

BOARD of SUPERVISORS



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June 8, 2015

File No. 150561

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Dear Ms. Jones:

On June 1, 2015, Mayor Lee introduced the following legislation:

File No. 150561

Ordinance amending the Business and Tax Regulations Code to increase the fees for certain Fire Department licenses; and making environmental findings.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Victor Young".

By: Victor Young, Assistant Clerk

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

Statutory Exemption pursuant to CEQA Guidelines
Section 15273 Rates, Tolls, Fares, and Charges.

1 [Business and Tax Regulations Code - Fire Department Licensing Fees]

2
3 **Ordinance amending the Business and Tax Regulations Code to increase the fees for**
4 **certain Fire Department licenses and making environmental findings.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.
7 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
8 **Board amendment additions** are in double-underlined Arial font.
9 **Board amendment deletions** are in ~~strikethrough Arial font~~.
10 **Asterisks (* * * *)** indicate the omission of unchanged Code
11 subsections or parts of tables.

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

13 Section 1. Environmental Findings. The Planning Department has determined that
14 the actions contemplated in this ordinance comply with the California Environmental Quality
15 Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file
16 with the Clerk of the Board of Supervisors in File No. ___ and is incorporated herein by
17 reference. The Board affirms this determination.

18 Section 2. The Business and Tax Regulations Code is hereby amended by revising
19 Sections 93, 93.1, 120, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236,
20 237, 238, 239, 240, 241, 242, 243, 244, 245, 246 and 247 to read as follows:

21 **SEC. 93. MOTOR FUEL DISPENSING FACILITIES.**

22 Every person, firm or corporation engaged in the business of maintaining, conducting
23 or operating a motor fuel dispensing facility that requires a permit from the Fire Department
24 shall pay an annual license fee of ~~\$344~~359.

1 The license fee for the Fire Department permit shall be paid annually on or before
2 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
3 Regulation Code.

4 **SEC. 93.1. SELF-SERVICE MOTOR FUEL DISPENSING FACILITIES.**

5 Every person, firm or corporation engaged in the business of maintaining, conducting
6 or operating a self-service motor fuel dispensing facility that requires a permit from the Fire
7 Department, and jointly administered by the Fire and Health Departments, shall pay an annual
8 license fee of ~~\$344~~359.

9 The license fee for the Fire Department permit shall be paid annually on or before
10 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
11 Regulation Code.

12 **SEC. 120. LAUNDRIES AND CLEANING AND DYEING WORKS.**

13 (a) Every owner, manager or lessee of a wash laundry will pay the following license
14 fee annually: \$187.

15 (b) Every person, firm or corporation engaged in the business of dry cleaning that
16 requires a permit from the Fire Department shall also pay an annual license fee of ~~\$344~~359
17 per year.

18 (c) Every owner, manager or lessee of an automatic laundry (mechanical, pay-to-
19 operate, washing or dyeing machine) will pay the following license fee annually: \$29 plus \$11
20 per machine.

21 (d) Every owner, manager or lessee of a laundry delivery service will pay the following
22 license fee annually: \$21 per delivery vehicle per year.

23 The license fees set forth shall be paid annually on or before March 31, in accordance
24 with the provisions of Section 76.1 of the Business and Tax Regulation Code.
25

1 **SEC. 223. USE OF OPEN FLAMES AND CANDLES.**

2 Every person, firm or corporation using an open flame or candles that require a permit
3 from the Fire Department shall pay an annual license fee of \$344359.

4 **SEC. 224. STORAGE AND USE OF BATTERY SYSTEMS.**

5 Every person, firm or corporation storing or using a battery system that requires a
6 permit from the Fire Department shall pay an annual license fee of \$344359.

7 The license fee for the Fire Department permit shall be paid annually on or before
8 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
9 Regulation Code.

10 **SEC. 225. WASTE HANDLING.**

11 Every person, firm or corporation engaged in the business of waste handling, including
12 but not limited to junk yards and wrecking yards, that requires a permit from the Fire
13 Department shall pay an annual license fee of \$344359.

14 The license fee for the Fire Department permit shall be paid annually on or before
15 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
16 Regulation Code.

17 **SEC. 226. MAINTENANCE OF FIRE FIGHTER AIR SYSTEMS.**

18 Every person, firm or corporation engaged in business that involves the maintenance
19 or repair of a fire fighter air replenishment system that requires a permit from the Fire
20 Department shall pay an annual license fee of \$344359.

21 The license fee for the Fire Department permit shall be paid annually on or before
22 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
23 Regulation Code.

1 **SEC. 227. COMBUSTIBLE DUST PRODUCING OPERATIONS.**

2 Every person, firm or corporation engaged in business that involves combustible dust
3 producing operations that require a permit from the Fire Department shall pay an annual
4 license fee of ~~\$344~~359.

5 The license fee for the Fire Department permit shall be paid annually on or before
6 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
7 Regulation Code.

8 **SEC. 228. FRUIT AND CROP RIPENING.**

9 Every person, firm or corporation engaged in business involving fruit and crop ripening
10 that requires a permit from the Fire Department shall pay an annual license fee of ~~\$344~~359.

11 The license fee for the Fire Department permit shall be paid annually on or before
12 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
13 Regulation Code.

14 **SEC. 229. HOT WORK OPERATIONS.**

15 Every person, firm or corporation engaged in business involving hot work operations
16 that require a permit from the Fire Department shall pay an annual license fee of ~~\$344~~359.

17 The license fee for the Fire Department permit shall be paid annually on or before
18 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
19 Regulation Code.

20 **SEC. 230. USE OF LIQUID OR GAS FUELED VEHICLES OR EQUIPMENT IN**
21 **ASSEMBLY BUILDINGS.**

22 Every person, firm or corporation engaged in business involving the use of liquid or gas
23 fueled vehicles or equipment in an assembly building that requires a permit from the Fire
24 Department shall pay an annual license fee of ~~\$344~~359.

1 The license fee for the Fire Department permit shall be paid annually on or before
2 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
3 Regulation Code.

4 **SEC. 231. USE OF REFRIGERATION EQUIPMENT.**

5 Every person, firm or corporation engaged in business involving the use of refrigeration
6 equipment that requires a permit from the Fire Department shall pay an annual license fee of
7 ~~\$344~~359.

8 The license fee for the Fire Department permit shall be paid annually on or before
9 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
10 Regulation Code.

11 **SEC. 232. AMUSEMENT BUILDINGS.**

12 Every person, firm or corporation engaged in business involving amusement buildings
13 that requires a permit from the Fire Department shall pay an annual license fee of ~~\$344~~359.

14 The license fee for the Fire Department permit shall be paid annually on or before
15 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
16 Regulation Code.

17 **SEC. 233. COVERED MALL BUILDINGS.**

18 Every person, firm or corporation engaged in business involving covered mall buildings
19 that requires a permit from the Fire Department shall pay an annual license fee of ~~\$344~~359.

20 The license fee for the Fire Department permit shall be paid annually on or before
21 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
22 Regulation Code.

23 **SEC. 234. PYROXYLIN PLASTICS.**

1 Every person, firm or corporation engaged in business involving the use of pyroxylin
2 plastics that requires a permit from the Fire Department shall pay an annual license fee of
3 \$344359.

4 The license fee for the Fire Department permit shall be paid annually on or before
5 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
6 Regulation Code.

7 **SEC. 235. ROOFTOP HELIPORTS.**

8 Every person, firm or corporation engaged in business using a rooftop heliport that
9 requires a permit from the Fire Department shall pay an annual license fee of \$344359.

10 The license fee for the Fire Department permit shall be paid annually on or before
11 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
12 Regulation Code.

13 **SEC. 236. TIRE REBUILDING PLANTS.**

14 Every person, firm or corporation engaged in the business of maintaining and operating
15 a tire rebuilding plant that requires a permit from the Fire Department shall pay an annual
16 license fee of \$344359.

17 The license fee for the Fire Department permit shall be paid annually on or before
18 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
19 Regulation Code.

20 **SEC. 237. PLACES OF PUBLIC ASSEMBLY AND OPEN-AIR ASSEMBLY.**

21 Every person, firm or corporation engaged in the business of maintaining, operating or
22 using a building, stadium or structure as a place of public assembly or an open-air assembly
23 that requires a permit from the Fire Department, and where a license is not required
24 elsewhere in the Municipal Code, shall pay an annual license fee of \$564589 per year.
25

1 The license fee for the Fire Department permit shall be paid annually on or before
2 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
3 Regulation Code.

4 **SEC. 238. NITROCELLULOSE FILM AND PLASTICS.**

5 Every person, firm or corporation engaged in the business of processing, storing or
6 using nitrocellulose motion picture film or nitrocellulose plastics that requires a permit from the
7 Fire Department shall pay an annual license fee of \$344359.

8 The license fee for the Fire Department permit shall be paid annually on or before
9 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
10 Regulation Code.

11 **SEC. 239. STORAGE OF CERTAIN COMBUSTIBLE MATERIALS.**

12 Every person, firm or corporation engaged in any business of storing combustible
13 fibers, waste materials, lumber or readily combustible materials, including high-piled storage,
14 that requires a permit from the Fire Department shall pay an annual license fee of \$344359.

15 The license fee for the Fire Department permit shall be paid annually on or before
16 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
17 Regulation Code.

18 **SEC. 240. STORAGE AND USE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS.**

19 Every person, firm or corporation engaged in the business of storing, using or
20 transporting flammable or combustible liquids, including flammable or combustible liquid fuel
21 oil, that requires a permit from the Fire Department, unless such person shall have secured a
22 license under Sections 90 or 93 of this Article, shall pay an annual license fee \$344359 per
23 year.

1 The license fee for the Fire Department permit shall be paid annually on or before
2 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
3 Regulation Code.

4 **SEC. 241. FUMIGATION AND FOGGING.**

5 Every person, firm or corporation engaged in the business of fumigating and fogging
6 that requires a permit from the Fire Department shall pay an annual license fee of ~~\$344~~359.

7 The license fee for the Fire Department permit shall be paid annually on or before
8 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
9 Regulation Code.

10 **SEC. 242. STORAGE AND USE OF LIQUEFIED GASES AND COMPRESSED**
11 **GASES.**

12 Every person, firm or corporation engaged in the business of storing or using liquefied
13 petroleum gases or compressed gases that requires a permit from the Fire Department shall
14 pay an annual license fee of ~~\$344~~359.

15 The license fee for the Fire Department permit shall be paid annually on or before
16 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
17 Regulation Code.

18 **SEC. 243. ERECTION AND USE OF ACETYLENE GENERATORS; STORAGE OF**
19 **CALCIUM CARBIDE.**

20 Every person, firm or corporation that installs or uses an acetylene generator for which
21 a permit is required from the Fire Department shall pay an annual license fee of ~~\$344~~359.

22 The license fee for the Fire Department permit shall be paid annually on or before
23 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
24 Regulation Code.

1 **SEC. 244. APPLICATION OF FLAMMABLE FINISHES; AND USE AND OPERATION**
2 **OF INDUSTRIAL BAKING AND DRYING OVENS.**

3 Every person, firm or corporation engaged in the business of applying flammable
4 finishes, including floor finishes, that requires a permit from the Fire Department; or using or
5 operating an industrial baking and drying oven that requires a permit from the Fire
6 Department, shall pay an annual license fee of ~~\$344~~359.

7 The license fee for the Fire Department permit shall be paid annually on or before
8 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
9 Regulation Code.

10 **SEC. 245. PROCESSING OF MAGNESIUM.**

11 Every person, firm or corporation engaged in the business of processing magnesium
12 that requires a permit from the Fire Department shall pay an annual license fee of ~~\$344~~359.

13 The license fee for the Fire Department permit shall be paid annually on or before
14 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
15 Regulation Code.

16 **SEC. 246. OPERATING A TANK VEHICLE.**

17 Every person, firm or corporation engaged in the business of transporting flammable
18 liquids by tank vehicle, and providing such tank vehicle that requires a permit from the Fire
19 Department, shall pay an annual fee of ~~\$344~~359 for each tank vehicle.

20 The license fee for the Fire Department permit shall be paid annually on or before
21 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
22 Regulation Code.

23 **SEC. 247. HAZARDOUS MATERIALS.**
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1 Every person, firm or corporation engaged in the business of storing and using a
2 hazardous materials, including but not limited to aerosols, cryogenic fluids, and explosives,
3 that require a permit from the Fire Department shall pay an annual license fee of \$344359.

4 The license fee for the Fire Department permit shall be paid annually on or before
5 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
6 Regulation Code.

7
8 Section 3. Effective and Operative Dates. This ordinance shall become operative on its
9 effective date or on July 1, 2015, whichever is later. This ordinance shall become effective 30
10 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
11 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
12 or the Board of Supervisors overrides the Mayor's veto of the ordinance.

13
14 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
17 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
18 additions, and Board amendment deletions in accordance with the "Note" that appears under
19 the official title of the ordinance.

20
21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____

24 Jana Clark
25 Deputy City Attorney

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