

1 [The Entertainment Commission will be responsible for attracting, promoting, and organizing
2 special events in the City.]

3 **Ordinance giving the Entertainment Commission and its Executive Director the**
4 **following new duties and responsibilities: facilitating special events by coordinating**
5 **permitting and other City support for such events; maintaining a master calendar of**
6 **special events; creating a web site for special events; providing guidelines to other**
7 **City departments on appropriate special event policies; working with the Entertainment**
8 **Commission, Grants for the Arts, the Convention and Visitors Bureau, and the Mayor's**
9 **Office of Protocol to support existing special events and attract new special events..**

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

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

14 Section 1. The San Francisco Administrative Code is hereby amended by amending
15 Section 90.1, 90.2, 90.4, and 90.5 to read as follows:

16 SEC. 90.1. DECLARATION OF POLICY.

17 It is the policy of the City and County of San Francisco to have a system of coordinated
18 planning and permitting for cultural, entertainment, athletic and similar special events and for
19 entertainment establishments throughout the City to promote such establishments and special
20 events for the economic and cultural enrichment of San Franciscans and visitors to San
21 Francisco, and to celebrate the diverse communities within San Francisco. To facilitate this
22 goal it is the policy of the City to have the San Francisco Entertainment Commission: (1)
23 provide City support to organizers of special events and assist the organizers and operators of
24 cultural, entertainment, athletic and similar special events and entertainment establishments
25 to apply for, and obtain from the commission and other City departments when the applicant

1 satisfies the requirements therefor, all necessary permits from the City; (2) promote the
2 responsible conduct and operation of such special events and entertainment establishments;
3 (3) promote the development of a vibrant entertainment and late-night entertainment industry
4 within the City; (4) promote the use of City facilities for cultural, entertainment, athletic and
5 similar events that generate revenue for the City; (5) foster harm reduction policies, including
6 but not limited to reduction of risks from substance use, hearing protection, heat exhaustion,
7 and relevant health and safety measures; (6) develop and recommend to the Mayor and
8 Board of Supervisors "good neighbor policies" that appropriately balance the cultural,
9 economic, employment and other benefits of a vibrant entertainment and late-night
10 entertainment industry with the needs of residents and businesses in the vicinity of
11 entertainment venues; (7) mediate disputes between persons affected by cultural,
12 entertainment, athletic and similar special events and entertainment establishments, and the
13 organizers of such events and operators of such establishments; (8) assume responsibility
14 from the Police Department for issuing entertainment-related permits; (9) plan, promote,
15 manage, and coordinate the provision of City services and support for, major events for which
16 there is no recognized or adequate organizer or promoter, such as Halloweenbacchanalia in
17 the Castro district and New Year's Eve festivities; and (10) provide information regarding
18 venues and services appropriate for conducting events and functions ancillary to conventions
19 held within the City, including conventions at the Moscone Convention Center; (11) maintain
20 a master calendar of special events; (12) create a web site for special events; (13) provide
21 guidelines to other City departments on appropriate special event policies; and (14) work with
22 the Entertainment Commission, Grants for the Arts, the Convention and Visitors Bureau, and
23 the Mayor's Office of Protocol to support existing special events and attract new special
24 events,

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1 SEC. 90.2. DEFINITIONS.

2 Except as the context may otherwise require, the terms used in this Chapter shall have
3 the following meanings:

4 (a) "City" means the City and County of San Francisco.

5 (b) "Entertainment Commission" and "commission" mean the San Francisco
6 Entertainment Commission, and includes where appropriate the Executive Director, Permit
7 Administrators, Sound Technician and other staff designated by the Entertainment
8 Commission to perform the functions of the commission specified by the Charter, this
9 Chapter, Articles 1, 15, 15.1, and 15.2 of the San Francisco Police Code, or other law.

10 (c) "Entertainment-related permits" include the following:

11 (i) Loudspeaker permits;

12 (ii) Itinerant show permits;

13 (iii) Dance hall keepers permits;

14 (iv) Place of entertainment permits;

15 (v) After hours permits; and

16 (vi) Licenses for amusements.

17 (d) "Executive Director" means the Executive Director of the San Francisco
18 Entertainment Commission.

19 (e) "Permit Administrators" means the Permit Administrators of the San Francisco
20 Entertainment Commission.

21 (f) "Sound Technician" means the Sound Technician(s) of the San Francisco
22 Entertainment Commission.

23 (g) "Special Event" means a cultural, entertainment, civic, athletic, or similar event that
24 is open to the public, is a one-time or annually recurring event, and requires issuance of a City
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1 permit for temporary use or occupancy of a public street, use of a loudspeaker or sound
2 amplification system, or use of property under the jurisdiction of the Recreation and Park
3 Department, the Port, or other City department.

4 SEC. 90.4. POWERS AND DUTIES OF THE ENTERTAINMENT COMMISSION.

5 In addition to the powers and duties set forth in Sections 4.102, 4.103 and 4.104 of the
6 Charter, the commission shall have the following powers and duties:

7 (a) Accept review, gather information regarding, and conduct hearings upon
8 applications for entertainment-related permits; and rule upon and issue, deny, condition,
9 suspend, revoke or transfer entertainment-related permits in accordance with applicable laws
10 and regulations. The commission may authorize the executive director or permit
11 administrators, or both, to rule upon applications and grant, deny, condition, transfer or modify
12 specified types of entertainment-related permits deemed by the commission to be routine and
13 unlikely to pose significant negative impacts on persons in the vicinity of the event or
14 establishment for which the permit is sought; provided, that any City department with an
15 interest in the permit or person having a right to appeal to the Board of Appeals under Section
16 30 of the San Francisco Business and Tax Regulations Code may, in writing, (i) request that
17 the permit application be heard in the first instance by the commission, or (ii) request
18 reconsideration by the commission of the executive director's or permit administrator's
19 decision. If the commission grants a request for reconsideration, it may hear the matter de
20 novo, or may limit its review to the administrative record that was before the executive director
21 or permit administrator at the time of his or her decision.

22 (b) Impose reasonable conditions upon the issuance or renewal of entertainment-
23 related permits consistent with the applicable law, regulations and the good neighbor policy or
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1 policies for the location or locations of the establishment or event for which the permit is
2 sought.

3 (c) Suspend, revoke or withdraw entertainment-related permits in accordance with the
4 law and regulations governing such permits.

5 (d) Coordinate with all relevant City departments for the conduct of any inspection or
6 investigation necessary or appropriate for the full and fair consideration of applications for the
7 issuance, renewal or transfer of entertainment-related permits, including without limitation the
8 Police Department and the Department of Public Health.

9 (e) Promote the use of City facilities for cultural, entertainment, athletic and similar
10 special events that generate revenue for the City, in consultation with the City departments
11 having jurisdiction over such facilities.

12 (f) Develop and recommend to the Mayor and Board of Supervisors "good neighbor
13 policies" that balance competing interests and promote the health, safety and welfare of San
14 Franciscans and visitors to San Francisco.

15 (g) Mediate disputes between persons affected by cultural, entertainment and athletic
16 special events and entertainment establishments permitted by the City and the organizers of
17 such events and operators of such establishments.

18 (h) Plan, promote, manage, and coordinate the provision of City services and support
19 for, major special events for which there is no recognized organizer, promoter or sponsor, or
20 where identified organizers, promoters or sponsors cannot, in the opinion of the commission,
21 provide adequate planning and coordination for the size, geographic distribution or nature of
22 the event. Where appropriate, the commission shall contract with a private sponsor or
23 promoter to assist in the planning, promotion, organization and management of such major
24 special events. For purposes of this Chapter, "major special events" means an anticipated
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1 gathering of persons on or adjacent to public property or roadways that is likely to require
2 police services, fire services, toilet facilities, traffic control, the availability of potable water or
3 other City services to protect the health, safety and welfare of participants, neighbors or other
4 persons likely to be affected by the event, including but not limited to spontaneous gatherings
5 on Halloween, Pride events (including Pink Saturday), St. Patrick's Day and New Year's Eve.

6 (i) Assist special event organizers unfamiliar with the City's special events permitting
7 process by acting as an initial point of contact and information clearinghouse for special event
8 organizers seeking City permits. The Entertainment Commission shall distribute to all special
9 event organizers a permit checklist, and an orientation packet with information on the rights
10 and responsibilities of event organizers, including an overview of the fees that may be
11 applicable. The commission shall not require special event organizers to initiate their permit
12 applications through its auspices, but shall, at every stage of the event planning process,
13 facilitate permitting and other City support for privately-sponsored and publicly-sponsored
14 events,

15 (j) Create and maintain a master calendar of special events in the City to help ensure
16 optimal distribution of events throughout the year and across neighborhoods, and to facilitate
17 the creation of new, signature events.

18 (k) Create and maintain a web site devoted to special events in the City. The web site
19 may provide information for event organizers, such as permit application materials for all City
20 permits, and contact information for the person(s) in each permit-issuing department who can
21 assist the event organizer. The web site may also contain a list of City facilities and venues
22 available for special events, including information regarding fees and booking, and information
23 about venues and services appropriate for events ancillary to conventions held in the City.
24 For use by individuals interested in attending a special event, the web site may also provide a

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1 program and other relevant information for each event. For the use of residents concerned
2 about the impact of a special event on the surrounding neighborhood, the web site may also
3 provide a list of public hearings regarding each proposed event, and the name and contact
4 information of the person who can provide the public with further information about the event.
5 The web site shall include the master calendar described in subsection (j), above.

6 (l) Provide guidance to City departments regarding cost recovery, fee waivers, and
7 imposition of conditions on special event permits.

8 (m) Work with the San Francisco Convention and Visitors' Bureau, the Grants for the
9 Arts Program, the Entertainment Commission and the Mayor's Office of Protocol to promote
10 existing special events and to create and attract additional special events to the City.

11 (n) In the case of events with an expected attendance or participation of more than
12 1,000 people at any one time, permit applicants shall submit an emergency medical services
13 plan to the Entertainment Commission with their permit application. The Entertainment
14 Commission shall forward the applicant's proposed emergency medical services plan to the
15 Director of Emergency Medical Services and Emergency Operations Section (EMSEO) along
16 with a deadline for reviewing the plan and submitting recommendations to the Entertainment
17 Commission. If the EMSEO submits recommendations to the Entertainment Commission, the
18 Entertainment Commission shall consider the recommendations. The Entertainment
19 Commission shall notify the Director of EMSEO of the approval or disapproval of the
20 application.

21 (o) Prepare and submit to the Mayor and Board of Supervisors a report analyzing the
22 commission's effectiveness in advancing the policies specified in Section 90.1 and the laws
23 governing entertainment-related permits, and making recommendations related thereto. The
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1 commission shall submit the report to the Mayor and Board of Supervisors within one year of
2 effective date of this Chapter, and not less than once every five years thereafter.

3 (kp) With the approval of the Recreation and Parks Commission or Port Commission,
4 as the case may be, exercise the powers and perform the duties set forth in this Section with
5 respect to events and establishments to be held or operated upon property or within facilities
6 under the jurisdiction of the Recreation and Parks Commission or Port Commission.

7 SEC. 90.5. EXECUTIVE DIRECTOR.

8 The Executive Director shall manage the day-to-day affairs of the Entertainment
9 Commission. The Executive Director shall appoint and have supervisory authority over the
10 permit administrators, sound technician(s), and other commission personnel. The Executive
11 Director shall be responsible for planning, promoting and coordinating of major cultural,
12 entertainment, athletic and similar special events in the City (provided that the Police
13 Department shall continue to be responsible for all matters concerning security and law
14 enforcement); promoting the use of City-owned facilities for such events; promoting the
15 location of cultural, entertainment, athletic and similar establishments within the City;
16 promoting the responsible operation of such establishments and adherence by their operators
17 to good neighbor policies designed to protect the health, safety and welfare of residents and
18 businesses in the vicinity of such establishments, creating and maintaining a Citywide
19 calendar of special events and a web site for special events, recommending to the
20 commission guidelines regarding cost recovery, fee waivers, and imposition of conditions on
21 special event permits, working with the San Francisco Convention and Visitors' Bureau, the
22 Grants for the Arts Program, the Entertainment Commission and the Mayor's Office of
23 Protocol to promote existing special events and to create and attract additional special events,
24 assisting special event organizers and facilitating communication and cooperation between
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1 special event organizers and relevant City departments, and performing such other duties as
2 the commission may prescribe.

3 Section 2. The San Francisco Administrative Code is hereby amended by adding
4 Section 90.10 to read as follows:

5 SEC. 90.10. COOPERATION

6 All City departments shall provide prompt and full cooperation and assistance to the
7 commission in the attraction, promotion, creation, facilitation and management of special
8 events in the City.

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11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

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14 By: _____
15 MARIAM MORLEY
16 Deputy City Attorney

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