

1 [Permit and License Fee Elimination]

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3 **Ordinance amending San Francisco Business and Tax Regulations Code Sections 248**
4 **and 249.1, amending San Francisco Police Code Sections 2.26 and 2.27, and repealing**
5 **San Francisco Police Code Sections 2.28 and 2.29, all to eliminate certain permit and**
6 **license fees and revenue fees, while retaining any underlying permitting, licensing, and**
7 **other substantive regulatory requirements.**

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

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

12 Section 1. The San Francisco Business and Tax Regulations Code is hereby amended
13 by amending Sections 248 and 249.1, to read as follows:

14 **SEC. 248. FOOD PRODUCT AND MARKETING ESTABLISHMENTS.**

15 (a) The following fee for licenses is established for persons, firms or corporations
16 engaged in the conduct or operation of the handling, manufacture or sale of foodstuffs,
17 annually payable in advance to the Tax Collector:-

CLASS	FEE
Class A. Food product and marketing establishments without food preparation with a total square footage of:	
Less than 5,001 square feet	\$569
5,001 square feet to 10,000 square feet	748
10,001 square feet to 20,000 square feet	934
Greater than 20,000 square feet	1,135
Class B. Food product and marketing establishments with food	

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1	preparation with a total square footage of:	
2	Less than 5,001 square feet	610
3	5,001 square feet to 10,000 square feet	794
4	10,001 square feet to 20,000 square feet	968
5	Greater than 20,000 square feet	1,154
6	Class C. Retail bakeries with total square footage of:	
7	Less than 2,001 square feet	625
8	Greater than 2,000 square feet	645
9	Class D. Produce stand	629
10	Class E. Certified farmers market	635
11	Class F. Wholesale food markets	610
12	Class G. Food manufacturing or processing	629
13	Class H. Food product and marketing establishments with an	
14	inventory of food at cost in stock as of the first day of April:	
15	Less than \$1,000	105
16	Greater than \$1,000	<u>0 749</u>
17	Class I. Food product and marketing establishments in	
18	stadiums, arenas or auditoriums with a seating	
19	capacity of 25,000 or more	625

20 (b) The license fees prescribed in this Section are due and payable annually in
21 advance on the first day of September of each year. Fees for new licenses issued prior to, or
22 after September 1st, shall be prorated on a monthly basis.

24 **SEC. 249.1. FOOD PREPARATION AND SERVICE ESTABLISHMENTS.**

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1 the general public and staff only 940

2 **Class P. Licensed Health Care Facility** 1050

3 The license fees prescribed in this Section are due and payable on an annual basis
4 commencing April 1, 1984. Fees for new licenses issued prior to, or after April 1st, shall be
5 prorated on a monthly basis.

6 (b) **Exemptions.** The following establishments are exempt from paying the fees
7 required by this Section:

8 (1) Food preparation and service establishments used exclusively by day care
9 facilities for children are exempt from paying the fees required by this Section. For the
10 purpose of this subsection, a "day care facility for children" shall mean a "community care
11 facility" licensed pursuant to the provisions of Chapter 3, Division 2 of the California Health
12 and Safety Code (commencing at Section 1500) which provides nonmedical care to children
13 in need of personal services, supervision, or assistance essential for sustaining the activities
14 of daily living or for the protection of the individual on less than a 24-hour basis, or a "family
15 day care home for children" licensed pursuant to the provisions of Chapter 3.6, Division 2 of
16 the California Health and Safety Code (commencing at Section 1597.50).

17 (2) Food preparation and service establishments funded through the San
18 Francisco Commission on Aging for nutrition projects for older individuals.

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

22 **SEC. 2.26. SCHEDULE OF PERMITS AND FILING FEES.**

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

1	TYPE OF PERMIT	FILING FEE
2	Permit Amendment/Additional Partner	\$ 81
3	Amusement Park	<u>0 871</u>
4	Antique Shop	558
5	Auto Wrecker	664
6	Ball or Ring Throwing Games	<u>0 477</u>
7	Balloon and Kite Advertising	<u>0 367</u>
8	Billiard Parlor	456
9	Bingo Games	112
10	Amendment to Permit	112
11	Circus	<u>0 648</u>
12	Closing-Out Sale	<u>0 413</u>
13	Dance Hall Keeper	1,401
14	Amendment to Permit	660
15	One Night Dance	40
16	Dealer in Firearms and/or Ammunition	961
17	Renewal	218
18	Discharge of Cannon	400
19	Distributor of Advertising	
20	Class A	524
21	Class B	459
22	Driverless Auto Rental	<u>0 631</u>
23	Encounter Studio	
24	Owner	725
25	Employee	202

1	Escort Service	
2	Owner	709
3	Employee	202
4	Extended Hours Permit	1,500
5	Amendment to Permit	660
6	Fortuneteller	<u>0 357</u>
7	Funeral Procession Escort	224
8	Insignia and Uniform	13
9	General Soliciting Agent	252
10	Itinerant Show	680
11	Itinerant Show/Nonprofit [Fee set by Police Code Section 1017.2]	100
12	Junk Dealer	<u>0 945</u>
13	Junk Gatherer	
14	Resident	439
15	Nonresident	370
16	Licensed Tour Guide	272
17	Loudspeaker	416
18	Vehicle	416
19	Masked Ball	779
20	Massage Establishment	1,684
21	Masseur/Masseuse	202
22	Trainee	202
23	Mechanical Amusement Devices	568
24	Mechanical Contrivance	568
25	Miniature Golf Course	586

1	Mobile Caterer	<u>0 775</u>
2	Additional Stop	73
3	Assistant	73
4	Transfer of Stop	<u>0 73</u>
5	Museum	645
6	Nude Models in Public Photographic Studio	
7	Owner	704
8	Employee	202
9	Off-Heliport Landing Site	477
10	One Night Event	255
11	Outcall Massage	462
12	Pawnbroker	<u>0 763</u>
13	Peddler	
14	Fish, Vegetables, Fruit	525
15	Food for Human Consumption	<u>0 525</u>
16	Nonfood	330
17	Employee	77
18	Pedicab Driver	77
19	Pedicab Owner	
20	First Pedicab	372
21	Each Additional Pedicab	84
22	Photographer, Public Place	
23	Owner	429
24	Solicitor	77
25	Photographic Solicitor	

1	Owner	429
2	Employee	77
3	Place of Entertainment	1,500
4	Amendment to Permit	660
5	Poker	894
6	Amendment to Permit	79
7	Public Bathhouse	1,122
8	Public Outcry Sales	716
9	Pushcart Peddler	594
10	Recreational Equipment Vendor	408
11	Rodeo Exhibition/Wild West Show	651
12	Second Hand Dealer	558
13	Second Hand Dealer, Auto Accessories	558
14	Shooting Gallery	723
15	Skating Rink	693
16	Street Photographer	
17	Owner	379
18	Solicitor	231
19	Tow Car Driver	198
20	Tow Car Firm	575
21	Trade-In Dealer	713
22	Valet Parking	
23	Fixed Location	535
24	Annual Special Event	350
25	Vehicle for Hire, Nonmotorized	644

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SEC. 2.27. SCHEDULE OF LICENSE FEES FOR PERMITS ISSUED BY THE POLICE DEPARTMENT OR ENTERTAINMENT COMMISSION.

The following license fees are payable to the Tax Collector for permits issued by the Police Department or Entertainment Commission and, when applicable, for their renewal:

Note: All license fees are at an annual rate unless otherwise indicated.

TYPE OF PERMIT	FILING FEE
Amusement Park	\$ <u>0 310</u>
Antique Shop	<u>0 53</u>
Auto Wrecker	<u>0 408</u>
Ball or Ring Throwing Games	<u>0 136</u>
Balloon and Kite Advertising	<u>0 75 per quarter</u>
Billiard Parlor	
First Table	125
Each Additional Table	12
Bingo Game	<u>0 66</u>
Circus	<u>0 275 per day</u>
Dance Hall Keeper	354
Dealer in Firearms and/or Ammunition	378
Discharge of Cannon	41 per day
Distributor of Advertising	
Class A	112
Class B	29
Driverless Auto Rental	<u>0 269</u>
Encounter Studio	

1	Owner	426
2	Employee	48
3	Escort Service	
4	Owner	432
5	Employee	75
6	Extended Hours Permit	470
7	Fortuneteller	<u>0 40</u>
8	Funeral Procession Escort	<u>0 96</u>
9	General Soliciting Agent	74
10	Itinerant Show, Each Concession	36 per day
11	Junk Dealer	<u>0 454</u>
12	Junk Gatherer	
13	Resident	86
14	Nonresident	86
15	Licensed Tour Guide	<u>0 128</u>
16	Loudspeaker	135
17	Masked Ball	194 per day
18	Massage Establishment	463
19	Masseur/Masseuse	75
20	Trainee	75 per 90-day permit
21	Mechanical Amusement Devices	
22	First Machine	256
23	Each Additional Machine	<u>0 29</u>
24	Mechanical Contrivance	
25	First Machine	<u>0 144</u>

1	Each Additional Machine	<u>0 22</u>
2	Miniature Golf Course	137
3	Mobile Caterer	<u>0 582</u>
4	Assistant	<u>0 41</u>
5	Museum	172
6	Nude Models in Public Photographic Studio	
7	Owner	408
8	Employee	75
9	Off-Heliport Landing Site	32 per day
10	Outcall Massage	393
11	Pawnbroker	<u>0 447</u>
12	Peddler	
13	Fish, Vegetables, Fruit	<u>0 624</u>
14	Food for Human Consumption	<u>0 624</u>
15	Nonfood	<u>0 166</u>
16	Employee	67
17	Pedicab Driver	<u>0 22</u>
18	Pedicab Owner	
19	First Pedicab	<u>0 277</u>
20	Each Additional Pedicab	<u>0 139</u>
21	Photographer, Public Place	
22	Owner	172
23	Solicitor	66
24	Photographic Solicitor	
25	Owner	139

1	Employee	66
2	Place of Entertainment	452
3	Poker	261
4	Public Bathhouse	364
5	Public Outcry Sales	246
6	Pushcart Peddler	<u>0 624</u>
7	Recreational Equipment Vendor	261
8	Rodeo Exhibition/Wild West Show	<u>0 125 per day</u>
9	Second Hand Dealer	<u>0 53</u>
10	Second Hand Dealer, Auto Accessories	<u>0 53</u>
11	Shooting Gallery	<u>0 136</u>
12	Skating Rink	<u>0 300</u>
13	Street Photographer	
14	Owner	137
15	Solicitor	67
16	Tow Car Driver	28
17	Tow Car Firm	
18	First Tow Truck	457
19	Each Additional Tow Truck	182
20	Trade-In Dealer	513
21	Valet Parking	
22	Fixed Location	222
23	Annual Special Event	139
24	Vehicle for Hire, Nonmotorized	139
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1 Section 3. The San Francisco Police Code is hereby amended by repealing
2 Sections 2.28 and 2.29 in their entirety.

3 **~~SEC. 2.28. FEES FOR CLOSING-OUT SALES.~~**

4 ~~(a) Notwithstanding any other provision of law, it is the intent of the Board of Supervisors that~~
5 ~~the following fee not only pays for the costs of processing the permit and regulating this activity, but~~
6 ~~also generates revenue. The Board of Supervisors finds that this fee has, in the past, made no~~
7 ~~distinction between processing/regulatory purposes and revenue generating purposes and has been~~
8 ~~used both to pay for the processing/regulatory costs and to generate substantial revenue; that this fee~~
9 ~~has been, and continues to be, revenue producing device: that, to insure that no greater amount of the~~
10 ~~revenues produced be expended to defray costs than was expended prior to the adoption date of Article~~
11 ~~XIII A of the California Constitution, it has become necessary, in this case, to provide separate filing fee~~
12 ~~(which is listed in Section 2.26 of this Article) to reflect the increased costs of processing and~~
13 ~~regulatory activities since July 1, 1978; and that the following fee predates the passage of Article XIII A~~
14 ~~of the California Constitution and imposes no change to this fee rate.~~

15 ~~(b) Close-Out Sale. The fee shall be charged of one percent of the gross retail value of the~~
16 ~~entire stock of merchandise on hand for the closing-out sale at the time of application for such permit~~
17 ~~whether said sale is to be conducted by auction or otherwise.~~

18
19 **~~SEC. 2.29. ADDITIONAL LICENSE FEES.~~**

20 ~~(a) When either a mobile caterer's or pawnbroker's permit and license is originally granted an~~
21 ~~additional license fee shall be charged as shown below:~~

22 ~~Mobile Caterer _____ \$7,500~~

23 ~~Pawnbroker _____ 6,000~~

1 ~~(b) The license fees required to be paid by this Section are imposed, pursuant to the taxing~~
2 ~~power of the City and County of San Francisco, solely for the purpose of obtaining revenue and they~~
3 ~~predated the passage of Article XIII A of the California Constitution.~~

4 ~~(c) Any person required to pay a fee under this Section shall not be relieved from the payment~~
5 ~~of any license tax or fee for the privilege of doing such business required under any other ordinance of~~
6 ~~the City and County and shall remain subject to the regulatory provisions of other ordinances.~~

7 ~~(d) Every person to whom a license or permit is transferred, except where the transfer is to the~~
8 ~~spouse, child, or children of a license or permit holder by testate or intestate succession or to the~~
9 ~~spouse of a license or permit holder, pursuant to a marital settlement agreement, with the consent of~~
10 ~~the Chief of Police and the Director, shall pay to the Tax Collector upon delivery of each such license~~
11 ~~or permit by the Tax Collector a fee as follows:~~

12 ~~Mobile Caterer~~ _____ ~~\$ 500~~

13 ~~Pawnbroker~~ _____ ~~6,000~~

14 ~~(e) The Tax Collector shall transmit all moneys collected pursuant to this Section of the Code~~
15 ~~to the Treasurer for deposit to the General Fund.~~

16
17 Section 4. The elimination of certain permit and license fees in this ordinance does
18 not, and is not intended to, relieve any person of the duty to obtain said permit or license
19 where required by law, or relieve such person of the responsibility to comply with any other
20 regulations applicable to the permitted or licensed activity.

21
22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By: _____
25 THOMAS J. OWEN
 Deputy City Attorney