

1 [Regulating Computer Rental Businesses.]

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3 **Ordinance adding Sections 750 to 752 to the San Francisco Police Code, regulating**
4 **businesses that rent computer time to patrons by prohibiting minors from using game**
5 **controllers during certain hours, regulating sound, requiring supervision, prohibiting**
6 **loitering, limiting the number of computers per square foot, requiring a waiting area,**
7 **posting hours of operation, prohibiting the sale of food and drink in premises with**
8 **more than five computers for rent, and providing for a penalty.**

9 Note: Additions are *single-underline italics Times New Roman*;
10 deletions are *strikethrough italics Times New Roman*.
11 Board amendment additions are double underlined.
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 Police Code is hereby amended by adding Sections 750
14 to 752 to read as follows:

15 **Sec. 750. Operating Conditions for Computer Rental Business**

16 Any person operating a business for rental of computer time while the computer
17 remains on the premises ("Computer Rental Business") shall ensure that the following
18 mandatory conditions and standards are met:

19 (a) No person under the age of 18 shall be allowed to use joysticks, game pads, or
20 other game controllers during the school year from the day after Labor Day to Memorial Day,
21 Monday through Friday, except legal holidays, between the hours of 7:00 a.m. and 3:00 p.m.,
22 or between the hours of 10:00 p.m. and 7:00 a.m. on all days preceding school days and
23 between 11:00 p.m. and 7:00 a.m. on all other days unless accompanied by an authorized
24 agent of the School District, parent or legal guardian.

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1 (b) Volume of sound emanating from a computer must be controlled so that it is not
2 plainly audible beyond five feet of the computer. Businesses shall require patrons who are
3 operating a computer in a manner that creates a continuous sound for longer than two
4 minutes to use headphones and not speakers.

5 (c) All computers shall be visible to and supervised by an attendant age 18 or over.
6 Said attendants shall be present at all times when the premises are open for business. There
7 shall be one attendant for every 10 computers.

8 (d) The supervision of the patrons on or about the premises shall be adequate to
9 protect the public against conduct of patrons that is detrimental to the public health, safety,
10 and general welfare.

11 (e) No loitering shall be allowed around any computer rental establishment.

12 (f) The maximum number of computers allowed in each premises shall be determined
13 by the number of square feet of enclosed public retail floor space on a single floor under a
14 single management as follows:

15	Square Feet	Maximum Number of computers:
16	0—300	0
17	301—1000	2
18	1001—1500	3
19	1501—2000	4
20	2001—2500	5
21	2501—3000	6
22	3001—3500	7
23	3501—4000	8
24	4001—4500	9
25	4501 or more	10

1 (g) Establishments shall provide a waiting area with seating equal to one seat for every
2 four computer stations. No waiting list may be maintained beyond the seating capacity of the
3 waiting area.

4 (h) Hours of operation and rates shall be posted in a conspicuous place.

5 (i) In any business where there are more than five computers available for rental on
6 the premises, no food or drink shall be sold on the premises.

7 (j) Representatives of the Police Department shall have access to any computer rental
8 businesses regulated by this Article at any and all times while the business is in operation,
9 and shall inspect the same as often as may be deemed necessary to ensure compliance with
10 this Article.

11 **Sec. 751. Penalty.**

12 Any person who violates any provision of Section 751 shall be guilty of an infraction,
13 the penalty for which shall be as follows:

14 (1) A fine of not less than \$100 nor more than \$250;

15 (2) A fine of not less than \$250 nor more than \$750 for a second offense occurring
16 within six months of the prior offense; and

17 (3) A fine of not less than \$750 nor more than \$1,000 for a third and each
18 subsequent offense occurring within six months of a prior offense.

19 **Sec. 752. Severability** If any section, subsection, subdivision, paragraph, sentence,
20 clause, or phrase of this Article or any part thereof, is for any reason held to be
21 unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision
22 shall not affect the validity or effectiveness of the remaining portions of this Article or any part
23 hereof. The Board of Supervisors hereby declares that it would have passed each section,
24 subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the
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1 fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses
2 or phrases be declared unconstitutional or invalid or ineffective Savings Clause
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APPROVED AS TO FORM:
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By: Margaret W. Baumgartner
Deputy City Attorney

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