

1 [Establishing Parking Meter and Permit Parking Areas --Recreation and Park Property.]

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3 **Ordinance amending the Traffic Code by adding Sec. 201.5 to establish Parking Meter**
4 **Area Number Five; amending Sec. 201 to authorize the General Manager of the**
5 **Recreation and Park Department to establish parking meter zones within Parking Meter**
6 **Area Five in eastern Golden Gate Park ~~subject to approval of the Recreation and Park~~**
7 **~~Commission~~; amending Sec. 203.6 to set Parking Meter Rates in Parking Meter Area**
8 **Number Five at \$1.00 per hour and to authorize the Recreation and Park Commission to**
9 **~~reduce the meter rate not more than 50% lower than that set by the Board of~~**
10 **Supervisors; amending Sec. 213 to provide that monies collected from meters located**
11 **on park land be credited to an account for use by the Recreation and Park Department;**
12 **adding Park Code Article 14 to establish permit parking on Park Property; and**
13 **amending Park Code Sec. 6.10 to provide for penalties for violating Article 14.**

14 Note: Additions are *single-underline italics Times New Roman*;
15 deletions are *strikethrough italics Times New Roman*.
16 Board amendment additions are double underlined.
17 Board amendment deletions are ~~strikethrough normal~~.

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

19 Section 1. The San Francisco Traffic Code is hereby amended by amending Section
20 201 to read as follows:

21 **SEC. 201. AUTHORIZATION TO ESTABLISH PARKING METER ZONES.**

22 (a) The Director of Parking and Traffic of the City and County of San Francisco
23 is hereby authorized to establish parking meter zones, each of which shall be of sufficient size
24 to permit the parking of one vehicle only, on any street for which time limitations have
25 heretofore been, or may hereafter be, provided by ordinance or resolution of the Board of
Supervisors, and to place upon the sidewalk adjacent to said parking zone such device or

1 devices as the said Director shall deem proper which will, upon the deposit of a coin or coins,
2 set the mechanical equipment of said device in motion, or permit the said mechanical
3 equipment to be set in motion, so that the said device will accurately measure, in minutes, the
4 period of time during which said vehicle may park in said parking meter zone. Said parking
5 meter shall be constructed and mechanically equipped so that the same will, upon the
6 expiration of the period of time, commencing with deposit of said coin or coins and ending with
7 the expiration of the period of time that the parking of a vehicle is, by resolution of the Board
8 of Supervisors, permitted in said parking meter zone as a result of said deposit of a coin or
9 coins, display a flag, sign or signal which will indicate that the permitted time for the parking of
10 said vehicle has expired. The Board of Supervisors shall also indicate, by resolution, the
11 period of time vehicles may be parked in the area or areas in which parking meter zones may
12 be established.

13 (b) The General Manager of the Recreation and Park Department (RPD), in
14 consultation with the Director of Parking and Traffic of the City and County of San Francisco, is
15 hereby authorized to establish parking meter zones on property within the jurisdiction of the Recreation
16 and Park Commission in areas designated in Section 201.5 of this Code for which time
17 limitations have heretofore been, or may hereafter be, provided by resolution of the
18 Recreation and Park Commission, and to place adjacent to said parking zone such device or devices
19 as the General Manager shall deem proper which will, upon the deposit of a coin or coins, set the
20 mechanical equipment of said device in motion, or permit the said mechanical equipment to be set in
21 motion, so that the said device will accurately measure, in minutes, the period of time during which
22 said vehicle may park in said parking meter zone. Said parking meter shall be constructed and
23 mechanically equipped so that the same will, upon the expiration of the period of time, commencing
24 with deposit of said coin or coins and ending with the expiration of the period of time that the parking
25 of a vehicle is, by resolution of the Recreation and Park Commission, permitted in said parking meter

1 zone as a result of said deposit of a coin or coins, display a flag, sign or signal which will indicate that
2 the permitted time for the parking of said vehicle has expired. The Recreation and Park Commission
3 shall also specify by resolution, the period of time vehicles may be parked in the area or areas in which
4 parking meter zones may be established.

5 Section 2. The San Francisco Traffic Code is hereby amended by adding Section
6 201.5, to read as follows:

7 Sec. 201.5. Parking Meter Area Number Five. (a) Parking Meter Area Number Five includes
8 all land, public grounds and streets located within the boundaries of parks or otherwise under the
9 jurisdiction of the Recreation and Parks Commission, and shall not mean the Streets adjacent and
10 exterior to the boundaries of parks. ~~Parking Meter Zones within this Area, including zones for~~
11 ~~motorcycles, shall be established by the General Manager of the Recreation and Park~~
12 ~~Department subject to approval by the Recreation and Park Commission~~

13 (b)The General Manager is authorized to establish parking meter zones, including
14 zones for motorcycles, in the eastern portion of Golden Gate Park up to Transverse Drive.

15 Section 3. The San Francisco Traffic Code is hereby amended by amending Section
16 203, to read as follows:

17 **SEC. 203. BOARD OF SUPERVISORS TO DETERMINE DENOMINATION OF**
18 **COINS AND LENGTH OF PARKING TIME ALLOWED PER COIN; AND THE DIRECTOR**
19 **OF PARKING AND TRAFFIC TO DETERMINE TOTAL LENGTH OF PARKING TIME**
20 **ALLOWED AT METER; RECREATION AND PARK COMMISSION TO DETERMINE**
21 **LENGTH OF PARKING TIME ALLOWED PER COIN, AND TOTAL LENGTH OF PARKING**
22 **TIME ALLOWED IN PARKING METER AREA FIVE.**

23 (a) The denomination of the coin or coins that shall be deposited in the parking
24 meters and the parking time allowed per each deposit of a coin shall be fixed from time to time
25 by ordinance of the Board of Supervisors for the area or areas in which parking meters are

1 now or may hereafter be installed and shall be such as will best promote efficiency and safety
2 in the use of the public street; provided that no deposit shall be required for any period of time
3 on Sundays in any area in which parking meters are now or may hereafter be installed, *except*
4 *in Parking Meter Area Number Five*, and that portion of the City and County of San Francisco
5 bounded as follows: Commencing at a point where the westerly line of Hyde Street intersects
6 the San Francisco Bay, thence southerly along the westerly line of Hyde Street to the
7 southerly line of Jefferson Street, thence easterly along the southerly line of Jefferson Street
8 to the westerly line of The Embarcadero, thence southerly along the westerly line of The
9 Embarcadero to the southerly line of Bay Street, thence westerly along the southerly line of
10 Bay Street to the westerly line of Van Ness Avenue, thence northerly along the westerly line of
11 Van Ness Avenue to the San Francisco Bay, thence easterly along the edge of the San
12 Francisco Bay to the point of commencement, and in the area governed by the provisions of
13 Section 220 of the San Francisco Traffic Code.

14 (b) The Director of Parking and Traffic is hereby authorized to establish the
15 maximum amount of parking time allowed following the deposit of coins in a meter adjacent to
16 a metered parking space (provided that such maximum parking time shall be established
17 within a range of from 15 minutes to two hours), and the hours during which the deposit of
18 coins in the meters adjacent to such metered parking spaces is required.

19 (c) The Director shall transmit each decision to establish such time period to the
20 Board of Supervisors within two working days. The Director shall also provide public notice of
21 each decision and of appeal procedures. Each decision shall then be held in abeyance for 30
22 days from the date the Director publishes notice of the decision. Such public notice shall be
23 published in a daily San Francisco newspaper within 10 days of each decision and distributed
24 to a mailing list of interested individuals that the Director shall maintain. During the 30-day
25 period when a decision of the Director is held in abeyance, appeals to the decision may be

1 filed with the Director. The Director shall notify the Board of Supervisors within two working
2 days of any applications filed with the Director by individuals requesting an appeal of the
3 decision, and request the Board of Supervisors to conduct a public hearing to consider the
4 matter. The Board of Supervisors shall consider the approval within 30 days of receipt of
5 notification from the Director that an appeal was filed, and after hearing public comment, shall
6 uphold, modify, or disapprove the decision. If no application to appeal a decision is filed with
7 the Director within 30 days of the published notice, the decision shall become effective on the
8 31st day.

9 The provisions of this Section shall be enforceable on holidays and whenever
10 the term "holiday" or "holidays" appears in any Resolution heretofore or hereafter adopted
11 pursuant to the provisions of this Article, it shall refer specifically and only to Sundays.

12 (d) For all parking meters located within Parking Meter Area Number Five, the
13 Recreation and Park Commission shall determine by resolution: (i) the parking time allowed per each
14 deposit of a coin; and (ii) the maximum length of time allowed per meter. This determination shall be
15 consistent with Section 203.6 of this Code.

16 Section 4. The San Francisco Traffic Code is hereby amended by adding Section
17 203.6, to read as follows:

18 Sec. 203.6. Parking Meter Rates -- Parking Meter Area Number Five. (a) The rates for
19 parking meters in Parking Meter Area Number Five shall be \$1.00 per hour, and the meters shall
20 operate from 8:00 a.m. to 5:00 p.m., Monday through Saturday seven days per week. the
21 same rate as for meters in Parking Meter Area Number Two, provided however that: (a) the
22 Recreation and Park Commission may reduce the rate to no lower than 50% of the rate for
23 Parking Meter Area 2; (b) the meters in Parking Meter Area Number Five may be operational
24 seven days per week; and (c)
25

1 (b) The Commission may exempt holders of valid Parking Permits, as set forth in San
2 Francisco Park Code Article 14, from payment of parking meter rates.

3 (c) All amounts collected from parking meters in Area Number Five shall be used for expenses
4 related to traffic regulation and control on property under the jurisdiction of the Recreation and Park
5 Commission.

6 Section 5. The San Francisco Traffic Code is hereby amended by amending Section
7 213 to read as follows:

8 SEC. 213. USE OF PARKING METER AND GARAGE REVENUE —
9 ESTABLISHMENT OF PARKING REVENUE FUND.

10 (a) Establishment and Purpose of Fund. There is hereby established a special
11 fund in the Treasury of the City and County of San Francisco to be known as the Parking
12 Revenue Fund (referred to hereafter as the “Fund”). Subject to the restrictions provided in
13 this Section, the Fund is hereby established for the purpose of financing the San Francisco
14 off-street parking program and other parking-related projects, including without limitation, (i)
15 capital expenditures for acquisition, construction, completion or leasing of public parking lots,
16 storage space, garages, single- or multi-level structures, and other off-street parking facilities
17 on, under, or above the surface of any property, including public parks, squares, lands,
18 easements or rights-of-way acquired or to be acquired by purchase, lease or condemnation,
19 together with buildings, structures, equipment, approach roads, entrances, exits, fencing, off-
20 street parking meters, and other works, property or structures for the accommodation of
21 automotive vehicles, and necessary or convenient for parking facilities to relieve congestion
22 and facilitate, regulate and control traffic within the City and County of San Francisco; (ii) the
23 payment of the costs of engineering and related studies and surveys; (iii) the payment of the
24 costs, operation and maintenance of parking facilities and related structures hereafter
25 acquired or constructed, including the payment of possessory interest taxes required by any

1 agreement authorized by the Board of Supervisors; (iv) the sole pledge for the servicing of
2 past or future indebtedness incurred by the issuance of bonds or other instruments by or on
3 behalf of the City and County of San Francisco for the acquisition, construction and
4 completion of off-street parking facilities; (v) the sole additional pledge augmenting a pledge of
5 revenue from off-street parking facilities for the servicing of past or future indebtedness
6 incurred by the issuance of revenue bonds or other revenue instruments by or on behalf of the
7 City and County of San Francisco for the acquisition, construction and completion of off-street
8 parking facilities; payment of the costs of engineering and construction of on-street parking
9 bays in parking meter districts within neighborhood commercial districts by sidewalk narrowing
10 after adoption of appropriate legislation by the Board of Supervisors; (vi) payment of the
11 administrative and operating expenses of the Department of Parking and Traffic, the Parking
12 and Traffic Commission and the Parking Authority of the City and County of San Francisco;
13 (vii) payment to the General Fund, for traffic regulation and control, of amounts remaining in
14 said special fund after making provision for the requirements under (i) through (vi) above.

15 (b) Deposit of Monies Into the Fund; Segregated Accounts Within Fund. (i)
16 Monies collected by the Department of Parking and Traffic from on-street parking meters
17 (“Parking Meter Revenue”), *except for those amounts collected from Parking Meter Area Number*
18 *Five*, shall be deposited into the Treasury of the City and County of San Francisco and
19 credited to the Fund in a segregated account known as the “Parking Meter Revenue Account.”
20 (ii) All net revenue received from the operation of off-street parking facilities owned or leased
21 by the City or the Parking Authority of the City and County of San Francisco, the purchase or
22 construction of which was financed in whole or in part from the Fund or the Off-Street Parking
23 Fund pursuant to this Section, and those net revenues received from the operation of off-
24 street, metered parking facilities owned by the City and County of San Francisco, shall be
25 collected by the Department of Parking and Traffic, deposited into the Treasury of the City and

1 County of San Francisco and credited to the Fund in a segregated account known as the “Off-
2 Street Parking Revenue Account.” To the extent practicable, all net revenues from off-street
3 parking facilities (including surface parking) operated on City-owned property shall be credited
4 to the Off-Street Parking Revenue Account.

5 (c) Use of Monies in Parking Meter Revenue Account. The use of monies
6 deposited into the Parking Meter Revenue Account pursuant to Subsection (b)(i) of this
7 Section, and any and all interest earned thereon, shall be expended; First, for the payment in
8 any fiscal year of all principal, interest, premium and all other payments required pursuant to
9 any documents authorizing any indebtedness or obligations issued or created by, or on behalf
10 of, the City and County of San Francisco or the San Francisco Parking Authority in connection
11 with the financing of the construction, acquisition and/or equipping of any off-street parking
12 facilities; Second, to the General Fund of the Treasury of the City and County of San
13 Francisco the amount of \$1,500,000, to the extent available in any fiscal year from Parking
14 Meter Revenue (except that commencing with fiscal year 1987-88 such amount shall be
15 \$3,000,000, and except that commencing with fiscal year 1988-89 such amount shall be
16 \$6,000,000, and except that commencing with fiscal year 1992-93 such amount shall be
17 \$8,000,000), and except that commencing with fiscal year 1996-97 such amount shall be
18 \$7,600,000); and Third, for the purposes described in Subsection (a) of this Section, if and to
19 the extent available.

20 (d) Use of Monies in Off-Street Parking Revenue Account. The monies
21 deposited into the Off-Street Parking Revenue Account pursuant to Subsection (b)(ii) of this
22 Section, and any and all interest earned thereon, shall be expended for the purposes set forth
23 in Subsection (a) of this Section, in any order of priority.

24 (e) Definitions. When used in this Section, the term “net revenues” shall mean,
25 with respect to each facility, all income, revenue, interest earnings and other money of every

1 nature arising out of or in connection with or derived from the ownership, operation or leasing
2 of such facility in such fiscal year less maintenance and operation costs of such facility. The
3 term “maintenance and operation costs” shall mean, with respect to each facility, the
4 reasonable and necessary costs of operation and maintenance, calculated on sound
5 accounting principles, including (among other things) salaries and wages, fees for services,
6 costs of materials, supplies and fuel, reasonable expenses of management, legal fees,
7 accounting fees, repairs and other expenses necessary to maintain and preserve the facility in
8 good repair and working order, and reasonable amounts for administration, overhead,
9 insurance, taxes (if any), and other similar costs, but excluding in all cases (i) depreciation
10 and obsolescence charges or reserves therefor; (ii) amortization of intangibles premiums,
11 discounts, or other bookkeeping entries of a similar nature, (iii) costs of capital additions,
12 replacements, betterments, extensions or improvements to the facility, which under generally
13 accepted accounting principles are chargeable to a capital account or to a reserve for
14 depreciation; and (iv) amounts paid from sources other than the fund.

15 (f) All monies collected from meters located in Parking Meter Area Number Five, shall
16 be deposited into the Treasury of the City and County of San Francisco and credited to an account in a
17 segregated revenue subobject known as the “Recreation and Park Parking Meter Revenue Subobject”
18 in the Recreation and Park Department’s budget.

19 Section 6. The San Francisco Park Code is hereby amended by adding Article 14 to
20 read as follows:

21 **ARTICLE 14 PERMIT PARKING PROGRAM**

22 **SEC. 14.01. LEGISLATIVE PURPOSE.** This section is enacted in response to the conflicting
23 needs of persons utilizing on-street parking on streets located within park boundaries. These conflicts
24 result in a shortage of parking in certain parks, necessitating the further regulation of parking in those
25 areas.

1 **SEC. 14.02. FINDINGS.** *The Board of Supervisors finds and declares the following:*

2 (a) In order to promote and protect the public health, safety and welfare, and the
3 health, safety and welfare of park patrons in particular, a Parking Permit Program is necessary to
4 regulate the flow of traffic on streets located within boundaries of certain parks.

5 (b) In order to promote and protect recreational use of parks, a Parking Permit
6 Program, as authorized by sections 22507 and 21113 of the California Vehicle Code, is necessary to
7 regulate parking and traffic on Park Property.

8 (c) Establishing a Parking Permit Program limited to streets within park boundaries
9 will not adversely affect parking conditions for residents and merchants in areas affected by the
10 Parking Permit Program.

11 **SEC. 14.03. DEFINITIONS.** *For purposes of this Article, the following definitions shall apply*
12 *to the terms used herein:*

13 (a) “Commuters” shall mean persons parking on streets within park boundaries for a
14 purpose other than patronizing park facilities or amenities located within the park.

15 (b) “Contractor Employees” shall mean employees of construction and design
16 companies, including but not limited to laborers, trades persons, engineers, and architects, employed in
17 the design and construction of public facilities located within park property.

18 (c) “Motor Vehicle” shall mean an automobile, truck, motorcycle or other self-
19 propelled form of transportation not in excess of 6,000 pounds gross weight, and shall not include a
20 trailer, trailer coach or a utility trailer or any other type of vehicle as defined in the California Vehicle
21 Code, whether separate from or attached to a motor vehicle.

22 (d) “Institution Employees” shall mean employees and volunteers working for the
23 California Academy of Sciences, the Fine Arts Museums, or the City and County of San Francisco, or
24 other employees and volunteers of academies, museums and other institutions located on Park
25 Property.

1 (e) "Park Property" shall mean the land, Public Grounds and Streets located within the
2 boundaries of parks or otherwise under the jurisdiction of the Recreation and Parks Commission, and
3 shall not mean the Streets adjacent and exterior to the boundaries of parks.

4 (f) "Public Grounds" shall have the meaning provided in Section 21113 of the
5 California Vehicle Code, but shall not include any property that is a Street.

6 (g) "Streets" shall mean streets and highways as defined in section 360 of the
7 California Vehicle Code.

8 **SEC. 14.04. PROGRAM.**

9 (a) The Commission may establish:

10 (i) parking permit areas within Park Property;

11 (ii) permit holder classifications, as provided for in California Vehicle Code
12 section 22507(b);

13 (iii) the days of the week and the hours of day that permits are required;

14 (iv) the number of each class of permits to be issued;

15 (v) other terms and conditions governing parking permits as the Commission
16 may determine in order to effect the purposes of this Article.

17 (b) The rates for such permits shall be:

18 (i) \$30.00 per month for Institution Employees. Individuals who want to
19 purchase such permits will be required to verify their employment at a particular institution.

20 (ii) \$30.00 per month for Contractor Employees. Individuals who want to
21 purchase such permits will be required to verify their employment on a specific construction site.

22 (iii) \$60.00 per month for commuters.

23 (c) All amounts collected from Parking Permits shall be used for expenses related to
24 traffic regulation and control on property under the jurisdiction of the Recreation and Park
25 Commission.

1 (d) The Commission shall establish procedures for the issuance and revocation of
2 Parking Permits.

3 (e) Vehicles parked in areas designated for "Permit Parking Only" shall display the
4 required permit. Failure to display a valid permit will subject the motor vehicle to the enforcement and
5 penalty provisions of Section 6.10 of this Code.

6 Section 7. The San Francisco Park Code is hereby amended by amending Section
7 6.10 to read as follows:

8 SEC. 6.10. PENALTIES.

9 A person who violates Section 6.01(c), (d), (e), (f) or (g), or 14.04 of this Code shall be
10 guilty of an infraction and upon conviction thereof shall be punished for the first offense by a
11 fine not to exceed \$50; for the second offense committed within a one-year period by a fine
12 not to exceed \$100; for a third and each additional offense committed within a one-year's
13 period by a fine not to exceed \$250.

14 This Section shall not be deemed to contradict Section 6.02 of this Code concerning
15 the towing of vehicles in violation of Section 601(d), (f) or (g).

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

18 By: _____
19 VIRGINIA DARIO ELIZONDO
20 Deputy City Attorney