

1 [Repealing the San Francisco Traffic Code and enacting Division I of the San Francisco
2 Transportation Code to conform to the requirements of Proposition A.]

3 **Ordinance repealing the San Francisco Traffic Code and enacting Division I of the San**
4 **Francisco Transportation Code.**

5 Note: All text is new.

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

7 Section 1. The San Francisco Traffic Code is hereby repealed in its entirety, and
8 Division I of the Transportation Code is enacted to read as follows:

9 **ARTICLE 1: DEFINITIONS AND GENERAL PROVISIONS**

10 **SEC. 1. DEFINITIONS.**

11 (a) Whenever in this Division I of the Transportation Code words or phrases are used
12 which are not defined by the provisions of this Code, but are defined in the Vehicle Code, the
13 definition and meaning shall be applied as set forth and contained in the provisions of the
14 Vehicle Code.

15 (b) Any words or phrases that are not defined in the Vehicle Code shall have the meanings
16 set forth below.

17 (1) **City.** The City and County of San Francisco.

18 (2) **Code.** The Transportation Code of the City and County of San Francisco,
19 consisting of Division I, enacted by the San Francisco Board of Supervisors, and Division II
20 enacted by the Board of Directors of the Municipal Transportation Agency.

21 (3) **Director of Public Health.** The Director of the San Francisco Department of
22 Public Health or his or her designee(s).

23 (4) **Director of Transportation.** The Executive Director/CEO of the Municipal
24 Transportation Agency or his or her designee(s).

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1 (5) **Division I.** Division I of the Transportation Code, adopted by the San Francisco
2 Board of Supervisors.

3 (6) **Municipal Transportation Agency or SFMTA.** The San Francisco Municipal
4 Transportation Agency.

5 (7) **Parking Control Officer.** An employee of the Municipal Transportation Agency
6 authorized to enforce state laws and the provisions of the San Francisco Municipal Code
7 related to parking, standing and stopping of vehicles.

8 (8) **Police Officer.** A peace officer employed by the San Francisco Police
9 Department authorized to enforce the criminal laws of the state and the San Francisco
10 Municipal Code.

11 (9) **Vehicle Code.** The Vehicle Code of the State of California as it may be
12 amended from time to time.

13 (c) Any statutes or regulations of the State of California that are cited in this Code shall
14 apply to such sections as they may be amended or renumbered to the extent that the
15 provisions of any such amended or renumbered section applies to substantially the same
16 subject matter as the former provision referenced in this Code.

17 **SEC. 2. SEVERABILITY.**

18 If any section, subsection, sentence, clause or phrase of this Division I is for any reason held
19 to be unconstitutional, such decision shall not affect the validity of the remaining portions of
20 this Code. The Board of Supervisors hereby declares that it would have passed this Article
21 and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact
22 that any one or more sections, subsections, sentences, clause or phrase be declared
23 unconstitutional.

24 **SEC. 3. REPEAL OF INCONSISTENT ORDINANCES.**

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1 Any ordinance inconsistent with any of the terms and provisions of this Division I is hereby
2 repealed; provided, however, that such repeal shall be only the extent of such inconsistency
3 and in all other respects this Division I shall be cumulative of other ordinances regulating and
4 governing the subject matter covered by this Division.

5 **SEC. 4. CITY UNDERTAKING LIMITED TO PROMOTION OF GENERAL WELFARE.**

6 In undertaking the adoption and enforcement of this Division I, the City is assuming an
7 undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its
8 officers or employees, an obligation for breach of which the City is liable in money damages to
9 any person who claims that such breach proximately caused injury.

10 **ARTICLE 2: HISTORIC STREET SIGNS**

11 **SEC. 8. HISTORIC DISTRICT STREET SIGNS.**

12 The Director of Transportation shall provide signage displaying information about the
13 designated historic district on all street signs along the length of any street at each
14 intersection located within a historic district in the City.

15 **ARTICLE 3: NEWSGATHERING VEHICLES**

16 **SEC. 11.1. DEFINITIONS.**

17 For the purposes of this Article, the following definitions shall apply:

18 (a) News-Gathering Vehicle. A news-gathering vehicle is a motor vehicle operated by a news
19 media outlet, or operated by an employee of a newspaper, radio or television station whose
20 primary duty is to gather or photograph news events and for which a vehicle press card has
21 been issued by the Chief of Police and while said vehicle is being operated by an employee.

22 (b) Press Card. A press card is an identification card issued by the Chief of Police pursuant to
23 the provisions of Section 939 of the San Francisco Police Code.

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1 (c) Vehicle Press Card. A vehicle press card is an identification card on a form approved and
2 signed by the Chief of Police.

3 **SEC. 11.2. ISSUANCE OF VEHICLE PRESS CARD.**

4 The Chief of Police shall issue one or more vehicle press cards to a news media outlet upon
5 submittal of an application signed by the managing editor, station manager, or person of
6 equivalent managerial responsibility, of the newspaper, radio or television station. The
7 application shall be on a form approved by the Chief of Police. The application shall require
8 the applicant to verify in writing that each requested vehicle press card is for either (a) an
9 identified vehicle owned and operated by the organization and used primarily in the gathering
10 of news, or (b) a person holding a full-time position with that organization whose duties
11 primarily involve the actual gathering of news outside of the organization's main office. Each
12 such organization with 12 or more full-time employees may also apply for one temporary
13 vehicle press card, and each such organization with 25 or more full-time employees may also
14 apply for two temporary vehicle press cards, which temporary vehicle press cards shall be of
15 a distinguishing color and which may be assigned by the organization on an as-needed basis
16 to temporary or free-lance reporters or photographers when they are engaged in news
17 gathering for that organization, subject to the other restrictions on use set forth in this Article.
18 In the event the temporary vehicle press cards are being used by an organization in a manner
19 inconsistent with the provisions of this Article, the Chief of Police shall have the discretion,
20 after a hearing to consider evidence of such misuse and testimony from the organization and
21 other interested persons, to revoke any or all vehicle press cards then issued to such
22 organization. All vehicle press cards shall expire at the end of each calendar year, and a new
23 application must be submitted for reissuance of the card for the following calendar year. The
24 Chief of Police may request supporting documentation or evidence to verify any information

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1 supplied on an application for a vehicle press card, including verification of an employee's
2 news-gathering duties. Print media whose publications are not published more frequently than
3 once per month shall not be eligible to receive vehicle press cards.

4 **SEC. 11.7. GENERAL PROVISIONS.**

5 The foregoing provisions of this Article shall not relieve the driver and/or owner of the news-
6 gathering vehicle or the news media outlet from the duty to park the vehicle with due regard
7 for access of Fire Department vehicles to any property, and to the safety of all persons and
8 vehicles, nor shall these provisions protect the owner of the news media outlet from the
9 consequences of reckless disregard for the safety of others.

10 **SEC. 11.9. FEE FOR VEHICLE PRESS CARD.**

11 The Police Department shall collect a fee of \$50 per year for each vehicle press card issued
12 pursuant to this Article.

13 **SEC. 11.10. LOCATIONS FOR NEWS-GATHERING VEHICLES.**

14 (a) Provided that the news-gathering vehicle complies with all other provisions of this
15 Article, a news-gathering vehicle shall not be subject to the provisions of this Code regulating
16 the standing and parking of vehicles when parked on the following specified streets: Streets
17 on or within the boundaries of Districts 1g, 1b, 1c, 2c, 2e, 2f, 3d, 4s, 5, 6, 7, 8, 9, and 10k, and
18 Golden Gate Park, as identified in the Thomas Bros. Map of San Francisco, copyright 1993 by
19 Thomas Bros. Maps, distributed by the San Francisco Association of Realtors, on file in the
20 Office of the Board of Supervisors, File No. 124-97-5.

21 **ARTICLE 4: AUTHORITY OF POLICE**

22 **SEC. 12. POLICE COMMISSION REGULATION OF TRAFFIC; CIVILIAN EMPLOYEES**
23 **AUTHORIZED TO ENFORCE PARKING REGULATIONS.**

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1 (a) The Police Commission is hereby authorized to direct, control, divert and regulate all
2 traffic by means of Police Officers or persons designated as special Police Officers limited to
3 the control and direction of traffic by the Chief of Police pursuant to Section 35.9 of the
4 Charter for the exclusive or main purpose of enforcing the provisions of Division 11 of the
5 Vehicle Code of the State of California, and the emergency use of temporary signs and
6 devices.

7 (b) Any Parking Control Officer assigned to the "Robert Greenstrand Disabled Placard
8 Detail" of the Municipal Transportation Agency shall have the power and authority to issue
9 misdemeanor citations for violations of California Vehicle Code Section 4461.

10 **SEC. 13. DEPARTMENT MEMBERS AS PUBLIC OFFICERS.**

11 In addition to Parking Control Officers, the classes of City officers or employees set forth
12 below shall have the authority to enforce those provisions of state law or the San Francisco
13 Municipal Code which prohibit parking and stopping violations affecting public transit
14 including, but not limited to, the citation, removal and relocation of any vehicle parked in a bus
15 zone, any vehicle parked upon any railroad track or within 7 1/2 feet of the nearest rail, any
16 vehicle abandoned on property under the jurisdiction of the Municipal Transportation Agency,
17 or any vehicle left standing upon a highway in such a position as to obstruct the normal
18 movement of traffic or to create a hazard.

Classification Number	Class Title
7212	Automotive Transit Equipment Supervisor
7214	Electrical Transit Equipment Supervisor
7216	Electrical Transit Shop Supervisor I
7228	Automotive Transit Shop Supervisor I

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1	9139	Transit Supervisor
2	9140	Transit Manager I
3	9141	Transit Manager II
4	9142	Transit Manager III
5	9173	System Safety Inspector
6	9177	Director of System (Safety)
7	9185	Deputy General Manager, Equipment Maintenance, Municipal Railway
8	9186	General Manager, Municipal Railway
9	9191	Deputy General Manager, Operations, Municipal Railway
10	9193	Deputy General Manager, Administration, Municipal Railway
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15 In the performance of their duties the classes of officers and employees listed above shall
16 have the power, authority and immunity of a public officer and employee, as set forth in
17 California Penal Code Section 836.5, to make arrests without a warrant whenever such officer
18 or employee has reasonable cause to believe that the person to be arrested has committed a
19 misdemeanor in the officer's or employee's presence that is a violation of a statute or
20 ordinance which the officer or employee has the duty to enforce. In any case in which a
21 person is arrested pursuant to this authority and the person arrested does not demand to be
22 taken before a magistrate, the public officer or employee making the arrest shall prepare a
23 written notice to appear and shall release the person on his or her promise to appear as
24 prescribed by Chapter 5C (commencing with Section 853.6) of the California Penal Code.
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1 **SEC. 18. UNAUTHORIZED DIRECTION OF TRAFFIC.**

2 It shall be unlawful for any person to direct or attempt to direct traffic unless authorized to do
3 so by order of the Police Commission, except in case of immediate danger or necessity.

4 **SEC. 24. DRIVER OF WRECKERS' TRUCKS NOT TO INTERFERE WITH POLICE**
5 **INVESTIGATION OF ACCIDENTS.**

6 In the case of any collision or accident of one or more vehicles on any street or in any public
7 place within the City and County of San Francisco, where the police have been summoned for
8 the purpose of conducting an investigation, it shall be unlawful for the driver, or any person in
9 charge of any vehicle with a crane, hoist, winch, or towing device, who has answered a call to,
10 or is attending the scene of such accident, to remove or attempt to remove any vehicle
11 involved in such collision or accident, or in any way to interfere with or change the position of
12 any such vehicle, except upon authorization or direction and in the presence of a Police
13 officer, or when necessary to release a person trapped within or under a vehicle, except that
14 removal to the side of the roadway is authorized in accidents involving property damage only,
15 when necessary to allow for the passage of public transit vehicles.

16 **SEC. 24A. DIVERTING OF TRAFFIC AND TEMPORARY PARKING RESTRICTIONS.**

17 A Police Officer may divert traffic from any street or area when necessary or advisable by any
18 parade, public assemblage, film or video production, traffic congestion, conflagration, collapse
19 of building, obstruction on or damage to any street or any other emergency.

20 **SEC. 25. REMOVAL OF VEHICLES INVOLVED IN ACCIDENTS.**

21 It shall be unlawful for the driver or person in charge of any vehicle involved in any accident
22 resulting in property damage or an accident which does not involve serious bodily injury, as
23 defined in California Penal Code Section 253(e)(5), to refuse to permit the removal of the
24 vehicle to the side of the roadway when necessary to allow for the passage of public transit
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1 vehicles when so directed by a Police Officer or an employee of the Municipal Transportation
2 Agency in a job class listed in Section 13 of this Division I. Violation of this Section 25 shall
3 be an infraction with a penalty of \$100.

4 **SEC. 32. PARKING CONTROL.**

5 (a) Except as provided in Subsections (c) and (d), no person shall stop, park or leave standing
6 any vehicle, whether attended or unattended:

7 (1) Within the property lines of the area upon which the right-of-way of the James Lick
8 Freeway is situated, bounded by the northwesterly side of Ahern Street, the
9 southwesterly side of Sixth Street, the northwesterly side of the right-of-way of the
10 James Lick Freeway, and the northeasterly side of Harriet Street;

11 (2) On that portion of Grove Street, north side, between Van Ness Avenue and Polk
12 Street from 8 a.m. to 5 p.m., Monday through Friday;

13 (3) Except in bus zones established pursuant to Section 62 of this Article or in loading
14 zones established pursuant to Sections 38.B, 38.B.1, 38.C, 38.D, 38.G, 38.J, 38.K, and
15 38.L of this Article, on the east side of Seventh Street between Harrison and Bryant
16 Streets; on the south side of Ahern Way from a point 20 feet east of Harriet Street to
17 Sixth Street; and on the east side of Harriet Street between Harrison and Bryant
18 Streets;

19 (4) Within the property lines of the parking lot commonly known as 970 Bryant Street
20 (Block 3758) and located between the easterly side of the entrance to Interstate 80 at
21 8th Street and the Hall of Justice Service Station at 950 Bryant Street;

22 (5) Within the off-street parking area of the Fire Department property commonly known
23 as 260 Golden Gate Avenue (Lot 7, Block 345) and located on the north side of Golden
24 Gate Avenue approximately 83 feet east of Hyde Street;

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- 1 (6) On the north side of Bryant Street from Harriet Street to 7th Street;
- 2 (7) On the east side of 24th Avenue from 225 feet to 280 feet south of Santiago Street
- 3 (55-foot zone);
- 4 (8) At the parking space north of the police post (Koban) in front of 933 Grant Avenue;
- 5 (9) At the parking spaces on the north side of Golden Gate Avenue, from approximately
- 6 76 feet east of Hyde Street to 144 feet easterly in front of 260 Golden Gate Avenue
- 7 during the hours of 6:00 p.m. to 8:00 a.m., Monday through Friday, and all day
- 8 Saturdays and Sundays;
- 9 (10) Except in parking stalls expressly designated for use by the public, while
- 10 conducting business at the police facilities, at any time within the property lines of the
- 11 off-street parking area of the Police Department property commonly known as 1125
- 12 Fillmore Street (Lot 13, Block 755) and located on the south side of Turk Street
- 13 approximately 412.5 feet for the entire block between Fillmore and Steiner Streets and
- 14 approximately 137.5 feet in the easterly side of Steiner Street and approximately 137.5
- 15 feet in the westerly side of Fillmore Street and approximately 67.5 feet on the northerly
- 16 side of Golden Gate Avenue commencing approximately 70 feet from the easterly line
- 17 of Steiner Street and the northerly line of Golden Gate Avenue;
- 18 (11) On the south side of Hunt Street within the rear property lines of the Fire
- 19 Department building at 676 Howard Street, and from the east property line of this
- 20 building to 40 feet easterly;
- 21 (12) On the west side of Treat Avenue from a point approximately 38 feet north of 15th
- 22 Street to 66 feet northerly (66-foot zone);
- 23 (13) On the south side of 20th Street between 3rd Street and Tennessee Street;
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- 1 (14) On that portion of Elm Street, south side, from 41 feet to 129 feet west of Polk
2 Street (88-foot zone), from 8:00 a.m. to 5:00 p.m., Monday through Friday;
- 3 (15) On that portion of Jackson Street, south side, between Sansome Street and
4 Custom House Place, from six a.m. to six p.m., Monday through Friday;
- 5 (16) On the south side of Redwood Street, from 35 feet to 115 feet west of Polk Street,
6 from 8:00 a.m. to 5:00 p.m., Monday through Friday;
- 7 (17) On 2nd Street, west side, from Townsend Street to 100 feet northerly (100-foot
8 zone);
- 9 (18) On Stanford Street, east side, from Townsend Street to 100 feet northerly (100-
10 foot zone);
- 11 (19) On Townsend Street, north side, between 2nd and Stanford Streets;
- 12 (20) On the east side of 7th Street, from Bryant Street to 80 feet southerly (80-foot
13 zone);
- 14 (21) On Dr. Carlton B. Goodlett Place:
- 15 (a) East side, from 32 feet to 224 feet north of Grove Street (192-foot zone,
16 accommodating sixteen angled parking stalls) and from 184 feet to 208 feet
17 south of McAllister Street (24-foot zone, accommodating two angled parking
18 stalls), and
- 19 (b) West side, from 26 feet to 208 feet south of McAllister Street (182-foot zone,
20 accommodating nine parking stalls) and from 351 feet to 531 feet south of
21 McAllister Street (180-foot zone, accommodating nine parking stalls);
- 22 (22) On Lech Walesa Street, north side, from 120 feet to 235 feet west of Polk Street
23 (115-foot zone);
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- 1 (23) On Lech Walesa Street, north side, from Polk Street to 89 feet westerly (89-foot
2 zone
- 3 (24) On the east side of 6th Avenue, from 272 feet to 334 feet south of Geary
4 Boulevard (62-foot zone);
- 5 (25) On either the north or south side of Turk Street, from Laguna Street to 435 feet
6 easterly (435-foot zones);
- 7 (26) On the east side of 7th Street, from 178 feet to 246 feet north of Bryan Street (68-
8 foot zone);
- 9 (27) On Brannan Street, north side from:
- 10 (a) 15 feet to 115 feet east of Boardman Place (100-foot zone), and
11 (b) 16 feet to 116 feet west of Boardman Place (100-foot zone);
- 12 (28) on the east side of South Van Ness Avenue, from 12th Street to 110 feet southerly
13 (110-foot zone), from 6:00 a.m. to 8:00 p.m., Monday through Friday;
- 14 (29) Within the property lines of the area upon which the San Francisco Hall of Justice
15 is situated, bounded by the northwesterly side of Brunt Street, the southwesterly side of
16 Harriet Street, and southeasterly side of the right-of-way of the James Lick Freeway,
17 and the northeasterly side of Seventh Street;
- 18 (30) On Eddy Street, south side, from Jones Street to 130 feet westerly (130-foot
19 zone);
- 20 (31) On Jones Street, west side, from 24 feet to 107 feet south of Eddy Street (83-foot
21 zone);
- 22 (32) On Green Street, north side, from 15 feet to 75 feet east of Baker Street (60-foot
23 zone, from 8:00 a.m. to 6:00 p.m., Monday through Friday, except on Holidays;
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- 1 (33) On Baker Street, east side, from 11 feet to 64 feet north of Green Street (53-foot
2 zone), from 8:00 a.m. to 6:00 p.m., Monday through Friday, except on Holidays;
- 3 (34) On Clay Street, north side, from Laurel Street to 31 feet westerly (31-foot zone);
- 4 (35) On Laurel Street, west side, from Clay Street to 112 feet northerly (112-foot zone);
- 5 (36) On the south side of Stevenson Street, from 7th Street to 294 feet easterly;
- 6 (37) On Hyde Street, both sides, between McAllister and Fulton Streets from 6:00 a.m.
7 to 9:30 a.m. on Wednesdays and Sundays;
- 8 (38) On the south side of Vallejo Street, from Powell Street to 94 feet easterly, and
9 from Churchill Street to 106 feet easterly, and on the north side of Vallejo Street from
10 Powell Street to 78 feet easterly, and from Emery Lane to 64 feet easterly;
- 11 (39) On the south side of Turk Street, between Larkin and Polk Streets;
- 12 (40) On the north side of Golden Gate Avenue, between Larkin and Polk Streets;
- 13 (41) On the west side of Larkin Street, between Turk Street and Golden Gate Avenue.
- 14 (b) Any vehicle found in violation of this Subparagraphs 39, 40, or 41 shall be subject to
15 removal by towaway at the owner's expense pursuant to Section 22651(n) of the Vehicle
16 Code.
- 17 (c) Except when parking prohibition regulations for street-cleaning purposes are in effect,
18 the restrictions listed in subparagraph (a) shall not apply to vehicles under the jurisdiction of or
19 authorized to park in such locations by:
- 20 (1) The Chief of Police, with respect to Subparagraphs (1), (3), (4), (6), (7), (8), (10),
21 (13), (24), (29), (30), and (31);
- 22 (2) The Chief Administrative Officer, with respect to Subparagraphs (2), (14), (15), (21)
23 and (29);
- 24 (3) The Fire Chief, with respect to Subparagraphs (5), (9), (11), (17), (18), and (19);
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- 1 (4) The Department of Public Health, with respect to Subparagraphs (22) and (23);
2 (5) The Director of Public Works, with respect to Subparagraph (12);
3 (6) The Department of Parking and Traffic, with respect to Subparagraphs (20) and
4 (37);
5 (7) The Emergency Communications Department, with respect to Subparagraph (25);
6 (8) The San Francisco Sheriff's Department, with respect to Subparagraph (26);
7 (9) The District Attorney's Office, with respect to Subparagraph (27);
8 (10) The Korean Embassy, with respect to Subparagraphs (34) and (35);
9 (11) The Russian Consulate, with respect to Subparagraphs (32) and (33);
10 (12) The California Department of Corrections, with respect to Subparagraph (28);
11 (13) The United States Department of Homeland Security, with respect to
12 Subparagraphs 15, 39, 40, and 41;
- 13 (d) The restrictions listed in Subsection (a), subparagraphs (5) and (29) shall not apply to
14 any person engaged in the loading and unloading of passengers upon or from vehicles.

15 **SEC. 32.10. OPERATIONAL PROCEDURE TO BE FOLLOWED.**

16 Except as may be authorized in Division II of the Transportation Code, no person shall park
17 any vehicle in any parking space on any municipal off-street parking lot controlled by parking
18 meters except as permitted by this Code and the California Vehicle Code without immediately
19 making payment for parking by depositing lawful money of the United States into the parking
20 meters assigned to said parking space, by prepaid parking card or by other authorized
21 payment method,; nor shall any person permit any vehicle to remain parked in any parking lot
22 space beyond the time permitted for the parking of vehicles in the municipal off-street parking
23 lot in which said parking meter is situated, or during any time when said parking meter
24 indicates that no portion remains of the period for which payment was made.

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1 **SEC. 32.11. UNLAWFUL TO FAIL, NEGLECT OR REFUSE TO PAY CHARGES OR TO**
2 **DISPLAY PARKING TICKET.**

3 Except as may be authorized in Division II of the Transportation Code, when parking on
4 municipal off-street parking lots is regulated and controlled by parking attendants or parking
5 ticket dispensers, it shall be unlawful for the operator of any vehicle parked on such municipal
6 off-street parking lot to fail, neglect or refuse to pay the parking charges established for such
7 municipal off-street parking lot or to fail, neglect or refuse to purchase the required parking
8 ticket from the parking ticket dispenser or to display such parking ticket in the manner
9 specified on the said ticket.

10 **SEC. 32.12. OVERTIME PARKING.**

11 When applicable signs or markings designating such parking time limits are in place giving
12 notice thereof, it shall be unlawful for the operator of any vehicle to stop, stand or park said
13 vehicle on any municipal off-street parking lot for longer than the permitted time.

14 **SEC. 32.13. PARALLEL OR DIAGONAL PARKING.**

15 Except as may be authorized in Division II of the Transportation Code, when a parking space
16 in any municipal off-street parking lot is parallel with adjacent meters, any vehicle parked or
17 standing in such parking space shall be parked or shall stand so that the foremost part of said
18 vehicle shall be nearest to the parking meter designated for the parking space. When the
19 parking space in a municipal off-street parking lot is diagonal or at right angles to the parking
20 meters, any such vehicle parking or standing in such parking space shall be parked or shall
21 stand with the foremost part of such vehicle nearest to the parking meter designated for the
22 parking space, unless the space is specifically signed for "back in only" parking.

23 **SEC. 32.14. PARKING WITHIN PARKING SPACES.**

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1 When parking spaces are designated by lines or other markings, it shall be unlawful for the
2 operator of any vehicle to stop, stand or park said vehicle other than in a regularly designated
3 parking space, across any such line or marking, or in such position that said vehicle shall not
4 be entirely within the area so designated as a parking space except upon the direction of a
5 parking lot attendant. No vehicle shall be parked, stopped or shall stand either wholly or
6 partially in any driveway of any municipal off-street parking lot or in any manner which shall
7 obstruct or interfere with the free movement of vehicles in such driveway or in any manner so
8 as to obstruct or otherwise prevent or interfere with ingress to or egress from any regularly
9 designated parking space except on the direction of a parking lot attendant.

10 **SEC. 32.15. USE OF ENTRANCE AND EXIT.**

11 Except as may be authorized in Division II of the Transportation Code, it shall be unlawful for
12 any person to enter any municipal off-street parking lot over any area or driveway or the
13 portion of any curb which is not marked with the word "Entrance" or otherwise indicated by
14 arrows, signs, or words to be a driveway or place for entering of such parking lot.

15 It shall be unlawful for any person to move any vehicle from any such parking lot into any
16 public way or area except over an area marked with the word "Exit" or otherwise indicated by
17 arrows, signs, or words to be a driveway or place for the leaving of such parking lot.

18 **SEC. 32.16. SPEED OF VEHICLES.**

19 Except as may be authorized in Division II of the Transportation Code, it shall be unlawful for
20 any person to move any vehicle on a municipal off-street parking lot at any speed exceeding
21 10 miles per hour.

22 **SEC. 32.17 PENALTY.**

23 Any person violating the provisions of Article 5 of this Code shall be guilty of an infraction and
24 upon conviction thereof shall be punished by a fine of not less than \$12 or more than \$50.

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1 **SEC. 32.18. CITATIONS.**

2 Any officer of the Police Department or Parking Control Officer may issue a citation to the
3 owner or driver of any vehicle that has been parked or left standing in a municipal off-street
4 parking lot in violation of any of the provisions of this Code, in the same manner and in
5 accordance with the same procedure and with the same effect as citations are issued for on-
6 street parking or traffic violations pursuant to provisions of the California Vehicle Code.

7 **SEC. 32.19. REMOVAL OF VEHICLES AUTHORIZED.**

8 When appropriate signs or markings are in place giving notice, any officer of the Police
9 Department or any Parking Control Officer is hereby authorized to remove or cause to have
10 removed any vehicle that is stopped, standing or parked on any municipal off-street parking
11 lot in violation of Section 32.14 of this Code or which is left on such municipal off-street
12 parking lot for a period of more than 24 hours after the expiration of the period for which the
13 particular fee is charged. The procedure for removal and impounding of vehicles shall be as is
14 provided for in this Code and the California Vehicle Code.

15 **SEC. 32.20. PARKING CONTROL, SPECIAL STALLS OR SPACES IN CITY-OWNED OFF-
16 STREET PARKING FACILITIES.**

17 No person shall stop, park or leave standing any vehicle, whether attended or unattended,
18 within any stalls or spaces designated for the use by the physically handicapped within a City-
19 owned off-street parking facility except those physically handicapped persons whose vehicles
20 display either one of the distinguishing license plates issued to disabled persons or to
21 disabled veterans pursuant to the California Vehicle Code .

22 **SEC. 32.21. PARKING CONTROL, BLOCKING ENTRANCES TO RESIDENCES; PENALTY
23 FOR VIOLATION.**

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1 No person shall park or leave standing any vehicle, whether attended or unattended, upon
2 any street in such a manner that said vehicle blocks any entrance to any residence. This
3 Section is intended to prohibit the blocking of a residence which is located adjacent to a street
4 with no sidewalk in between the street and the residence. Violation of this Section shall
5 constitute an infraction.

6 **SEC. 32.21A. PARKING CONTROL; BLOCKING AN ELECTRIC CHARGING BAY.**

7 (a) No person shall park or leave standing any vehicle other than an electric vehicle, whether
8 attended or unattended, in a parking space in a City-owned garage or parking lot that is
9 equipped with an electric charging bay. This section is intended to prohibit the blocking or
10 occupancy of an electric charging bay by a vehicle other than an electric vehicle. All terms
11 used in this section shall have the same meaning as those terms have for the purposes of
12 Chapter 85 of the Administrative Code (commencing with Section 85.1). Any violation of the
13 provisions of this section shall constitute an infraction and any person upon conviction thereof
14 shall be punished by a fine of not less than \$100 or more than \$200.

15 (b) Any Police Officer or Parking Control Officer may issue a citation to the owner or driver of
16 any vehicle that has been parked or left standing in a municipal off-street parking lot in
17 violation of subsection (a), in the same manner and in accordance with the same procedure
18 and with the same effect as citations issued for on-street parking or traffic violations pursuant
19 to the provisions of this Code and the California Vehicle Code.

20 **SEC. 32.22. REMOVAL OF VEHICLES AUTHORIZED.**

21 When appropriate signs are in place giving notice that vehicles blocking entrances to
22 residences or electric charging bays in violation of Sections 32.21 or 32.21A of this Code will
23 be towed, any officer of the Police Department or any Parking Control Officer is hereby
24 authorized to remove or cause to have removed any vehicle that is parked or left standing in
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1 such a manner that it blocks any entrance to any residence or electric charging bays in
2 violation of this Code. The procedure for removal and impounding of vehicles shall be as is
3 provided for in this Code and the California Vehicle Code.

4 **ARTICLE 5: OBEDIENCE TO SIGNS AND STOPPING OR PARKING**

5 **SEC. 70. IMPROPERLY PARKED CAR A NUISANCE.**

6 Any unoccupied vehicle of any kind parked or standing in a crosswalk, beside a fire hydrant,
7 or on the track of or blocking a public transit vehicle in violation of any provision of this Code
8 or of the Vehicle Code, or so as to interfere with or obstruct any City street or highway is
9 declared to be a nuisance.

10 **ARTICLE 6: RULES FOR DRIVING**

11 **SEC. 98. RESPONSIBILITY OF BICYCLE MESSENGER BUSINESS; IDENTIFICATION**
12 **REQUIRED FOR EMPLOYEES AND BICYCLES.**

13 Every person, firm, partnership, joint venture, association or corporation which engages,
14 either on behalf of itself or others, in delivering articles of any kind by bicycle, except
15 newspaper businesses making deliveries by bicycle, shall require each of its bicycle-riding
16 employees while making deliveries, or otherwise riding a bicycle on behalf of the business, to
17 have on his or her person a current California Driver's License or a California Identification
18 Card issued by the Department of Motor Vehicles or a photo identification including name,
19 residence address and date of birth, issued by said business for which the employee is
20 making bicycle deliveries. Said business shall also provide identification of the business on its
21 bicycles by affixing to the rear of each bicycle seat, and maintaining, in such a way as to be
22 visible when the bicycle is in use, a sign with the business name and the bicycle's individual
23 identification number, in a print of 72-point height and Helvetica medium-face type.

24 **SEC. 98.1. RESPONSIBILITY OF BICYCLE-RIDING EMPLOYEES.**

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1 Any person while making deliveries, or otherwise riding a bicycle on behalf of a business
2 making deliveries by bicycle, shall comply with the provisions of Section 98 of this Division I.

3 **SEC. 98.2. REGISTER AND DAILY LOG.**

4 Each business making deliveries by bicycle shall maintain a register of all bicycle-riding
5 employees including each employee's name, residence address, date of birth, photograph
6 and individual bicycle identification number required in Section 98 of this Ordinance. Each
7 such business shall also keep a daily log which lists the name of each messenger working
8 that day and the bicycle number assigned to each messenger for that day. Such register and
9 daily log shall be made available for inspection by a representative of any law enforcement
10 agency at all times during regular business hours.

11 **SEC. 98.3. PENALTY.**

12 Any person, firm, or corporation violating Sections 98 through 98.2 shall be guilty of an
13 infraction and upon conviction thereof shall be punished for the first offense by a fine not to
14 exceed \$50; for the second offense within a period of one year from the date of the first
15 offense by a fine not to exceed \$100; for the third and each additional offense committed
16 within one year from the date of the first offense by a fine not to exceed \$250.

17 **SEC. 100.2. CRIMINAL PENALTY.**

18 Any person who violates any provision of this ordinance shall be guilty of an infraction, and,
19 upon the conviction thereof, shall be punished for the first offense by a warning or a fine of not
20 less than \$25 nor more than \$50; and for a second offense and each additional offense by a
21 fine of not less than \$50 nor more than \$250.

22 **ARTICLE 7: BICYCLE REGISTRATION PROGRAM**

23 **SEC. 109.1. VOLUNTARY REGISTRATION.**

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1 (a) Voluntary Registration. Any bicycle owner, including the owner of a business that rents
2 bicycles, may register a bicycle in accordance with regulations of the San Francisco Police
3 Department. Such regulations shall designate locations including commercial bicycle dealers
4 and public events where bicycle registration may be conducted.

5 (b) Registration Records. The Chief of Police shall maintain records of bicycle registration that
6 include the bicycle serial number, the registration number, a description of the bicycle, the
7 name, address and telephone number of the registered owner, and such other information
8 that the Chief concludes will deter theft, impede frequency of and facilitate recovery of a
9 stolen bicycle.

10 (c) Bicycle Registration Program. When the Police Department takes possession of a
11 registered bicycle, the Department shall utilize registration records to notify the registered
12 owner where the bicycle may be recovered from the Police Department.

13 (d) Bicycle Safety Education. Bicycle and public safety or other relevant educational
14 information that has been approved by the Chief of Police and the Bicycle Advisory
15 Committee may be distributed to bicycle registrants at the time the registration is completed.

16 (e) Registration Confidentiality. The disclosure of personal information about a registered
17 bicycle owner constitutes an unwarranted invasion of personal privacy. Such information shall
18 not be disclosed except where necessary to the administration of the bicycle registration
19 program and the detection of bicycle theft and the recovery of stolen bicycles.

20 (f) Report of Program. The Chief of Police shall submit a quarterly report on voluntary bicycle
21 registration to the Board of Supervisors, the Police Commission, the Parking and Traffic
22 Commission, and the Bicycle Advisory Committee. The report shall include the following:

23 (1) The total number of bicycles registered to date, and the number of all bicycle
24 registrations completed during the quarter;

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- 1 (2) The number of bicycles found or recovered by the Police Department during the
2 quarter;
- 3 (3) The number of registered bicycles found or recovered during the quarter;
- 4 (4) The number of bicycles that have been reported stolen during the quarter; and
- 5 (5) The number of bicycles in storage at the end of the quarter, and the number of
6 bicycles that were disposed of during the quarter by return to owner, sale, dismantling,
7 or any other means.

8 (g) Termination of Program. In the event this Article is repealed, or the bicycle registration
9 program is otherwise suspended or terminated, the Chief of Police shall notify all persons of
10 such termination or suspension who have registered a bicycle within the previous five years.

11 **SEC. 109.2. – ADMINISTRATIVE FEE.**

12 (a) Registration Fee. Upon registration of a bicycle, the Police Department shall collect a fee
13 in the amount of \$5.00 to recover costs incurred by the Police Department in all aspects of the
14 administration of the bicycle registration program. Such fee shall be \$5.00 and shall not
15 exceed costs necessary to the administration of the bicycle registration program and to the
16 promotion of safe bicycling in San Francisco. The promotion of safe bicycling in San
17 Francisco shall include efforts by the Police Department to help bicycle owners to remember
18 the serial numbers of their bicycles, and to encourage bicycle owners properly to lock their
19 bicycles. The administrative costs may include, but not be limited to, supplies, computer
20 equipment, and personnel costs. The fee shall not be subject to the reimbursement provisions
21 of Section 10C.1 of the Administrative Code.

22 (b) Filing Fee. The San Francisco Police Department shall collect a fee in the amount of \$1.00
23 for the replacement of a bicycle registration certificate, the filing of a change of address by the
24 registered owner, or the filing of a transfer of ownership.

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1 (c) The fees shall be evaluated and reviewed annually pursuant to the San Francisco
2 Administrative Code. In the event an ordinance that could repeal this Article so as to terminate
3 or substantially diminish the protections afforded by the bicycle registration program is
4 reintroduced before the Board of Supervisors, the Chief of Police shall cause notice of the
5 prepared ordinance to be mailed to all persons who have registered within the immediately
6 preceding five years of the date of introduction of the prepared ordinance.

7 (d) Deposit of Revenue. The revenue received by the Police Department through the
8 collection of the administrative fee shall be deposited with the City and County Treasurer.

9 **SEC. 109.3. BICYCLE REGISTRATION FUND.**

10 (a) Establishment of Fund. There is hereby established the Bicycle Registration Fund (the
11 "Fund") for the purpose of the deposit and the expenditure of administrative fees collected by
12 the Police Department for the registration of bicycles pursuant to this Article.

13 (b) Appropriation of Funds. Subject to the budgetary, fiscal and procurement provisions of the
14 Charter, funds shall be appropriated by the Board of Supervisors to reimburse the Police
15 Department for the costs of departmental administration of the bicycle registration program,
16 and for public information that is administered by the Police Department that promotes safe
17 bicycling in San Francisco.

18 (c) Report of Expenditures. The Chief of Police shall submit a quarterly report to the Board of
19 Supervisors, the Police Commission, the Parking and Traffic Commission, and the Bicycle
20 Advisory Committee that states the expenditures from the Fund for that quarter. The quarterly
21 report shall state the amount of revenue deposited in the Fund, the remaining balance at the
22 end of the quarter, and an itemization of expenditures and the purpose of each expenditure.

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1 (d) Balance of Fund. The balance remaining in the Bicycle Registration Fund at the end of
2 each fiscal year shall be carried forward in the Fund to the following fiscal year for the
3 purposes provided by this Section.

4 **ARTICLE 8: REMOVING AND IMPOUNDING VEHICLES' TRAFFIC OFFENDER FUND**
5 **SEC. 170.2-B. TRAFFIC OFFENDER FUND.**

6 (a) Establishment of Fund. There is hereby established a special fund for the purpose of
7 receiving and expending fees collected for the impoundment of a vehicle from the public right
8 of way. Said special fund shall be known and designated as the Traffic Offender Fund.

9 (b) Expenditure of Monies. The appropriation of all monies in the Traffic Offender Fund
10 ("Fund") shall be made exclusively for the purposes of the Traffic Offender Program. The
11 Traffic Offender Program shall include the enforcement of, education for, and prosecution of a
12 suspended or revoked driving privilege, unlicensed driver, and persons driving under the
13 influence of alcohol or drugs. Expenditures shall include, but not be limited to, purchase of
14 equipment, contractual services, material and supplies, any other technology necessary to
15 prosecute the case, and personnel costs, including salary and benefits for a Deputy District
16 Attorney and a part-time law clerk, specifically provided to the program. The administration of
17 the Fund shall conform to the provisions of the Charter, annual appropriation ordinance, and
18 the procurement procedures as prescribed by the Controller and the Purchaser.

19 (c) Accumulation of Monies in Fund. The balance remaining in the Traffic Offender Fund at
20 the close of any fiscal year shall be deemed to have been provided for a specific purpose and
21 shall be carried forward and accumulated in said Fund for the purposes recited herein.

22 **SEC. 172.06. NO COMPENSATION TO OWNER OF PRIVATE PROPERTY.**

23 Any tow car firm or tow car operator that directs any award, bonus or compensation of any
24 kind to the owner or person in lawful possession of private property for the purpose of
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1 securing an order or contract for the removal of vehicles pursuant to Vehicle Code Section
2 22658 shall be guilty of a misdemeanor and upon conviction shall be fined no less than \$100.

3 **ARTICLE 9: PARKING METER REGULATIONS**

4 **SEC. 200. DEFINITIONS.**

5 The words "parking meter," when used herein, shall mean any device which, upon payment,
6 registers the time that a vehicle may park in a particular space.

7 **SEC. 202.1. PROHIBITING PARKING IN ANY PARKING METER ZONES WITHOUT** 8 **PAYMENT.**

9 Except as may be authorized in Divison II of the Transportation Code, no person shall park
10 any vehicle in any parking meter zone without making immediate payment to the appropriate
11 parking meter; nor shall any person permit any vehicle to remain in any parking meter zone
12 during any time when said parking meter indicates that no portion remains of the period for
13 which payment was made.

14 **SEC. 206. DELINEATING AREA COMPRISING PARKING METER ZONE.**

15 The Director of Parking and Traffic shall have full power and authority to allot and cause to be
16 indicated by suitable lines or by other means of indication, the space within which any vehicle
17 must be parked on any street or block on which parking meters are installed, as well as to
18 select the particular part of the curb or sidewalk adjacent to the said parking meter zone on
19 which said parking meter shall be installed.

20 **SEC. 207. DEPOSIT OF SLUGS, ETC., PROHIBITED.**

21 It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device,
22 or substitute for a coin of the United States or for any other authorized payment device.

23 **SEC. 208. WILLFUL DAMAGE TO PARKING METERS PROHIBITED.**

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1 It shall be unlawful for any unauthorized person to deface, injure, tamper with, open or willfully
2 break, destroy or impair the usefulness of any parking meter installed under the terms of this
3 ordinance.

4 **SEC. 209. REQUIREMENT FOR DEPOSIT OF COIN-POLICE REGULATION AND**
5 **INSPECTION FEES.**

6 The coins required to be deposited as provided herein are hereby levied as police regulation
7 and inspection fees to cover the cost of inspection and regulation involved in the inspection,
8 installation, operation, control and use of the parking spaces and parking meters described
9 herein and involved in checking up and regulating the parking of vehicles in the parking meter
10 zones created hereby, as well as for the regulation of traffic.

11 **SEC. 210. PENALTIES FOR VIOLATIONS.**

12 (a) Except as provided in Subsection (b) below, any person violating any of the provisions of
13 this Article shall be guilty of an infraction and upon conviction thereof shall be punished by a
14 fine of not less than \$15 nor more than \$50 for each offense as set forth by ordinance of the
15 Board of Supervisors. Each such person shall be guilty of a separate and distinct offense for
16 each and every hour of any unauthorized occupancy of a parking meter zone in violation of
17 Section 202 of this Article after the issuance of the first citation therefore and shall be
18 punished accordingly.

19 (b) Any person violating Section 202.1 shall be guilty of an infraction and upon conviction
20 thereof shall be punished by a fine of not less than \$20 nor more than \$50 for each offense as
21 set forth by ordinance of the Board of Supervisors. Each such person shall be guilty of a
22 separate and distinct offense for each and every hour of any unauthorized occupancy of a
23 parking meter zone in violation of Section 202.1 of this Article after the issuance of the first
24 citation therefore and shall be punished accordingly.

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1 **SEC. 211. SEVERABILITY CLAUSE.**

2 If any Section, Subsection, sentence, clause or phrase of this Article is for any reason held to
3 be unconstitutional, such decision shall not affect the validity of the remaining portions of this
4 Article. The Board of Supervisors hereby declares that it would have passed this Article and
5 each Section, Subsection, sentence, clause and phrase thereof, irrespective of the fact that
6 any one or more Sections, Subsections, sentences, clause or phrase be declared
7 unconstitutional.

8 **SEC. 219. PARKING METER ZONES FOR MOTORCYCLES ONLY.**

9 In any parking meter area, the Director of Parking and Traffic may establish parking meter
10 zones for the exclusive use of motorcyclists. No person shall stop or park any vehicle other
11 than a motorcycle in a parking meter zone marked or signed for motorcycles only. Non-
12 motorcycle vehicles parked in designated motorcycle zones shall be designated a hazard, and
13 shall be subject to removal under the provisions of the California Vehicle Code Sections
14 22651(b) and 22651(n). Signs shall be posted designating such motorcycle parking zones as
15 tow-away zones for any non-motorcycle vehicles left parked, stopped, or standing.

16 In any parking meter area, the Director of Parking and Traffic may designate for the exclusive
17 parking of motorcycles any available curb space three feet or more in length but too small for
18 the parking of automobiles.

19 **ARTICLE 10: SERVICE AUTHORITY FOR ABATEMENT OF ABANDONED VEHICLES**

20 **SEC. 225. SERVICE AUTHORITY ESTABLISHED.**

21 A Service Authority for the Abatement of Abandoned Vehicles is hereby established pursuant
22 to the provisions of Section 22710 of the California Vehicle Code. The members of the
23 Municipal Transportation Agency Board of Directors Parking and Traffic Commission of the
24 City and County of San Francisco shall serve ex officio as the members of the Service
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1 Authority for the Abatement of Abandoned Vehicles. Except as otherwise provided in this
2 Article 11, the Service Authority shall have all of the powers and be subject to all of the
3 conditions, restrictions and obligations that are set forth in Section 22710 of the California
4 Vehicle Code.

5 **SEC. 226. SERVICE FEE FOR ABANDONED VEHICLE TRUST FUND.**

6 Imposition of a service fee of \$1 on vehicles registered to an owner with an address in the City
7 and County of San Francisco for deposit in the Abandoned Vehicle Trust Fund, as permitted
8 by Section 9250.7 of the California Vehicle Code, is hereby approved, and the Service
9 Authority for the Abatement of Abandoned Vehicles is authorized to enact a resolution
10 imposing such service fee pursuant to said Section 9250.7.

11 **ARTICLE 11: ABATEMENT AND REMOVAL OF ABANDONED VEHICLES**

12 **SEC. 230. PUBLIC NUISANCE: FINDINGS AND DECLARATIONS.**

13 The Board of Supervisors makes the following findings and declarations:

14 The accumulation and storage of abandoned, wrecked, dismantled, or inoperative vehicles or
15 parts thereof on private or public property creates conditions tending to reduce the value of
16 private property, to promote blight and deterioration, to invite plundering, to create fire
17 hazards, to constitute an attractive nuisance creating a hazard to the health and safety of
18 minors, to create harborage for rodents and insects and to be injurious to the health, safety
19 and general welfare. Accordingly, the presence of an abandoned, wrecked, dismantled or
20 inoperative vehicle or parts thereof, on private or public property, except as expressly
21 permitted by the San Francisco Municipal Code, is hereby declared to constitute a public
22 nuisance that may be abated as such in accordance with applicable laws.

23 **SEC. 232. EXCEPTIONS.**

24 This Article shall not apply to:
25

1 (a) A vehicle or part thereof which is completely enclosed within a building or behind a fence
2 in a lawful manner where it is not visible from the street or other public or private property; or
3 (b) A vehicle or part thereof which is stored or parked in a lawful manner on private property in
4 connection with the business of a licensed dismantler, licensed vehicle dealer, or when such
5 storage or parking is necessary to the operation of a lawfully conducted business or
6 commercial enterprise.

7 **SEC. 234. ENFORCEMENT BY HEALTH DEPARTMENT.**

8 Except as provided elsewhere in the Transportation Code, with respect to the abatement of
9 abandoned vehicles from public property, the provisions of this Article shall be administered
10 and enforced by the Director of Public Health. The Director of Public Health may enter upon
11 private property to examine said vehicle or parts thereof, or obtain information as to the
12 identity of said vehicle and to remove or cause the removal of said vehicle or part thereof
13 declared to be a nuisance pursuant to this Article when there are reasonable grounds to
14 believe that a vehicle or parts thereof is abandoned, wrecked, dismantled or inoperative.

15 **SEC. 235. DIRECTOR OF TRANSPORTATION TO ENTER INTO CONTRACTS.**

16 The Director of Public Health may charge the owner of the property for the actual cost of
17 removal of the vehicle or parts thereof pursuant to this Article, in accordance with the
18 requirements of Vehicle Code Section 22523.

19 **SEC. 236. INDEPENDENT CONTRACTORS.**

20 When the Director of Transportation has contracted with or granted a franchise to any person
21 or persons, such person or persons shall be authorized to enter upon private property or
22 public property to remove or cause the removal of a vehicle or parts thereof declared to be a
23 nuisance pursuant to this Division I.

24 **SEC. 237. FIXING COST OF ADMINISTRATION.**

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1 The Director of Public Health shall from time to time determine and fix an amount to be
2 assessed as an administrative fee (excluding the actual cost of removal of the vehicle or parts
3 thereof) for the actual costs of implementing this Article.

4 **SEC. 238. AUTHORITY TO CAUSE ABATEMENT.**

5 Upon discovering the existence of an abandoned, wrecked, dismantled, or inoperative vehicle,
6 or parts thereof, on private property or public property within the City, the Director of Public
7 Health shall have the authority to cause the abatement and removal thereof in accordance
8 with the procedure prescribed herein and applicable state law.

9 **SEC. 239. NOTICE OF INTENTION TO ABATE AND REMOVE ABANDONED VEHICLES.**

10 A 10-day notice of intention to abate and remove the vehicle, or parts thereof, as a public
11 nuisance shall be mailed by registered or certified mail to the owner of the land and to the
12 owner of the vehicle, unless the vehicle is in such condition that identification numbers are not
13 available to determine ownership. The notice of intention shall be in substantially the following
14 forms:

15 NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED,
16 DISMANTLED, OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC
17 NUISANCE

18 (Name and address of owner of the land)

19 As owner shown on the last equalized assessment roll of the land located at (address), you
20 are hereby notified that the undersigned pursuant to (section of ordinance or municipal code)
21 has determined that there exists upon said land an (or parts of an) abandoned, wrecked,
22 dismantled or inoperative vehicle registered to, _____, license number _____, which
23 constitutes a public nuisance pursuant to the provisions of (ordinance or municipal code
24 chapter number).

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1 You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of
2 a vehicle) within 10 days from the date of mailing of this notice, and upon your failure to do so
3 the same will be abated and removed by the City and County of San Francisco and the costs
4 thereof, together with administrative costs, may be assessed to you as owner of the land on
5 which said vehicle (or said parts of a vehicle) is located.

6 As owner of the land on which said vehicle (or said parts of a vehicle) is located you are
7 hereby notified that you may, within 10 days after the mailing of this notice of intention,
8 request in writing a public hearing and if such a request is not received by the Director of
9 Public Health the Director of Public Health shall have the authority to abate and remove said
10 vehicle (or said parts of a vehicle) as a public nuisance and assess the cost as aforesaid
11 without a public hearing. You may submit a sworn written statement within such 10-day period
12 denying responsibility for the presence of said vehicle (or said parts of a vehicle) on said land
13 with your reasons for denial, and such statement shall be construed as a request for hearing
14 at which your presence is not required. You may appear in person at any hearing requested
15 by you or the owner of the vehicle, or, in lieu thereof, may present a sworn written statement
16 as aforesaid in time for consideration at such hearing.

17 Notice Mailed _____	s/ _____
18 (Date)	(Locally Designated Officer)

19 NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED,
20 DISMANTLED OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC
21 NUISANCE

22 (Name and address of last registered and/or legal owner of record of vehicle— notice should
23 be given to both if different)
24
25

1 As last registered (and/or legal) owner of record of (description of vehicle-make model,
2 license, etc.) you are hereby notified that the undersigned pursuant to (section or ordinance or
3 municipal code) has determined that said vehicle (or parts of a vehicle) exists as an
4 abandoned, wrecked, dismantled or inoperative vehicle at (describe location on public or
5 private property) and constitutes a public nuisance pursuant to the provisions of (ordinance or
6 municipal code chapter number).

7 You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of
8 a vehicle) within 10 days from the date of mailing of this notice. As registered (and/or legal)
9 owner of said vehicle (or said parts of vehicle), you are hereby notified that you may, within 10
10 days after the mailing of this notice of intention, request in writing a public hearing and if such
11 a request is not received by the Director of Public Health within such 10-day period, the
12 Director of Public Health shall have the authority to abate and remove said vehicle (or said
13 parts of a vehicle) without a hearing.

14 Notice Mailed _____	s/ _____
15 (Date)	(Locally Designated Officer)

16 **SEC. 240. REQUEST FOR PUBLIC HEARING BY INTERESTED PARTIES.**

17 Upon written request by the owner of the vehicle or owner of the land received by the Director
18 of Public Health within 10 days after the mailing of the notices of intention to abate and
19 remove, a public hearing shall be held by the Director of Public Health on the question of
20 abatement and removal of the vehicle or parts thereof as an abandoned, wrecked, dismantled
21 or inoperative vehicle, and the assessment of the administrative costs and the cost of removal
22 of the vehicle or parts thereof against the property on which it is located.

23 If the owner of the land submits a sworn written statement denying responsibility for the
24 presence of the vehicle on his land within such 10-day period, said statement shall be
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1 construed as a request for a hearing which does not require his presence. Notice of the
2 hearings shall be mailed, by registered or certified mail, at least 10 days before the hearing to
3 the owner of the land and to the owner of the vehicle, unless the vehicle is in such condition
4 that identification numbers are not available to determine ownership. If such a request for
5 hearing is not received within 10 days after mailing of the notice of intention to abate and
6 remove, the City and County of San Francisco shall have the authority to abate and remove
7 the vehicle or parts thereof as a public nuisance without holding a public hearing.

8 **SEC. 241. CONDUCT OF HEARING: NOTIFICATION OF FINDINGS: IMPOSITION OF**
9 **COSTS.**

10 All hearings conducted pursuant to this Article shall be held before the Director of Public
11 Health. Testimony at the hearing may include the testimony on the condition of the vehicle or
12 parts thereof and the circumstances concerning its location on the said private property or
13 public property. The Director of Public Health shall not be limited to the technical rules of
14 evidence. The owner of the land may appear in person at the hearing or present a sworn
15 written statement in time for consideration at the hearing, and deny responsibility for the
16 presence of the vehicle on the land, stating the reasons for such denial.

17 The Director of Public Health may impose such conditions and take such other action as he or
18 she deems appropriate under the circumstances to carry out the purpose of this Ordinance.
19 He may delay the time for removal of the vehicle or parts thereof, if in his opinion, the
20 circumstances justify it. At the conclusion of the public hearing, the Director of Public Health
21 may find that a vehicle or parts thereof has been abandoned, wrecked, dismantled, or is
22 inoperative on private or public property and order the same removed from the property as a
23 public nuisance and disposed of as hereinafter provided and determine the administrative
24 costs and the cost of removal to be charged against the owner of the land. The order requiring
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1 removal shall include a description of the vehicle or parts thereof and the correct identification
2 number and license number of the vehicle, if available.

3 If it is determined at the hearing that the vehicle was placed on the land without the consent of
4 the owner of the land and that the land owner has not subsequently acquiesced in its
5 presence, the Director of Public Health shall not assess the costs of administration or removal
6 of the vehicle against the property upon which the vehicle is located or otherwise attempt to
7 collect such costs from the property owner.

8 If the property owner submits a sworn written statement denying responsibility for the
9 presence of the vehicle on the property but does not appear, or if an interested party makes a
10 written presentation to the Director of Public Health but does not appear, the property owner
11 shall be notified in writing of the decision.

12 **SEC. 242. DISPOSAL OF VEHICLE.**

13 Five days after adoption of the order declaring the vehicle or parts thereof to be a public
14 nuisance or five days from the date of mailing of notice of the decision if such notice is
15 required by Section 241, the vehicle or parts thereof, shall be disposed of as required by state
16 law.

17 **SEC. 243. NOTICE TO DEPARTMENT OF MOTOR VEHICLES.**

18 Within five days after the date of removal of the vehicle or parts thereof, notice shall be given
19 to the Department of Motor Vehicles identifying the vehicle or parts thereof removed. At the
20 same time there shall be transmitted to the Department of Motor Vehicles any evidence of
21 registration available, including registration certificates, certificates of title and license plates.

22 **SEC. 244. ASSESSMENT OF COSTS AGAINST LAND.**

23 If the administrative costs and the cost of removal which are charged against the owner of a
24 parcel of land pursuant to Section 241 are not paid within 30 days of the date of the order,
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1 such costs shall be assessed against the parcel of land pursuant to Section 25845 of the
2 Government Code and shall be transmitted to the Tax Collector for collection. Said
3 assessment shall have the priority as other City and County of San Francisco taxes.

4 **SEC. 245. CONTINUING APPROPRIATION ACCOUNT.**

5 There is hereby created in the General Fund a continuing appropriation account entitled "The
6 Abandoned Vehicle Abatement and Removal Fund." This account shall be credited with such
7 sums as may be appropriated by the Board of Supervisors, amounts collected by the Director
8 of Public Health or the Director of Transportation, sums received in payment of special
9 assessments and moneys received from the Abandoned Vehicle Trust Fund pursuant to
10 Section 9250.7 of the California Vehicle Code. Expenditures from said Fund shall be made to
11 pay for the abatement and removal of nuisances pursuant to this Article. All moneys received
12 from the Abandoned Vehicle Trust Fund shall be segregated and used only for abatement,
13 removal and disposal of abandoned, wrecked, dismantled or inoperative vehicles or parts
14 thereof. In the event that the unexpended balance in said account, excluding moneys received
15 from the Abandoned Vehicle Trust Fund, shall exceed \$200,000, such excess shall be
16 transferred to the unappropriated balance of the General Fund.

17 **ARTICLE 12: TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS**

18 **SEC. 800. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND**
19 **TRANSPORTATION (ISCOTT).**

20 There is hereby established a committee to be known as the Interdepartmental Staff
21 Committee on Traffic and Transportation (ISCOTT), consisting of the department heads or
22 their designated representatives from the following departments and agencies: Parking and
23 Traffic, Public Works, Police, Fire, Public Health, Municipal Railway, City Planning, and
24 Entertainment Commission. The Director of the Department of Parking and Traffic, or his or
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1 her designee shall serve as Chair of ISCOTT. The Director of Administrative Services or his or
2 her designee shall review recycling plans and recommend with ISCOTT when the Committee
3 considers for approval applications for the temporary use or occupancy of a public street, a
4 street fair or an athletic event which include the dispensing of beverages or other use which
5 generates large volumes of recyclable materials, pursuant to the provisions of Section 805. In
6 exercising its powers the Committee shall consult with any other City department or agency
7 that could be affected by any temporary use or occupancy of a public street. The Committee
8 shall have the authority to take all acts reasonably necessary for it to carry out any duties
9 imposed upon it by ordinance. Before acting on any application for temporary use or
10 occupancy of public streets, street fair or an athletic event, ISCOTT shall conduct a public
11 hearing at publicly noticed times and at places to be determined by the Committee.

12 **SEC. 801. REQUEST FOR PERMISSION FOR TEMPORARY USE OR OCCUPANCY OF**
13 **PUBLIC STREETS; PROCEDURE.**

14 (a) Any person seeking permission for the temporary use or occupancy of a public street
15 within the City and County shall file an application with, and on a form provided by, the
16 Director of the Department of Parking and Traffic (hereafter, the "Director"), and shall pay a
17 the filing fee established by the Municipal Transportation Agency Board of Directors.
18 An application shall not be accepted or approved for a proposed temporary use or occupancy
19 scheduled to occur fewer than seven calendar days after the application is submitted to the
20 Director, except as follows in this paragraph: (a) An application for a proposed temporary use
21 or occupancy scheduled to occur fewer than seven calendar days after the application date
22 may be filed for emergency consideration. The Director shall consider the request if the
23 applicant has demonstrated that an extraordinary emergency exists that requires the closing
24 of a street, and provided that there is adequate time available for the Director to conduct the
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1 required public hearing and post notice of the scheduled hearing at least 24 hours in advance
2 of the hearing. (b) The Mayor's Film and Video Arts Commission (the "Film Commission"), or
3 other successor commission or division of the Mayor's office, may file with the Director an
4 application on behalf of a film or other video production company (which company shall be
5 responsible for the payment of all applicable fees) for a proposed temporary use or occupancy
6 scheduled to occur fewer than seven calendar days after the application date, provided that
7 there is adequate time available for the Director to conduct the required public hearing and
8 post notice of the scheduled hearing at least 24 hours in advance of the hearing. The Film
9 Commission (or the film company on whose behalf the application was made) shall (i) notify
10 residents, merchants and other occupants of the public street(s) to be closed of the dates
11 proposed for street closure, and (ii) notify any and all affected City departments, including the
12 Chief of Police, the Director of Transportation and the Director of the Department of Public
13 Works.

14 The completed application shall include, when applicable, maps and/or drawings which
15 identify the streets that would be affected, describe the scope and design of the event,
16 including illustrations of the location of staging, food booths, seating, and a diagram of an
17 emergency access plan. In addition, the Director may request such additional information as
18 is necessary to allow ISCOTT to make an informed evaluation of the proposed temporary use
19 or street occupancy. In the case of "major events," as defined in Section 802, applicants shall
20 submit an emergency medical services plan.

21 Applicants shall be responsible for posting notice of the public hearing at least seven calendar
22 days prior to the hearing at which the application will be reviewed by ISCOTT. Such notice
23 shall include a description of the streets that would be affected and shall be posted in the area
24 of the proposed temporary use or street occupancy according to rules and regulations
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1 prescribed by the Director. A declaration under penalty of perjury shall be submitted to the
2 Director by the applicant attesting that the required public notices have been posted.
3 Upon receipt, the Director shall refer such a request to ISCOTT for its review and approval, or
4 disapproval.

5 (b) ISCOTT Review and Approval Process. In reviewing an application, ISCOTT shall:
6 Consider the impact of the temporary use or occupancy of public streets on the traffic,
7 security, health, and safety of the public; determine the traffic, security, health, and safety
8 requirements of the proposed temporary use or occupancy; and evaluate the measures
9 proposed by the applicant to satisfy those requirements. For major events, ISCOTT shall
10 forward the applicant's proposed emergency medical services plan to the Director of
11 Emergency Medical Services and Emergency Operations Section (EMSEO). ISCOTT shall
12 consider the recommendations of EMSEO regarding the proposed emergency medical
13 services plan. It shall be the duty of ISCOTT to also consider the following:

- 14 1. Demonstrated ability of the applicant to comply with requirements necessary to protect the
15 safety, health, and welfare of the public.
- 16 2. Duration of the temporary use or street occupancy and the City's ability to accommodate
17 such use or occupancy with the necessary resources.
- 18 3. Overextension of the City's resources because of previously approved temporary use or
19 occupancy of public streets or other activities that could cause scheduling conflicts during the
20 same period.
- 21 4. The availability of an appropriate emergency access plan.
- 22 5. The number of major events (as defined in Section 802 below) scheduled during the
23 period for which the applicant seeks a permit, the nature and location of the major events, and
24 the demand these major events will have on the City's resources, including its police,

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1 emergency and sanitation personnel. In considering the major events for which applications
2 have been filed and/or approved, ISCOTT should give priority based on the chronological
3 order in which the applications are received, and applicants denied permission on the basis
4 that there are too many major events already approved or pending for approval shall be
5 offered alternative dates by ISCOTT. Notwithstanding this provision, ISCOTT may, in its
6 discretion, grant preference to recurring events traditionally or historically associated with a
7 particular day or dates, provided that applications, once approved, cannot be revoked
8 because of the subsequent filing of an application for a permit for an event traditionally or
9 historically associated with a particular day or dates.

10 6. If the application is related to a filming project to be conducted by the applicant, the
11 Director and ISCOTT shall notify the Film Commission (or other successor commission or
12 division of the Mayor's office) and shall consider such conditions and criteria as the Film
13 Commission shall attach to the application.

14 The ISCOTT committee may impose additional requirements or conditions it deems
15 necessary to protect the public interest by ensuring traffic management, security of property
16 and health and safety of citizens. At the time ISCOTT reviews the application, it shall also
17 determine the necessity of and the total estimated actual costs incurred by the Municipal
18 Railway to run motor coaches to accommodate the rerouting of electrically powered transit
19 vehicles because of restrictions which are imposed by the temporary street closing. The
20 applicant shall pay a fee to the Municipal Railway which is calculated by the Municipal
21 Transportation Agency based on the number of electrically powered vehicle hours per line
22 affected. For purposes of this provision, "vehicle hour" shall mean the number of hours each
23 coach on a line is in operation during the day of the street closing. If the application is
24 approved, the Director of Transportation shall transmit to the applicant an invoice for the fee.

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1 The applicant shall make full payment of the fee no later than five days prior to the date of the
2 street closing, or in accordance with a schedule agreed to by the Director of Transportation.
3 ISCOTT shall not disapprove any application for a temporary use or occupancy of public
4 streets because of the applicant's political, religious, or cultural orientation.

5 Notice of ISCOTT's action of approval or disapproval shall be submitted to the Director; the
6 Chief of Police; the Chief of the Fire Department; the Director of Health; the Director of
7 Transportation; the Director of Public Works; the Executive Director of the Entertainment
8 Commission; and the Director of City Planning, and be maintained as a matter of record. For
9 major events, notice of ISCOTT's action of approval or disapproval shall also be submitted to
10 the Director of EMSEO. The Director shall deem the application approved by ISCOTT as
11 submitted, if ISCOTT takes no action to approve or disapprove the application within 30 days
12 of receipt of the application.

13 (c) Appeals Process. Should the application be disapproved by ISCOTT, the applicant may
14 first appeal the decision to the Director if the application was filed at least 30 days prior to the
15 date of the proposed temporary use or occupancy. Such appeal shall be made by filing the
16 appeal with the Director on a form provided by the Director within five working days of
17 disapproval. Upon receipt, the Director shall set a time and place for hearing such appeal. In
18 considering the appeal the Director shall conduct a public hearing for which notice shall be
19 posted at least 72 hours in advance of the hearing at the Department of Parking and Traffic, at
20 the main library, and at the Office of the Clerk of the Board of Supervisors.

21 At the appeal hearing, the appellant and members of ISCOTT shall have an opportunity to
22 present oral testimony and written materials in support of their positions. The Director shall
23 conduct the hearing according to the same standards of review as set forth in Section 801(b)
24 hereof. Upon hearing the appeal, and after any further investigation by the Director, the
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1 Director may affirm, reverse, or modify the ISCOTT decision. Notice of the Director's action of
2 approval or disapproval shall be submitted to the Chief of Police, the Chief of the Fire
3 Department, the Director of Health, the Director of Transportation, the Director of Public
4 Works, the Executive Director of the Entertainment Commission, and the Director of City
5 Planning and be maintained as a matter of record.

6 If the Director denies the application after the appeal described in the preceding paragraph,
7 the applicant may then appeal the decision to the Board of Supervisors. Such appeal shall be
8 made by filing the appeal with the Clerk of the Board, on a form provided by the Clerk, within
9 five working days of the Director's disapproval. The Board may establish a fee to be imposed
10 upon the filing of any such appeal. Upon receipt, the Clerk shall set a time and place for
11 hearing such appeal by the Board of Supervisors, which hearing shall be at the Board's next
12 regular meeting, provided that all applicable public notice requirements are satisfied. The
13 Board shall conduct the hearing according to the same standards of review as set forth in
14 Section 801(b) hereof. Upon hearing the appeal, and after any further investigation that the
15 Board may request, the Board may affirm, reverse or modify the Director's decision. The
16 decision of the Board regarding the appeal shall be final.

17 Any permission for the temporary use of occupancy of a public street authorized pursuant to
18 these provisions shall be subject to the conditions set forth in Sections 807 and 808.

19 (d) Late Application. Should the applicant file an application for a proposed temporary use or
20 occupancy fewer than 30 days prior to the date of the proposed use or occupancy, and not far
21 enough in advance of the proposed use or occupancy to allow ISCOTT to consider the
22 application at a regularly scheduled meeting of ISCOTT, then the Director shall have the
23 responsibility and duty to consider and approve or disapprove the application after consulting
24 with the members of ISCOTT. The Director shall conduct a public hearing for which notice
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1 shall be posted at least 24 hours in advance of the hearing at the Department of Parking and
2 Traffic, the main library, and at the Office of the Clerk of The Board of Supervisors. At the
3 hearing, the applicant and interested persons shall have an opportunity to present oral
4 testimony and written materials in support of their position. The Director shall conduct the
5 hearing according to the same standards of review as set forth in Section 801(b) hereof.
6 Notice of the Director's action of approval or disapproval shall be submitted to the Chief of
7 Police, the Chief of the Fire Department, the Director of Health, the Director of Transportation,
8 the Director of Public Works, the Executive Director of the Entertainment Commission, and
9 the Director of City Planning, and shall be maintained as a matter of record. In the event the
10 Director disapproves the application, the applicant shall have the right to appeal the Director's
11 decision to the Board of Supervisors in accordance with the same terms and conditions as set
12 forth in Subsection (c) of this Section above.

13 **SEC. 802. MAJOR EVENTS DEFINED.**

14 "Major events" are those events, including athletic events and street fairs, involving any of the
15 following: The use or occupancy of more than five blocks, the expected attendance or
16 participation of more than 1,000 people at any one time, or the rerouting of more than three
17 Municipal Railway transit lines. "Major events" shall also include any sports events at
18 Candlestick Park with expected attendance of more than 50,000 people, or any parade
19 governed by the provisions of Police Code Section 366 et seq.

20 **SEC. 803. INSURANCE.**

21 Sponsors of major events shall be required to provide an insurance policy naming the City as
22 an additional insured, in a form approved by the Office of Risk Management. Coverage shall
23 be in an amount of \$1,000,000 or more, as determined by the Office of Risk Management.
24 This insurance requirement shall be waived by the Committee of the Board where the event
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1 constitutes the exercise of rights protected under the First Amendment to the United States
2 Constitution, and the event sponsor submits a sworn statement of indigency.

3 **SEC. 804. NOTICE.**

4 The Clerk of the Board of Supervisors shall transmit copies of any legislation approving a
5 temporary street closing to the Director of Public Works, Chief of Police, the Chief of the Fire
6 Department, the Superintendent of Emergency Hospital Service of the Department of Public
7 Health, the Executive Director of the Entertainment Commission, and to the General Manager
8 of the Municipal Railway. For major events, the Clerk of the Board of Supervisors shall
9 transmit copies of any legislation approving a temporary street closing to the Director of
10 EMSEO.

11 **SEC. 805. RECYCLING, COLLECTION AND DISPOSITION.**

12 (a) Any applicant seeking permission for the temporary use or occupancy of a public street, a
13 street fair or an athletic event within the City and County for an activity or special event that
14 includes dispensing of beverages from glass, aluminum, or plastic containers, or which
15 causes to be generated large amounts of other recyclable materials, shall be required to
16 submit a plan demonstrating a good-faith effort to provide a method to separate glass,
17 aluminum and plastic beverage containers or other materials for the purpose of recycling.

18 (b) Disposition of Recyclable Materials. Prior to the review by ISCOTT of such application,
19 the applicant shall submit to the chair of ISCOTT the following information:

20 (1) A plan which describes the number and location of source-separated recycling containers
21 which are necessary to ensure convenient utilization and protect public health and safety; and

22 (2) Documentation that collection services shall be performed by a private or nonprofit
23 source.

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1 (c) Collection of Recyclable Containers. At the time ISCOTT considers the application, it
2 shall determine that all of the necessary information has been submitted and that the
3 measures proposed by the applicant shall provide for the collection and disposition of source-
4 separated materials. The applicant shall pay a deposit in the amount of \$100, for each day of
5 the event, to the Director of Public Works, at the time the application is filed, which shall be
6 forfeited if applicant fails to collect recyclable materials and deposit said materials at a
7 recycling facility. Such deposit shall be refunded in full to the permittee, by the Director of
8 Public Works, upon receipt of documentation which verifies that the collected material was
9 disposed at an appropriate recycling facility.

10 The Director of Public Works shall maintain records for a period of three years which
11 document the recycling performance of the applicant when a temporary use of a public street
12 is permitted. If an applicant for a temporary street closing, street fair or athletic event has been
13 granted approval in the past pursuant to a permit issued by the City and County of San
14 Francisco and failed to collect and dispose recyclable beverage containers, ISCOTT may
15 require the applicant to pay a deposit in an amount greater than that normally required, so
16 long as the increased amount is reasonably related to the anticipated costs of collecting and
17 disposing of recyclable materials. However, if an applicant who has failed to comply with a
18 recycling plan in the past has, since that occurrence, temporarily used a public street, or
19 sponsored a street fair or athletic event pursuant to a permit and has complied with a
20 recycling plan, the amount of the deposit normally required of applicants shall apply.

21 The Director of Administrative Services shall promulgate any rules and regulations necessary
22 or appropriate to carry out the purposes and requirements of this ordinance. Before issuing or
23 amending any rules or regulations, the Director of Administrative Services shall provide a 30-
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1 day public comment period by providing published notice in an official newspaper of general
2 circulation in the City of the intent to issue or amend the regulations.

3 **SEC. 806. TEMPORARY USE OF STREETS FOR STREET FAIRS.**

4 (a) Definitions. For the purpose of this Section, the following definitions shall apply:

5 (1) "Director" means the Director of the Department of Parking and Traffic or his or her
6 designee.

7 (2) To "issue" a permit is to deliver to an applicant for a street fair permit written permission
8 to sponsor or hold a street fair at a specified date and location.

9 (3) "Sponsor" means that organization responsible for organizing a street fair and authorized
10 to represent the street fair before City agencies and officials.

11 (4) A "street fair" means a social or community event, not including an athletic event or
12 parade, in which any group of persons convene to celebrate their community or neighborhood
13 on any street in the City and County of San Francisco which event obstructs or interferes with
14 the normal flow of vehicular traffic.

15 (b) Applying for Temporary Use of Street for Street Fair. Notwithstanding any other
16 provisions of the Administrative Code of the City and County of San Francisco, the regulation
17 of street fairs, including the processes for obtaining permits from the City for conducting these
18 street fairs and the payment of associated fees to the City, shall be governed by Section 806.

19 In order to provide for the safe, orderly and cost-effective conduct of street fairs, any
20 organization seeking permission for the temporary use of a street for the purpose of
21 conducting a street fair shall file an application with the Director no later than 90 days prior to
22 the proposed date for the event. Applications shall be submitted on forms prepared by the
23 Director after conferring with the appropriate representatives from the Police Department, Fire
24 Department, Department of Public Health, the Municipal Railway, the Department of Public
25

1 Works, Entertainment Commission, and the Department of Parking and Traffic. At the time of
2 filing an application under this Section, the sponsoring organization shall also file an
3 application fee established by the Municipal Transportation Agency Board of Directors.

4 (c) Timeliness of Applications. No person submitting an application after the deadlines set
5 forth in this ordinance shall be granted permission to conduct a street fair in the corresponding
6 period unless the person demonstrates to the satisfaction of the Director that the failure to
7 submit a timely application was justified by extraordinary circumstances; provided, however,
8 that in no event shall an applicant be permitted to file an application less than 60 days prior to
9 the proposed date for the event. A late fee established by the Municipal Transportation
10 Agency Board of Directors shall be assessed for untimely filed applications.

11 (d) Review of Application.

12 (1) Upon receiving an application for permission for the temporary use of a street for
13 purposes of conducting a street fair, the Director shall review the application to determine
14 whether the information required in the application has been provided. If the Director
15 determines that the applicant has failed to provide the information required, the Director shall,
16 within five business days of receiving the application, notify the applicant of what additional
17 information is required. If the applicant fails to provide the additional information required
18 within five business days of notification by the Director, the applicant's application shall be
19 deemed to be untimely filed; provided, however, that upon good cause shown the Director
20 may extend this five-day period. Except as provided in Subsection (2) of this Section, the
21 Director shall transmit the completed application to ISCOTT.

22 (2) If, upon reviewing the application, the Director determines that the proposed street fair
23 will be contained within one block in such a manner that no intersections will be closed, and
24 that the proposed street fair will not require the rerouting of Municipal Railway vehicles, the
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1 Director may grant the street fair permit without referring the application to ISCOTT, provided
2 however that the Director shall transmit copies of the applications to the constituent members
3 of ISCOTT for informational purposes. The Director will calculate the fee to be charged to the
4 sponsor using the same schedule and in the same manner as prescribed in Subsection (f) of
5 this Section. If such a street fair will include the sale of food or beverages, the appropriate
6 permits shall be obtained from the Department of Public Health no later than 14 days prior to
7 the date of the event. If such a street fair will include the use of propane or butane (liquefied
8 petroleum gas), open flames, pyrotechnics and fireworks, or tent or membrane structure, the
9 appropriate permits shall be obtained from the Fire Department no later than 10 days prior to
10 the date of the event.

11 (e) Review by ISCOTT; Recommendation. Except as provided in Subsection (d)(2) of this
12 Section, no later than 60 days prior to the proposed date of the street fair, ISCOTT shall
13 review the application and shall recommend that the Director grant, deny, or grant with
14 conditions the application for a permit. The Director may accept or reject the recommendation
15 of ISCOTT, and may grant, deny or grant with conditions the application for a permit. Upon
16 granting permission to conduct a street fair, the Director shall cause all necessary permits to
17 be issued to the sponsor of the street fair. If the Director denies permission to conduct the
18 street fair, the Director shall state in writing his or her reasons for the denial.

19 (f) Fee. No later than 60 days prior to the proposed date of the street fair and in consultation
20 with other City departments, ISCOTT shall determine the fee to be charged for the permit
21 pursuant to the schedule below. No other fee for conducting a street fair shall be required or
22 assessed. All fees paid by the sponsors for street fair permits shall be deposited in the
23 general fund. The fee shall be based on the actual costs to the City of temporarily closing the
24 street for the street fair, pursuant to the following fee schedule:

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1 TABLE INSET:

2

3 (1)

4 Fire Department:

5 (A) Application fee: \$129.00

6 (B) Inspection fee--Food vendors using propane, butane,

7 charcoal briquettes or open flame:

8 (i) First Day of Street Fair:

9 1 to 10 food vendors: \$163.28

10 11 to 20 food vendors: \$326.56

11 21 to 30 food vendors: \$489.84

12 31 food vendors and over:

13 \$652.92

14 (ii) Each Consecutive Day of Street

15 Fair:

16 1 to 20 food vendors: \$163.28

17 21 food vendors and over:

18 \$326.56

19 (C) LPG heaters: \$163.28 and \$40.82 for each hour after

20 four hours of service. Whenever an LPG heater is used in a

21 tent where a public assembly event is held, one inspector

22 shall be on duty during the duration of the operation of the

23 heater, pursuant to Section 2501.18.1 of the Municipal Fire

24 Code.

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1		(D)	Tents or membrane structures
2			Permit fee: \$146.00
3		(E)	Fireworks or pyrotechnics
4			Permit fee: \$90.00
5			
6	(2)		Department of Public Health: Application and permit fees payable
7			to the Department of Public Health under this section shall be the same
8			as those charged for temporary food permits for special events as
9			governed by Section 249.11 of the Business and Tax Regulations Code.
10			
11			
12	(3)		Municipal Railway fee: Fee to be established by the Municipal
13			Transportation Agency based on the number of per electrically powered
14			vehicle hour per line affected, where "vehicle hour" means the number of
15			hours each coach on a line is in operation during the day of the event.
16			
17	(4)	(A)	Street fairs where alcoholic beverages are served:
18			
19			100 percent of the projected Police Department costs
20			incurred by reason of the street fair, subject to the following
21			caps:
22			

TABLE INSET:

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ATTENDANCE	MAXIMUM FEE
0 to 100,000 patrons	\$5,000
100,001 to 250,000 patrons	\$10,000
More than 250,000 patrons	\$20,000

TABLE INSET:

		The Police Department, working with the sponsor, shall provide an estimate of attendance for the event for purposes of determining the applicable cap.
	(B)	Street fairs where alcoholic beverages are not served:
		Police Department: 40 percent of the projected Police Department costs incurred by reason of the street fair; provided, that this fee shall not exceed \$2,500. ISCOTT shall waive all or part of this fee upon a showing that the sponsors of the event are unable to pay the full fee.

If the Director grants the application for a permit, he or she shall transmit to the sponsor an invoice for the fee. The sponsor of the street fair shall make full payment of the fee no later than 10 days prior to the date of the event.

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1 (g) Insurance. Street fair sponsors shall be required to file with the Director proof of the
2 insurance required by Section 807(l) no later than the Thursday before the date of the street
3 fair.

4 (h) Conditions. In addition to any other conditions imposed by the Director, any street fair
5 conducted pursuant to this Article shall be subject to the conditions set forth in Section 807.

6 (i) Appeals. Any appeal from the denial of the issuance of a permit to conduct a street fair,
7 from the imposition of conditions on the issuance of a permit, or the determination or refund of
8 fees shall be to the Board of Supervisors. Such appeal shall be made by filing with the Clerk
9 of the Board, on a form provided by the Clerk of the Board, within 10 days of the Director's
10 approval or disapproval or the determination or refund of fees. The Board may establish a fee
11 to be imposed upon the filing of any such appeal. Upon receipt, the Clerk shall set a time and
12 place for hearing such appeal by the Board of Supervisors, which shall be at its next regular
13 meeting in conformance with public notice requirements.

14 At the appeal hearing, the appellant and Director shall have an opportunity to present oral
15 testimony and written materials in support of their positions. Upon hearing the appeal, and
16 after any further investigation that the Board may request, the Board may affirm, reverse, or
17 modify the Director's decision on the issue appealed.

18 (j) Notice. The Director shall transmit copies of the granting of permission to conduct a street
19 fair to the Chief of Police, the Chief of the Fire Department, the Director of Transportation, the
20 Director of Public Works, the Executive Director of the Entertainment Commission, the
21 Director of the Environmental Health Section of the Department of Public Health and the
22 Superintendent of Emergency Hospital Service of the Department of Public Health.

23 (k) Authorization to Sell Goods; Unauthorized Sales. The sponsor of a street fair shall
24 determine which individuals or organizations may sell goods or merchandise on a street that
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1 has been closed for the purposes of conducting a street fair, provided, however, that such
2 authorization shall not be withheld on the basis of the race, sex, religion, creed, national origin
3 or sexual orientation of the person seeking such authorization. Individuals seeking to sell
4 goods or merchandise in a street that has been closed for the purpose of a street fair without
5 the authorization of a sponsor may be cited for violating San Francisco Police Code Section
6 869 (peddling without a permit). Nothing in this Section shall be construed to deprive the
7 Department of Public Health of its authority to determine that foods or beverages may be sold.

8 (l) Refund of Fees. If for any reason a sponsor cancels a proposed street fair, the sponsor
9 shall be entitled to a refund of that portion of the fees paid, other than application fees,
10 representing the costs saved by City departments by reason of the cancellation of the street
11 fair.

12 (m) Annual Reports. No later than December 1st of each year, the Chief of Police and the
13 Director or their designees shall provide to the Board of Supervisors written reports setting
14 forth in detail the Police Department and Parking and Traffic Department costs, respectively,
15 associated with street fairs for that year.

16 (n) City Undertaking Limited to Promotion of General Welfare. In undertaking the adoption
17 and enforcement of this Section, the City is assuming an undertaking only to promote the
18 general welfare. It is not assuming, nor is it imposing on its officers or employees, an
19 obligation for breach of which the City is liable in money damages to any person who claims
20 that such breach proximately caused injury.

21 (o) Annual Adjustment of Fees. Beginning with fiscal year 2003-2004, fees set in this
22 Section, including the caps on fees for police services, may be adjusted each year, without
23 further action by the Board of Supervisors or the Municipal Transportation Agency Board of
24
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1 Directors, to reflect changes in the relevant Consumer Price Index, as determined by the
2 Controller.

3 No later than April 15th of each year, the officer, department, or agency administering the fees
4 shall submit its current fee schedule to the Controller, who shall apply the price index
5 adjustment to produce a new fee schedule for the following year.

6 No later than May 15th of each year, the Controller shall file a report with the Board of
7 Supervisors and the Municipal Transportation Agency Board of Directors reporting the new
8 fee schedule and certifying that: (a) the fees produce sufficient revenue to support the costs of
9 providing the services for which each fee is assessed, and (b) the fees do not produce
10 revenue which is significantly more than the costs of providing the services for which each fee
11 is assessed.

12 (p) Severability. If any part of this Section, or the application thereof, is held to be invalid, the
13 remainder of this ordinance shall not be affected there-by, and this ordinance shall otherwise
14 continue in full force and effect. To this end, the provisions of this ordinance, and each of
15 them, is severable.

16 **SEC. 807. CONDITIONS.**

17 Any permission for the temporary use or occupancy of a public street authorized by the City
18 and County of San Francisco shall be subject to the following conditions:

19 (a) The temporary use or occupancy of a public street shall not unnecessarily obstruct or bar
20 public access onto said street. Sidewalks shall remain open at all times for pedestrian use
21 unless closure of the sidewalk is provided for by resolution of the Board of Supervisors
22 explaining the reason for such closure.

23 (b) No object of any nature shall be placed or maintained within 15 feet of any fire hydrant or
24 within five feet of any fire alarm box or police call box.

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- 1 (c) No object of any nature shall be placed or maintained within any intersection or
2 pedestrian crosswalk nor shall any vehicle be permitted to be parked in such areas.
- 3 (d) A continuous passageway in the roadway at least 14 feet in width shall be maintained at
4 all times during the period of such use or occupancy for the use of emergency vehicles.
- 5 (e) No object of any nature shall be fastened to or erected over the surface of the street or
6 sidewalk, and no object shall be affixed to any pole or standard upon any street or sidewalk,
7 without prior written consent of the Director of Public Works.
- 8 (f) Painting upon any street or sidewalk surface shall be permitted only if a washable paint is
9 used.
- 10 (g) Adequate illumination of area shall be maintained at all times such illumination is
11 appropriate.
- 12 (h) Official traffic-control devices and traffic signal controllers shall not be covered or blocked
13 at any time during the period of such use or occupancy.
- 14 (i) Street barricades determined by the Police Department as being necessary to protect the
15 public's safety shall be delivered by the Police Department; shall be maintained in said
16 locations at all times during the period of such use or occupancy by the permittee; and shall
17 be returned to the San Francisco Police Department by the Police Department upon
18 termination of the period of said use or occupancy.
- 19 (j) All manhole covers and valve box covers shall be kept clear of any fixed object.
- 20 (k) All streets and sidewalks within the area for which such permission is granted shall be
21 kept clean and free from dirt and debris at all times during the period of such temporary use or
22 occupancy, and all materials and equipment used in connection with said temporary use and
23 occupancy shall be removed there from within 24 hours of the termination of the period of
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1 such use or occupancy. The Director of Public Works shall report any violations of this
2 subsection to the Board of Supervisors.

3 (l) Applications for permission to hold a street fair on a predominantly commercial street shall
4 be accompanied by evidence of insurance coverage as hereinafter set forth. For purposes of
5 this subsection, a "predominantly commercial street" shall mean a street block on which at
6 least 50 percent of front footage of private property on the ground floor of the street is used for
7 commercial purposes. A street block shall be measured from street intersection to street
8 intersection, but shall not include any alley intersection.

9 Applicants shall maintain in force, during the full term of the permit, insurance as follows:

10 (1) General Liability Insurance with limits not less than \$500,000 each occurrence Combined
11 Single Limit Bodily Injury and Property Damage, including Contractual Liability, Personal
12 Injury, Broadform Property Damage, Products and Completed Operations Coverages;

13 (2) If any vehicles will be operated by the applicant in connection with street fair activities
14 under the permit, Automobile Liability Insurance with limits not less than \$500,000 each
15 occurrence Combined Single Limit Bodily Injury and Property Damage, including owned,
16 nonowned and hired auto coverages, as applicable; and

17 (3) If the applicant has employees, Workers' Compensation with Employers' Liability limits
18 not less than \$500,000 each accident. General Liability and Automobile Liability Insurance
19 policies shall be endorsed to provide the following:

20 1. Name as additional insureds the City and County of San Francisco, its officers, agents
21 and employees;

22 2. That such policies are primary insurance to any other insurance available to the Additional
23 Insureds with respect to any claims arising out of activities under the permit, and that
24 insurance applies separately to each insured against whom claim is made or suit is brought.

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1 Certificates of insurance, in format and with insurers satisfactory to the City evidencing all
2 applicable coverages shall be furnished to the City 10 days prior to the issuance of the permit
3 and before commencing any operations under the permit, with complete copies of policies to
4 be furnished to the City upon request.

5 The insurance requirement of this subsection shall be waived by the Board of Supervisors if
6 the applicant certifies in writing that (1) the purpose of the street fair is First Amendment
7 expression and that (2) the cost of obtaining insurance is so financially burdensome that it
8 would constitute an unreasonable prior restraint on the right of First Amendment expression,
9 or that it has been impossible for the applicant to obtain insurance coverage.

10 (m) Signs shall be posted pursuant to San Francisco Health Code Sections 265 through
11 265.3 wherever alcohol is offered for sale.

12 (n) Such further conditions as may be imposed by the Department of Public Works after
13 inspection of the area involved.

14 **SEC. 808. EXCEPTIONS.**

15 The provisions of Sections 800 and 807 of this Article shall not be applicable to permits issued
16 by the Director of Public Works pursuant to the provisions of Section 724 of the Public Works
17 Code or to the temporary use or occupancy of a public street by a school where the school is
18 using the street area for play purposes during specified hours of the school day.

19 **SEC. 809. TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS BY THE SAN**
20 **FRANCISCO UNIFIED SCHOOL DISTRICT FOR DEBARKATION AND EMBARKATION OF**
21 **STUDENTS: DUTIES.**

22 Notwithstanding the conditions set forth in Section 807 of this Article, any school of the San
23 Francisco Unified School District receiving permission for the temporary use or occupancy of
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1 a public street within the City and County pursuant to Section 800 of this Article for the
2 debarkation and embarkation of students from buses, shall be solely responsible for:
3 (a) The procurement and placement of all street barricades necessary for the establishment
4 of the requested student debarkation and embarkation of bus zones;
5 (b) The placement on or near said barricades of clearly visible signs of a uniform type
6 prohibiting the parking of vehicles adjacent to said barricades; and
7 (c) The handling of school buses at loading zones within areas enclosed by said barricades.

8 **SEC. 810. ATHLETIC EVENTS.**

9 Notwithstanding any other provision of this Code, the regulation of athletic events as defined
10 herein, including the processes for obtaining permits from the City for conducting these
11 athletic events and the payment of associated fees to the City, shall be governed by Sections
12 810 through 814.

13 For the purposes of this Article, an "athletic event" is an event in which a group of people
14 collectively engage in a sport or form of physical exercise on any street in the City and County
15 of San Francisco, which event obstructs or interferes with the normal flow of vehicular traffic.
16 An "athletic event" includes, but is not limited to, jogging, bicycling, racewalking, roller skating
17 or running. Any event taking place entirely on property under the jurisdiction of the Recreation
18 and Parks Department of the City and County of San Francisco shall be exempt from this
19 ordinance.

20 **SEC. 811. ATHLETIC EVENTS; DESIGNATION OF ROUTES.**

21 (a) The increasing number of athletic events being held on City streets places a significant
22 burden on the City and its inhabitants. Athletic events provide entertainment and recreation for
23 San Franciscans and people throughout the Bay Area, as well as promoting and supporting
24 tourism in the City. But closing off several major streets at the same time to accommodate a
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1 race often causes hardship in the daily lives of local residents, widespread disruption of public
2 transit service, increased litter on public streets and sidewalks, and potential interference with
3 emergency services. By adopting this ordinance, the Board of Supervisors intends to
4 reconcile the City's interest in promoting athletic events with the right of its citizens to the quiet
5 enjoyment of their own neighborhoods.

6 (b) Athletic events requiring temporary street closings shall be limited in location to routes
7 previously designated as appropriate by the Board of Supervisors. These routes shall be
8 drawn up by ISCOTT and approved by resolution of the Board of Supervisors. In designating
9 these routes, ISCOTT and the Board shall consider the effect of the designation upon: Local
10 traffic patterns; Municipal Railway routes; the ability of the Police Department and the
11 Department of Public Works to provide special services to the event; the safe and efficient
12 delivery of police, fire and emergency medical services to the affected neighborhoods; the
13 safety of participants in the event; and, the rights of participants, residents and local
14 businesses to the reasonable use and enjoyment of City streets.

15 (c) Any person seeking permission to conduct an athletic event as defined in Section 810
16 shall file an application. The filing of an application and its processing shall be governed by
17 the same processes, application fees, appellate procedures, Municipal Railway fees, and
18 other requirements contained in Section 801, which sets forth the procedures for requesting
19 permission for temporary use or occupancy of public streets. A street closing for an athletic
20 event shall be restricted to those routes designated pursuant to this section. The applicant
21 may, as part of the application, request a waiver of this restriction. In considering a request for
22 a waiver, the City may take into account the extent to which the event has been held along a
23 particular route prior to the effective date of this ordinance if that same route has been in use
24 continuously for a period of three or more years. An applicant's request for a waiver shall be
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1 granted to the extent that a change of route is required by the Police Department for reasons
2 of public safety.

3 **SEC. 812. ATHLETIC EVENTS; PUBLIC NOTICE.**

4 (a) ISCOTT shall mail a copy of any application for a temporary street closing for an athletic
5 event to any community group or neighborhood association that has previously requested in
6 writing to be notified of such applications.

7 (b) If the temporary street closing is approved, the applicant shall cause notices of the event
8 to be conspicuously posted on both sides of the street along the entire route, at not more than
9 300 feet in distance apart on each street so posted, but not less than three notices on each
10 street forming part of the route. The notices shall be posted not less than 72 hours prior to the
11 scheduled start of the event. The applicant shall remove the notices within 48 hours after the
12 completion of the event, or be liable for the costs of removal by the City pursuant to Article 10
13 of the San Francisco Police Code.

14 Each notice shall be headed "STREET CLOSED FOR ATHLETIC EVENT" in letters not less
15 than one inch in height, and shall in legible characters (1) briefly describe the event to be held;
16 (2) identify the date and time the event is to take place; and, (3) warn that the street will be
17 closed to traffic at that time.

18 **SEC. 813. ATHLETIC EVENTS; COST RECOVERY--POLICE.**

19 (a) An application for a temporary street closing for an athletic event shall be deemed a
20 request for police department services within the meaning of Sections 10B.1 through 10B.5 of
21 the San Francisco Administrative Code. If the temporary street closing is approved, the Chief
22 of Police may detail such personnel to police the event in the number and for the period of
23 time the Chief determines to be necessary to perform the services. If the on-site services of
24 two or more police officers are required during the event, the applicant shall be liable for the
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1 cost of police services, including field investigation needed to determine manpower
2 requirements, and shall be responsible for indemnifying and holding harmless the City and
3 County of San Francisco and the police personnel as required by Section 10B.2.

4 (b) Upon approval of a temporary street closure for an athletic event, a sum of money which
5 the Chief of Police estimates will be necessary to cover the costs of services pursuant to
6 Section 10B.2 of this Code shall be due. No temporary street closure shall be deemed
7 effective until such sum of money is deposited with the Chief of Police of the City and County
8 of San Francisco and the applicant presents to the Chief of Police proof of such deposit. The
9 sum of money required pursuant to this paragraph shall be deposited at least one calendar
10 week before the scheduled event. If the applicant does not deposit the sum required within the
11 time limit specified, the temporary street closing shall be deemed denied, or, if the street
12 closing already has been approved, revoked.

13 (c) Within a reasonable time after the event is over, the Chief of Police shall determine the
14 amount of money necessary to cover the cost of services provided by the Police Department
15 pursuant to Section 10B.2 of this Code. If the deposit pursuant to Subsection (b) hereof is
16 insufficient to cover the cost of police services, the Chief of Police shall notify the applicant by
17 United States mail to the address listed on the application and they shall have ten days to pay
18 the balance. If the amount deposited exceeds the actual costs, the Chief of Police shall
19 authorize a refund of the excess to the applicant at the address shown on the application.

20 (d) If the applicant or sponsor cancels the event after personnel have been assigned to
21 police it and such personnel have begun that duty, the applicant shall be liable for the time
22 expended by police personnel pursuant to Section 10B.2 of the San Francisco Administrative
23 Code, but in no case for less than two hours per employee. If the temporary street closure is
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1 revoked, the money deposited for the costs of police services pursuant to this ordinance shall
2 be refunded.

3 **SEC. 814. ATHLETIC EVENTS; COST RECOVERY--PUBLIC WORKS.**

4 (a) An application for a temporary street closing for an athletic event shall be deemed a
5 request for Department of Public Works services within the meaning of Sections 10B.11
6 through 10B.15 of the San Francisco Administrative Code. If the temporary street closing is
7 approved, the Director of Public Works may detail such personnel to provide street-cleaning
8 and related services for the event in the number and for the period of time the Director
9 determines to be necessary to perform the services. The applicant for the temporary street
10 closing shall be liable for the cost of street-cleaning and related services, including field
11 investigation needed to determine manpower requirements, and shall be responsible for
12 indemnifying and holding harmless the City and County of San Francisco and the Department
13 of Public Works personnel as required by Section 10B.12.

14 (b) Upon approval of a temporary street closing for an athletic event, a sum of money which
15 the Director of Public Works estimates will be necessary to cover the costs of services
16 pursuant to Section 10B.12 of this Code shall be due. No approval shall be deemed effective
17 until such sum of money is deposited with the Director of Public Works. The sum of money
18 required pursuant to this paragraph shall be deposited at least one calendar week before the
19 scheduled event. If the applicant does not deposit the sum required within the time limit
20 specified, the application for a temporary street closing shall be deemed denied, or, if the
21 street closing has already been approved, revoked. The Director of Public Works may waive
22 the advance deposit requirement if the particular event has not required additional street-
23 cleaning or related services for the past three years. The applicant shall, however, remain
24 liable for the costs of any additional services actually required.

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1 (c) Within a reasonable time after the event is over, the Director of Public Works shall
2 determine the amount of money necessary to cover the cost of services provided by the
3 Department of Public Works pursuant to Section 10B.12 of this Code. If the deposit pursuant
4 to Subsection (b) hereof is insufficient to cover the cost of street-cleaning and related
5 services, the Director of Public Works shall notify the applicant by United States mail to the
6 address listed on the application and he or she shall have ten days to pay the balance. If the
7 amount deposited exceeds the actual costs, the Director of Public Works shall authorize a
8 refund of the excess to the applicant at the address shown on the application.

9 (d) If the Board of Supervisors has approved a temporary street closing for an athletic event
10 and the applicant cancels the event after personnel have been assigned to provide street-
11 cleaning and related services to the event and such personnel have begun that duty, the
12 applicant shall be liable for the time expended by Department of Public Works personnel
13 pursuant to Section 10B.12 of the San Francisco Administrative Code. If a temporary street
14 closing is revoked, the money deposited for the costs of street-cleaning and related services
15 pursuant to this ordinance shall be refunded.

16 **SEC. 815. MONITORED BICYCLE PARKING AT PUBLIC EVENTS.**

17 The Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), or other
18 applicable permitting authority, is authorized and encouraged in its discretion to require, and
19 develop guidelines regarding, monitored bicycle parking at appropriate large permitted public
20 events. The sponsor of the public event may provide such monitoring service or ensure that
21 such monitored bicycle parking is available in local garages or other similar facilities. If the
22 sponsor provides monitored bicycle parking, the sponsor may charge a nominal fee for such
23 service. The amount of such fee shall be included as part of the sponsor's permit application.

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1 If the sponsor is unable to ascertain the fee amount at the time of the permit application, the
2 sponsor may submit a fee schedule to ISCOTT, or other applicable permitting authority, as
3 soon as possible but no later than 10 days before the event.

4 **ARTICLE 13: VIOLATIONS AND PENALTIES.**

5 **SEC. 900. PENALTY AMOUNTS.**

- 6 (a) A violation of this Code shall carry the following penalties:
- 7 (1) Any violation of any provision classified as a Class 1 Violation in Division II of
8 this Code shall be a civil infraction, with a penalty not to exceed \$50.
- 9 (2) Any violation of any provision classified as a Class 2 Violation in Division II of
10 this Code shall be a civil infraction, with a penalty not to exceed \$100.
- 11 (3) Any violation of any provision classified as a Class 3 Violation in Division II of
12 this Code shall be a civil infraction, with a penalty not to exceed \$200.
- 13 (4) Any violation of any provision classified as a Class 4 Violation in Division II of
14 this Code shall be a civil infraction, with a penalty not to exceed \$250.
- 15 (5) Any violation of any provision classified as a Class 5 Violation in Division II of
16 this Code shall be a criminal infraction, with a penalty not to exceed \$500.
- 17 (6) Any violation of any provision classified as a Class 6 Violation in Division II of
18 this Code shall be a misdemeanor, with a penalty not to exceed \$1000.
- 19 (7) Any violation of any provision classified as a Class 7 Violation in Division II of
20 this Code shall be a civil infraction, with a penalty not to exceed \$2000.
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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
JULIA FRIEDLANDER
Deputy City Attorney