

BOARD of SUPERVISORS



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MEMORANDUM

TO: Youth Commission
FROM: Erica Major, Assistant Committee Clerk, Public Safety and Neighborhood Services Committee
DATE: November 4, 2015
SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS

The Board of Supervisors has received the following, which at the request of the Youth Commission is being referred as per Charter Section 4.124 for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 151082

Ordinance amending the Health Code by changing the exemption for permitted signs under Section 4203(d) of the Sugar-Sweetened Beverage Warning Ordinance to signs permitted on or before October 20, 2015.

Please return this cover sheet with the Commission's response to Erica Major, Assistant Committee Clerk, Public Safety and Neighborhood Services.

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RESPONSE FROM YOUTH COMMISSION Date: \_\_\_\_\_

- No Comment
Recommendation Attached

Chairperson, Youth Commission

1 [Health Code - Amendment to Sugar-Sweetened Beverage Warning Ordinance]

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3 **Ordinance amending the Health Code by changing the exemption for permitted signs**  
4 **under Section 4203(d) of the Sugar-Sweetened Beverage Warning Ordinance to signs**  
5 **permitted on or before October 20, 2015.**

6 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
7 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
8 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
9 **Board amendment additions** are in double-underlined Arial font.  
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
11 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
12 subsections or parts of tables.

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

14 Section 1. The Health Code is hereby amended by revising Section 4203, to read as  
15 follows:

16 **SEC. 4203. SUGAR-SWEETENED BEVERAGE WARNING ON ADVERTISEMENTS.**

17 (a) Commencing on the operative date of this Division I (Ordinance No. 100-15 )  
18 (the "Operative Date"), which is one year after the effective date of this Division, any  
19 Advertiser who posts an SSB Ad, or causes an SSB Ad to be posted, in San Francisco shall  
20 place on the SSB Ad the following warning, including as amended in accordance with  
21 Subsection 4203(c) below (the "Warning"):

22  
23 "WARNING: Drinking beverages with added sugar(s) contributes to obesity, diabetes,  
24 and tooth decay. This is a message from the City and County of San Francisco."

25 \* \* \* \*

1  
2 (d) This Division I does not apply to any action by an Advertiser regarding (1) any  
3 sign, excluding any general advertising sign ~~unless that it~~ satisfies (2) below, permitted by the  
4 City ~~on or before October 20, 2015 the Operative Date~~; (2) any general advertising sign permitted  
5 by the City before the Operative Date that includes an SSB Ad, if the SSB Ad has not been  
6 substantially changed for a period of 50 or more years before the Operative Date and the  
7 Advertiser provides the Director, on the Director's request, records or other information that  
8 substantiates the SSB Ad has not been substantially changed over the 50-year period; or (3)  
9 any SSB Ad, other than those excepted from the application of this Division in (1) and (2)  
10 above, including any reproduction, that was created before December 31, 1985 for which the  
11 Advertiser provides to the Director, on the Director's request, records or other information that  
12 substantiates the date that the SSB Ad was created ~~was~~ before December 31, 1985. For  
13 purposes of this Division I, "general advertising sign" shall have the meaning provided in  
14 Section 602.7 of the Planning Code (General Advertising Sign), as amended or renumbered  
15 from time to time, and "sign" shall have the meaning provided in Section 602.19 of the  
16 Planning Code (Sign), as amended or renumbered from time to time.  
17

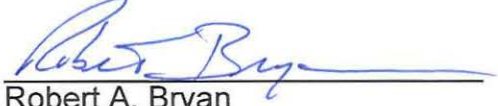
18 Section 2. Effective Date. This ordinance shall become effective 30 days after  
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
21 of Supervisors overrides the Mayor's veto of the ordinance.  
22

23 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

1 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
2 additions, and Board amendment deletions in accordance with the "Note" that appears under  
3 the official title of the ordinance.

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

By:   
Robert A. Bryan  
Deputy City Attorney

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