

[Administrative Code - Downtown Market Street Entertainment Zone]

Ordinance amending the Administrative Code to create the Downtown Market Street Entertainment Zone, on Market Street between 1st Street and 3rd Street; Annie Street between Market Street and Stevenson Street; New Montgomery Street between Market Street and Jessie Street; 2nd Street between Market Street and Stevenson Street; Sansome Street between Market Street and Bush Street; Bush Street between Sansome Street and Market Street; 1st Street between Market Street and Stevenson Street; and Stevenson Street between 1st Street and New Montgomery Street; and affirming the Planning Department's determination under the California Environmental Quality Act.

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

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

Section 1. Environmental Findings.

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

Section 2. Chapter 94B of the Administrative Code is hereby amended by revising Section 94B.4, to read as follows. Section 94B.2 is reprinted in part, for informational purposes only.

SEC. 94B.2. ENTERTAINMENT ZONE CONTROLS.

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(c) All open alcoholic beverages consumed during an Entertainment Zone Event shall be purchased only from a premises located within the Entertainment Zone that is authorized under California Business and Professions Code Section 23357, 23358, or 23396, as may be amended from time to time, to permit consumers to leave the premises with open containers of alcoholic beverages for consumption off the premises, or an organization that is authorized by an ABC special event permit or license to make such sales within the Entertainment Zone.

SEC. 94B.4. ENTERTAINMENT ZONE LOCATIONS.

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(b) Additional Entertainment Zones.

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(20) Downtown Market Street Entertainment Zone.

(A) All public streets, public rights-of-way, and sidewalks abutting both sides of Market Street between 1st Street and 3rd Street; Annie Street between Market Street and Stevenson Street; New Montgomery Street between Market Street and Jessie Street; 2nd Street between Market Street and Stevenson Street; Sansome Street between Market Street and Bush Street; Bush Street between Sansome Street and Market Street; 1st Street between Market Street and Stevenson Street; and Stevenson Street between 1st Street and New Montgomery Street are hereby designated as the

1 Downtown Market Street Entertainment Zone under Sections 23039.5 and 25690 of the California
2 Business and Professions Code.

3 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within
4 the Downtown Market Street Entertainment Zone does not involve the closure of a public street, it need
5 not receive a permit for the use of a public street under Transportation Code Division I, Section 6.6 or
6 6.16 or Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

7 (c) Except as otherwise specified in this Section 94B.4, an Entertainment Zone Event
8 must receive a permit for the use of a public street under Transportation Code Division I,
9 Section 6.6 or 6.16 or Transportation Code Division II, Section 206, or other applicable
10 authority of the SFMTA.

11 (d) Outdoor consumption of alcoholic beverages is authorized within an Entertainment
12 Zone during any Entertainment Zone Event on any day of the year between the hours of
13 11:00 a.m. and 11:59 p.m., inclusive, subject to any additional limitations imposed by any
14 ABC permit or license and by the Management Plan, or if none, the Downtown Activation
15 Permit, for the Entertainment Zone, including but not limited to more restrictive days and
16 hours during which outdoor consumption of alcoholic beverages is authorized.

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19 Section 3. Scope of Ordinance. The Board of Supervisors intends to amend only
20 those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation
21 marks, charts, diagrams, or any other constituent parts of the Municipal Code that are
22 explicitly shown in this ordinance as additions, deletions, Board amendment additions, and
23 Board amendment deletions in accordance with the "Note" that appears under the official title
24 of the ordinance.

1 Section 4. Effective Date. This ordinance shall become effective on the 31st day after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

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6 APPROVED AS TO FORM:
7 DAVID CHIU, City Attorney

8 By: /s/ Victoria Wong
9 VICTORIA WONG
Deputy City Attorney

10 4927-9352-7221, v. 1