

BOARD of SUPERVISORS



City Hall
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MEMORANDUM

TO: Mohammed Nuru, Director, Public Works
Harlan Kelly, Jr., General Manager, Public Utilities Commission
John Rahaim, Director, Planning Department
Tom Hui, Director, Department of Building Inspection

FROM: Erica Major, Assistant Clerk, Government Audit and Oversight Committee,
Board of Supervisors

DATE: February 13, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following proposed legislation, introduced by the Port Department on February 7, 2017:

File No. 170123

Ordinance amending the Public Works Code to authorize the Port Executive Director to impose penalties for failure to comply with requirements relating to construction site runoff on property within Port Commission jurisdiction.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Frank Lee, Public Works
Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission
John Scarpulla, Public Utilities Commission
Scott Sanchez, Planning Department
Lisa Gibson, Planning Department
AnMarie Rodgers, Planning Department
Aaron Starr, Planning Department
Joy Navarrette, Planning Department
Jeanie Poling, Planning Department
William Strawn, Department of Building Inspection
Carolyn Jayin, Department of Building Inspection

1 [Public Works Code - Construction Site Runoff on Port Property - Enforcement]

2
3 **Ordinance amending the Public Works Code to authorize the Port Executive Director to**
4 **impose penalties for failure to comply with requirements relating to construction site**
5 **runoff on property within Port Commission jurisdiction.**

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

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

14 Section 1. Article 4.2 of the Public Works Code is hereby amended by revising Section
15 146.10 to read as follows:


16 **SEC. 146.10. ENFORCEMENT.**

17 Persons violating any provision of the Construction Site Runoff Control Permit or
18 Sections 146 – 146.11 of this Article or applicable laws or regulations are subject to
19 enforcement by the General Manager pursuant to Section 132 of Article 4.1 of this Code.
20 Persons violating Sections 146 – 146.11 of Article 4.2 or applicable laws or regulations are
21 subject to penalties and abatement in accordance with Sections 133 and 134 of Article 4.1 of
22 this Code, and any other remedies allowed by law. For construction projects in areas of the City
23 under the jurisdiction of the Port Commission, the Port’s Executive Director or his or her designee
24 shall have enforcement authority identical to the enforcement authority referenced in the two preceding
25 sentences.

1 Section 2. Effective Date. This ordinance shall become effective 30 days 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.

5 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
6 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
7 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
8 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
9 additions, and Board amendment deletions in accordance with the "Note" that appears under
10 the official title of the ordinance.

11
12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By: 
15 RONA H. SANDLER
16 Deputy City Attorney

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