

1 [Emergency Ordinance - Restroom and Hand Washing Facilities for Unsheltered People]

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3 **Reenactment of emergency ordinance (Ordinance No. 77-20) to limit the spread of**
 4 **COVID-19 by requiring the City, through service agreements with third parties, to**
 5 **provide, staff, and maintain restrooms equipped with toilets and hand washing**
 6 **facilities, at a ratio of one restroom per 50 unsheltered people, concentrated in areas**
 7 **with the greatest need, located within 1,000 feet of any encampment, and for select “pit**
 8 **stop” restrooms, open 24 hours per day; waive the requirement under Charter, Section**
 9 **9.118, that the Board of Supervisors approve the service agreements for restrooms**
 10 **equipped with toilets and hand washing facilities; and affirming the Planning**
 11 **Department’s determination under the California Environmental Quality Act.**

12 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
 13 **Additions to Codes** are in *single-underline italics Times New Roman font*.
 14 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
 15 **Board amendment additions** are in double-underlined Arial font.
 16 **Board amendment deletions** are in ~~strikethrough Arial font~~.
 17 **Asterisks (* * * *)** indicate the omission of unchanged Code
 18 subsections or parts of tables.

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

20 Section 1. CEQA Findings.

21 The Planning Department has determined that the actions contemplated in this
 22 ordinance comply with the California Environmental Quality Act (California Public Resources
 23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
 24 Supervisors in File No. 200373 and is incorporated herein by reference. The Board affirms
 25 this determination.

1 Section 2. Declaration of Emergency Pursuant to Charter Section 2.107.

2 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in
3 cases of public emergency affecting life, health, or property, or for the uninterrupted operation
4 of any City or County department or office required to comply with time limitations established
5 by law. An emergency ordinance enacted under Charter Section 2.107 automatically
6 terminates on the 61st day after passage, but may be reenacted upon the same terms and
7 conditions applicable to its initial enactment.

8 (b) Pursuant to Charter Section 2.107, the City enacted Ordinance No. 77-20, an
9 emergency ordinance, to require the City, through service agreements with third parties, to
10 provide, staff, and maintain restrooms equipped with toilets and hand washing facilities, at a
11 ratio of one restroom per 50 unsheltered people, concentrated in areas with the greatest
12 need, located within 1,000 feet of any encampment, and for select “pit stop” restrooms to be
13 open 24 hours per day during the public health emergency related to COVID-19. That
14 emergency ordinance became effective when enacted, on May 15, 2020, and terminates
15 automatically on July 14, 2020, unless reenacted.

16 (c) The Board of Supervisors hereby finds that the findings declared in Sections 1, 2
17 and 3 of Ordinance No. 77-20 remain valid and compelling, and declares further that an actual
18 emergency continues to exist that requires the reenactment of that emergency ordinance to
19 reduce the likelihood of COVID-19 infection among unsheltered individuals.
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21 Section 3. Reenactment of Emergency Ordinance.

22 Consistent with Charter Section 2.107, this emergency ordinance reenacts for an
23 additional 60 days the emergency ordinance temporarily requiring the City, through service
24 agreements with third parties, to provide, staff, and maintain restrooms equipped with toilets
25 and hand washing facilities, at a ratio of one restroom per 50 unsheltered people,

1 concentrated in areas with the greatest need, located within 1,000 feet of any encampment,
2 and for select “pit stop” restrooms to be open 24 hours per day during the public health
3 emergency related to COVID-19 (Ordinance No. 77-20).

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5 Section 4. Effective Date, Expiration.

6 (a) If enacted prior to the expiration of Ordinance No. 77-20, this reenacted emergency
7 ordinance shall become effective immediately upon the date of expiration of Ordinance No.
8 77-20, and shall itself expire on the 61st day following its effective date unless reenacted as
9 provided by Charter Section 2.107.

10 (b) If enacted after the expiration of Ordinance No. 77-20, this reenacted emergency
11 ordinance shall become effective immediately upon enactment, and shall expire on the 61st
12 day following its effective date unless reenacted as provided by Charter Section 2.107.

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14 Section 5. Directions to Clerk.

15 The Clerk of the Board of Supervisors is hereby directed to place a copy of this
16 reenacted emergency ordinance in File No. 200373 for Ordinance No. 77-20, and to make a
17 notation cross-referencing this emergency ordinance where Ordinance No. 77-20 appears on
18 the Board of Supervisors website as legislation passed.

1 Section 6. Supermajority Vote Required.

2 In accordance with Charter Section 2.107, passage of this reenacted emergency
3 ordinance by the Board of Supervisors requires an affirmative vote of two-thirds of the Board
4 of Supervisors.

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

8 By: /s/Virginia Dario Elizondo
9 Virginia Dario Elizondo
Deputy City Attorney

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