to listen to logic and reason. The human body is only offensive and obscene if you see it as such, offense and obscenity rests in the mind. Many complain that we are too old, fat, ugly, hairy, etc. My body carries the record of my lived experience, its triumphs and failures, its successes and tragedies. To assert that my body should be censored from public view is to assert that my lived experience, my very identity, should be censored from public view. Some cite children as a reason for us to cover ourselves. I ask, why are you teaching your children to hate their bodies? Some insist we are all straight men who do not live here. It is funny, but when I go to other neighborhoods some who do not like me call me and my fellow nudists faggots. Body freedom belongs to everyone, gay, straight, bisexual, and transgender. Some say we are ruining business, keeping people from coming to the neighborhood to shop. I ask, why do we need to cater to the intolerant and uneducated? We nudists could be used as a learning tool, a symbol of our neighborhood's and our city's openness, tolerance, and respect for the beliefs of others. This is what I had thought San Francisco and Castro values were.

I therefore urge you to vote no on Supervisor Wiener's proposed nudity ban.

Please include my comments in File Reference Number 120984 Ban on Public Nudity  
Elwood Miller



File Reference Number 120984 Ban on Public Nudity

Glenn Moor

to:

Linda.Wong@sfgov.org, Derek.Evans@sfgov.org

10/31/2012 10:03 PM

Hide Details

From: Glenn Moor <oltl492@yahoo.com>

To: "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>, "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,

Please respond to Glenn Moor <oltl492@yahoo.com>

File Reference Number 120984 Ban on Public Nudity

Please include my comments in the LEGISLATIVE FILE, reference number above.

To San Francisco Supervisors:

Please do not ban public nudity in San Francisco. The freedoms that people have in San Francisco are one of the many things that make San Francisco a special place in America, especially considering that America is supposed to be the most free place in the world and that we, above all other nations, value FREEDOM. Let's protect that freedom we have ALWAYS. I hope you do the right thing and set an example for the rest of the country. Let's continue to protect freedoms we have always had, instead of taking freedoms away.

Please do let those people in our community, who have shame about the naked body, to dictate what is acceptable for the rest of us. The body is a thing of beauty, not something we should have shame about. They "get" this in Europe. I don't understand why people have a problem with nudity in this country. Every time I meet someone from Europe, they ask my why Americans are so uptight about this. And I simply have no answer for them

Glenn Moor  
4353 Colfax Ave  
Studio City, CA



Re: File Reference Number 120984 Ban on Public Nudity

Glenn Moor

to:

Linda.Wong@sfgov.org, Derek.Evans@sfgov.org

10/31/2012 10:11 PM

Hide Details

From: Glenn Moor <oltl492@yahoo.com>

To: "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>, "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,

Please respond to Glenn Moor <oltl492@yahoo.com>

Sorry, I am resending this , as I realized I had some typos in my first email.

File Reference Number 120984 Ban on Public Nudity

Please include my comments in the LEGISLATIVE FILE, reference number above.

To San Francisco Supervisors:

Please do not ban public nudity in San Francisco. The freedoms that people have in San Francisco are one of the many things that make San Francisco a special place in America, especially considering that America is supposed to be the most free place in the world and that we, above all other nations, value FREEDOM. Let's protect that freedom we have ALWAYS had. I hope you do the right thing and set an example for the rest of the country. Let's continue to protect freedoms we have always had, instead of taking freedoms away.

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Glenn Moor  
4353 Colfax Ave  
Studio City, CA

---

**From:** Glenn Moor <oltl492@yahoo.com>

**To:** "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>; "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>

**Sent:** Wednesday, October 31, 2012 10:04 PM

**Subject:** File Reference Number 120984 Ban on Public Nudity

File Reference Number 120984 Ban on Public Nudity

Please include my comments in the LEGISLATIVE FILE, reference number above.

To San Francisco Supervisors:

Please do not ban public nudity in San Francisco. The freedoms that people have in San Francisco are one of the many things that make San Francisco a special place in America, especially considering that America is supposed to be the most free place in the world and that we, above all other nations, value FREEDOM. Let's protect that freedom we have ALWAYS. I hope you do the right thing and set an example for the rest of the country. Let's continue to protect freedoms we have always had, instead of taking freedoms away.

Please do let those people in our community, who have shame about the naked body, to dictate what is acceptable for the rest of us. The body is a thing of beauty, not something we should have shame about. They "get" this in Europe. I don't understand why people have a problem with nudity in this country. Every time I meet someone from Europe, they ask me why Americans are so uptight about this. And I simply have no answer for them.

Glenn Moor  
4353 Colfax Ave  
Studio City, CA



File Reference Number 120984 Ban on Public Nudity  
Christina A. DiEdoardo, Esq., to: Derek.Evans, Linda.Wong  
Please respond to christina

10/31/2012 10:34 PM

Dear Mr. Evans and Ms. Wong:

As a local criminal defense attorney, I wanted to submit my comments to you regarding the proposed ban on public nudity ahead of the committee hearing on November 5, 2012.

The proposed ban is both unnecessary and, in all likelihood, unconstitutional. Over forty years ago in *In re Smith*, 7 Cal.3d 362, 497 P.2d 807 (1972), the California Supreme Court held that "It is settled that mere nudity does not constitute a form of sexual 'activity.'" Instead, in order to secure a conviction for indecent exposure, the People in *Smith* had to show "additional conduct intentionally directing attention to [the defendant's] genitals for sexual purposes."

Similarly, a juvenile who "mooned" (i.e. exposed his buttocks) to traffic for reasons of adolescent stupidity could also not be found delinquent, since he lacked the lewd intent required by the statute (although he absolutely had the intent to annoy people) See *In re Dallas W.* 85 Cal.App.4th 937, 102 Cal.Rptr.2d 493 (2nd Dist. 2000).

To the extent that the ordinance seeks to ban the public display of devices intended to draw attention to male genitalia, such as "cock rings", it is unnecessary. All the SFPD needs to do to remedy the conduct is issue citations for Penal Code 314(1), since the wearer of the ring would clearly be attempting to draw attention to their genitalia as proscribed by *Smith*.

More troublingly, a blanket ban on public nudity is likely to face constitutional challenges. Although a 1975 case out of the Second District upheld a Los Angeles ban on nude sunbathing in parks (*Eckl v. Davis* 51 Cal.App.3d 831, 124 Cal.Rptr. 685 (2nd Dist. 1975) as a time/place/manner restriction, even the Los Angeles authorities were not attempting to ban nudity across \*all\* public areas of the City, as I understand the proposed ordinance seeks to do (subject to exceptions not relevant for purposes of this discussion). While nudity is frequently seen to be "conduct" rather than "speech", it would take little effort for nudists to insert political content in their nudity. I doubt the SFPD and the District Attorney want to separate citations from nudists who claim to be naked because they are #occupy members from those who just want a full body tan.

If I can be of further assistance I would be happy to expand on these remarks. Thank you for the opportunity to be heard on this issue and to assist the City as it considers this important issue.

Sincerely,

Christina A. DiEdoardo, Esq.,

--

Christina A. DiEdoardo, Esq.,  
Law Offices of Christina DiEdoardo  
201 Spear Street #1100  
San Francisco CA 94105  
(415) 839-5098

(415)796-0893 (fax)  
christina@diedoardolaw.com  
Twitter:ChristinaSFLaw  
<http://www.diedoardolaw.com>



Comments on Ban on Public Nudity

Ronald Herman Symansky

to:

Derek.Evans

11/01/2012 12:54 AM

[Hide Details](#)

From: Ronald Herman Symansky <[rhsymansky@sbcglobal.net](mailto:rhsymansky@sbcglobal.net)>

To: [Derek.Evans@sfgov.org](mailto:Derek.Evans@sfgov.org),

Please include these Comments for File Reference Number 120984

Please oppose the ban on public nudity.

I have lived in San Francisco for over 22 years and considered the Castro my neighborhood although my homes have been in other parts of the city. It is the neighborhood where I spend my most of my time when not at home or work. I explain this to say that I am a resident of the city and especially the Castro and have never seen inappropriate behavior. That is not to say it hasn't happened, but there are existing laws to deal with lewd behavior.

The character of this city embraces and gains strength from its diversity. The proposed ban harms that character by not embracing the diversity of beliefs that vitalize this city and make it draw people from all over the world. The Castro neighborhood is a neighborhood as well as a world destination. It is a destination because things like naked people congregating happen. As a neighborhood that has evolved, its more lively character has been established longer than most of the residents. The ban on nudity legislates the whole city and homogenizes away some of that one neighborhood's character.

As an artist the freedom of speech and expression is of particular concern. An element of my work as an artist challenges body shame and sees the naked body as source of commonality and beauty. My spirituality celebrates the human body. This proposed ban unnecessarily limits my free expression when existing and reasonable restrictions aren't being enforced.

Thank You for your consideration,

Ronald H Symansky  
100 woodside ave  
San Francisco



File Reference Number 120984 Proposed Ban on Nudity

Jason Wood

to:

derek.evans, linda.wong

11/01/2012 02:36 AM

Cc:

mail

Hide Details

From: Jason Wood <woodjs@gmail.com>

To: derek.evans@sfgov.org, linda.wong@sfgov.org,

Cc: mail@change.org

Please include the following comments in the legislative file reference number, 120984:

I have been a resident of San Francisco, California for over 18 years and currently reside at 502 Church Street, 94114. Among a few reasons why I moved to San Francisco is one that, I believed, SF supported a community with a tolerance for all types of lifestyles. This has, for the most part, been a reality. The Castro in particular has been a neighborhood where many have flocked from around the world to live their lives free from judgment and ridicule. The nudists remind me of this when I see them around the City enjoying the elements in whatever "fashion" they see fit.

I believe the naturalists (nudists) who express themselves in San Francisco should be permitted to continue so long as their expression is without outward and explicitly lascivious behavior. Breast-feeding in public is of this same nature. Please do not ban nudity in San Francisco. If this proposed ban on nudity is approved, I believe it will be more of a threat to our society than a few views of exposed penises, buttocks, and breasts can ever be.

We don't always enjoy what we see in the World but the difference invokes tolerance, which is a core value that more of us need to observe in life.



File Reference Number 120984 - Proposed Ban on Nudity

Jason Wood

to:

derek.evans, linda.wong, mail

11/01/2012 02:53 AM

Hide Details

From: Jason Wood <woodjs@gmail.com>

To: derek.evans@sfgov.org, linda.wong@sfgov.org, mail@change.org,

Please include the following comments in the legislative file reference number, 120984:

Please do not approve the ban on nudity in San Francisco. While I do not participate in this certain act of expression, I believe it is important to uphold this right.

It reminds all of us that freedom of expression is a natural right that cannot be taken away from us because of someone's disapproval of this expression. Nudity is portrayed in our society in many forms of art and is a natural part of humanity. Nudity is not a threat to any thread that holds our society together. Nudity reminds us that we are all human and that we should embrace our humility.

Furthermore, if we ban nudity in San Francisco we are not only banning it in the Castro, we are also banning it from "weird and queer" traditions that make San Francisco stand apart from the other cities and towns across the nation where tolerance has less presence.

Let us not forget about Bay to Breakers, SF Pride, Folsom Street Fair, Up Your Alley, How Weird Street Faire, and the various other events where nudity is present and expected by the people who seek the thrills if only for just one moment or just one day. These events produce revenue for our beloved City and we should uphold the tolerance we have for the differences that make our communities colorful.

The ban itself is a threat to our society. If we allow a ban like this to pass where does it end. If this ban passes, it will be oppressive and will move us backward in the natural progression of society. Please do not allow San Francisco to become provincial and conformist. Please do not pass the ban on nudity.

Sincerely,

Jason Wood

502 Church Street

San Francisco CA 94114



Public nudity

J P L

to:

Derek.Evans

11/01/2012 03:24 AM

Hide Details

From: J P L <pathfndrjoe@aol.com>

To: Derek.Evans@sfgov.org,

Dear Sir,  
Derek Evans,

Concerning public nudity we the people of the United States are far too concerned about silly topics such as public nudity, The human body is a wonderful & marvelous creation, the U S seems so concerned off the wall topics, per say public nudity example.

The Bay to Breakers foot race, Folsom street fair & Door Alley & other events, seriously who cares if people are naked / nude at said events. We the citizens of the U S think we have free speech, but sadly we do not. What would be wonderful is if the U S senate & major law officials spent more time trying to put into place laws that truly would help the U S population such as a U S brand health care, or ways to help the over whelming addiction so many people have on meth & other (SERIOUS) street drugs.

But no our law officials spend time & tax dollars try to ban & arrest people for showing some skin & or being naked at festivals or events.

Spend time, energy & tax dollars on something important for a change.

Sincerely,

Joe Lopez  
Salt Lake City, Utah



For Legislative File #120984

Sferra, Pete

to:

Derek.Evans@sfgov.org, Linda.Wong@sfgov.org

11/01/2012 06:02 AM

Hide Details

From: "Sferra, Pete" <pete.sferra@lmco.com>

To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,

*Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!*

*Regards,*

*Pete*

**PETER A. SFERRA**

**3736 WILLOWOOD DRIVE**

**SAN JOSE, CA 95118**

**(650) 766-3344**

---

*(Sent to Board of Supervisors on October 2, 2012)*

*My name is Peter Sferra and I've been a practicing nudist for my entire adult life (I'm now 57). In addition to enjoying this lifestyle in a great many traditional nudist/naturist venues such as clubs, resorts, and designated beaches, I've been able to explore somewhat more "unconventional" options thanks to living in such a tolerant area of the country. I believe that nudity is not something to be ashamed of and I raised two daughters within a community where body-acceptance was encouraged. I'm pleased to report that they're now very happy, productive, and emotionally healthy adults. I wanted to share my thoughts with you on the subject of public nudity in San Francisco in the hopes that my comments might help to guide any decisions you happen to make with regards to potential legislation that would limit or even eliminate its legal status in the city.*

*All too often, the street nudists are incorrectly characterized in the media as being a small group of insensitive and eccentric gay exhibitionists who have a misguided sense of entitlement and nothing could be further from the truth. We come from all walks of life and represent a very diverse population. I'm a Silicon Valley professional and work in the aerospace industry as an illustrator and technical writer. Just a relatively "normal" fellow who happens to enjoy being naked in the warm sun. My wife Laura works as a housekeeper for a wealthy couple in San Jose, where we live.*

*Public nudity has been an integral part of San Francisco's unique make-up for quite some time now and it's one of the many things that bring people to the city, not just at wild street festivals and crazy races but on normal days as well. It seems pretty clear that there's a huge tourist draw with the street nudists and this is obviously a very good thing for commerce. The nude-friendliness also draws in folks like Laura and me who not only want to experience the unique freedom but who also feel strongly about supporting the many small businesses up there. Every time we come to San Francisco for one of our nude adventures we buy lunch before and dinner afterwards (clothed, of course! :-). We also make sure to take the time to support local businesses by shopping for things that we could just as easily purchase in our home town. We love San Francisco as much as any resident and we want*

to do what we can to help it thrive.

Nudity is an integral part of a good many large annual events in San Francisco as well as a number of smaller gatherings. I've participated in the Bay to Breakers twelve times and have always delighted in the acceptance and even encouragement that the public showed the ever increasing number of nudists. This past May, Laura and I encountered a surprising number of young people along the racecourse who took the time to say hello and thank us for being "the kind of folks that help make the city unique and special". That felt really good and it gave me hope that my long-time dream of nudists and the clothed masses freely sharing urban space might really be starting to happen in San Francisco. We took the adventure a step further this year by choosing not to dress after the race and even strolled over to the Haight for some free-spirited window shopping. We were naked for eight straight hours that day and did not encounter a single negative reaction. As a matter of fact, we had a good number of friendly people, both locals and tourists alike, approach and engage us. I even asked permission from a few business owners to take photos of Laura "shopping" in their stores and they all happily agreed. Polls have consistently shown that the majority of San Francisco residents support the legal status of simple nudity and this speaks volumes to their open-minded, tolerant nature.

Laura and I had so much fun that we returned to the city in late July for the "Up Your Alley" fair. In addition to attending the actual event on Sunday, we also visited the Castro neighborhood on Saturday just to hang out and roam around. Once again, we spent significant time strolling around naked and didn't have a single negative encounter, not from people on the street nor from shop owners. While I only actually went inside Hot Cookie on this visit, I chatted with a few other businessmen and they were all too happy to have nudists around because it brought them curious tourists who were ready to spend their money. We relaxed in Jane Warner Plaza with a few fellow nudists and quite a number of clothed folks. What struck me most was how "normal" it felt and how at ease everyone was. There was no feeling at all of us being "freaks" and everyone appeared to be enjoying the warm afternoon. I had the overwhelming sense that this was a genuine social "win-win" situation that set San Francisco apart from any other large American city.

I never take this gift for granted and am well aware that an anti-nudity ordinance could be passed at any time. With that said, my hope is that the horse is too far out of the barn at this point and that the best strategy for San Francisco is to continue setting the bar for tolerance and to remain a benchmark for other progressive thinking cities. Playing devil's advocate, I realize there are those who will abuse this privilege and cross the line from mere nudity to sexually suggestive behavior. To that issue, I say why not deal with the violators? The law is pretty clear. Nudity in and of itself is not obscene so why not create an environment where a responsible couple like Laura and I can freely take a pleasant naked stroll and not have to worry about being stopped by police. Why not focus any enforcement energy on those who choose to perform lewd acts, something that has always been against the law.

Supervisor Scott Wiener has been very vocal about proposing heavy-handed legislation with a sweeping city-wide ban on nudity in an effort to appease a relatively small group of his own constituents who are upset about nudists using Jane Warner Plaza. Rather than working toward a compromise that would benefit everyone, he seems to believe the best approach to his decidedly local issue is a city-wide eradication of those who are perceived to be making waves with a very vocal minority. As you well know, expanding social boundaries never comes without its detractors. I have no doubt that there are folks up in the city who are not happy about nudists roaming around but my gut feeling is that there are far more who either support the freedom afforded to this alternative lifestyle or who really don't care one way or another. There are many things that help to make San Francisco one of the most amazing and wonderful cities in the world but clearly unrivaled tolerance and a celebration of diversity rank at near the top of the list.

I really do respect the sometimes difficult position your job places you in and I'd be most happy to continue the dialogue with you at any time and. Thanks so much for listening!

*Warm regards,*

*Pete Sferra*



For Legislative File #120984

Sferra, Pete

to:

Derek.Evans@sfgov.org, Linda.Wong@sfgov.org

11/01/2012 06:05 AM

Hide Details

From: "Sferra, Pete" <pete.sferra@lmco.com>

To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,

*Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!*

*Regards,*

*Pete*

**PETER A. SFERRA**  
3736 WILLOWOOD DRIVE  
SAN JOSE, CA 95118  
(650) 766-3344

---

*(Sent to Board of Supervisors on October 16, 2012)*

Supervisor Scott Wiener said that he had hoped the public nudity phenomenon would “run its course”, dismissing enthusiasts as if they were simply freaks participating in some kooky fad. Instead it has grown significantly. He has repeatedly tried to characterize those who happen to enjoy the freedom of not wearing clothes on a warm afternoon as being a small group of selfish exhibitionists and nothing could be further from the truth, on any count. He went as far as to say folks like my wife Laura and me, who happen to live in San Jose, are “out-of-towners” who have undermined his neighborhood. Never mind that we feverishly support the community when we’re here, not only buying lunch and dinner on every visit, but also shopping for things we could just as easily purchase in our own home town. Or that the presence of nudists draws in many curious and enthusiastic tourists from all over the world. Tourists who see the acceptance of public nudity as a positive thing and who are all too happy to give local businesses their vacation money.

Laura and I show great respect for those who share the streets with us and have received only one negative comment on our many nude strolls. One young woman actually thanked us for being “the kind of people who help make San Francisco unique and special” and another woman with two young children smiled as she passed us and said “Beautiful day for a walk!” Not surprisingly, that kind of encounter made us feel pretty good. I don’t believe for one minute that nudists have “taken over” Jane Warner Plaza or that the majority of Castro residents are upset by their presence, but if we agree that this issue is the driver behind Supervisor Wiener’s actions, why have no local solutions been examined for this neighborhood-level “problem”. A city-wide ban on an innocuous activity that has become an integral part of the San Francisco scene seems disproportionately draconian and will only serve to diminish the city’s enviable reputation as a benchmark for tolerance of alternative lifestyles.

Any expansion of social boundaries will have its detractors and like a lot of other controversial topics, public nudity will always ruffle some feathers. But for the record, a recently commissioned scientific poll (performed by a highly respected national organization) showed that over 63 percent of San Francisco residents are not offended by it. In fact, 46 percent of those polled strongly disagreed when asked if public nudity offends them and I can’t help but believe this should be a powerful message to those who would attempt to determine who is “acceptable” on the streets and more importantly, who is not.

Thank you for listening.



Legislative File #120984

Sferra, Pete

to:

Derek.Evans@sfgov.org, Linda.Wong@sfgov.org

11/01/2012 06:09 AM

Hide Details

From: "Sferra, Pete" <pete.sferra@lmco.com>

To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>.

*Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!*

*Regards,*

*Pete*

**PETER A. SFERRA**  
3736 WILLOWOOD DRIVE  
SAN JOSE, CA 95118  
(650) 766-3344

---

*(Sent to the Board of Supervisors on October 22, 2012)*

You have already received a couple of messages from me regarding the proposed city-wide ban on public nudity and I'm hoping I've expressed my feelings clearly.

What I wanted to do was follow up with you because it's becoming apparent that your votes will be of paramount importance to the efforts to preserve this unique aspect of San Francisco's make-up. Let me say up front that I would never presume to try to sway you or anyone else away from anything that you genuinely believe in. My only intent in writing today is to ask you to seriously consider everything that's at stake and to try to listen to as many folks as possible (via phone, email, letter, even in-person meetings) before making a decision that could have significant ramifications not just on "urban nudists" but on a great deal more. Once closed, I doubt that this door could be re-opened anytime soon.

My understanding is that the scheduled November 5<sup>th</sup> hearing is an opportunity for a subcommittee of the Board of Supervisors to listen to public opinion and act accordingly. This could include sidelining the legislation altogether but the odds of that are probably not good. Ultimately, it will likely come to a full vote and I hope you will consider a number of things when making your decision. Nudists have significant public support, not only from a number of San Francisco's other alternative lifestyle groups but from a great many "ordinary" residents who have nothing at all to personally gain from the bill's defeat. They simply do not believe San Francisco should be in the business of passing laws that unnecessarily restrict the rights of people who may be "different" from the mainstream public. Like me, they also see this as a neighborhood issue that can be solved rather easily without the use of sweeping all-city legislation. I have seen this increasing public support at the rallies that have taken place recently as well as out on the streets when my wife Laura and I were strolling nude. I've also been pleased to see recent media articles of the kind linked below where a young non-nudist San Francisco mother airs her feelings about basic freedoms. Though there are undoubtedly folks who support Supervisor Wiener's proposed ban, I firmly believe the majority of residents support the rights of nudists. If I didn't believe that, I would have nothing at all to do with the efforts to defeat this legislation, and I most

certainly would not have allowed my full name (or that of my wife) to be published multiple times in the media. I never hide behind on-line IDs or nicknames when posting thoughtful comments to articles and opinion pieces and am happy to provide my legitimate full contact information with any correspondence. I believe in this cause with all of my heart and am quite certain that my like-minded friends feel the same way.

The vast majority of "urban nudists" are responsible citizens who are interested in building bridges and they want to be perceived as positive members of the community. We're ready to work toward any of a number of compromise solutions that will benefit the maximum number of citizens. Can Supervisor Wiener say the same thing? When things started to heat up, nudist leaders were eager to jump in and work toward a "win-win" solution. Supervisor Wiener stated that the only real catalyst for this controversy was a perceived congestion at Jane Warner Plaza and claimed the community was fed up. Clearly this seemed like a neighborhood concern, best answered by a local solution. Following a community meeting for Eureka Valley residents where relatively little negative input was actually aired (and even positive comments were made), Supervisor Wiener told several local nudist leaders that he was willing to "wait and see" if some self-policing by our ranks might improve the situation. He put that in writing to me as well because I had expressed sincere interest in the outcome. Just a few days after that, he went ahead and introduced the legislation! Where was the "waiting and seeing"? Clearly, this does not speak well to his desire to fairly serve his community. He has since stated more than once that he is confident the law will pass and I believe that kind of arrogance dismisses the importance of the community-based legislative process and, quite frankly, minimizes the voice of the other Board members.

Not being a San Francisco resident I realize my own voice may not be quite as compelling as others, but my love for the city is no less than anyone else's. My daughter lives there with her fiancé and my wife is a former resident of many years (Haight, Potrero, and Sunset). We spend considerable time in the city and love it for many reasons, not least of which is how socially evolved it has become. Please don't let this divisive and unnecessarily harsh legislation chip away at what truly makes San Francisco unique and special.

I'd welcome the chance to be a part of any dialogue that might be helpful, be it in person, by phone, or via any other method of communication. Thank you for listening!

Respectfully,

Pete Sferra

3736 Willowood Drive  
San Jose, CA 95118  
(650) 766-3344

Golden Gate Xpress article:

<http://www.goldengatexpress.org/2012/10/19/nudity-ban-opinion/>

---



Legislative File #120984

Sferra, Pete

to:

Derek.Evans@sfgov.org, Linda.Wong@sfgov.org

11/01/2012 06:21 AM

Hide Details

From: "Sferra, Pete" <pete.sferra@lmco.com>

To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,

*Hello Derek and Linda!*

*As recommended by a friend who's tuned in to the process, I've been forwarding the contents of messages I had previously sent to the Board of Supervisors to both of you. He asked that we request that anything we write be included in the Legislative File (#120984). I just wanted to let you know that I'm intentionally sending multiple messages that are different so you don't inadvertently delete any of them. Thus far, I've sent three.*

*Thanks so much for your kind assistance!*

*Regards,*

*Pete*

---

PETER A. SFERRA  
3736 WILLOWOOD DRIVE  
SAN JOSE, CA 95118  
(650) 766-3344



File Reference Number 120984 Ban on Public Nudity Refuse to ban public  
nudity in San Francisco

Meinzer, Chet BHCS to: Linda.Wong@sfgov.org,  
Derek.Evans@sfgov.org

11/01/2012 07:31 AM

Dear representative,  
Nudity does not rank in the top 100 substantial problems in San Francisco. I  
am for nudity, but I am also pointing out that this controversial ban is a  
deflection from real policy. Soma is full of homeless drug addicts dying on  
the street. Please focus on improving people's lives as your civil service.

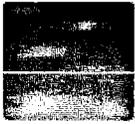
Refuse to ban public nudity in San Francisco

Group message follows.

San Francisco has always been on the leading edge of new ideas and social  
change. Currently the City by the Bay is embroiled in a controversy about  
public nudity. Right now there is no law preventing public nudity in the City  
and County of San Francisco. Let's keep it that way! This important freedom  
has contributed to the continued success of many long-running and popular  
street events including Bay to Breakers, Pride, World Naked Bike Ride, Up Your  
Alley Street Fair, Nude In Body Freedom Demonstration and Folsom Street Fair.  
The general acceptance of public nudity in is one of those cool  
only-in-San-Francisco things and we want to encourage the City Leaders and  
Elected Officials to resist giving in to a few anti-nudists who would like to  
impose a total citywide ban. That's totally un-San Franciscan! Show your  
support for body freedom and acceptance. Please consider signing this petition  
and ask the San Francisco Board of Supervisors and other City Leaders to  
refuse to introduce or enact a citywide ban on public nudity. Thank you for  
your support!

-----  
Sincerely,  
Chet Meinzer

Sent from mobile



To:  
Cc:  
Bcc:  
Subject: Letter Concerning Proposed Ordinance - File 120984

Peter Lauterborn

Dear Angela, Per this individual's request, can y...

10/29/2012 02:24:00 PM

From: **Rolf Holbach** <holcol@earthlink.net>  
Date: Mon, Oct 29, 2012 at 2:14 PM  
Subject: Letter Concerning Proposed Ordinance  
To: Eric.L.Mar@sfgov.org

October 29, 2012

Rolf Holbach  
3139 Ridgeview Dr.  
Altadena, CA 91001

Dear Supervisor Mar,

As a longtime, committed naturist and native Californian who visits San Francisco a number of times each year, and cherishes the city's unique diversity and character, I respectfully urge you to oppose Supervisor Wiener's proposed ordinance banning non-sexual public nudity.

I, like most naturists, and 63% of most San Franciscans, believe that simple nudity is not lewd. Public lewd behavior on the part of any person, nude or not, should be dealt with on an individual basis by the authorities, not with a citywide restriction on the personal liberties of all its citizens.

Your city's reputation for tolerance of progressive ideas and lifestyles serves as a model and beacon to the rest of the nation, and that model would be irreparably tarnished, if San Francisco were to become just like any other city.

In light of your team, and city, becoming World Series Champions, please continue to champion the progressive attitude and character that makes San Francisco so inviting a place to visit, and for the rest of us to aspire to, by opposing Supervisor Weiner's proposed ordinance.

Thank You,

Rolf Holbach

President,  
Southern California Naturist Association

P.S.

I respectfully request that this correspondence be included in the permanent public record of the San Francisco Board of Supervisors.



oppose nudity ban - no dress code for public space

Joshua Alexander, CMT

to:

Linda.Wong, Derek.Evans

10/28/2012 01:02 PM

Hide Details

From: "Joshua Alexander, CMT" <josh@joshuaalexandercmt.com>

To: Linda.Wong@sfgov.org, Derek.Evans@sfgov.org,

Hi there,

I was told I can get a confirmation email letting me know that my comments (below) have been added to the legislative file, Reference Number 120984 Ban on Public Nudity

Please confirm.

Warmly,  
Josh

Dear Supervisors:

I'm writing to you today to ask that you oppose Scott Wiener's attempt to establish a dress code for public space.

This ban would be an essentially conservative move that values conservative institutions (in this case the wearing of a certain form of dress) over individual rights and democracy (would a nudity ban pass if it were put on the ballot)? Such a move empowers gentrification as it removes one more thing that has made San Francisco special and a progressive leader of this state and country.

And, you're in good company with Louisiana, as that bastion of progressive politics attempts to further legislate a dress code: <http://www.foxnews.com/us/2012/10/19/louisiana-commissioners-urge-no-pajamas-dress-codes/?test=latestnews> — the author of the legislation in that story is quoted on his fear of people going naked in the streets.

This ban is a radical, city-wide solution to a micro-local neighborhood issue. Why have there been no neighborhood town halls to address this issue and seek compromise? Why have existing lewdness laws not been enforced? Why is the first and only response a move to take away the freedoms currently available to every San Francisco resident and visitor?

Scott Wiener may be my supervisor but he does NOT represent me or my interests, nor does he represent the best interests for our neighborhood our our city. He does not represent forward movement into a more beautiful future. This is why I must call on you to oppose his legislation and encourage a more reasonable approach.

Sincerely,  
Josh Alexander  
29 Saturn St.  
SF, 94114



To: BOS Constituent Mail Distribution,  
 Cc:  
 Bcc:  
 Subject: File 120984: NAC Action Alert: San Francisco [ proposed SF city ban on public nudity ]

From: Board of Supervisors/BOS/SFGOV  
 To: Board of Supervisors/BOS/SFGOV@SFGOV,  
 Date: 10/09/2012 12:04 PM  
 Subject: File 120984: NAC Action Alert: San Francisco [ proposed SF city ban on public nudity ]

---

From: savefreedom-owner <savefreedom-owner@yahoogroups.com>  
 To: matierandross@sfchronicle.com, ACLUnorCal <executive\_director@aclunc.org>, Gayle Roberts  
 sfcenter <gayler@sfcenter.org>, letters@rollingstone.com,  
 Cc: sunfreedom76@yahoo.com, SF Pride sfpride <info@sfpride.org>, "SF Supervisor scott.wiener"  
 <scott.wiener@sfgov.org>, editor@sfbaytimes.com, mayor edwin lee  
 <mayoredwinlee@sfgov.org>, board\_of\_supervisors@ci.sf.ca.us  
 Date: 10/07/2012 04:06 PM  
 Subject: NAC Action Alert: San Francisco [ proposed SF city ban on public nudity ]

---

>  
 >  
 > --- On Sun, 10/7/12, Rich Pasco <pasco@bayareanaturists.org>  
 > wrote:  
 >  
 > > From: Rich Pasco <pasco@bayareanaturists.org>  
 > > Subject: NAC Action Alert: San Francisco  
 > > To: sunfreedom76@yahoo.com  
 > > Date: Sunday, October 7, 2012  
 > >  
 > \*\*\*\*\*  
 > >  
 > >       NATURIST ACTION COMMITTEE  
 > >  
 > >       ACTION ALERT  
 > >  
 > \*\*\*\*\*  
 > >  
 > >       <http://www.naturistaction.org>  
 > >  
 > \*\*\*\*\*  
 > > Copyright 2012 by the Naturist Action Committee, which  
 > > is  
 > > responsible  
 > > for its content.  
 > >  
 > > Permission is granted for the posting, forwarding or  
 > > redistribution  
 > > of this message, provided that it is reproduced in its  
 > > entirety and  
 > > without alteration.  
 > >  
 > > DATE     : October 7, 2012  
 > > SUBJECT: San Francisco, California  
 > > TO       : Naturists and other  
 > > concerned citizens  
 > >

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2012 OCT 23 PM 3: 07

BY AK

48 Four Rod Way

Tiverton RI 02878

18 October 2012

File 120984

BOS-11

cpage

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place

San Francisco CA 94102-4689

To Whom It Concerns:

Please be advised that, as a frequent visitor to the State of California and to San Francisco in particular, I am disturbed by the proposal by Supervisor Scott Wiener to restrict non-sexual nudity in certain areas of San Francisco.

I support diversity in San Francisco and believe that regular clothing-optional public activities are an important part of that diversity. Mr. Wiener has chosen to use dated pejoratives like "nudist colony" in his public statements, and I am disappointed in that.

The numbers speak for themselves. More than sixty-three percent of San Francisco residents say they are NOT personally offended by the non-sexual nudity of others, according to a 2009 Zogby poll commissioned by the Naturist Education Foundation.

Thank you for considering my comments. I look forward to your reply.

Yours sincerely,



Dr. Ronald Marsh

> > Dear Naturist,  
> >  
> > This is an Action Alert from the Naturist Action  
> Committee.  
> > NAC is  
> > asking for your immediate involvement in an effort to  
> > prevent a  
> > citywide ban on nudity throughout San Francisco.  
> >  
> > ACTION SUMMARY  
> >  
> > 1. Contact the members of the San Francisco Board  
> of  
> > Supervisors  
> > in writing.  
> >  
> > 2. Attend a meeting of the City Operations &  
> > Neighborhood Services  
> > Committee on November 5, 2012 at 10  
> > AM.  
> >  
> > BRIEF HISTORY / BACKGROUND  
> >  
> > The San Francisco Park Code has prohibited nudity in  
> the  
> > city's parks  
> > for many years; however, non-sexual nudity is not  
> prohibited  
> > or  
> > restricted in other areas of the city. Nudity figures  
> > prominently in  
> > several widely known and heavily attended events, such  
> as  
> > the Bay to  
> > Breakers parade, the Folsom Street Fair, the World  
> Naked  
> > Bike Ride and  
> > the Critical Mass bike rides.  
> >  
> > Several years ago, a small group of San Francisco  
> nudists  
> > began to  
> > take regular walks in the city, focused principally in  
> the  
> > city's  
> > famed Castro district. After several attempts at  
> prosecution  
> > resulted  
> > in acquittals by juries, the city abandoned its efforts  
> and  
> > tacitly  
> > acknowledged that non-sexual nudity was legal. In the  
> last  
> > couple  
> > of years, what was initially a small group of nudists  
> has  
> > grown  
> > significantly and has concentrated in the Castro  
> District's  
> > Jane  
> > Warner Plaza, a small pedestrian area with limited

> seating  
> > in the  
> > heart of the Castro.  
> >  
> > As the number of nudists has increased, complaints  
> about the  
> > nudity  
> > have increased as well. In 2011, the Supervisor for  
> the  
> > Castro  
> > District, Scott Wiener, introduced an ordinance  
> requiring  
> > that nude  
> > persons sitting on public chairs or benches place a  
> covering  
> > between  
> > their bodies and the seats and prohibiting nudity in  
> > restaurants and  
> > other food establishments. This ordinance has not  
> diminished  
> > the  
> > number of nudists using the Plaza.  
> >  
> > Allegedly responding to increased complaints about the  
> > nudity in the  
> > Castro, Sup. Wiener on October 2 introduced a proposed  
> > ordinance which  
> > would add a new section to the Police Code prohibiting  
> > nudity in on  
> > public streets, sidewalks, parklets, and plazas, and  
> on  
> > public transit  
> > vehicles, stations, platforms, and stops, except as  
> part of  
> > permitted  
> > parades, fairs, and festivals. Violation of the  
> proposed  
> > ordinance  
> > would carry a fine of \$100 for the first violation and  
> > increased fines  
> > for subsequent violations, but would not be considered  
> a  
> > criminal  
> > offense, which would presumably mean that defendants  
> would  
> > not be  
> > entitled to trial by jury.  
> >  
> > NAC IS ASKING YOU TO TAKE ACTION  
> >  
> > ACTION 1: WRITE TO THE BOARD OF SUPERVISORS  
> >  
> > NAC asks that you write to the members of the San  
> Francisco  
> > Board  
> > of Supervisors (BOS). Send your comments by e-mail or  
> > surface mail.  
> > Those who will be at the meeting on November 5 are  
> also  
> > encouraged to  
> > write.

> >  
> > WHO SHOULD WRITE?  
> >  
> > NAC is requesting ALL NATURISTS and other concerned  
> > individuals to  
> > contact San Francisco supervisors on this important  
> > matter,  
> > regardless  
> > of your place of residence. San Francisco understands  
> > the  
> > importance  
> > of out-of-town and out-of-state visitors who come to  
> > enjoy  
> > the city's  
> > unique atmosphere of diversity and its acceptance of a  
> > broad  
> > range  
> > of individuality. The opportunity to experience those  
> > opportunities  
> > applies to those visitors, as well as to San Francisco  
> > residents.  
> > While all are encouraged to make their voices heard,  
> > the  
> > participation  
> > of San Francisco residents is, of course, particularly  
> > important.  
> >  
> > Send a letter, a fax or an e-mail. Phone calls may be  
> > less  
> > effective  
> > in this specific context, but if that's your best  
> > option,  
> > make that  
> > call!  
> >  
> > WRITE AND SEND YOUR LETTERS / FAXES / EMAILS NOW!  
> >  
> > San Francisco Board of Supervisors:  
> > Paper mail address is the same for each Supervisor  
> >  
> > City and County of San Francisco  
> > 1 Dr. Carlton B. Goodlett Place  
> > San Francisco, CA 94102-4689  
> >  
> > Dist. 1 Eric Mar  
> > Eric.L.Mar@sfgov.org  
> > TEL (415) 554-7410 FAX (415) 554-7415  
> >  
> > Dist. 2 Mark Farrell Mark.Farrell@sfgov.org  
> > TEL (415) 554-7752 FAX (415) 554-7843  
> >  
> > Dist. 3 David Chiu  
> > David.Chiu@sfgov.org  
> > TEL (415) 554-7450 FAX (415) 554-7454  
> >  
> > Dist. 4 Carmen Chu  
> > Carmen.Chu@sfgov.org  
> > TEL (415) 554-7460 FAX (415) 554-7432  
> >  
> > Dist. 5 Christina Olague Christina.Olague@sfgov.org  
> > TEL (415) 554-7630 FAX (415) 554-7634

> >  
> > Dist. 6 Jane Kim  
> > Jane.Kim@sfgov.org  
> > TEL (415) 554-7970 FAX (415) 554-7974  
> >  
> > Dist. 7 Sean Elsbernd Sean.Elsbernd@sfgov.org  
> > TEL (415) 554-6516 FAX (415) 554-6546  
> >  
> > Dist. 8 Scott Wiener Scott.Wiener@sfgov.org  
> > TEL (415) 554-6968 FAX (415) 554-6909  
> >  
> > Dist. 9 David Campos David.Campos@sfgov.org  
> > TEL (415) 554-5144 FAX (415) 554-6255  
> >  
> > Dist. 10 Malia Cohen Malia.Cohen@sfgov.org  
> > TEL (415) 554-7670 FAX (415) 554-7674  
> >  
> > Dist. 11 John Avalos John.Avalos@sfgov.org  
> > TEL (415) 554-6975 FAX (415) 554-6979  
> >  
> > NAC encourages you to send copies of your faxes and  
> paper  
> > mail to:  
> > NAC, PO Box 132, Oshkosh, WI 54903.  
> >  
> > Send copies of your e-mails to: SF@naturistaction.org  
> >  
> > NOTES:  
> >  
> > 1. Supervisor Wiener is the author of the proposed  
> > anti-nudity  
> > ordinance.  
> >  
> > 2. Supervisors Chu, Olaque and Elsbernd are members of  
> the  
> > committee  
> > that will hear the proposed ordinance on  
> > November 5.  
> >  
> > 3. All supervisor positions in ODD-NUMBERED districts  
> are up  
> > for  
> > election in the polling scheduled for  
> > November 6, 2012. Incumbent  
> > supervisors will serve through the end of  
> > the year.  
> >  
> > 4. Supervisor Elsbernd is term limited and is not  
> eligible  
> > to run in  
> > the upcoming election.  
> >  
> > WHAT SHOULD YOU SAY?  
> >  
> > a) Be polite.  
> >  
> > b) Be known. Give your name and address.  
> > If you are a San  
> > Francisco resident, a California  
> > resident or a frequent visitor  
> > to San Francisco, be sure to point that

> > out. Anonymous letters  
> > have very little impact.  
> >  
> > c) Be focused. Keep your correspondence  
> > brief and on target.  
> >  
> > d) Be positive. Remember that we're trying  
> > to ENCOURAGE the  
> > Supervisors to respond positively to  
> > our concerns in this  
> > matter. Please do not take a scolding  
> > tone. By all means,  
> > be vigorous in the presentation of your  
> > ideas. For example,  
> > if you are among those who are  
> > disappointed that Supervisor  
> > Wiener has chosen to use dated  
> > pejoratives like "nudist  
> > colony" in his public comments, then  
> > you should say so.  
> > Regardless, you must not allow your  
> > correspondence to become a  
> > personal character assassination or an  
> > ad hominem attack.  
> >  
> > e) Be clear. Say that you SUPPORT  
> > diversity in San Francisco, and  
> > that regular clothing-optional public  
> > activities are an  
> > important part of that diversity.  
> >  
> > f) Be sure to make a request that your  
> > correspondence (letter,  
> > fax, e-mail) be included in the  
> > permanent public record of the  
> > San Francisco Board of Supervisors.  
> >  
> > IMPORTANT! OPINION SURVEY DATA  
> >  
> > Supervisor Wiener and others have suggested that the  
> > majority of San  
> > Franciscans are offended by non-sexual nudity. That's  
> not  
> > true.  
> >  
> > In late 2009, the Naturist Education Foundation (NEF)  
> > commissioned  
> > a reputable polling organization, Zogby International,  
> to  
> > conduct a  
> > statistically valid opinion survey of adult California  
> > residents. NEF  
> > asked for fairly tight geographical sampling within  
> the  
> > state. The  
> > result is that we know what San Franciscans think  
> about  
> > nudity.  
> >  
> > Zogby tells us that the statewide margin of error for  
> any

> > question is  
> > +/-3.4 percentage points. Margins of error are higher  
> > for  
> > geographical  
> > subgroups.  
> >  
> > Question number 5 in the 2009 NEF California Poll was:  
> > "Do you agree or disagree that you are personally  
> > offended  
> > by the  
> > non-sexual nudity of others?"  
> >  
> > Here are the survey responses for SAN FRANCISCO  
> >  
> > Strongly agree 16.4%  
> > Somewhat agree 18.3%  
> > Somewhat disagree 17.0%  
> > Strongly disagree 46.1%  
> > Not sure  
> > 2.2%  
> >  
> > The numbers speak for themselves. Combining "somewhat"  
> > and  
> > "strongly,"  
> > MORE THAN SIXTY-THREE PERCENT of San Francisco  
> > residents say  
> > they are  
> > NOT personally offended by the non-sexual nudity of  
> > others.  
> >  
> > View the statewide 2009 NEF California Poll:  
> > <http://www.naturisteducation.org/nef.ca.poll.2009/>  
> >  
> > Additional talking / writing points:  
> >  
> > 1) The author of the proposed ordinance  
> > makes a point of allowing  
> > nudity for certain events. It's  
> > clear from that context that  
> > nudity itself is not universally  
> > offensive. At the same time,  
> > personal freedoms are daily liberties.  
> > They are not things to  
> > be kept in a closet and trotted out  
> > only for special events.  
> >  
> > 2) Uncertainty about the legal status of  
> > public nudity deters  
> > attendance at major events and other,  
> > less widely known and  
> > attended events, creating a potentially  
> > significant loss of  
> > tourist revenues.  
> >  
> > 3) San Francisco's reputation for  
> > progressive ideas serve as a  
> > model to which other cities aspire,  
> > That model would be  
> > irreparably tarnished if San Francisco  
> > were to be just like  
> > any other city.

> >  
> > 4) The proposed ordinance ignores the  
> > opinion of a majority of  
> > the residents of San Francisco, as  
> > shown by the NEF-California  
> > Poll. (See discussion above.)  
> >  
> > 5) Officials have sometimes pointed to  
> > lewd behavior as a reason  
> > for prohibiting nudity. In doing  
> > so, they have confused simple  
> > nudity with lewd behavior. Police  
> > presently have the authority  
> > and responsibility to stop lewd  
> > activity, and naturists  
> > encourage them to exercise that  
> > responsibility appropriately.  
> >  
> > These suggestions are specifically for residents of  
> San  
> > Francisco:  
> >  
> > 6) The controversy over nudity at Jane  
> > Warner Plaza is local, not  
> > citywide. It does not require a drastic  
> > citywide solution which  
> > is out of proportion to the extent of  
> > the controversy.  
> >  
> > 7) Legislation should be designed to  
> > efficiently solve a specific  
> > problem, without creating potentially  
> > significant unpredictable  
> > side effects.  
> >  
> > 8) The proposed ordinance, by restricting  
> > the personal liberties  
> > which make San Francisco unique, would  
> > diminish rather than  
> > improve quality of life in the city.  
> >  
> > 9) Any ordinance restricting public nudity  
> > should ensure that the  
> > right of free speech and expression  
> > protected by the First  
> > Amendment to the Constitution is not in  
> > any way abridged.  
> > Limiting public nudity to permitted  
> > events would chill this  
> > right.  
> >  
> > ACTION 2: ATTEND THE COMMITTEE MEETING ON NOVEMBER 5  
> >  
> > If you're in the San Francisco area, or can be there  
> on  
> > November 5,  
> > NAC requests that you attend a public meeting of the  
> City  
> > Operations  
> > & Neighborhood Services Committee that is scheduled  
> to

> > be held on  
> > Monday, November 5, 2012.  
> >  
> > City Operations & Neighborhood Services  
> > Committee  
> > 1 Dr. Carlton B. Goodlett Place, Room 244  
> > San Francisco, CA 94102-4689  
> > Monday, November 5 - 10:00 AM  
> >  
> > If you're planning to attend the meeting, please  
> > contact:  
> >  
> > NAC board member Charles Harris  
> > carlopianoforte@gmail.com  
> > (415) 492-1455  
> >  
> > or NAC executive director Bob Morton  
> > execdir@naturistaction.org  
> > (512) 282-6621  
> >  
> > WHAT IS NAC DOING?  
> >  
> > The Nacurist Action Committee has been working on this  
> > matter with  
> > individual local residents of San Francisco, and  
> > especially  
> > in the  
> > Castro district, where much of the focus has been. NAC  
> > has  
> > been  
> > involved since before the time Supervisor Wiener  
> > introduced  
> > his  
> > proposed ordinance.  
> >  
> > NAC personnel have ridden in the San Francisco  
> > installment  
> > of the  
> > World Naked Bike Ride. NAC participated in the Nude-In  
> > on  
> > September  
> > 22, and along with Supervisor Wiener, NAC director  
> > Charles  
> > Harris was  
> > one of 27 people who attended the Castro/Eureka Valley  
> > Neighborhood  
> > Association meeting on September 26 to discuss the  
> > nudity  
> > issue.  
> > NAC alerted local naturists to that meeting and is  
> > working  
> > with Gay  
> > Naturists International to improve local awareness.  
> >  
> > MORE INFORMATION AND RESOURCES  
> >  
> > Additional information and links are available, along  
> > with  
> > this NAC  
> > Action Alert on the web site of the Nacurist Action  
> > Committee.

> >  
> > <http://www.naturistaction.org>  
> >  
> > Select "Alerts" and find this NAC Action Alert under  
> Current  
> > Alerts.  
> >  
> > PLEASE HELP NAC TO CONTINUE HELPING NATURISTS!  
> >  
> > The Naturist Action Committee is the volunteer  
> nonprofit  
> > political  
> > adjunct to The Naturist Society. NAC exists to advance  
> and  
> > protect the  
> > rights and interests of naturists throughout North  
> > America. Fighting  
> > for clothing-optional freedoms in public places is  
> > expensive. To do  
> > its job, NAC relies entirely on the voluntary  
> generosity of  
> > supporters  
> > like you.  
> >  
> > After you've contacted the Supervisors and made your  
> plans  
> > to attend  
> > the Committee meeting on November 5, please take a  
> moment to  
> > send a  
> > donation to:  
> >  
> > NAC  
> > PO Box 132  
> > Oshkosh, WI 54903  
> >  
> > Or call toll free (800) 886-7230 to donate by phone  
> using  
> > your  
> > MasterCard, Visa or Discover Card. Or use your credit  
> card  
> > to make a  
> > convenient online donation:  
> [www.naturistaction.org/donate/](http://www.naturistaction.org/donate/)  
> >  
> > Thank you for choosing to make a difference!  
> >  
> > Naturally,  
> >  
> > Charles Harris  
> > Director  
> > Naturist Action Committee  
> >  
> >  
-----  
> > Naturist Action Committee (NAC) - PO Box 132, Oshkosh,  
> WI  
> > 54903  
> > Executive Dir. Bob Morton -  
> > [execdir@naturistaction.org](mailto:execdir@naturistaction.org)  
> > Board Member Charles Harris - [carlopianoforte@gmail.com](mailto:carlopianoforte@gmail.com)

> > Board Member Allen Baylis -  
> > rab@baylislaw.com  
> > Online Rep. Dennis Kirkpatrick - naturist@sunclad.com  
> >  
> -----  
> >  
> >  
>

# 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:
- 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:**

Prohibiting Public Nudity

**The text is listed below or attached:**

Ordinance adding Section 154 to the San Francisco Police Code, to prohibit nudity on public streets, sidewalks, street medians, parklets, and plazas, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only:

# 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: City Operations & Neighborhood Services Committee  
An ordinance, resolution, motion, or charter amendment.
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- 7. Budget Analyst request (attach written motion).
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Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

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- Planning Commission
- Building Inspection Commission

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

**Sponsor(s):**

Supervisor Scott Wiener

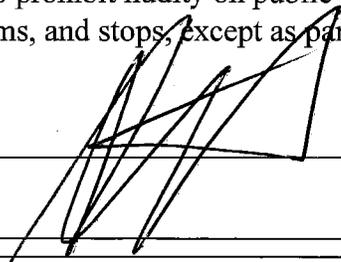
**Subject:**

Police Code - Prohibiting Public Nudity

**The text is listed below or attached:**

Ordinance adding Section 154 to the San Francisco Police Code, to prohibit nudity on public streets, sidewalks, parklets, and plaza, and on public transit vehicles, stations, platforms, and stops, except as part of permitted parades, fairs, and festivals.

Signature of Sponsoring Supervisor: \_\_\_\_\_



For Clerk's Use Only:

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