

1 [Permit and License Fee Elimination.]

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3 **Ordinance amending San Francisco Business and Tax Regulations Code Sections 248**  
4 **and 249.1, amending San Francisco Police Code Sections 2.26 and 2.27, and repealing**  
5 **San Francisco Police Code Section 2.28, all to eliminate certain permit and license fees**  
6 **and revenue fees, while retaining any underlying permitting, licensing, and other**  
7 **substantive regulatory requirements.**

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

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

12 Section 1. The San Francisco Business and Tax Regulations Code is hereby amended  
13 by amending Sections 248 and 249.1, to read as follows:

14 **SEC. 248. FOOD PRODUCT AND MARKETING ESTABLISHMENTS.**

15 (a) The following fee for licenses is established for persons, firms or corporations  
16 engaged in the conduct or operation of the handling, manufacture or sale of foodstuffs,  
17 annually payable in advance to the Tax Collector.:-

| <b>CLASS</b>  | <b>FEE</b> |
|---|------------|
| <b>Class A.</b> Food product and marketing establishments without<br>food preparation with a total square footage of: |            |
| Less than 5,001 square feet   | \$569      |
| 5,001 square feet to 10,000 square feet   | 748        |
| 10,001 square feet to 20,000 square feet  | 934        |
| Greater than 20,000 square feet   | 1,135      |
| <b>Class B.</b> Food product and marketing establishments with food   |            |

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|----|---|--------------|
| 1  | preparation with a total square footage of:                       |              |
| 2  | Less than 5,001 square feet                                       | 610          |
| 3  | 5,001 square feet to 10,000 square feet                           | 794          |
| 4  | 10,001 square feet to 20,000 square feet                          | 968          |
| 5  | Greater than 20,000 square feet                                   | 1,154        |
| 6  | <b>Class C.</b> Retail bakeries with total square footage of:     |              |
| 7  | Less than 2,001 square feet                                       | 625          |
| 8  | Greater than 2,000 square feet                                    | 645          |
| 9  | <b>Class D.</b> Produce stand                                     | 629          |
| 10 | <b>Class E.</b> Certified farmers market                          | 635          |
| 11 | <b>Class F.</b> Wholesale food markets                            | 610          |
| 12 | <b>Class G.</b> Food manufacturing or processing                  | 629          |
| 13 | <b>Class H.</b> Food product and marketing establishments with an |              |
| 14 | inventory of food at cost in stock as of the first day of April:  |              |
| 15 | Less than \$1,000   | 105          |
| 16 | Greater than \$1,000  | <u>0 749</u> |
| 17 | <b>Class I.</b> Food product and marketing establishments in      |              |
| 18 | stadiums, arenas or auditoriums with a seating                    |              |
| 19 | capacity of 25,000 or more  | 625          |

20 (b) The license fees prescribed in this Section are due and payable annually in  
21 advance on the first day of September of each year. Fees for new licenses issued prior to, or  
22 after September 1st, shall be prorated on a monthly basis.

24 **SEC. 249.1. FOOD PREPARATION AND SERVICE ESTABLISHMENTS.**

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(a) Every person, firm or corporation engaged in the business of operating food preparation and service establishments, as defined in Section 451 of the San Francisco Health Code, that require permits from the Health Department shall pay an annual license fee to the Tax Collector as follows:

~~(a)~~

| <b>CLASS</b>   | <b>FEE</b>       |
|--|------------------|
| <b>Class A.</b> Food preparation and service establishments<br>with a total square footage of: |                  |
| Less than 1,000 square feet  | \$777            |
| 1,000 square feet to 2,000 square feet   | 1,028            |
| Greater than 2,000 square feet   | 1,179            |
| <b>Class B.</b> Bar or tavern  | 923              |
| <b>Class C.</b> Take-out establishment   | 932              |
| <b>Class D.</b> Fast food establishment  | 1,056            |
| <b>Class E.</b> Catering facility  | 908              |
| <b>Class F.</b> Temporary facility   | <del>0</del> 145 |
| <b>Class G.</b> Food demonstrations  | 105              |
| <b>Class H.</b> Commissary   | 884              |
| <b>Class I.</b> Pushcart on private property   | 737              |
| <b>Class J.</b> Stadium concession   | 625              |
| <b>Class K.</b> Vending machines   | 177              |
| <b>Class L.</b> Bed and breakfast establishment  | 999              |
| <b>Class M.</b> Boarding house   | 241              |
| <b>Class N.</b> Private school cafeteria   | 294              |
| <b>Class O.</b> Hospital kitchen, with food service to   |                  |

1 the general public and staff only 940

2 **Class P. Licensed Health Care Facility** 1050

3 The license fees prescribed in this Section are due and payable on an annual basis  
4 commencing April 1, 1984. Fees for new licenses issued prior to, or after April 1st, shall be  
5 prorated on a monthly basis.

6 (b) **Exemptions.** The following establishments are exempt from paying the fees  
7 required by this Section:

8 (1) Food preparation and service establishments used exclusively by day care  
9 facilities for children are exempt from paying the fees required by this Section. For the  
10 purpose of this subsection, a "day care facility for children" shall mean a "community care  
11 facility" licensed pursuant to the provisions of Chapter 3, Division 2 of the California Health  
12 and Safety Code (commencing at Section 1500) which provides nonmedical care to children  
13 in need of personal services, supervision, or assistance essential for sustaining the activities  
14 of daily living or for the protection of the individual on less than a 24-hour basis, or a "family  
15 day care home for children" licensed pursuant to the provisions of Chapter 3.6, Division 2 of  
16 the California Health and Safety Code (commencing at Section 1597.50).

17 (2) Food preparation and service establishments funded through the San  
18 Francisco Commission on Aging for nutrition projects for older individuals.

19  
20 Section 2. The San Francisco Police Code is hereby amended by amending  
21 Sections 2.26 and 2.27, to read as follows:

22 **SEC. 2.26. SCHEDULE OF PERMITS AND FILING FEES.**

23 The following filing fees, payable in advance to the City and County of San Francisco,  
24 are required when submitting applications for permits to the Police Department or  
25 Entertainment Commission:

| 1  | <b>TYPE OF PERMIT</b>                | <b>FILING FEE</b> |
|----|--------------------------------------|-------------------|
| 2  | Permit Amendment/Additional Partner  | \$ 81             |
| 3  | Amusement Park                       | <u>0 871</u>      |
| 4  | Antique Shop                         | 558               |
| 5  | Auto Wrecker                         | 664               |
| 6  | Ball or Ring Throwing Games          | <u>0 477</u>      |
| 7  | Balloon and Kite Advertising         | <u>0 367</u>      |
| 8  | Billiard Parlor                      | 456               |
| 9  | Bingo Games                          | 112               |
| 10 | Amendment to Permit                  | 112               |
| 11 | Circus                               | <u>0 648</u>      |
| 12 | Closing-Out Sale                     | <u>0 413</u>      |
| 13 | Dance Hall Keeper                    | 1,401             |
| 14 | Amendment to Permit                  | 660               |
| 15 | One Night Dance                      | 40                |
| 16 | Dealer in Firearms and/or Ammunition | 961               |
| 17 | Renewal                              | 218               |
| 18 | Discharge of Cannon                  | 400               |
| 19 | Distributor of Advertising           |                   |
| 20 | Class A                              | 524               |
| 21 | Class B                              | 459               |
| 22 | Driverless Auto Rental               | 631               |
| 23 | Encounter Studio                     |                   |
| 24 | Owner                                | 725               |
| 25 | Employee                             | 202               |

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|----|--|--------------|
| 1  | Escort Service   |              |
| 2  | Owner  | 709          |
| 3  | Employee   | 202          |
| 4  | Extended Hours Permit  | 1,500        |
| 5  | Amendment to Permit  | 660          |
| 6  | Fortuneteller  | <u>0 357</u> |
| 7  | Funeral Procession Escort  | 224          |
| 8  | Insignia and Uniform   | <u>0 43</u>  |
| 9  | General Soliciting Agent   | 252          |
| 10 | Itinerant Show   | 680          |
| 11 | Itinerant Show/Nonprofit [Fee set by Police Code Section 1017.2] | 100          |
| 12 | Junk Dealer  | 945          |
| 13 | Junk Gatherer  |              |
| 14 | Resident   | 439          |
| 15 | Nonresident  | 370          |
| 16 | Licensed Tour Guide  | 272          |
| 17 | Loudspeaker  | 416          |
| 18 | Vehicle  | 416          |
| 19 | Masked Ball  | 779          |
| 20 | Massage Establishment  | 1,684        |
| 21 | Masseur/Masseuse   | 202          |
| 22 | Trainee  | 202          |
| 23 | Mechanical Amusement Devices                                     | 568          |
| 24 | Mechanical Contrivance   | 568          |
| 25 | Miniature Golf Course  | 586          |

|    |   |     |
|----|---|-----|
| 1  | Mobile Caterer                            | 775 |
| 2  | Additional Stop                           | 73  |
| 3  | Assistant                                 | 73  |
| 4  | Transfer of Stop                          | 73  |
| 5  | Museum                                    | 645 |
| 6  | Nude Models in Public Photographic Studio |     |
| 7  | Owner                                     | 704 |
| 8  | Employee                                  | 202 |
| 9  | Off-Heliport Landing Site                 | 477 |
| 10 | One Night Event                           | 255 |
| 11 | Outcall Massage                           | 462 |
| 12 | Pawnbroker                                | 763 |
| 13 | Peddler                                   |     |
| 14 | <del>Fish, Vegetables, Fruit</del>        | 525 |
| 15 | Food for Human Consumption                | 525 |
| 16 | Nonfood                                   | 330 |
| 17 | Employee                                  | 77  |
| 18 | Pedicab Driver                            | 77  |
| 19 | Pedicab Owner                             |     |
| 20 | First Pedicab                             | 372 |
| 21 | Each Additional Pedicab                   | 84  |
| 22 | Photographer, Public Place                |     |
| 23 | Owner                                     | 429 |
| 24 | Solicitor                                 | 77  |
| 25 | Photographic Solicitor                    |     |

|    |                                      |              |
|----|--------------------------------------|--------------|
| 1  | Owner                                | 429          |
| 2  | Employee                             | 77           |
| 3  | Place of Entertainment               | 1,500        |
| 4  | Amendment to Permit                  | 660          |
| 5  | Poker                                | 894          |
| 6  | Amendment to Permit                  | 79           |
| 7  | Public Bathhouse                     | 1,122        |
| 8  | Public Outcry Sales                  | 716          |
| 9  | Pushcart Peddler                     | 594          |
| 10 | Recreational Equipment Vendor        | 408          |
| 11 | Rodeo Exhibition/Wild West Show      | 651          |
| 12 | Second Hand Dealer                   | 558          |
| 13 | Second Hand Dealer, Auto Accessories | 558          |
| 14 | Shooting Gallery                     | 723          |
| 15 | Skating Rink                         | 693          |
| 16 | Street Photographer                  |              |
| 17 | Owner                                | <u>0 379</u> |
| 18 | Solicitor                            | <u>0 234</u> |
| 19 | Tow Car Driver                       | 198          |
| 20 | Tow Car Firm                         | 575          |
| 21 | Trade-In Dealer                      | 713          |
| 22 | Valet Parking                        |              |
| 23 | Fixed Location                       | 535          |
| 24 | Annual Special Event                 | 350          |
| 25 | Vehicle for Hire, Nonmotorized       | 644          |



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**SEC. 2.27. SCHEDULE OF LICENSE FEES FOR PERMITS ISSUED BY THE POLICE DEPARTMENT OR ENTERTAINMENT COMMISSION.**

The following license fees are payable to the Tax Collector for permits issued by the Police Department or Entertainment Commission and, when applicable, for their renewal:

Note: All license fees are at an annual rate unless otherwise indicated.

| TYPE OF PERMIT                       | FILING FEE                  |
|--------------------------------------|-----------------------------|
| Amusement Park                       | \$ <del>0 310</del>         |
| Antique Shop                         | <del>0 53</del>             |
| Auto Wrecker                         | 408                         |
| Ball or Ring Throwing Games          | <del>0 136</del>            |
| Balloon and Kite Advertising         | <del>0 75 per quarter</del> |
| Billiard Parlor                      |                             |
| First Table                          | 125                         |
| Each Additional Table                | 12                          |
| Bingo Game                           | <del>0 66</del>             |
| Circus                               | <del>0 275 per day</del>    |
| Dance Hall Keeper                    | 354                         |
| Dealer in Firearms and/or Ammunition | 378                         |
| Discharge of Cannon                  | 41 per day                  |
| Distributor of Advertising           |                             |
| Class A                              | 112                         |
| Class B                              | 29                          |
| Driverless Auto Rental               | 269                         |
| Encounter Studio                     |                             |

|    |                                 |                      |
|----|---------------------------------|----------------------|
| 1  | Owner                           | 426                  |
| 2  | Employee                        | 48                   |
| 3  | Escort Service                  |                      |
| 4  | Owner                           | 432                  |
| 5  | Employee                        | 75                   |
| 6  | Extended Hours Permit           | 470                  |
| 7  | Fortuneteller                   | <u>0 40</u>          |
| 8  | Funeral Procession Escort       | <u>0 96</u>          |
| 9  | General Soliciting Agent        | 74                   |
| 10 | Itinerant Show, Each Concession | 36 per day           |
| 11 | Junk Dealer                     | 454                  |
| 12 | Junk Gatherer                   |                      |
| 13 | Resident                        | 86                   |
| 14 | Nonresident                     | 86                   |
| 15 | Licensed Tour Guide             | 128                  |
| 16 | Loudspeaker                     | 135                  |
| 17 | Masked Ball                     | 194 per day          |
| 18 | Massage Establishment           | 463                  |
| 19 | Masseur/Masseuse                | 75                   |
| 20 | Trainee                         | 75 per 90-day permit |
| 21 | Mechanical Amusement Devices    |                      |
| 22 | First Machine                   | 256                  |
| 23 | Each Additional Machine         | <u>0 29</u>          |
| 24 | Mechanical Contrivance          |                      |
| 25 | First Machine                   | <u>0 144</u>         |

|    |   |              |
|----|---|--------------|
| 1  | Each Additional Machine                   | <u>0 22</u>  |
| 2  | Miniature Golf Course                     | 137          |
| 3  | Mobile Caterer                            | 582          |
| 4  | Assistant                                 | 41           |
| 5  | Museum                                    | 172          |
| 6  | Nude Models in Public Photographic Studio |              |
| 7  | Owner                                     | 408          |
| 8  | Employee                                  | 75           |
| 9  | Off-Heliport Landing Site                 | 32 per day   |
| 10 | Outcall Massage                           | 393          |
| 11 | Pawnbroker                                | 447          |
| 12 | Peddler                                   |              |
| 13 | <del>Fish, Vegetables, Fruit</del>        | 624          |
| 14 | Food for Human Consumption                | 624          |
| 15 | Nonfood                                   | 166          |
| 16 | Employee                                  | 67           |
| 17 | Pedicab Driver                            | 22           |
| 18 | Pedicab Owner                             |              |
| 19 | First Pedicab                             | <u>0 277</u> |
| 20 | Each Additional Pedicab                   | <u>0 139</u> |
| 21 | Photographer, Public Place                |              |
| 22 | Owner                                     | 172          |
| 23 | Solicitor                                 | 66           |
| 24 | Photographic Solicitor                    |              |
| 25 | Owner                                     | 139          |

|    |                                      |                      |
|----|--------------------------------------|----------------------|
| 1  | Employee                             | 66                   |
| 2  | Place of Entertainment               | 452                  |
| 3  | Poker                                | 261                  |
| 4  | Public Bathhouse                     | 364                  |
| 5  | Public Outcry Sales                  | 246                  |
| 6  | Pushcart Peddler                     | 624                  |
| 7  | Recreational Equipment Vendor        | 261                  |
| 8  | Rodeo Exhibition/Wild West Show      | <u>0 125 per day</u> |
| 9  | Second Hand Dealer                   | <u>0 53</u>          |
| 10 | Second Hand Dealer, Auto Accessories | <u>0 53</u>          |
| 11 | Shooting Gallery                     | <u>0 136</u>         |
| 12 | Skating Rink                         | <u>0 300</u>         |
| 13 | Street Photographer                  |                      |
| 14 | Owner                                | <u>0 137</u>         |
| 15 | Solicitor                            | <u>0 67</u>          |
| 16 | Tow Car Driver                       | 28                   |
| 17 | Tow Car Firm                         |                      |
| 18 | First Tow Truck                      | 457                  |
| 19 | Each Additional Tow Truck            | 182                  |
| 20 | Trade-In Dealer                      | 513                  |
| 21 | Valet Parking                        |                      |
| 22 | Fixed Location                       | 222                  |
| 23 | Annual Special Event                 | 139                  |
| 24 | Vehicle for Hire, Nonmotorized       | 139                  |
| 25 |                                      |                      |

1 Section 3. The San Francisco Police Code is hereby amended by repealing  
2 Section 2.28 in its entirety.

3 ~~SEC. 2.28. FEES FOR CLOSING-OUT SALES.~~

4 ~~(a) Notwithstanding any other provision of law, it is the intent of the Board of Supervisors that~~  
5 ~~the following fee not only pays for the costs of processing the permit and regulating this activity, but~~  
6 ~~also generates revenue. The Board of Supervisors finds that this fee has, in the past, made no~~  
7 ~~distinction between processing/regulatory purposes and revenue generating purposes and has been~~  
8 ~~used both to pay for the processing/regulatory costs and to generate substantial revenue; that this fee~~  
9 ~~has been, and continues to be, revenue producing device: that, to insure that no greater amount of the~~  
10 ~~revenues produced be expended to defray costs than was expended prior to the adoption date of Article~~  
11 ~~XIII A of the California Constitution, it has become necessary, in this case, to provide separate filing fee~~  
12 ~~(which is listed in Section 2.26 of this Article) to reflect the increased costs of processing and~~  
13 ~~regulatory activities since July 1, 1978; and that the following fee predates the passage of Article XIII A~~  
14 ~~of the California Constitution and imposes no change to this fee rate.~~

15 ~~(b) Close-Out Sale. The fee shall be charged of one percent of the gross retail value of the~~  
16 ~~entire stock of merchandise on hand for the closing-out sale at the time of application for such permit~~  
17 ~~whether said sale is to be conducted by auction or otherwise.~~

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1           Section 4. The elimination of certain permit and license fees in this ordinance does  
2 not, and is not intended to, relieve any person of the duty to obtain said permit or license  
3 where required by law, or relieve such person of the responsibility to comply with any other  
4 regulations applicable to the permitted or licensed activity.

5  
6 APPROVED AS TO FORM:  
7 DENNIS J. HERRERA, City Attorney

8 By: \_\_\_\_\_  
9           THOMAS J. OWEN  
10           Deputy City Attorney