

1 [Regulating Computer Rental Businesses.]

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3 **Ordinance adding Article 10.2 to the San Francisco Police Code, regulating businesses**  
4 **that rent computer time to patrons by prohibiting minors from using game controllers**  
5 **or renting computer time for purposes of gaming during certain times, requiring**  
6 **supervision, prohibiting loitering, regulating waiting lists, posting hours of operation,**  
7 **and providing for a penalty.**

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

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

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14 Section 1. The San Francisco Police Code is hereby amended by adding a new Article  
15 10.2, consisting of Sections 750 to 752, to read as follows:

16

17 ARTICLE 10.2

18 REGULATION OF COMPUTER RENTAL BUSINESSES

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20 SEC. 750. Operating Conditions for Computer Rental Businesses. Any person operating a  
21 business for rental of computer time while the computer remains on the premises (“Computer Rental  
22 Business”) shall ensure that the following mandatory conditions and standards are met:

23 (a) No person under the age of 18 may be allowed to use joysticks, game pads, or other  
24 game controllers, or to rent time on a computer for purposes of playing computer games, during the  
25 school year from the day after Labor Day to Memorial Day, Monday through Friday, except legal  
holidays, between the hours of 7:00 a.m. and 3:00 p.m., or between the hours of 10:00 p.m. and 7:00

1 a.m. on all days preceding school days and between 11:00 p.m. and 7:00 a.m. on all other days unless  
2 accompanied by a parent, legal guardian or authorized agent of the School District or school in which  
3 the minor is enrolled.

4 (b) All Computer Rental Businesses shall have adult attendants or supervisors, age 18 or  
5 over, at a ratio of not less than one attendant/supervisor for each 25 computers. The  
6 attendants/supervisors shall supervise the patrons on and about the premises to prevent conduct by  
7 patrons that is injurious to the health, safety and general welfare of other patrons and the public.

8 (c) No loitering shall be allowed to loiter around any Computer Rental Business. For  
9 purposes of this Section, a person loiters around a Computer Rental Business if he or she remains  
10 within 20 feet of the entrance to such business for a period of over two minutes without lawful business.

11 (d) Computer Rental Businesses may not maintain a waiting list beyond the seating capacity  
12 of its waiting area.

13 (e) Hours of operation and rates shall be posted in a conspicuous place.

14 (f) Members of the Police Department shall have access to any Computer Rental Business  
15 regulated by this Section at any and all times the business is in operation, and shall inspect the  
16 premises to ensure compliance with this Section.

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18 SEC. 751. Penalty. Any person who violates any provision of Section 750 shall be guilty of an  
19 infraction, the penalty for which shall be as follows:

20 (a) A fine of not less than \$100 nor more than \$250;

21 (b) A fine of not less than \$250 nor more than \$750 for a second infraction occurring within  
22 six months of a prior infraction; and

23 (c) A fine of not less than \$750 nor more than a \$1,000 for a third and each subsequent  
24 infraction occurring within six months of a prior infraction.

1            SEC. 752. Severability; Savings Clause. If any section, subsection, subdivision, paragraph,  
2 sentence, clause or phrase of this Article, or any part thereof, is for any reason held to be  
3 unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not  
4 affect the validity or effectiveness of the remaining portions of this Article. The Board of Supervisors  
5 hereby declares that it would have passed each section, subsection, subdivision, paragraph, clause and  
6 phrase thereof irrespective of whether any one or more sections, subsections subdivisions, paragraphs,  
7 sentences, clauses or phrases be held unconstitutional or invalid or ineffective.

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

11 By: \_\_\_\_\_  
12        Dorji Roberts  
13        Deputy City Attorney