

1 [Board of Appeals]

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3 **Ordinance amending the San Francisco Business and Tax Regulations Code by**
4 **amending Section 11 to authorize the Board of Appeals to use the Department of**
5 **Telecommunications and Information Technology’s Citywatch Cable Channel 54**
6 **videotape as a record of the Board’s proceedings in lieu of attendance at the hearing**
7 **by a court reporter.**

8 Note: Additions are *single-underline italics Times New Roman*;
9 deletions are *strikethrough italics Times New Roman*.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough normal~~.

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

13 Section 1. The San Francisco Business and Tax Regulations Code is hereby amended
14 by amending Section 11, to read as follows:

15 **SEC. 11. ~~PHONOGRAPHIC~~ COURT REPORTER – FEES; VIDEOTAPE OF**
16 **PROCEEDINGS AS ADMINISTRATIVE RECORD.**

17 *(a) Court Reporter; Fees.* The Board of Appeals shall designate a competent
18 *phonographic court* reporter as official reporter of the Board. *Except as provided in subsection (b)*
19 *below, F* the reporter shall attend all hearings of the Board and shall take down by
20 phonographic report all the testimony, the objections made, the rulings of the Board, and all
21 statements and remarks made, oral instructions given by the Board and the voting on all
22 cases heard by the Board. The fees for the reporter for reporting all of the proceedings and
23 testimony as outlined above shall be a legal charge against the City and County of San
24 Francisco.

25 When requested to do so by any party or parties in writing the official reporter
must, within a reasonable time after the request has been made, transcribe such specific

1 portions as may be requested and certify to the same as being correctly reported and
2 transcribed. The fees for such transcription shall be at the expense of the party requesting the
3 transcript thereof. The Board of Appeals shall approve the reporter's schedule of rates and
4 fees for reporting and transcription services in connection with Board of Appeals' proceedings.

5 (b) Videotape of Proceedings as Administrative Record. In lieu of attendance at the hearing
6 by a court reporter, the Board is authorized to use the Department of Telecommunications and
7 Information Technology's Citywatch Cable Channel 54 videotape of the Board's proceedings as the
8 administrative record of the hearing. When requested to do so by any party or parties in writing, a
9 copy of the videotape or such specific portions as may be requested must be provided either by the
10 Board or by Citywatch within a reasonable time after the request has been made. The fee for such
11 videotape copy shall be at the expense of the party requesting it. It shall be the burden of the party
12 requesting the videotape to obtain at its own expense any transcription of the tape. If such a
13 transcription is made, the party obtaining the transcription shall provide a copy to the Board for its
14 records.

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

17 By: _____
18 JUDITH A. BOYAJIAN
19 Deputy City Attorney