

1 [Penalties for Non-Compliance with Orders of the Port Commission]
 2 AMENDING ARTICLE 23, OF THE SAN FRANCISCO MUNICIPAL CODE (POLICE CODE), BY
 3 AMENDING ARTICLE 23, REGULATION FOR PORT AREA, SECTION 1612, NON
 4 COMPLIANCE WITH ORDERS OF THE COMMISSION AS MISDEMEANOR TO ALLOW
 5 VIOLATIONS TO BE CHARGED EITHER AS A MISDEMEANOR OR AN INFRACTION WITH
 6 MONETARY FINES.

7 Note: Additions are underlined.

8 Deletions are shown in ((double parentheses)).

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

11 Section 1. The San Francisco Police Code is hereby amended by Amending Article 23, Section
12 1612 to read as follows:

13
14 **ARTICLE 23 REGULATION FOR PORT AREA**

15
16 **SEC. 1612. NONCOMPLIANCE WITH ORDERS OF COMMISSION AS MISDEMEANOR**
17 **OR INFRACTION.**

18 1612
mlr Sec. ~~16.12~~ Penalties. ((

19)) Every master, agent, or owner of any vessel, who does not obey the lawful orders or directions of the
 20 Commission in any matter pertaining to the regulations of the harbor, or the removal or stationing of
 21 any vessel ((, is)) shall be deemed guilty of a misdemeanor or an infraction. The complaint charging
 22 such violation shall specify whether the violation is a misdemeanor or infraction, which decision shall
 23 be that of the District Attorney; provided, however, that whenever a person has been arrested and
 24 incarcerated based solely on the violation or violations of this Code, he or she shall retain the right at
 25 the time of arraignment or plea to object to the offense being made an infraction, in which event the

1 complaint shall be amended to charge the misdemeanor and the case shall proceed on the misdemeanor
2 complaint.

3 Upon convictions of a violation charged as an infraction, the person so convicted shall be
4 punished for the first offense by a fine of not less than \$50 nor more than \$100, and for a second and
5 each additional offense by a fine of not less than \$150 nor more than \$250.

6 Upon conviction of a violation charged as a misdemeanor, the person so convicted shall be
7 punished by a fine of not more than \$500 or by imprisonment in the County Jail for a period of not
8 more than six months, or by both such fine and imprisonment.

9 APPROVED AS TO FORM:

10 LOUISE H. RENNE, City Attorney

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14 By: Neil Sekhri

15 NEIL SEKHRI

16 Deputy City Attorney
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City and County of San Francisco

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

Tails

Ordinance

File Number: 001229

Date Passed:

Ordinance amending Article 23, of the San Francisco Municipal Code (Police Code), by amending Article 23, Regulation for Port Area, Section 1612, non-compliance with orders of the Commission as misdemeanor to allow violations to be charged either as a misdemeanor or an infraction with monetary fines.

August 7, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

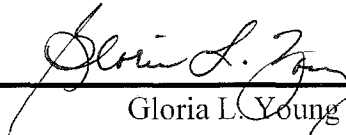
Absent: 1 - Brown

August 21, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom,
Teng, Yaki, Yee

File No. 001229

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on August 21, 2000
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

SEP - 1 2000
Date Approved



Mayor Willie L. Brown Jr.