1   [Regulating Computer Rental Businesses.]

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3   **Ordinance adding Article 10.2 to the San Francisco Police Code, regulating businesses**

4   **that rent computer time to patrons by prohibiting minors from using game controllers**

5   **or renting computer time for purposes of gaming during certain times, requiring**

6   **supervision, prohibiting loitering, regulating waiting lists, posting hours of operation,**

7   **and providing for a penalty.**

8   Note: Additions are *single-underline italics Times New Roman*;
         deletions are *strikethrough italics Times New Roman*.
9   Board amendment additions are double underlined.
         Board amendment deletions are strikethrough normal.
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11   Be it ordained by the People of the City and County of San Francisco:

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13   Section 1. The San Francisco Police Code is hereby amended by adding a new Article

14   10.2, consisting of Sections 750 to 752, to read as follows:

15

16   *ARTICLE 10.2*

17   *REGULATION OF COMPUTER RENTAL BUSINESSES*

18

19   *SEC. 750. Operating Conditions for Computer Rental Businesses. Any person operating a*

20   *business for rental of computer time while the computer remains on the premises ("Computer Rental*

21   *Business") shall ensure that the following mandatory conditions and standards are met:*

22   *(a)   No person under the age of 18 may be allowed to use joysticks, game pads, or other*

23   *game controllers, or to rent time on a computer for purposes of playing computer games, during the*

24   *school year from the day after Labor Day to Memorial Day, Monday through Friday, except legal*

25   *holidays, between the hours of 7:00 a.m. and 3:00 p.m., or between the hours of 10:00 p.m. and 7:00*

1   *a.m. on all days preceding school days and between 11:00 p.m. and 7:00 a.m. on all other days unless*

2   *accompanied by a parent, legal guardian or authorized agent of the School District or school in which*

3   *the minor is enrolled*, or the minor provides verifiable documentation from the School District or

4   school that he or she is not scheduled to be attending classes at that time.

5   *(b)   All Computer Rental Businesses shall have adult attendants or supervisors, age 18 or*

6   *over, at a ratio of not less than one attendant/supervisor for each 25 computers. The*

7   *attendants/supervisors shall supervise the patrons on and about the premises to prevent conduct by*

8   *patrons that is injurious to the health, safety and general welfare of other patrons and the public.*

9   *(c)   No loitering shall be allowed to loiter around any Computer Rental Business. For*

10   *purposes of this Section, a person loiters around a Computer Rental Business if he or she remains*

11   *within 20 feet of the entrance to such business for a period of over two minutes without lawful business.*

12   *(d)   Computer Rental Businesses may not maintain a waiting list beyond the seating capacity*

13   *of its waiting area.*

14   *(e)   Hours of operation and rates shall be posted in a conspicuous place.*

15   *(f)   Members of the Police Department shall have access to any Computer Rental Business*

16   *regulated by this Section at any and all times the business is in operation, and shall inspect the*

17   *premises to ensure compliance with this Section.*

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19   *SEC. 751. Penalty. Any person who violates any provision of Section 750 shall be guilty of an*

20   *infraction, the penalty for which shall be as follows:*

21   *(a)   A fine of not less than $100 nor more than $250;*

22   *(b)   A fine of not less than $250 nor more than $750 for a second infraction occurring within*

23   *six months of a prior infraction; and*

24   *(c)   A fine of not less than $750 nor more than a $1,000 for a third and each subsequent*

25   *infraction occurring within six months of a prior infraction.*

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2 *SEC. 752. Severability; Savings Clause. If any section, subsection, subdivision, paragraph,*

3 *sentence, clause or phrase of this Article, or any part thereof, is for any reason held to be*

4 *unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not*

5 *affect the validity or effectiveness of the remaining portions of this Article. The Board of Supervisors*

6 *hereby declares that it would have passed each section, subsection, subdivision, paragraph, clause and*

7 *phrase thereof irrespective of whether any one or more sections, subsections subdivisions, paragraphs,*

8 *sentences, clauses or phrases be held unconstitutional or invalid or ineffective.*

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

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12 By: _____
    Dorji Roberts
13   Deputy City Attorney

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