

1 [Recreation and Park – Farmers' Markets.]

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3 **Ordinance amending the San Francisco Park Code by adding Section 7.21, to authorize**
4 **Farmers' Markets, as certified by the Agricultural Commissioner, to be located on**
5 **property under the jurisdiction of the Recreation and Park Commission upon the**
6 **making of certain findings by the Commission; amending San Francisco Administrative**
7 **Code Section 9A.3 to authorize the Agricultural Commissioner to work with the**
8 **Recreation and Park Department to identify suitable sites on property under the**
9 **jurisdiction of the Recreation and Park Commission upon which to locate Farmers'**
10 **Markets; and amending San Francisco Administrative Code Section 9A.15 to require**
11 **Farmer's Market vendors to accept forms of payment provided by participants of**
12 **federal, state or local food assistance programs.**

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

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

17 Section 1. Findings.

18 Farmers' Markets bring fresh, locally grown produce directly into the City promoting
19 better nutrition and healthier living at a time when obesity and other ill effects of poor nutrition
20 and lack of exercise plague our community. Farmers' Markets provide direct education about
21 the relationship between land use, food production and the efficient delivery of produce
22 directly to consumers, especially for many urban residents without cars or convenient access
23 to supermarkets. Farmers' Markets also bring people outdoors to walk and mingle with
24 others, engendering community solidarity and connecting City residents with farmers.
25 Farmers' Markets can contribute to the physical and mental well being of individuals and the

1 community. Visiting or shopping at a farmers' market can provide a meaningful recreational
2 experience that is appropriate for the City's parks to the extent such activity does not damage
3 parkland.

4 Section 2. The San Francisco Park Code is hereby amended by adding Section 7.21,
5 to read as follows:

6 **SEC. 7.21. FARMERS' MARKETS.**

7 (a) The Commission may permit the location of a Farmers' Market, that meets the
8 requirements of Administrative Code Chapter 9A, or any successor provisions, as certified by the
9 Agricultural Commissioner, on park land upon findings that such a use:

10 (1) Is appropriate for the crowd capacity of the particular location;

11 (2) Does not adversely affect park grounds or facilities beyond the regular usage of the
12 particular location; and,

13 (3) Does not significantly interfere with the public's use and enjoyment of other areas of the
14 park, including, but not limited to, children's play areas or athletic courts or fields.

15 (b) The permit fee shall be \$50.00 per stall per day, plus staff costs.

16 Section 3. The San Francisco Administrative Code is hereby amended by amending
17 Sections 9A.3 and 9A.15, to read as follows:

18 SEC. 9A.3. LOCATION.

19 (a) A market established under the provisions of this Chapter may be located at any
20 suitable site selected by the Agricultural Commissioner and owned or leased by the City and
21 County.

22 (b) A market established under the provisions of this Chapter may be located on property
23 under the jurisdiction of the Recreation and Park Commission upon approval of the Commission.

24 Upon receiving a request to locate a market on property under the jurisdiction of the Recreation and
25 Park Commission, the Commissioner of Agriculture shall work with the Recreation and Park

1 Department to identify possible suitable sites for approval by the Recreation and Park Commission as
2 set forth in the Park Code.

3 SEC. 9A.15. SAME—TERMS AND CONDITIONS.

4 Permission to sell at a market shall be offered only upon the following terms and
5 conditions:

- 6 (a) The proper completion and filing of an application;
- 7 (b) Compliance with all federal, State and local laws relating to the operation, use
8 and enjoyment of the facilities or the market premises;
- 9 (c) Compliance with all rules and regulations of the Agricultural Commissioner
10 regarding use of the market facilities.

11 (d) Accept forms of payment provided to vendors or market sponsors by participants of
12 federal, state or local food assistance programs, including, but not limited to, food stamps and nutrition
13 supplement programs. Such forms of payment include, but are not limited to, coupons, vouchers,
14 Electronic Benefit Transfer (EBT) cards.

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

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

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