

1 [Street closure barricades.]

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3 **Ordinance amending Section 807 of the Traffic Code to require sponsors of certain**  
4 **events involving street closure to procure and install barricades required to maintain**  
5 **public safety.**

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

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

11 Section 1. The San Francisco Traffic Code is hereby amended by amending Section  
12 807 to read as follows:

13 SEC. 807. CONDITIONS.

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

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

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

22 (c) No object of any nature shall be placed or maintained within any intersection or  
23 pedestrian crosswalk nor shall any vehicle be permitted to be parked in such areas.

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1 (d) A continuous passageway in the roadway at least 14 feet in width shall be  
2 maintained at all times during the period of such use or occupancy for the use of emergency  
3 vehicles.

4 (e) No object of any nature shall be fastened to or erected over the surface of the  
5 street or sidewalk, and no object shall be affixed to any pole or standard upon any street or  
6 sidewalk, without prior written consent of the Director of Public Works.

7 (f) Painting upon any street or sidewalk surface shall be permitted only if a  
8 washable paint is used.

9 (g) Adequate illumination of area shall be maintained at all times such illumination is  
10 appropriate.

11 (h) Official traffic-control devices and traffic signal controllers shall not be covered or  
12 blocked at any time during the period of such use or occupancy.

13 (i) ~~Street barricades determined by the Police Department as being necessary to protect the~~  
14 ~~public's safety shall be delivered by the Police Department; shall be maintained in said locations at all~~  
15 ~~times during the period of such use or occupancy by the permittee; and shall be returned to the San~~  
16 ~~Francisco Police Department by the Police Department upon termination of the period of said use or~~  
17 ~~occupancy. The Except as otherwise provided in this Section 807(i), the permittee shall procure,~~  
18 ~~install and maintain street barricades that the Police Department determines are necessary to protect~~  
19 ~~public safety. The Police Department may set standards for the size, type and condition of barricades.~~

20 The permittee shall maintain the barricades in place during the period of occupancy, and shall  
21 remove them immediately thereafter. For purposes of dropping off and picking up the barricades, the  
22 Police Department may authorize temporary placement of the barricades at the event site at a location  
23 that does not block vehicle or pedestrian traffic.

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1           No later than the Thursday before the date of the street closure, the permittee shall submit to the  
2 Director proof of ownership or an agreement to rent barricades required by this paragraph, together  
3 with a schedule of drop-off, installation, removal and pick-up as approved by the Police Department.

4           For events where no alcohol will be served and where the Police Department  
5 determines that fewer than 15 barricades are required, the Police Department shall provide,  
6 deliver, install and remove barricades that the Police Department determines are necessary to  
7 protect public safety. The permittee shall maintain the barricades in place during the period of  
8 street occupancy.

9           (j)     All manhole covers and valve box covers shall be kept clear of any fixed object.

10          (k)     All streets and sidewalks within the area for which such permission is granted  
11 shall be kept clean and free from dirt and debris at all times during the period of such  
12 temporary use or occupancy, and all materials and equipment used in connection with said  
13 temporary use and occupancy shall be removed therefrom within 24 hours of the termination  
14 of the period of such use or occupancy. The Director of Public Works shall report any  
15 violations of this subsection to the Board of Supervisors.

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

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

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

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

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

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

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

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

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

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

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

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9 APPROVED AS TO FORM:  
10 DENNIS J. HERRERA, City Attorney

11 By: \_\_\_\_\_  
12 MOLLY S. STUMP  
13 Deputy City Attorney  
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