

1 [Park Code - Hours of Operation for City Parks]

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3 **Ordinance amending the Park Code to establish hours of operation for City parks from**
4 **5:00 a.m. to midnight, with certain exceptions; and making environmental findings.**

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

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

10 Section 1. The Planning Department has determined that the actions contemplated in
11 this ordinance comply with the California Environmental Quality Act (California Public
12 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the
13 Board of Supervisors in File No. 130766 and is incorporated herein by reference.

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15 Section 2. The San Francisco Park Code is hereby amended by adding Section 3.21,
16 to read as follows:

17 **SEC. 3.21. HOURS OF OPERATION.**

18 (a) Persons may enter and use any park from 5:00 a.m. to midnight daily, provided that (1) the
19 Department may set different hours in a permit, contract or lease, and (2) whenever a threat to public
20 health or safety exists in any park resulting from any natural cause, explosion, accident or any other
21 cause, or by riot or unlawful assembly or activity, the General Manager may close the park or any part
22 thereof to the public for such duration as he or she deems necessary to ensure the safety and well-being
23 of the public. This subsection shall not apply to buildings, such as recreation centers, restrooms and
24 clubhouses, or to athletic fields, which may have different hours of operation, as determined by the
25 General Manager or the Commission, as the case may be.

1 (b) Notwithstanding the provisions of subsection (a), the Commission may by resolution and at
2 any time set different hours of operation for any park or part thereof, based on operational
3 requirements or neighborhood impacts.

4 (c) No person shall enter or remain in any park without the permission of the Department
5 outside of the hours open to the public as set in subsection (a) or under subsection (b), except that:

6 (1) In the case of Balboa Park, Golden Gate Park, Lincoln Park, and McLaren Park,
7 persons may use a vehicle (including but not limited to a car, truck, bicycle and motorcycle) on the
8 roadway(s) in those parks or walk on paved sidewalks immediately adjacent to such roadways, at any
9 time for purposes of transversing the park only;

10 (2) In the case of the Panhandle, persons may walk or ride a bicycle on the bike paths
11 at any time for purposes of transversing the park only; and,

12 (3) In the case of Union Square, Civic Center Plaza, and Justin Herman Plaza, persons
13 may walk on the paved portions of those plazas at any time for purposes of transversing the plaza only.

14 (d) A violation of subsection (c) shall be subject to the penalties set forth in Park Code
15 Article 10.

16 (e) The Department shall post the hours for each park (1) at the park in a location designed to
17 provide notice to members of the public, and (2) on the Department's website.

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19 Section 3. Effective Date. This ordinance shall become effective 30 days after
20 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
21 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
22 of Supervisors overrides the Mayor's veto of the ordinance.

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

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4 By: _____
5 THOMAS J. OWEN
6 Deputy City Attorney

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