

1 [Mayor's ~~Budget Director~~ or Mayor's designee, may waive payment of part of the cost of  
2 additional police services, ~~including the administrative overhead charge~~ subject to Board's power  
3 to ~~deny~~ reject the waiver.]

4 **Ordinance permitting the Mayor's ~~Budget Director~~ or Mayor's designee, to waive, in writing,**  
5 **part of the cost of additional police services, ~~including the administrative overhead charge~~**  
6 **upon consideration of specified criteria and subject to rejection by the Board within thirty (30)**  
7 **days of issuance.**

8  
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.  
12 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 10B.2 to read as follows:

16 SEC. 10B.2. PAYMENT FOR SERVICES.

17 (a) Except as provided in subsection (f), below, ~~The~~ person, corporation, firm or organization  
18 desiring such services shall pay to the police department such sums of money as may be  
19 necessary to pay for the additional services. The payment shall be computed based upon the  
20 rate paid or payable to those uniformed officers of the Police Department actually performing  
21 services at the time they are to perform such additional duties, and the cost of additional  
22 equipment and materials expended, together with an administrative overhead charge to cover  
23 the proportionate percentage of the Department's administrative costs that are attributable in  
24 the Department's reasonable discretion to the work performed pursuant to the request.  
25

1 No person, corporation, firm or organization that contracts with the Police Department for  
2 additional services that are: 1) of the type normally provided by police officers on patrol in the  
3 designated area; and 2) to be provided at least four days per week, each week, for a period in  
4 excess of one year, shall be required to pay an administrative overhead charge, unless such  
5 additional services are provided in conjunction with a City permit or license, or are otherwise  
6 necessary to mitigate a negative impact created by the activity of the person, corporation, firm  
7 or organization contracting for the additional services.

8  
9 (b) The Police Department shall provide an estimate of the payment for such services to the  
10 person, corporation, firm or organization desiring the service within a reasonable time prior to  
11 the date service is to be rendered. The person, corporation, firm or organization shall deposit  
12 the amount of estimated funds with the Police Department prior to the time that the Police  
13 Department renders the requested service. The Police Department may waive the deposit  
14 requirement if services are requested for 30 days or more, or if Department reasonably  
15 believes that a waiver is justified.

16  
17 (c) Within a reasonable time after the services are rendered, the Chief of Police shall  
18 determine the amount of payment due. If the deposit pursuant to Subsection (b) hereof is  
19 insufficient to cover the cost of services, the Chief of Police shall notify the person,  
20 corporation, firm or organization that requested the services by United States mail to the  
21 address listed on the request for such services and that party shall have ten days to pay the  
22 balance. If the amount deposited exceeds the actual costs, the Chief of Police shall authorize  
23 a refund of the excess to the applicant at the address shown on the application.  
24  
25

1 (d) The Police Department shall deposit with the Treasurer such sums as received in a special  
2 account designated public facilities overtime account; provided, however, that the amount  
3 representing administrative overhead shall be deposited to the general fund unappropriated  
4 balance of funds.

5 (e) The person, corporation, firm or organization shall indemnify, hold harmless and defend  
6 said City and County of San Francisco, the San Francisco Police Department, and all the  
7 officers, agents and employees of either, from and against all liability, judgments or claims for  
8 personal or bodily injuries, false arrest and false imprisonment caused by or purportedly  
9 caused by such personnel in the rendering of such services.

10 (f) The City shall not waive payment for additional police services pursuant to this Chapter  
11 except by ordinance of the Board of Supervisors, provided, however, that the Mayor,'s Budget  
12 Director or the Mayor's designee, may waive, in writing, payment of part of the cost of such services,  
13 including but not limited to the administrative overhead charge. In making the determination of  
14 whether to waive partial payment of costs, the Mayor, or the Mayor's designee, must consider the  
15 following criteria:

- 16
- 17 1) Whether the event will be privately funded and will generate sales tax and/or hotel tax  
18 revenue to the benefit of the City's General Fund;
  - 19 2) Whether the privately funded event will promote tourism in San Francisco to a broad  
20 audience and will have a long term promotional value to San Francisco;
  - 21 3) Whether the event will be consistent with the City's policy of promoting a sustainable  
22 environment and promotion of diversity and tolerance;
- 23  
24  
25

1           4) Whether the event will be a safe activity, confined to a specified location or route, and will  
2           not result in extraordinary security costs to the City, including excessive deployment of  
3           police;

4           5) Whether the event be consistent with City policy against glamorizing use of alcohol or  
5           tobacco products.

6           (g) The Mayor, or Mayor's designee, must transmit notice of a conditional issuance of waiver to the  
7           Clerk of the Board within seventy-two (72) hours of issuance. The Board, by resolution, may reject the  
8           waiver within thirty (30) days of the notice. If the Board votes to reject the waiver, the Mayor, or the  
9           Mayor's designee, shall notify the permittee/event sponsor of such rejection. If the Board does not act  
10          within thirty (30) days, the waiver will be considered approved.

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

14          By: 

15          ROSA M. SANCHEZ  
16          Deputy City Attorney



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Ordinance

---

**File Number:** 040322

**Date Passed:**

Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.

---

June 29, 2004 Board of Supervisors — SUBSTITUTED

August 10, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

August 17, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 040322

I hereby certify that the foregoing Ordinance  
was **FINALLY PASSED** on August 17, 2004  
by the Board of Supervisors of the City and  
County of San Francisco.

8/17/04  
Date Approved

Gloria L. Young  
Gloria L. Young  
Clerk of the Board  
Mayor Gavin Newsom  
Mayor Gavin Newsom