

1 [Extended hours permits.]

2

3 **Ordinance amending section 1070.19 of the Police Code to permit bona fide public**
4 **eating places or places of entertainment that have no liquor license to apply for and**
5 **receive an extended hours permit from the Entertainment Commission.**

6 Note: Additions are single-underline italics Times New Roman;
7 deletions are ~~strikethrough italics Times New Roman~~.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

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

10 Section 1. The San Francisco Police Code is hereby amended by amending Section
11 1079.19, to read ás follows:

12 SEC. 1070.19. EXCEPTIONS.

13 (a) The Entertainment Commission may grant an exception to an extended-hours
14 premises as defined herein from the provisions of Sections 1070.11, 1070.13 and 1070.16
15 relating to lighting of the premises, booths and minors being on the premises if the
16 Entertainment Commission shall find that the extended-hours premises is used exclusively for
17 any of the following purposes:

18 (1)(a) A bona fide public eating place as defined herein to which a public eating place
19 permit has been issued by the Department of Public Health ~~and where no admission charge is~~
20 ~~collected as defined in Section 1070(g).~~

21 (2) A place of entertainment that has no liquor license.

22 (3)(b) An eExtended-hours premises that ~~isare~~ operated by any public agency or by any
23 educational, recreational or social agency, or by any bona fide fraternal, charitable, or
24 religious or benevolent or any other nonprofit organization having a regular membership
25 association primarily for mutual social, mental, political and civic welfare, to which admission

1 is limited to members and guests and revenue accruing therefrom ~~is to be~~ used exclusively for
2 the benevolent purposes of said organization and which organization or agency is exempt
3 from taxation under the Internal Revenue laws of the United States as a bona fide fraternal,
4 charitable, religious, benevolent or nonprofit organization.

5 ~~(b)(e)~~ Any determination as to the exception status of any applicant pursuant to this
6 Section shall be made by the Entertainment Commission.

7 ~~(c)(d)~~ A decision by the Entertainment Commission denying the exception from the
8 regulations shall be final except that an appeal therefrom may be taken within 10 days to the
9 Board of Review created by Ordinance No. 245-68. The Board of Review will consist of the
10 Director of Administrative Services, the Controller and Assessor-Recorder. Any member of the
11 Board may deputize in writing, filed with the Board, any member of his office to serve in his
12 place on such Board or in such hearing as he may desire. A majority of the members of the
13 Board shall constitute a quorum.

14 ~~(d)(e)~~ The Board, in addition to its several other duties, shall have the power and it shall
15 be its duty to hear and determine appeals from the decisions of the Entertainment
16 Commission made upon petition for an exception from the regulations. The Board may affirm
17 or reverse such decision by the Entertainment Commission or dismiss the appeals therefrom
18 as may be just, and shall prescribe such forms, rules and regulations relating to appeals as it
19 may deem necessary. In the review of the decision by the Entertainment Commission the
20 Board may take such evidence and make such investigation as it may deem necessary. It
21 shall give notice of its determinations in writing to the petitioner and shall file a copy of each
22 determination with the Entertainment Commission. The determination shall become final 10
23 days thereafter. If the Board of Review concurs with the determination of the Entertainment
24 Commission, the regulations shall become effective as an order or decision of the
25 Entertainment Commission. If the Board of Review overrules the order or decision of the

1 Entertainment Commission, the regulations shall not be enforced by the Entertainment
2 Commission.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:


7 Amy S. Ackerman
8 Deputy City Attorney

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

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

Tails Ordinance

File Number: 032029

Date Passed:

Ordinance amending Section 1070.19 of the Police Code to permit bona fide public eating places or places of entertainment that have no liquor license to apply for and receive an extended hours permit from the Entertainment Commission.

January 6, 2004 Board of Supervisors — SUBSTITUTED

March 9, 2004 Board of Supervisors — CONTINUED

Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin,
Sandoval

Excused: 2 - Ammiano, Dufty

March 16, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, McGoldrick, Peskin,
Sandoval

Noes: 2 - Hall, Maxwell

March 23, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick,
Peskin, Sandoval

Noes: 1 - Maxwell

March 23, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, McGoldrick, Peskin,
Sandoval

Noes: 2 - Hall, Maxwell

File No. 032029

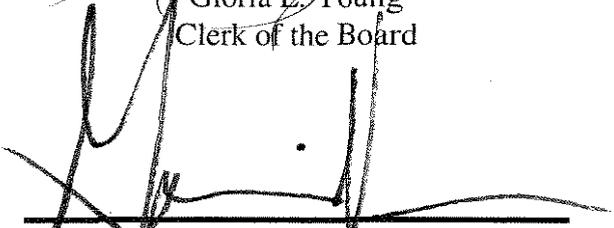
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on March 23, 2004
by the Board of Supervisors of the City and
County of San Francisco.

APR 01 2004

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom