

File No. 111101

Committee Item No. 6
Board Item No. 3

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: November 30, 2011

Board of Supervisors Meeting

Date 12/13/11

Cmte Board

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Completed by: Victor Young

Date: November 21, 2011

Completed by: Victor Young

Date: 12-1-11

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[Administrative, Business and Tax, Fire, Health, and Police Codes - Business License Fees]

Ordinance amending various sections of the San Francisco Business and Tax Regulations Code, Administrative Code, Fire Code, Health Code, and Police Code to:
1) establish March 31 as the date for the annual renewal of certain business licenses;
2) apply a schedule of penalties for failure to timely renew certain business licenses;
and 3) require Departments to post current business license fees on their websites.

NOTE: Additions are single-underline italics Times New Roman;
deletions are ~~strike through italics Times New Roman~~.
Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 26.26, to read as follows:

SEC. 26.26. FEE.

The owner of the Deemed Approved Off-Sale Alcohol Use shall ~~each~~ be required to pay an annual fee of \$264.00 to cover the cost of administering the Deemed Approved Off-Sale Alcohol Use Education and Outreach Program and the cost of the City Attorney. This annual fee shall be billed by and paid to the Office of the Treasurer ~~&and~~ Tax Collector, which shall deposit the monies collected in the Deemed Approved Off-Sale Alcohol Continuing Project Account, as set forth in Section 26.27. In the event that the owner of the Deemed Approved Off-Sale Alcohol Use fails to pay the fee during a given fiscal year, the Office of the Treasurer ~~&and~~ Tax Collector shall notify the Department of Public Health, which may request that the City Attorney pursue collection of the penalties.

Beginning with fiscal year 2006-2007, the annual fee may be adjusted each year, without further action by the Board of Supervisors, to reflect changes in the relevant

1 Consumer Price Index, as determined by the Controller. No later than April 15th of each year,
2 the Department of Public Health shall submit the annual fee to the Controller, who shall apply
3 the price index adjustment to produce a new annual fee for the following year. No later than
4 May 15th of each year, the Controller shall file a report with the Board of Supervisors reporting
5 the new annual fee and certifying that: (a) the annual fee produces sufficient revenue to
6 support the proposed costs of providing the services in the upcoming fiscal year for which the
7 annual fee is being charged and (b) the annual fee will not produce revenue that exceeds the
8 proposed costs of providing the services in the upcoming fiscal year for which the annual fee
9 is charged. Notwithstanding the procedures set forth in this Section, the Board of Supervisors,
10 in its discretion, may modify the annual fee by ordinance at any time. The license fee shall be
11 paid annually on or before March 31, in accordance with the provisions of Section 76.1 of the Business
12 and Tax Regulations Code.

13 A new Deemed Approved Off-Sale Alcohol Use or a Deemed Approved Off-Sale
14 Alcohol Use that undergoes a change in ownership after the enactment of the Deemed
15 Approved Off-Sale Alcohol Use Ordinance shall pay its first annual fee on a pro-rated basis
16 reflecting within 60 days of commencing operation or of the change in ownership. This first
17 annual fee payment shall be pro-rated based of the number of days left in the fiscal year. The
18 license fee shall be paid annually on or before March 31, in accordance with the provisions of Section
19 76.1 of the Business and Tax Regulations Code.

20 Upon the request of the owner of a Deemed Approved Off-Sale Alcohol Use, the
21 Department of Public Health may waive payment of the annual fee provided that the owner
22 can show to the satisfaction of the Department of Public Health all of the following:

23 (1) That the Deemed Approved Off-Sale Alcohol Use has been under the
24 same ownership for not less than the previous three years;

1 (2) That the annual fee for the Deemed Approved Off-Sale Alcohol Use has
2 been paid in a timely manner for not less than the previous three years; and

3 (3) That the Deemed Approved Off-Sale Alcohol Use has not been the
4 subject of a City Department-referred complaint or any administrative penalties or conditions
5 imposed by a Hearing Officer, the Board of Appeals, or the Board of Supervisors under the
6 provisions of this Chapter.

7 If the owner of the Deemed Approved Off-Sale Alcohol Use can show all of the above,
8 the Department of Public Health shall waive the fee indefinitely, provided, however, that if the
9 Deemed Approved Off-Sale Alcohol Use changes ownership or becomes the subject of a City
10 Department-referred complaint or any administrative penalties or conditions imposed by a
11 Hearing Officer, the Board of Appeals, or the Board of Supervisors under the provisions of this
12 Chapter the annual fee shall be immediately reimposed.

13
14 Section 2. The San Francisco Business and Tax Regulations Code is hereby amended
15 by adding Sections 76.1 and 76.2, deleting Sections 76 and 80, and amending Sections 78,
16 93, 93.1, 120, 122, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238,
17 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249.1, 249.5, 249.6, 249.7, 249.12, 249.13,
18 249.15, and 249.16, to read as follows:

19 ~~SEC. 76. LICENSES PAYABLE IN ADVANCE, WHERE PAYABLE, PENALTY FOR NONPAYMENT.~~

20 ~~Unless otherwise specifically provided, in all cases of annual licenses, collectible on the first~~
21 ~~day of January, April, July or October, fees for new licenses issued prior to or subsequent to said date~~
22 ~~shall be prorated to the end of the yearly period on a monthly basis.~~

23 ~~In all cases of licenses on new business collectible at periods other than the months of October,~~
24 ~~January, April and July, the Tax Collector shall prorate on a monthly basis the amount or license fee~~
25 ~~for any given quarter.~~

1 ~~Whenever a license tax is imposed by Ordinance it shall be unlawful to do or perform the act or~~
2 ~~to carry on the business, trade, profession or calling for which a license is required or to own, keep or~~
3 ~~use the article or thing, for the owning, keeping or using of which a license is required, unless such~~
4 ~~license be first procured.~~

5 ~~All licenses are payable, when due, at the office of the Tax Collector, in the City Hall, and if not~~
6 ~~paid within 30 days after the same become due, the Tax Collector shall add 10 percent to the amount of~~
7 ~~the license as a penalty for nonpayment. If the license is not paid within 60 days after the same~~
8 ~~becomes due, the Tax Collector shall add 15 percent to the amount of the license as a penalty for~~
9 ~~nonpayment. If the license is not paid within 90 days after same becomes due, the Tax Collector shall~~
10 ~~add 25 percent to the amount of the license, as a penalty for nonpayment, provided, however, when a~~
11 ~~licensee has failed for a period of six months or more to pay a license fee, and has allowed the license~~
12 ~~to become delinquent for this or a longer period, the Tax Collector shall, in such instance, impose a~~
13 ~~penalty of 25 percent on the total amount of license delinquent, and shall turn over a complete list of~~
14 ~~such licensees to the Chief of Police for arrest and prosecution, under the provisions of this Article.~~
15 ~~Nothing shall permit the exemption of the penalty mentioned in this Section.~~

16
17 **SEC. 76.1. LICENSES PAYABLE ON MARCH 31, WHERE PAYABLE, PENALTY FOR**
18 **NONPAYMENT, ANNUAL ADJUSTMENT.**

19 ~~(a) Commencing March 31, 2012, the following provisions shall apply to licenses that are~~
20 ~~renewable annually and are due and payable in full to the Treasurer and Tax Collector on March 31 of~~
21 ~~each year. The Tax Collector shall prorate fees for new licenses issued prior to March 31, or after~~
22 ~~March 31 to the end of the license period, on a monthly basis. The Tax Collector may not accept partial~~
23 ~~payments and may not refund fees paid by a licensee, if the licensee ceases operating the business prior~~
24 ~~to the end of the license period.~~

1 **(b)** Whenever a City ordinance imposes a license fee, it shall be unlawful to do or perform
2 the act or to carry on the business, trade, profession or calling for which City law requires the license
3 without obtaining and maintaining the required license.

4 All license fees are payable, when due, at the Office of the Treasurer and Tax Collector,
5 in City Hall, and if not paid within 30 days after they become due, the license shall expire by operation
6 of law and the licensee must obtain a new license and pay all applicable penalties specified below and
7 fees incurred under the previously expired license, provided, however, that the licensee shall not be
8 subject to the penalties unless the Tax Collector sent notice to the licensee prior to February 28, of the
9 same year, informing the licensee that the permit is about to expire. The notice that the license is about
10 to expire may be a part of the annual billing statement.

11 If a licensee does not pay the fee within 30 days after it becomes due, but the licensee
12 continues to operate the business, the Tax Collector shall add 10 percent to the amount of the license
13 fee as a penalty for nonpayment. If the licensee does not pay the fee within 60 days after it becomes
14 due, but the licensee continues to operate the business, the Tax Collector shall add 15 percent to the
15 amount of the license fee as a penalty for nonpayment. If the licensee does not pay the fee within
16 90 days after it becomes due, but the licensee continues to operate the business, the Tax Collector shall
17 add 25 percent to the amount of the license fee, as a penalty for nonpayment. If the licensee has failed
18 for a period of six months or more to pay a license fee, but has continued to operate the business, the
19 Tax Collector shall impose an additional penalty of 25 percent on the amount of the delinquent license
20 fee, and shall refer the delinquent licensee to the department charged with administering the permit for
21 administrative action on the permit. These penalties are mandatory and City officers and employees
22 may not waive them in whole or in part.

23 **(c)** Each department shall maintain on its website an up-to-date schedule of all fees that it
24 collects. The Municipal Code shall include an editor's statement informing the public that the fees
25 administered pursuant to this Section are subject to annual review and adjustment to reflect the City's

1 cost increases or decreases, which may include adjustments based upon the Consumer Price Index that
2 most accurately tracks increases and decreases in the City's cost for the function, service, or
3 undertaking that the fee will pay for, and that each department maintains on its website an up-to-date
4 list of the fees charged subject to adjustment. This subsection is not intended to change the processes
5 for adjustment of fees as provided in the Municipal Code.

6
7 **SEC. 76.2. LICENSES PAYABLE IN ADVANCE ON DATES OTHER THAN MARCH 31,**
8 **WHERE PAYABLE, PENALTY FOR NONPAYMENT, ANNUAL ADJUSTMENT.**

9 (a) Unless otherwise specifically provided, in all cases of annual licenses, collectible on the
10 first day of January, April, July or October, fees for new licenses issued prior to or subsequent to said
11 date shall be prorated to the end of the yearly period on a monthly basis.

12 In all cases of licenses on new business collectible at periods other than the months of October,
13 January, April and July, or on March 31 pursuant to Section 76.1, the Tax Collector shall prorate on a
14 monthly basis the amount or license fee for any given quarter.

15 (b) Whenever a license fee is imposed by ordinance it shall be unlawful to do or perform the
16 act or to carry on the business, trade, profession or calling for which a license is required or to own,
17 keep or use the article or thing, for the owning, keeping or using of which a license is required, unless
18 such license be first procured.

19 All licenses are payable, when due, at the Office of the Treasurer and Tax Collector, in City
20 Hall, and if not paid within 30 days after the same become due, the license shall expire by operation of
21 law and the licensee must obtain a new license and pay all applicable penalties specified below and
22 fees incurred under the previously expired license, provided, however, that the licensee shall not be
23 subject to the penalties unless the Tax Collector sent notice to the licensee prior to February 28, of the
24 same year, informing the licensee that the permit is about to expire. The notice that the license is about
25 to expire may be a part of the annual billing statement.

1 If a licensee does not pay the fee within 30 days after it becomes due, but the licensee continues
2 to operate the business, the Tax Collector shall add 10 percent to the amount of the license as a penalty
3 for nonpayment. If the licensee does not pay the fee within 60 days after the same becomes due, but the
4 licensee continues to operate the business, the Tax Collector shall add 15 percent to the amount of the
5 license as a penalty for nonpayment. If the licensee does not pay the fee within 90 days after it becomes
6 due, but the licensee continues to operate the business, the Tax Collector shall add 25 percent to the
7 amount of the license, as a penalty for nonpayment. If the licensee has failed for a period of six months
8 or more to pay a license fee, but has continued to operate the business, the Tax Collector shall, impose
9 an additional penalty of 25 percent on the amount of the delinquent license fee, and shall refer the
10 delinquent licensee to the department charged with administering the permit for administrative action
11 on the permit. These penalties are mandatory and City officers and employees may not waive them in
12 whole or in part.

13 Each department shall maintain on its website an up-to-date schedule of all fees that it collects.
14 The Municipal Code shall include an editor's statement informing the public that the fees administered
15 pursuant to this Section are subject to annual review and adjustment to reflect the City's cost increases
16 or decreases, which may include adjustments based upon the Consumer Price Index that most
17 accurately tracks increases and decreases in the City's cost for the function, service, or undertaking
18 that the fee will pay for, and that each department maintains on its website an up-to-date list of the fees
19 charged subject to adjustment.

20 21 **SEC. 78. EVIDENCE OF LIABILITY.**

22 In any action brought under or arising out of any of the provisions of any Ordinance
23 imposing a license ~~tax-fee~~, the fact that a party thereto represented himself or herself as
24 engaged in any business or calling for the transaction of which a license is required, or that
25

1 such party exhibited a sign indicating such business or calling, shall be conclusive evidence of
2 the liability of such party to pay for a license.

3
4 **~~SEC. 80. APPLICANT TO BE EXAMINED.~~**

5 ~~In all cases where the rate of license tax is graduated according to the amount of business done,~~
6 ~~or according to any other matter peculiarly within the knowledge of the person liable for license, such~~
7 ~~person must be examined at the Tax Collector's office or upon the premises in regard to such matters,~~
8 ~~and must be required to subscribe to a sworn statement, or affidavit that he has, to the best of his~~
9 ~~knowledge and belief, truly answered all questions touching the amount of license or kind of license for~~
10 ~~which he applies or is liable.~~

11 ~~It is within the discretion of the Tax Collector to refuse to accept anything but an advanced rate~~
12 ~~of license tax until he has determined, by an inspection of account books or other evidence, that a lower~~
13 ~~rate is justifiable.~~

14 ~~In all cases where the rate of license tax is graduated according to the amount of business done~~
15 ~~periodically, as monthly, quarter or annually, the amount of license tax to be charged in advance shall~~
16 ~~be determined by the business done in the next month, quarter or year prior to the period for which the~~
17 ~~license tax is due, unless by Ordinance it be specifically provided otherwise. In case there have been no~~
18 ~~receipts for the previous month, quarter or year, the lowest rate of license tax shall be paid. This same~~
19 ~~rule for determining the amount of license tax shall apply wherever the amount of license tax is to be~~
20 ~~determined in accordance with the amount of profits made or the amount of commissions received, or~~
21 ~~the amount of sale made or the amount of receipts, or by any other contingency or circumstance.~~

1 **SEC. 93. MOTOR FUEL DISPENSING FACILITIES.**

2 Every person, firm or corporation engaged in the business of maintaining, conducting
3 or operating a motor fuel dispensing facility that requires a permit from the Fire Department
4 shall pay an annual license fee of \$344.00.

5 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
6 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

7
8 **SEC. 93. 1. SELF-SERVICE MOTOR FUEL DISPENSING FACILITIES.**

9 Every person, firm or corporation engaged in the business of maintaining, conducting
10 or operating a self-service motor fuel dispensing facility that requires a permit from the Fire
11 Department, and jointly administered by the Fire and Health Departments, shall pay an annual
12 license fee of \$344.00.

13 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
14 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

15
16 **SEC. 120. LAUNDRIES AND CLEANING AND DYEING WORKS.**

17 ~~(a) Every owner, manager or lessee of a hand laundry will pay the following license fee~~
18 ~~annually: \$87.~~

19 ~~(b)(a) Every owner, manager or lessee of a wash laundry will pay the following license~~
20 ~~fee annually in advance to the Tax Collector: \$187.~~

21 ~~(c) Every owner, manager or lessee of a cleaning, dyeing or cleaning and dyeing works will~~
22 ~~pay the following fee annually: \$22.~~

23 ~~(b) Every person, firm or corporation engaged in the business of dry cleaning that~~
24 ~~requires a permit from the Fire Department shall also pay an annual license fee of \$344.00 per~~
25 ~~year.~~

1 ~~(d)(c)~~ Every owner, manager or lessee of an automatic laundry (mechanical, pay-to-
2 operate, washing or dyeing machine) will pay the following license fee annually ~~in advance to~~
3 ~~the Tax Collector~~: \$29 plus \$11 per machine.

4 ~~(e)(d)~~ Every owner, manager or lessee of a laundry delivery service will pay the
5 following license fee annually ~~in advance to the Tax Collector~~: \$21 per delivery vehicle per year.

6 ~~The license fees prescribed by this Section are due and payable the first day of January of each~~
7 ~~year. Fees for new licenses issued prior to January 1st shall be prorated to the end of such calendar~~
8 ~~year on a monthly basis.~~

9 The license fees set forth above shall be paid annually on or before March 31, in accordance
10 with the provisions of Section 76.1 of the Business and Tax Regulations Code.

11 **SEC. 122. LIVERY STABLES.**

12 All keepers or owners of stables or barns who rent or let horses, vehicles, or stalls, or
13 who board horses, shall pay a license fee of \$131 per year.

14 The license fee prescribed in this Section ~~is due and payable on an annual basis,~~
15 ~~commencing October 1, 1978~~ shall be paid annually on or before March 31, in accordance with the
16 provisions of Section 76.1 of the Business and Tax Regulations Code.

17 **SEC. 224. STORAGE AND USE OF BATTERY SYSTEMS.**

18 Every person, firm or corporation storing or using a battery system that requires a
19 permit from the Fire Department shall pay an annual license fee of \$344.00.

20 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
21 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

1 **SEC. 225. WASTE HANDLING.**

2 Every person, firm or corporation engaged in the business of waste handling, including
3 but not limited to junk yards and wrecking yards, that requires a permit from the Fire
4 Department shall pay an annual license fee of \$344.00.

5 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
6 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

7
8 **SEC. 226. MAINTENANCE OF FIRE FIGHTER AIR SYSTEMS.**

9 Every person, firm or corporation engaged in business that involves the maintenance
10 or repair of a fire fighter air replenishment system that requires a permit from the Fire
11 Department shall pay an annual license fee of \$344.00.

12 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
13 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

14
15 **SEC. 227. COMBUSTIBLE DUST PRODUCING OPERATIONS.**

16 Every person, firm or corporation engaged in business that involves combustible dust
17 producing operations that require a permit from the Fire Department shall pay an annual
18 license fee of \$344.00.

19 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
20 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

21
22 **SEC. 228. FRUIT AND CROP RIPENING.**

23 Every person, firm or corporation engaged in business involving fruit and crop ripening
24 that requires a permit from the Fire Department shall pay an annual license fee of \$344.00.

1 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
2 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

3
4 **SEC. 229. HOT WORK OPERATIONS.**

5 Every person, firm or corporation engaged in business involving hot work operations
6 that require a permit from the Fire Department shall pay an annual license fee of \$344.00.

7 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
8 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

9
10 **SEC. 230. USE OF LIQUID OR GAS FUELED VEHICLES OR EQUIPMENT IN ASSEMBLY**
11 **BUILDINGS.**

12 Every person, firm or corporation engaged in business involving the use of liquid or gas
13 fueled vehicles or equipment in an assembly building that requires a permit from the Fire
14 Department shall pay an annual license fee of \$344.00.

15 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
16 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

17
18 **SEC. 231. USE OF REFRIGERATION EQUIPMENT.**

19 Every person, firm or corporation engaged in business involving the use of refrigeration
20 equipment that requires a permit from the Fire Department shall pay an annual license fee of
21 \$344.00.

22 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
23 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

1 **SEC. 232. AMUSEMENT BUILDINGS.**

2 Every person, firm or corporation engaged in business involving amusement buildings
3 that requires a permit from the Fire Department shall pay an annual license fee of \$344.00.

4 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
5 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

6
7 **SEC. 233. COVERED MALL BUILDINGS.**

8 Every person, firm or corporation engaged in business involving covered mall buildings
9 that requires a permit from the Fire Department shall pay an annual license fee of \$344.00.

10 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
11 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

12
13 **SEC. 234. PYROXYLIN PLASTICS.**

14 Every person, firm or corporation engaged in business involving the use of pyroxylin
15 plastics that requires a permit from the Fire Department shall pay an annual license fee of
16 \$344.00.

17 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
18 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

19
20 **SEC. 235. ROOFTOP HELIPORTS.**

21 Every person, firm or corporation engaged in business using a rooftop heliport that
22 requires a permit from the Fire Department shall pay an annual license fee of \$344.00.

23 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
24 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

1 **SEC. 236. TIRE REBUILDING PLANTS.**

2 Every person, firm or corporation engaged in business of maintenance and operating a
3 tire rebuilding plant that requires a permit from the Fire Department shall pay an annual
4 license fee of \$344.00.

5 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
6 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

7
8 **SEC. 237. PLACES OF PUBLIC ASSEMBLY AND OPEN-AIR ASSEMBLY.**

9 Every person, firm or corporation engaged in the business of maintaining, operating or
10 using a building, stadium or structure as a place of public assembly or an open-air assembly
11 that requires a permit from the Fire Department, and where a license is not required
12 elsewhere in the Municipal Code, shall pay an annual license fee of \$564.00 per year.

13 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
14 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

15
16 **SEC. 238. NITROCELLULOSE FILM AND PLASTICS.**

17 Every person, firm or corporation engaged in the business of processing, storing or
18 using nitrocellulose motion picture film or nitrocellulose plastics that requires a permit from the
19 Fire Department shall pay an annual license fee of \$344.00.

20 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
21 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

1 **SEC. 239. STORAGE OF CERTAIN COMBUSTIBLE MATERIALS.**

2 Every person, firm or corporation engaged in any business of storing combustible
3 fibers, waste materials, lumber or readily combustible materials, including high-piled storage,
4 that requires a permit from the Fire Department shall pay an annual license fee of \$344.00.

5 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
6 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

7
8 **SEC. 240. STORAGE AND USE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS.**

9 Every person, firm or corporation engaged in the business of storing, using or
10 transporting flammable or combustible liquids, including flammable or combustible liquid fuel
11 oil, that requires a permit from the Fire Department, unless such person shall have secured a
12 license under Sections 90 or 93 of this Article, shall pay an annual license fee of \$344.00 per
13 year.

14 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
15 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

16
17 **SEC. 241. FUMIGATION AND FOGGING.**

18 Every person, firm or corporation engaged in the business of fumigating and fogging
19 that requires a permit from the Fire Department shall pay an annual license fee of \$344.00.

20 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
21 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

1 **SEC. 242. STORAGE AND USE OF LIQUEFIED GASES AND COMPRESSED GASES.**

2 Every person, firm or corporation engaged in the business of storing or using liquefied
3 petroleum gases or compressed gases that requires a permit from the Fire Department shall
4 pay an annual license fee of \$344.00.

5 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
6 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

7
8 **SEC. 243. ERECTION AND USE OF ACETYLENE GENERATORS; STORAGE OF**
9 **CALCIUM CARBIDE.**

10 Every person, firm or corporation that installs or uses an acetylene generator for which
11 a permit is required for from the Fire Department shall pay an annual license fee of \$344.00.

12 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
13 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

14
15 **SEC. 244. APPLICATION OF FLAMMABLE FINISHES; AND USE AND OPERATION OF**
16 **INDUSTRIAL BAKING AND DRYING OVENS.**

17 Every person, firm or corporation engaged in the business of applying flammable
18 finishes, including floor finishes, that requires a permit from the Fire Department; or using or
19 operating an industrial baking and drying oven that requires a permit from the Fire
20 Department, shall pay an annual license fee of \$344.00.

21 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
22 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

1 **SEC. 245. PROCESSING OF MAGNESIUM.**

2 Every person, firm or corporation engaged in the business of processing magnesium
3 that requires a permit from the Fire Department shall pay an annual license fee of \$344.00.

4 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
5 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

6
7 **SEC. 246. OPERATING A TANK VEHICLE.**

8 Every person, firm or corporation engaged in the business of transporting flammable
9 liquids by tank vehicle, and providing such tank, vehicle that requires a permit from the Fire
10 Department, shall pay an annual fee of \$344.00 for each tank vehicle.

11 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
12 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

13
14 **SEC. 247. HAZARDOUS MATERIALS.**

15 Every person, firm or corporation engaged in the business of storing and using
16 hazardous materials, including but not limited to aerosols, cryogenic fluids, and explosives,
17 that require a permit from the Fire Department shall pay an annual license fee of \$344.00.

18 The license fee for the Fire Department permit shall be paid annually on or before March 31, in
19 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

20
21 **SEC. 248. FOOD PRODUCT AND MARKETING ESTABLISHMENTS.**

22 (a) The following fee for licenses is established for persons, firms or corporations
23 engaged in the conduct or operation of the handling, manufacture or sale of foodstuffs,
24 annually payable in advance to the Tax Collector.

| Class | Fee |
|--|---------|
| Class A. Food product and marketing establishments without food preparation with a total square footage of: | |
| Less than 5,001 square feet | \$569 |
| 5,001 square feet to 10,000 square feet | \$748 |
| 10,001 square feet to 20,000 square feet | \$934 |
| Greater than 20,000 square feet | \$1,135 |
| Class B. Food product and marketing establishments with food preparation with a total square footage of: | |
| Less than 5,001 square feet | \$610 |
| 5,001 square feet to 10,000 square feet | \$794 |
| 10,001 square feet to 20,000 square feet | \$968 |
| Greater than 20,000 square feet | \$1,154 |
| Class C. Retail bakeries with total square footage of: | |
| Less than 2,001 square feet | \$625 |
| Greater than 2,000 square feet | \$645 |
| Class D. Produce stand | \$629 |
| Class E. Certified farmers market | \$635 |
| Class F. Wholesale food markets | \$610 |

| | | |
|---|---|-------|
| 1 | Class G. Food manufacturing or processing | \$629 |
| 2 | Class H. Food product and marketing establishments with an inventory of food at cost | |
| 3 | in stock as of the first day of April: | |
| 4 | Less than \$1,000 | \$105 |
| 5 | Greater than \$1,000 | 0 |
| 6 | Class I. Food product and marketing establishments in stadiums, arenas | \$625 |
| 7 | or auditoriums with a seating capacity of 25,000 or more | |

8
9
10 (b) ~~The license fees prescribed in this Section are due and payable annually in advance on~~
11 ~~the first day of September of each year. Fees for new licenses issued prior to, or after September 1st,~~
12 ~~shall be prorated on a monthly basis. The license fees set forth above shall be paid annually on or~~
13 ~~before March 31, in accordance with the provisions of Section 76.1 of the Business and Tax~~
14 ~~Regulations Code.~~

15
16 **SEC. 249.1. FOOD PREPARATION AND SERVICE ESTABLISHMENTS.**

17 Every person, firm or corporation engaged in the business of operating food
18 preparation and service establishments, as defined in Section 451 of the San Francisco
19 Health Code, that require permits from the Health Department shall pay an annual license fee
20 to the Tax Collector as follows:

21 (a)

| 22 | Class | Fee |
|----|--|-----|
| 23 | Class A. Food preparation and service establishments with a total | |
| 24 | square footage of: | |
| 25 | | |

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|---|---------|
| Less than 1,000 square feet. | \$777 |
| 1,000 square feet to 2,000 square feet: | \$1,028 |
| Greater than 2,000 square feet | \$1,179 |
| Class B. Bar or tavern | \$923 |
| Class C. Take-out establishment | \$932 |
| Class D. Fast food establishment | \$1,056 |
| Class E. Catering facility | \$908 |
| Class F. Temporary facility | \$145 |
| Class G. Food demonstrations | \$105 |
| Class H. Commissary | \$884 |
| Class I. Mobile Food Facilities | |
| Class I-1. Mobile Food Facility 1 | \$181 |
| Class I-2. Mobile Food Facility 2 | \$271 |
| Class I-3. Mobile Food Facility 3 | \$181 |
| Class I-4. Mobile Food Facility 4 | \$724 |
| Class I-5. Mobile Food Facility 5 | \$724 |
| Class J. Stadium concession | \$625 |
| Class K. Vending machines | \$177 |
| Class L. Bed and breakfast establishment | \$999 |

| | | |
|---|---|---------|
| 1 | Class M. Boarding house | \$241 |
| 2 | Class N. Private school cafeterias- | \$294 |
| 3 | Class O. Hospital kitchen, with food service to the general public and | \$940 |
| 4 | staff only | |
| 5 | Class P. Licensed Health Care Facility | \$1,050 |
| 6 | Class Q. Caterer | \$350 |
| 7 | | |
| 8 | | |

9 The license fees ~~prescribed in this Section are due and payable on an annual basis each year~~
10 ~~on April 1. Fees for new licenses issued prior to, or after July 1st, shall be prorated on a monthly basis.~~
11 ~~set forth above shall be paid annually on or before March 31, in accordance with the provisions of~~
12 ~~Section 76.1 of the Business and Tax Regulations Code.~~

13 (b) **Exemptions.** The following establishments are exempt from paying the fees
14 required by this Section:

15 (1) Food preparation and service establishments used exclusively by day
16 care facilities for children are exempt from paying the fees required by this Section.

17 For the purpose of this subsection, a "day care facility for children" shall
18 mean a "community care facility" licensed pursuant to the provisions of Chapter 3, Division 2
19 of the California Health and Safety Code (commencing at Section 1500) which provides
20 nonmedical care to children in need of personal services, supervision, or assistance essential
21 for sustaining the activities of daily living or for the protection of the individual on less than a
22 24-hour basis, or a "family day care home for children" licensed pursuant to the provisions of
23 Chapter 3.6, Division 2 of the California Health and Safety Code (commencing at Section
24 1597.50).

1 (2) Food preparation and service establishments funded through the
2 San Francisco Commission on Aging for nutrition projects for older individuals.

3 (c) Beginning with fiscal year 2010-2011 and annually thereafter, the fees set forth
4 in this section may be adjusted each year, without further action by the Board of Supervisors,
5 as set forth in this subsection. Not later than April 1, the Director shall report to the Controller
6 the revenues generated by the fees for the prior fiscal year and the prior fiscal year's costs of
7 operation, as well as any other information that the Controller determines appropriate to the
8 performance of the duties set forth in this Article. Not later than May 15, the Controller shall
9 determine whether the current fees have produced or are projected to produce revenues
10 sufficient to support the costs of providing the services for which the fee is assessed and that
11 the fees will not produce revenue that is significantly more than the costs of providing the
12 services for which the fee is assessed. The Controller shall, if necessary, adjust the fees
13 upward or downward for the upcoming fiscal year as appropriate to ensure that the program
14 recovers the costs of operation without producing revenue that is significantly more than such
15 costs. The adjusted rates shall become operative on July 1.

16
17 **SEC. 249.5. PET SHOPS, DOG KENNELS, HOSPITALS FOR SICK ANIMALS.**

18 Every person, firm or corporation engaged in the business of operating a pet shop or
19 hospital for sick animals that requires a permit from the Health Department shall pay an
20 annual permitlicense fee of \$108 to the Tax Collector.

21 Every person, firm or corporation engaged in the business of operating a dog kennel
22 that requires a permit from the Health Department shall pay an annual permitlicense fee of
23 \$108 to the Tax Collector, in addition to the fee prescribed in Section 221 of Part III of this
24 Code.

1 ~~The permit fees prescribed by this Section are due and payable on an annual basis commencing~~
2 ~~October 1, 1978. Fees for new permits issued prior to or after October 1, 1978, or in any subsequent~~
3 ~~year, shall be prorated to October 1st on a monthly basis. The license fees set forth above shall be paid~~
4 ~~annually on or before March 31, in accordance with the provisions of Section 76.1 of the Business and~~
5 ~~Tax Regulations Code.~~

6
7 **SEC. 249.6. VEHICLES FOR THE TRANSPORTATION OF REFUSE AND ADJUDICATION**
8 **OF RATE DISPUTES.**

9 Every person, firm or corporation engaged in operating a vehicle for transportation of
10 refuse or garbage that requires a permit from the Health Department shall pay an annual
11 license fee to the Tax Collector as follows:

12 (a) Garbage truck, \$3,268.00 for each vehicle.

13 ~~(b) Swill trucks, \$78 for each vehicle.~~

14 ~~The license fees prescribed by this Section are due and payable on an annual basis. Fees for~~
15 ~~new licenses issued prior to or after January 1st, or in any subsequent calendar year, shall be prorated~~
16 ~~to January 1st on a monthly basis. The license fee set forth above shall be paid annually on or before~~
17 ~~March 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.~~

18 The fees prescribed by this Section are for the purpose of reimbursing the City and
19 County of San Francisco for costs incurred in the implementation of the Mandatory Refuse
20 Collection Program, the inspection and licensing of refuse vehicles and the adjudication of
21 refuse collection rate disputes.

22
23 **SEC. 249.7. SWIMMING POOLS.**

24 Every person, firm or corporation engaged in operating a swimming pool on a year-
25 round basis that requires a permit from the Health Department shall pay an annual license fee

1 of \$274 to the Tax Collector. Swimming pools that require a permit from the Health
2 Department which operate less than six months per year shall pay an annual license fee of
3 \$235 per year to the Tax Collector.

4 ~~The license fee shall be due and payable annually in advance on the first day of October of each~~
5 ~~year. Fees for licenses issued prior to or after October 1st, shall be prorated on a monthly basis. The~~
6 ~~license fees set forth above shall be paid annually on or before March 31, in accordance with the~~
7 ~~provisions of Section 76.1 of the Business and Tax Regulations Code.~~

8 License fees paid hereunder shall not be refundable because of revocation of license,
9 discontinuance of operation or sale or transfer of the swimming pool.

11 **SEC. 249.12. FOOD VENDING MACHINES.**

12 (a) Every person, firm or corporation engaged in the business of operating food
13 vending machines shall pay a fee of \$177. ~~Said fee is due and payable on an annual basis starting~~
14 ~~October 1st. The license fee set forth above shall be paid annually on or before March 31, in~~
15 ~~accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.~~

16 (b) In addition to the fee prescribed in Subsection (a) of this Section every permittee
17 shall pay an annual fee of \$5 for each vending machine operated in said business. The fee
18 prescribed herein shall not be prorated.

19 (c) The fee prescribed in Subsection (b) of this Section shall be credited to the fee
20 payable in Subsection (a) but said credit shall not exceed \$60.

22 **SEC. 249.13. WELLS AND WELL WATER.**

23 (a) Every person, firm or corporation engaged in operating wells that require a
24 permit from the San Francisco Department of Public Health shall pay an annual permit fee of
25

1 \$47 to the Tax Collector. For the purpose of this Section, the term "well" shall have the same
2 meaning as that in Section 659 or Article 12B of the San Francisco Health Code.

3 (b) ~~The permit fee shall be due and payable annually in advance on the first day of January~~
4 ~~of each year. Fees for new permit issued prior to or after January 1st, or in any subsequent calendar~~
5 ~~year, shall be prorated to January 1st, on a monthly basis. The license fee set forth above shall be paid~~
6 ~~annually on or before March 31, in accordance with the provisions of Section 76.1 of the Business and~~
7 ~~Tax Regulations Code.~~

8 9 **SEC. 249.15. SOLID WASTE TRANSFER STATION LICENSE FEE.**

10 Every person, firm or corporation operating a solid waste transfer or processing station
11 within the City and County of San Francisco shall pay to the Tax Collector an annual license
12 fee ~~beginning July 1, 1992 and each year thereafter on July 1st as follows. The license fees set forth in~~
13 ~~this Section shall be paid annually on or before March 31, in accordance with the provisions of Section~~
14 ~~76.1 of the Business and Tax Regulations Code.~~

15 (a) Large Quantity Transfer Station. Any solid waste facility handling in excess of
16 250,000 tons of solid waste per year: \$30,000.

17 (b) Medium Quantity Transfer Station. Any solid waste facility handling between
18 10,000 and 249,999 tons of solid waste per year: \$10,000.

19 (c) Small Quantity Transfer Station. Any solid waste facility handling less than
20 10,000 tons of solid waste per year: \$1,000.

21 (d) For purposes of Section 35 and this Section 249.15 of Article, the terms
22 "transfer or processing station," "transportation," "solid waste," "solid waste facility," and
23 "handling" shall be defined as set forth in Sections 40191, 40194, 40195 and 40200 of the
24 California Public Resources Code, which Sections are incorporated by reference as if fully set
25 forth herein.

1 **SEC. 249.16. TOBACCO SALES PERMITLICENSE FEE.**

2 Every person, firm or corporation engaged in tobacco sales shall pay an annual
3 permitlicense fee of \$188 to the Tax Collector. The license fee set forth in this Section shall be paid
4 annually on or before March 31, in accordance with the provisions of Section 76.1 of the Business and
5 Tax Regulations Code.

6
7 Section 3. The San Francisco Fire Code is hereby amended by amending Section
8 113.21 to read as follows:

9 **SEC. 113.21 ~~[For SF] Fee-setting procedure~~[FOR SF] FEE-SETTING PROCEDURE.**

10 Each year the Chief of the Department shall report the revenues received from each
11 type of fee collected by the Fire Department, the costs, both direct and indirect, incurred in
12 providing the services for which the fee is assessed, the anticipated costs for the ensuing
13 fiscal year and the rates which would be necessary to support such cost for each type of fee.
14 The Chief shall file the report with the Controller not later than April 1st of each year under the
15 provisions of the San Francisco Administrative Code. The Controller shall file the report with
16 the Board of Supervisors no later than May 15th of each year. ~~The Board of Supervisors shall, by~~
17 ~~ordinance, establish or adjust the rates for any Fire Department fees. The rates set shall be equal to,~~
18 ~~but not greater than, the rates necessary to support the costs of providing the services for which each~~
19 ~~fee is assessed. The amount of the license fee for the Fire Department permit for the 2011-2012 fiscal~~
20 ~~year shall be as set forth in the Business and Tax Regulations Code Section 75 et seq., and such amount~~
21 ~~shall be reviewed annually and adjusted by the Controller commencing with the 2012-2013 fiscal year.~~

22 **TABLE 113-A - OPERATIONAL PERMIT FEES**

| TYPE OF PERMIT | FEE |
|--|----------|
| Aerosol Products, Regulated Activities | \$330.00 |

| | | |
|----|---|----------|
| 1 | Amusement Buildings, Operation | \$330.00 |
| 2 | Aviation Facilities, Regulated Activities | \$330.00 |
| 3 | Aviation Facilities, Aircraft Refueling Vehicle | \$330.00 |
| 4 | Battery System, Operation | \$330.00 |
| 5 | Carnivals and Fairs, Operation | \$330.00 |
| 6 | Cellulose Nitrate Film, Regulated Activities | \$330.00 |
| 7 | Combustible Dust-Producing Operations | \$330.00 |
| 8 | Combustible Fiber, Regulated Activities | \$330.00 |
| 9 | Combustible Material, Regulated Activities | \$330.00 |
| 10 | Compressed Gas, Regulated Activities | \$330.00 |
| 11 | Conditional Use | \$90.00 |
| 12 | Covered Mall Buildings, Operation | \$330.00 |
| 13 | Cryogenic Fluids, Regulated Activities | \$330.00 |
| 14 | Dry Cleaning Plant, Operation | \$330.00 |
| 15 | Exhibits and Trade Shows, Operation | \$330.00 |
| 16 | Explosives, Regulated Activities | \$330.00 |
| 17 | Fireworks, Display | \$330.00 |
| 18 | Firefighter Air Systems, Maintenance | \$330.00 |
| 19 | Flammable and Combustible Finishes, | \$330.00 |
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|---|----------|
| Application of (Including Floor Finishes) | |
| Flammable or Combustible Liquids, Regulated Activities | \$330.00 |
| Fruit and Crop Ripening | \$330.00 |
| Fumigation and Thermal Insecticidal Fogging | \$330.00 |
| Hazardous Materials, Regulated Activities | \$330.00 |
| Hazardous Production Material (HPM) Facilities | \$330.00 |
| High-Piled Storage | \$330.00 |
| Hot Work Operations, Regulated Activities | \$330.00 |
| Industrial Ovens | \$330.00 |
| Liquefied Petroleum Gases, Regulated Activities | \$330.00 |
| Live Audience, Production Facility, Studio, Sound Stage | \$330.00 |
| Lumberyards and Woodworking Plants | \$330.00 |
| Magnesium Processing | \$330.00 |
| Open Burning | \$330.00 |
| Open Flame and Candles in Assembly Areas | \$330.00 |
| Organic Coating, Manufacturing | \$330.00 |

| | |
|--|----------|
| Place of Assembly | \$330.00 |
| Place of Assembly-Permanent Occupancy for Non-Profit Group | \$0.00 |
| Pyrotechnic Special Effects Material | \$330.00 |
| Pyroxylin Plastics | \$330.00 |
| Refrigeration Equipment | \$330.00 |
| Repair Garages and Motor Fuel Dispensing Facilities | \$330.00 |
| Rooftop Heliports | \$330.00 |
| Temporary Membrane Structures and Tents | \$330.00 |
| Tire Storage | \$330.00 |
| Tire Rebuilding Plants | \$330.00 |
| Waste Handling, Regulated Activities | \$330.00 |

TABLE 113-B - PLAN REVIEW FEES

| VALUATION | FEE |
|-------------------|---|
| \$0 \$500 | \$59.51 |
| \$500 \$2,000 | \$90.49 plus \$18.420 per \$1,000 over \$500 |
| \$2,000 \$25,000 | \$118.12 plus \$13.637 per \$1,000 over \$2,000 |
| \$25,000 \$50,000 | \$431.78 plus \$9.186 per \$1,000 over \$25,000 |

| | | |
|-------------|-------------|--|
| \$50,000 | \$100,000 | \$661.42 plus \$6.138 per \$1,000 over \$50,000 |
| \$100,000 | \$500,000 | \$968.32 plus \$2.524 per \$1,000 over \$100,000 |
| \$500,000 | \$1,000,000 | \$1,977.92 plus \$1.413 per \$1,000 over \$500,000 |
| \$1,000,000 | \$5,000,000 | \$2,684.50 plus \$1.075 per \$1,000 over \$1,000,000 |
| \$5,000,000 | | \$6,982 plus \$0.542 per \$1,000 over \$5,000,000 |

NOTATION TO TABLE 113-B:

EVACUATION SIGNAGE: Plan review beyond thirty minutes will be assessed at an hourly rate of \$110.00 per hour.

TABLE 113-C - FIELD INSPECTION FEES (See notation for additional fees)

| VALUATION | | FEE/INSP. TIME CREDIT |
|--------------|---------------|------------------------|
| Over | Not More Than | |
| \$0 | \$10,000 | \$110.00 ONE HOUR |
| \$10,000 | \$50,000 | \$220.00 TWO HOURS |
| \$50,000 | \$500,000 | \$330.00 THREE HOURS |
| \$500,000 | \$5,000,000 | \$550.00 FIVE HOURS |
| \$5,000,000 | \$10,000,000 | \$1100.00 TEN HOURS |
| \$10,000,000 | \$25,000,000 | \$2200.00 TWENTY HOURS |
| \$25,000,000 | | \$3300.00 THIRTY |

| | | |
|--|--|-------|
| | | HOURS |
|--|--|-------|

NOTATION TO TABLE 113-C:

| | |
|---------------------------------|----------------------|
| NEW FIRE ALARM SYSTEMS | \$220.00 TWO HOURS |
| NEW SPRINKLER SYSTEMS | \$330.00 THREE HOURS |
| NEW GASEOUS SUPPRESSION SYSTEMS | \$220.00 TWO HOURS |

This initial minimum inspection fee covers all inspections up to the hours specified above. If the inspections for the new system exceed the hours specified above, additional hourly fees will be assessed.

Section 4. The San Francisco Health Code is hereby amended by amending Sections 258, 1009.54, 1927, and 3318, to read as follows:

SEC. 258. LICENSE FEES.

(a) Upon approval of an application for a permit to engage in the practice of tattooing, the Director of Public Health shall forward the permit therefor to the Tax Collector, who, upon payment of the license fee hereinafter provided shall issue the permit to the designated permittee.

Every person engaged in the business of conducting, managing or operating any establishment for the practice of the art of tattooing shall pay a license fee of \$1,372 per year, or for any portion of a year, ~~payable annually in advance.~~ The Fee shall be due annually on March 31 of each year, pursuant to Section 76.1, Article 2 of the San Francisco Business and Tax Regulations Code.

1 (b) Beginning with fiscal year 2008-2009, the fee set forth in the Section may be
2 adjusted each year, without further action by the Board of Supervisors, as set forth in this
3 Section.

4 Not later than April 1, the Director shall report to the Controller the revenues
5 generated by the fee for the prior fiscal year and the prior fiscal year's costs of operation, as
6 well as any other information that the Controller determines appropriate to the performance of
7 the duties set forth in this Section.

8 Not later than May 15, the Controller shall determine whether the current fee has
9 produced or is projected to produce revenues sufficient to support the costs of providing the
10 services for which the fee is assessed and that the fee will not produce revenue which is
11 significantly more than the costs of providing the services for which the fee is assessed.

12 The Controller shall, if necessary, adjust the fee upward or downward for the
13 upcoming fiscal year as appropriate to ensure that the program recovers the costs of
14 operation without producing revenue which is significantly more than such costs. The adjusted
15 fee shall become operative on July 1.

16
17 **SEC. 1009.54. FEES FOR PERMIT AND ANNUAL LICENSE FEES.**

18 (a) The Department shall charge every applicant for a tobacco sales permit a non-
19 refundable application fee for the initial inspection and processing of the application and an
20 annual license fee sufficient to cover the costs of annual inspections, as determined by the
21 Director. The application and processing fee shall be \$53 and is otherwise governed by
22 §Section 35 of the San Francisco Business and Tax Regulations Code. The annual fee is
23 listed in §Section 249.16 of the San Francisco Business and Tax Regulations Code. The Fee
24 shall be due annually on March 31 of each year, pursuant to Section 76.1, Article 2 of the
25 San Francisco Business and Tax Regulations Code.

1 (b) Beginning with fiscal year 2008-2009, fees set forth in this Section and referred
2 to in this Section may be adjusted each year, without further action by the Board of
3 Supervisors, as set forth in this Section.

4 Not later than April 1, the Director shall report to the Controller the revenues
5 generated by the fees for the prior fiscal year and the prior fiscal year's costs of operation, as
6 well as any other information that the Controller determines appropriate to the performance of
7 the duties set forth in this Section.

8 Not later than May 15, the Controller shall determine whether the current fees
9 have produced or are projected to produce revenues sufficient to support the costs of
10 providing the services for which the fees are assessed and that the fees will not produce
11 revenue which is significantly more than the costs of providing the services for which the fees
12 are assessed.

13 The Controller shall, if necessary, adjust the fees upward or downward for the
14 upcoming fiscal year as appropriate to ensure that the program recovers the costs of
15 operation without producing revenue which is significantly more than such costs. The adjusted
16 rates shall become operative on July 1.

17
18 **SEC. 1927. FEES.**

19 ~~(a) The application fee for a massage practitioner permit, as provided in Section 1902, shall~~
20 ~~be \$116. The annual license fee for a massage practitioner, as provided in Section 1906, shall be \$86.~~

21 ~~(b)(a)~~ The application fee for a massage establishment, as provided in Section 1909,
22 shall be \$394. The annual license fee for a massage establishment, as provided in Section
23 1920, shall be \$694. The Fee shall be due annually on March 31 of each year, pursuant to Section
24 76.1, Article 2 of the San Francisco Business and Tax Regulations Code.

1 ~~(e)~~(b) The application fee for a solo practitioner massage establishment, as provided in
2 Section 1909, shall be \$394. The annual license fee for a solo practitioner massage
3 establishment, as provided in Section 1920, shall be \$464. The Fee shall be due annually on
4 March 31 of each year, pursuant to Section 76.1, Article 2 of the San Francisco Business and Tax
5 Regulations Code.

6 ~~(d)~~(c) The application fee for an outcall massage services permit, as provided in
7 Section 1909, shall be \$278. The annual license fee for an outcall massage service, as
8 provided in Section 1920, shall be \$231. The Fee shall be due annually on March 31 of each year,
9 pursuant to Section 76.1, Article 2 of the San Francisco Business and Tax Regulations Code.

10 ~~(e)~~(d) An advanced massage practitioner holding a solo practitioner massage
11 establishment permit shall not be required to pay any additional permit or annual license fee
12 for an outcall massage service permit.

13 ~~(f)~~(e) Beginning with fiscal year 2008-2009, fees set forth in this Article may be
14 adjusted each year, without further action by the Board of Supervisors, asset forth in this
15 Section.

16 Not later than April 1, the Director shall report to the Controller the revenues
17 generated by the fees for the prior fiscal year and the prior fiscal year's costs of operation, as
18 well as any other information that the Controller determines appropriate to the performance of
19 the duties set forth in this Section.

20 Not later than May 15, the Controller shall determine whether the current fees
21 have produced or are projected to produce revenues sufficient to support the costs of
22 providing the services for which the fees are assessed and that the fees will not produce
23 revenue which is significantly more than the costs of providing the services for which the fees
24 are assessed.

1 The Controller shall, if necessary, adjust the fees upward or downward for the
2 upcoming fiscal year as appropriate to ensure that the program recovers the costs of
3 operation without producing revenue which is significantly more than such costs. The adjusted
4 rates shall become operative on July 1.

5
6 **SEC. 3318. BUSINESS LICENSE AND BUSINESS REGISTRATION CERTIFICATE.**

7 (a) Every medical cannabis dispensary shall be required to obtain a business
8 license from the City in compliance with Article 2 of the Business and Tax Regulations Code.
9 The business license fee shall be due annually on March 31 of each year, pursuant to Section 76.1,
10 Article 2 of the San Francisco Business and Tax Regulations Code.

11 (b) Every medical cannabis dispensary shall be required to obtain a business
12 registration certificate from the City in compliance with Article 12 of the Business and Tax
13 Regulations Code.

14
15 Section 5. The San Francisco Police Code is hereby amended by amending Sections
16 2.10, 2.16, 43.2., 387, 778, 869.12, 896, 974.23, 1021, 1025, 1032, 1036.10, 1037.2, 1045.2,
17 1060.1-1, 1070.1-1, 1072.40, 1072.40-1, 1073.17, 1073.17.1, 1074.6, 1074.24, 1209, 1218,
18 1230, 1238, 1239.2, 1279.1, 1279.2, 1279.3, 1295, 1309, 2626, 2818, 3008, 3062, 3216A,
19 3217, 3219, 3404, 3405, 3425, 3907, 3908, to read as follows:

20 **SEC. 2.10. ANNUAL RENEWAL.**

21 Except for permits and licenses governed under Section 76.1 of the Business and Tax
22 Regulations Code, permits issued by the Police Department or Entertainment Commission
23 after the adoption of this ordinance, with the exception of permits issued for temporary
24 operations, shall be valid until the next annual renewal date as provided in this Code or for
25 one year from the date of issuance when there is no annual renewal date, unless revoked

1 prior to such date. The permit shall be renewed for the ensuing year and each year thereafter
2 upon payment of the annual license fee.

3
4 **SEC. 2.16. PENALTIES FOR NONPAYMENT OF LICENSE FEES.**

5 All license fees are payable when due, unless otherwise provided, at the ~~e~~Office of the
6 Treasurer and Tax Collector, in the City Hall. ~~and For all permits and licenses except those~~
7 governed under Section 76.1 of the Business and Tax Regulations Code. if a license fee is not paid
8 within 30 days after the same becomes due, the Tax Collector shall add 10 percent to the
9 amount of the stated fee as a penalty for nonpayment. If the license fee is not paid within 60
10 days after the same becomes due, the Tax Collector shall increase the penalty for
11 nonpayment to 15 percent of the amount of the stated fee. If the license fee is not paid within
12 90 days after the same becomes due, the Tax Collector shall increase the penalty for non-
13 payment to 25 percent of the amount of the stated fee, provided however, when a permittee
14 has failed for a period of six months or more to pay a license fee, the Tax Collector shall, in
15 such instance, impose another penalty of 25 percent of the total amount of fee delinquent,
16 including previous penalty charges, to the total amount due for the delinquency payment.

17
18 **SEC. 43.2. LICENSE FEE.**

19 Upon granting the loudspeaker permit, the Entertainment Commission shall forward the
20 permit to the Tax Collector, if the permit authorizes sound amplification for seven or more
21 days in a calendar year, who shall issue a license upon payment by the applicant of the
22 license fee, ~~payable in advance.~~ The license fee shall be annually paid on or before March 31, in
23 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

1 **SEC. 387. PERMIT REQUIRED; APPLICATION; TERM.**

2 (a) No person other than an officer of the Police Department, a member of the Fire
3 Department or a person authorized by other applicable laws shall direct or attempt to direct
4 traffic without first obtaining a permit therefor from the Chief of Police, pursuant to this Article.

5 (b) Applications for funeral escort permits shall be made on a form provided by the
6 Chief of Police, and shall include: (1) the name and business address of the applicant;
7 (2) proof of indemnification and insurance as required by Section 388 of this Article; (3) proof
8 of satisfactory completion of a traffic safety program of instruction, as set forth in Section 393
9 of this Article; (4) proof that the applicant holds a valid California vehicle operator's license,
10 properly endorsed for the type of vehicle the applicant intends to use while directing vehicular
11 funeral processions; (5) payment of the necessary application, permit insignia and uniform
12 fees, as set forth in Sections 2.26 and 2.27 of the Police Code; and (6) such other information
13 as the Chief of Police may require.

14 (c) The Tax Collector shall issue funeral escort licenses upon payment of an annual license
15 fee, which may be pro rated in the initial year of the license. The license fee shall be paid annually on
16 or before March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
17 Regulations Code. Except pro rated licenses which may be less than one year, funeral escort
18 licenses shall be issued by the Tax Collector and shall expire one year from the date of issuance
19 unless the permit is revoked sooner. Permits shall be nontransferable.
20

21 **SEC. 778. LICENSE FEE.**

22 On presentation of a permit to operate a miniature golf course the Tax Collector is
23 hereby authorized to issue a license for said miniature golf course upon payment of the
24 license fee, ~~annually in advance for each fiscal year commencing on the first day of July.~~ The license
25

1 fee shall be paid annually on or before March 31, in accordance with the provisions of Section 76.1 of
2 the Business and Tax Regulations Code.

3
4 **SEC. 869.12. PEDDLERS, PEDDLER EMPLOYEES, LICENSE FEE.**

5 Every person granted a peddler permit or peddler employee permit to peddle goods,
6 wares or merchandise, or fish, vegetables or fruit, or food products for human consumption, or
7 any other article in any manner, shall pay to the Tax Collector an annual license fee, ~~as~~
8 ~~specified in Section 2.27 of Part II, Chapter VIII of the San Francisco Police Code, payable in advance.~~
9 The license fee shall be paid annually on or before March 31, in accordance with the provisions of
10 Section 76.1 of the Business and Tax Regulations Code. In calculating the fees earned herein by
11 the Health Department pursuant to the provisions of Section 6.402 of the Charter of the City
12 and County of San Francisco, a percentage of the license fee shall be credited to ~~said the~~
13 Health Department pursuant to the annual determination by the Controller as provided by
14 Section 2.21 of this Code.

15
16 **SEC. 896. GATHERERS, JUNK.**

17 Every person, firm or corporation engaged in the business or occupation of gathering
18 junk in the City and County of San Francisco and who is not required to pay a license fee
19 under the provisions of Article 13.1 of this Code shall pay an annual license fee, ~~payable in~~
20 ~~advance and subject to a monthly pro rata if not applied for on the first day of any calendar year.~~ The
21 license fee shall be paid annually on or before March 31, in accordance with the provisions of Section
22 76.1 of the Business and Tax Regulations Code.

1 **SEC. 974.23. LICENSE FEES.**

2 Every person issued a permit pursuant to the provisions of this Article shall pay an
3 annual license fee, ~~payable in advance~~ to the Tax Collector. The license fee shall be paid annually
4 on or before March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
5 Regulations Code.

6
7 **SEC. 1021. BALL OR RING THROWING GAMES.**

8 (a) It shall be unlawful for a keeper of a ball or ring throwing game to operate said
9 ball or ring throwing game without first having obtained a permit therefor from the
10 Entertainment Commission.

11 (b) Applications for ball or ring throwing permits shall be filed with the Entertainment
12 Commission on a form provided for said permit together with a nonrefundable fee.

13 (c) Every keeper of a ball or ring throwing game shall pay an annual license fee to
14 the Tax Collector on or before March 31, in accordance with the provisions of Section 76.1 of the
15 Business and Tax Regulations Code. All licenses issued under the provisions of this Section shall be
16 issued for a period of one year to date from the expiration of the last license or from the date that the
17 applicant shall have commenced business. Provided, however, that no such keeper shall be issued a
18 license under this Section without first obtaining a permit from the Entertainment Commission.

19
20 **SEC. 1025. LICENSE FEES.**

21 Every person granted a dance hall permit by the Entertainment Commission shall pay
22 to the Tax Collector an annual license fee, ~~payable in advance on or before March 31, in~~
23 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

24 ~~The license fee prescribed in this section is due and payable on a calendar year basis, starting~~
25 ~~January 1, 1967. Fees for new licenses issued prior to January 1, 1967, or after the first day of January~~

1 ~~of that year, or in any subsequent calendar year, shall be prorated with regard to the calendar year on~~
2 ~~a monthly basis.~~

3 The provisions of this Section shall not apply to any dance hall used exclusively for any
4 of the following dances:

5 (a) Dances of a bona fide social character, to which admission is limited strictly on
6 invitation of the person acting as host, and for which no fee, either by way of admission or in
7 any other manner, is charged.

8 (b) Dances given by any public agency or by any educational, recreational, or social
9 agency, or by any bona fide fraternal, charitable, or religious or benevolent or any other
10 nonprofit organization having a regular membership association primarily for mutual social,
11 mental, political, and civic welfare, to which admission is limited to members and guests, and
12 revenue accruing therefrom to be used exclusively for the benevolent purposes of said
13 organization.

14 (c) Dances conducted by any dancing academy or dancing class in which
15 instruction in dancing is given for hire.

17 **SEC. 1032. LICENSE FEES FOR AMUSEMENT PARKS.**

18 Every person, firm or corporation engaged in the business of conducting an
19 amusement park shall pay to the Tax Collector ~~of the City and County of San Francisco, an~~
20 annual license ~~tax~~ fee on or before March 31, in accordance with the provisions of Section 76.1 of the
21 Business and Tax Regulations Code.

23 **SEC. 1036.10. LICENSE FEES.**

24 Every holder of a mechanical amusement device permit shall pay ~~at the office of the~~ Tax
25 Collector for each separate mechanical amusement device which the permit authorizes, an

1 annual license fee, ~~payable in advance, on or before March 31, in accordance with the provisions of~~
2 Section 76.1 of the Business and Tax Regulations Code.

3
4 **SEC. 1037.2. LICENSE FEE.**

5 Every person, firm or corporation owning, leasing or maintaining any billiard table, pool
6 table, or combination table, for the use of patrons of any place of business, shall pay an
7 annual license fee to the Tax Collector, ~~payable in advance,~~ for the first such table and
8 additional license fee for each additional such table in any such place of business on or before
9 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

10 The permit shall be nontransferable.

11 ~~The annual license fee prescribed in this Section is due and payable on a calendar year basis~~
12 ~~starting January 1st of each year. Fees for new permits issued after the first day of January of a~~
13 ~~particular year shall be prorated with regard to the calendar year on a monthly basis.~~

14
15 **SEC. 1045.2. LICENSE.**

16 Every person, firm or corporation maintaining or conducting any amusement for which
17 a permit is required by Section 1045 of this Article shall pay a license fee on or before
18 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

19 The Tax Collector shall not issue a license under the provisions of this Section, unless
20 the applicant therefor shall have first obtained from the Entertainment Commission a permit to
21 conduct such amusement.

22 Such permits shall be issued annually, and may be revoked at any time by the
23 Entertainment Commission, and upon the revocation of such permit such license issued
24 thereon shall immediately terminate and expire.

1 **SEC. 1060.1-1. LICENSE FEES.**

2 Every person granted a Place of Entertainment Permit or Limited Live Performance
3 Permit by the Entertainment Commission under this Article shall pay to the Tax Collector an
4 annual license fee, ~~payable in advance on or before March 31, in accordance with the provisions of~~
5 Section 76.1 of the Business and Tax Regulations Code.

6 ~~The license fee prescribed in this Section is due and payable on a calendar year basis, starting~~
7 ~~January 1st of each year. Fees for new permits issued after the first day of January of a particular year~~
8 ~~shall be prorated with regard to the calendar year on a monthly basis.~~ The amount of the license fee
9 for the 2005-2006 fiscal year shall be as set forth in Section 2.27 of this Code, and such
10 amount shall be adjusted for inflation commencing with the 2006-2007 fiscal year, and
11 annually thereafter, in accordance with Section 2.31 of this Code.

12
13 **SEC. 1070.1-1. LICENSE FEES.**

14 Every person granted an ~~e~~Extended ~~h~~Hours ~~p~~Premises ~~p~~Permit by the Entertainment
15 Commission under this Article shall pay to the Tax Collector an annual license fee, ~~payable in~~
16 ~~advance on or before March 31, in accordance with the provisions of Section 76.1 of the Business and~~
17 Tax Regulations Code.

18 ~~The license fee prescribed in this Section is due and payable on a calendar year basis, starting~~
19 ~~January 1st of each year. Fees for new permits issued after the first day of January of a particular year~~
20 ~~shall be prorated with regard to the calendar year on a monthly basis.~~ The amount of the license fee
21 for the 2005-2006 fiscal year shall be as set forth in Section 2.27 of this Code, and such
22 amount shall be adjusted for inflation commencing with the 2006-2007 fiscal year, and
23 annually thereafter, in accordance with Section 2.31 of this Code.

1 **SEC. 1072.40. LICENSE FEES.**

2 Every permittee who conducts or assists in conducting or permitting any Encounter
3 Studio as defined herein shall pay to the Tax Collector an annual license fee payable in
4 advance. The license fee shall be paid annually on or before March 31, in accordance with the
5 provisions of Section 76.1 of the Business and Tax Regulations Code. The license fee prescribed in this
6 Section is due and payable on a calendar year basis starting 45 days after the effective date of this
7 Article prorated with regard to the calendar year on a monthly basis. Fees for new licenses issued after
8 the first day of January, 1974 or in any subsequent calendar year shall be prorated with regard to the
9 calendar year on a monthly basis.

10
11 **SEC. 1072.40-1. EMPLOYEE LICENSE.**

12 Every person engaged as an employee of an Encounter Studio who requires a permit
13 from the Police Department pursuant to the provisions of Section 1072.3 of this Article shall
14 pay an annual license fee. The license fee shall be paid annually on or before March 31, in
15 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

16
17 **SEC. 1073.17. LICENSE FEES.**

18 Every permittee who conducts or assists in conducting or permitting any Public
19 Photography Studio as defined herein shall pay to the Tax Collector an annual license fee,
20 payable in advance. The license fee prescribed in this Section is due and payable on a calendar year
21 basis starting 45 days after the effective date of this Article prorated with regard to the calendar year
22 on a monthly basis. Fees for new licenses issued after the first day of January, 1975, or in any
23 subsequent calendar year shall be prorated with regard to the calendar year on a monthly basis. The
24 license fee shall be paid annually on or before March 31, in accordance with the provisions of Section
25 76.1 of the Business and Tax Regulations Code.

1 **SEC. 1073.17.1. EMPLOYEE LICENSE.**

2 Every person engaged as an employee of a public photography studio who requires a
3 permit from the Police Department pursuant to the provisions of Section 1073.2.1 of this
4 Article shall pay an annual license fee. The license fee shall be paid annually on or before March
5 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.
6

7 **SEC. 1074.6. EMPLOYEE PERMIT.**

8 Every person desiring an employee permit shall file an application with the Chief of
9 Police on a form provided by ~~said the~~ Chief of Police and pay a filing fee which shall not be
10 refundable and shall pay ~~to the Tax Collector~~ a license fee annually, ~~payable in advance.~~ The
11 license fee shall be paid annually on or before March 31, in accordance with the provisions of Section
12 76.1 of the Business and Tax Regulations Code. Every person now working as an escort or
13 employee shall file for a permit within 30 days of the effective date of this Article.
14

15 **SEC. 1074.24. LICENSE FEES.**

16 Every permittee who conducts or assists in conducting any escort service as defined
17 herein shall pay to the Tax Collector an annual license fee ~~annually, payable in advance.~~ The
18 license fee prescribed in this Section is due and payable on a calendar year basis starting 45 days after
19 the effective date of this Article prorated with regard to the calendar year on a monthly basis. Fees for
20 new licenses issued after the first day of January, 1981, or in any subsequent calendar year shall be
21 prorated with regard to the calendar year on a monthly basis. The license fee shall be paid annually
22 on or before March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
23 Regulations Code.
24
25

1 **SEC. 1209. LICENSE FEE.**

2 Every person, firm or corporation engaged in the business of merchandising by public
3 outcry any of the articles listed in Section 1200 of this Article, shall pay an annual license fee,
4 ~~payable in advance from the date of issuance of the permit,~~ to the Tax Collector of the City and
5 County of San Francisco. The license fee shall be paid annually on or before March 31, in
6 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code. License
7 fees paid under the provisions of this Section shall not be prorated or refunded. The
8 provisions of Sections 75 to 81, inclusive, of Article 2, Part III of the San Francisco Municipal
9 Code shall apply except as otherwise provided.

10
11 **SEC. 1218. INVESTIGATION, HEARING AND ISSUANCE OF PERMITS.**

12 The Chief of Police shall investigate all applications and without unnecessary delay
13 shall thereafter hear the application and then grant the application unless he or she finds:

14 (a) That any owner, officer or partner of the applicant within four years prior to the
15 date of application, has been convicted of burglary, robbery, theft, receipt of stolen property,
16 breaking or removing parts from a vehicle, malicious mischief to a vehicle, unlawful use or
17 tampering by bailee of a vehicle, altering a vehicle identification, or any offense related to the
18 use of alcohol, narcotics or controlled substances; or

19 (b) That any owner, officer or partner of the applicant has intentionally falsified any
20 statement contained in the application; or

21 (c) For fixed location permits, that the number of proposed parking spaces is
22 insufficient to ensure that the valet parking operation will not be required to use on-street
23 parking spaces.

24 Upon granting the fixed location permit or the annual special event permit, the Chief of
25 Police shall forward the permit(s) to the Tax Collector who shall issue a license or licenses

1 upon payment by the ~~application~~ applicant of the license fee(s), as set forth in Section 2.27 of
2 this Code, ~~payable in advance~~. The license fee for this permit shall be paid annually on or before
3 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

4 ~~The license(s) shall expire one year from the date of issuance and shall be renewable thereafter~~
5 ~~upon an annual basis upon the filing with the Tax Collector of a statement by the permittee setting forth~~
6 ~~its current business address and upon payment of the annual license fee. Licenses shall be renewable~~
7 ~~upon payment of the annual license fee upon the first day of January of each calendar year.~~

8 9 **SEC. 1230. LICENSE FEES.**

10 Every person, as defined in Section 1226 shall pay an annual license fee for each such
11 location as defined in said Section 1226; provided, however, every person who operates a
12 repair garage and grants temporary use of a motor vehicle to a customer without charge,
13 while the motor vehicle belonging to said customer is being repaired or serviced in the repair
14 garage, shall pay an annual license fee. The license fee shall be paid annually on or before
15 March 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

16 17 **SEC. 1238. LICENSE FEES.**

18 Every person, firm or corporation engaged in the business of buying, selling,
19 exchanging, storing or dealing in used or secondhand automobiles or motor vehicle
20 equipment, storage batteries, parts of automobiles or automobile accessories, shall pay an
21 annual license fee to the City and County of San Francisco. The license fee shall be paid
22 annually on or before March 31, in accordance with the provisions of Section 76.1 of the Business and
23 Tax Regulations Code.

1 **SEC. 1239.2. LICENSE.**

2 Every person, firm or corporation engaged in the business of buying secondhand
3 automobiles or other vehicles for the exclusive purpose of wrecking the same shall pay an
4 annual license fee, payable annually in advance, and subject to a monthly pro-rata if not applied for
5 on the first day of any calendar year. The license fee shall be paid annually on or before March 31, in
6 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

7
8 **SEC. 1279.1. PERMIT FROM CHIEF OF POLICE; RULES AND REGULATIONS;**

9 **DEFINITIONS.**

10 Before any person shall engage in the business of secondhand dealer, secondhand
11 jewelry dealer, secondhand clothing dealer, secondhand furniture dealer and household
12 goods dealer, or secondhand book dealer, either exclusively or in conjunction with some other
13 business, that person must ~~make application apply~~ to the Chief of Police for a permit therefor,
14 ~~which said~~ The Chief may grant ~~permission to said the permit application, and the applicant to may~~
15 receive a license from the Tax Collector upon the payment of the license fee ~~required~~. The
16 license fee shall be paid annually on or before March 31, in accordance with the provisions of Section
17 76.1 of the Business and Tax Regulations Code.

18 Secondhand dealers in tangible personal property, as that term is hereinafter defined,
19 must also obtain a state secondhand dealer license. The Chief of Police shall not issue any
20 permit and the Tax Collector shall not issue any license to any person, firm or corporation to
21 conduct the business of a secondhand furniture and household goods dealer within 200 feet
22 of the property line of any church or school. Such restrictions shall not apply to any
23 secondhand furniture and household goods dealer now conducting business within such
24 distance. Said Chief of Police shall have the power to revoke said permit after hearing upon
25 good cause being shown. The Chief of Police may adopt, after a noticed public hearing, such

1 rules and regulations regarding secondhand dealers as will effectuate the purposes of this
2 Article and are not in conflict therewith. Said rules and regulations shall become effective
3 10 days after adoption by the Chief of Police.

4 "Tangible personal property" is defined as set forth in the California Business and
5 Professions Code sections governing secondhand dealers, and shall include all personal
6 property commonly sold by secondhand dealers which is determined by the Attorney General
7 to be frequently stolen and is contained in that list of such personal property which is compiled
8 and periodically revised by the Attorney General and supplied to local law enforcement
9 agencies. The Chief of Police may by rule or regulation amend the Attorney General's list to
10 include additional items which the Chief has determined to be frequently stolen in the City and
11 County. Such additional items shall thereafter be considered tangible personal property for
12 purposes of this Article.

13
14 **SEC. 1279.2. ANTIQUE SHOPS; DEFINITION; PERMIT.**

15 (a) **Definition.** As used in this Article:

16 "Antique Shop" means a shop where secondhand merchandise is sold at retail but
17 where at least 90 percent, measured according to value, of the used or secondhand
18 merchandise on hand at any one time consists of objects of art, bric-a-brac, curios or
19 household furniture or furnishings, offered for sale upon the basis, express or implied, that the
20 value of the property, in whole or in substantial part, is derived from its age or from its
21 historical association.

22 (b) **Permit Required.** The operator of any antique shop may, in lieu of the secondhand
23 dealer's permit required by Section 1279.1 hereof, apply for and obtain a special permit from
24 the Chief of Police to conduct an antique shop. The license fee for an antique shop permit shall be
25

1 paid annually on or before March 31, in accordance with the provisions of Section 76.1 of the Business
2 and Tax Regulations Code.

3 (c) **Compliance with Provisions of Code.** The holder of an antique shop permit shall
4 comply with all the provisions of this Article pertaining to secondhand dealers.

5
6 **SEC. 1279.3. TRADE-IN DEALERS; DEFINITION; PERMIT.**

7 (a) **Definition:** As used in this Article:

8 "Trade-In Dealer" means a person who shall as his direct business activity engage in
9 the sale of new items of goods, wares, merchandise or articles of any description and who
10 during the course of the sale of said new items shall take in trade a used item but does not in
11 said business activity engage in the purchase of used items of goods, wares, merchandise or
12 articles of any description. Said "Trade-In Dealer" shall be of the following kind:

- 13 (1) Furniture and household goods;
14 (2) Radio and television and other electronic equipment;
15 (3) General.

16 (b) **Permit Required.** A "Trade-In Dealer" may, in lieu of the secondhand dealer's
17 permit required by Section 1279.1 hereof, apply for and obtain a special permit from the Chief
18 of Police to conduct a trade-in dealership in conjunction with his new sale operation. The
19 license fee for a "Trade-In Dealer" permit shall be paid annually on or before March 31, in
20 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

21 (c) **Compliance with Provisions of Code.** The holder of a trade-in permit shall
22 comply with all the provisions of this Article pertaining to secondhand dealers.
23
24
25

1 **SEC. 1295. GUIDES.**

2 (a) No person shall for hire, guide or escort people through or about the City and
3 County of San Francisco or any part thereof, unless he shall have paid a license fee in
4 advance; provided, however, that no license shall be issued hereunder unless the applicant
5 therefore shall first have obtained a written permit from the Chief of Police authorizing him to
6 act as such guide. The license fee shall be paid annually on or before March 31, in accordance with
7 the provisions of Section 76.1 of the Business and Tax Regulations Code.

8 (b) Every person desiring a permit pursuant to this Section shall file an application
9 with the Chief of Police upon a form provided by said Chief of Police and shall pay a filing fee.

10 (c) Every licensed guide, while soliciting employment or acting as guide, shall wear
11 conspicuously exposed on the outside lapel of his coat a badge, showing thereof his number
12 and the words LICENSED GUIDE. The design, size and arrangement of numbering and
13 lettering thereof shall be fixed by the Tax Collector, but shall be uniform. The badges shall be
14 furnished by the Tax Collector at a cost fixed by the Tax Collector to cover the cost of issuing
15 such badge, and shall be issued at the date of the issuance of the license herein provided for.
16 Only one badge shall be issued to each licensed guide.

17 (d) The provisions of this Section shall not apply to nonprofit organizations guiding
18 or escorting people through or about the City and County of San Francisco as part of an
19 educational program, or to individuals guiding or escorting people through or about the City
20 and County of San Francisco as part of an educational program sponsored by a nonprofit
21 organization. Upon request of the Police Department, a nonprofit organization claiming
22 exemption under this subsection shall provide verification in a form acceptable to the Chief of
23 Police of (1) its nonprofit organization status, and (2) the educational program of which the
24 tour is a component.
25

1 **SEC. 1309. LICENSE FEES.**

2 Every holder of a fortuneteller's permit shall pay at the ~~e~~Office of the Treasurer and Tax
3 Collector an annual license fee, payable in advance. The license fee shall be paid annually on or
4 before March 31, in accordance with the provisions of Section 76.1 of the Business and Tax
5 Regulations Code. The permit is not valid unless the license fee has been paid.

6
7 **SEC. 2626. LICENSE FEES.**

8 Every permittee who conducts, permits or assists in conducting or permitting any public
9 bath house as defined herein shall pay to the Tax Collector an annual license fee, payable in
10 advance. The license fee shall be paid annually on or before March 31, in accordance with the
11 provisions of Section 76.1 of the Business and Tax Regulations Code. In calculating the fees earned
12 herein, a percentage of the license fee as set by the Controller pursuant to Section 2.21 of this
13 Code shall be credited to the Department of Public Health pursuant to the provisions of
14 Section 6.402 of the Charter of the City and County of San Francisco. ~~The license fee~~
15 ~~prescribed in this Section is due and payable on a calendar year basis starting 30 days after the first~~
16 ~~day of January, 1973, and in any subsequent calendar year shall be prorated with regard to the~~
17 ~~calendar year on a monthly basis.~~

18
19 **SEC. 2818. LICENSE FEES.**

20 Every person who has received a permit to operate the business of pawnbroking shall,
21 ~~on the first day of January each year,~~ pay to the Tax Collector an annual license fee ~~payable in~~
22 ~~advance.~~ The license fee shall be paid annually on or before March 31, in accordance with the
23 provisions of Section 76.1 of the Business and Tax Regulations Code.

1 ~~The license fee prescribed in this Section is due and payable on a calendar year basis starting~~
2 ~~90 days after the effective date of this Article, prorated with regard to the calendar year on a monthly~~
3 ~~basis.~~

4 ~~Fees for new licenses issued after the first day of August, 1973, or in any subsequent calendar~~
5 ~~year shall be prorated on a monthly basis.~~

6 ~~No permit or license shall be initially issued pursuant to this Article after October 19, 1972,~~
7 ~~unless the revenue fee, as provided in Section 2.29 of this Code, shall have been paid to the Tax~~
8 ~~Collector.~~

9
10 **SEC. 3008. PERMIT EXPIRATION.**

11 The permit shall expire one year from the date of issuance and shall be renewable
12 thereafter upon an annual basis upon the filing with the Tax Collector of a statement by the
13 permittee providing his or her current address and current employer and upon payment of the
14 annual license fee. ~~Beginning January 1, 1982, permits shall be renewable upon payment of the~~
15 ~~annual license fee on a calendar year basis, that is, upon the first day of January of each calendar~~
16 ~~year. The transition from renewal on an annual basis to renewal on a calendar year basis shall be~~
17 ~~accompanied as follows. When the renewal date for a permit arises in 1982, the permittee shall pay a~~
18 ~~license fee prorated to the length of time remaining in calendar year 1982 on a monthly basis. All~~
19 ~~permits shall then be renewable, on a calendar year basis, as of January 1, 1983. The license fee shall~~
20 ~~be paid annually on or before March 31, in accordance with the provisions of Section 76.1 of the~~
21 ~~Business and Tax Regulations Code.~~

22
23 **SEC. 3062. PERMIT EXPIRATION.**

24 The permit shall expire one year from the date of issuance, and shall be renewable
25 thereafter upon an annual basis, and upon payment of the annual license fee. The license fee

1 shall be paid annually on or before March 31, in accordance with the provisions of Section 76.1 of the
2 Business and Tax Regulations Code.

3
4 **SEC. 3216A. ANNUAL LICENSE.**

5 Each organization proposing to conduct poker games pursuant to this Article shall
6 obtain an annual license. The license fee shall be paid annually on or before March 31, in
7 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

8 ~~The fee for an annual license shall be in the amount set forth in Section 2.27 of the Police Code,~~
9 ~~payable in advance to the Tax Collector.~~

10 ~~The license fee prescribed in this Section is due and payable on a calendar year basis, starting~~
11 ~~January 1st. Fees for a new license issued prior to January 1st, or after the first day of January, or in~~
12 ~~any subsequent calendar year, shall be prorated with regard to the calendar year on a monthly basis.~~

13 Nonprofit charitable organizations that are duly certified to be senior citizen
14 organizations by the Commission on the Aging of the City and County of San Francisco shall
15 not be required to pay those fees established by Sections 3203A, 3208A and 3216A of this
16 Article.

17
18 **SEC. 3217. LICENSE FEES.**

19 Every organization granted a bingo game permit by the Chief of Police shall obtain
20 either a special license or an annual license by paying the required license fee to the Tax
21 Collector. The license fee shall be paid annually on or before March 31, in accordance with the
22 provisions of Section 76.1 of the Business and Tax Regulations Code.

1 **SEC. 3219. ANNUAL LICENSE.**

2 Each organization proposing to conduct more than 10 bingo games a year shall obtain
3 an annual license. The license fee shall be paid annually on or before March 31, in accordance with
4 the provisions of Section 76.1 of the Business and Tax Regulations Code.

5 ~~The fee for an annual license shall be payable in advance. The license fee prescribed in this~~
6 ~~Section is due and payable on a calendar year basis, starting January 1st. Fees for a new license issued~~
7 ~~prior to January 1st, or after the first day of January, or in any subsequent calendar year, shall be~~
8 ~~prorated with regard to the calendar year on a monthly basis.~~

9 Any amount paid as a filing fee by the organization pursuant to Section 3203 shall be
10 credited against the fees prescribed in the second paragraph of this Section.

11
12 **SEC. 3404. LICENSE.**

13 When any permit is issued under the provisions of Sections 3400 to 3408, the Chief of
14 Police shall cause said permit to be forwarded to the ~~e~~Office of the Treasurer and Tax Collector
15 for delivery to the permittee upon the payment of the license feetax.

16
17 **SEC. 3405. LICENSE FEETAX.**

18 Every holder of a permit as herein provided shall pay to the Tax Collector an annual
19 license fee. The license fee shall be paid annually on or before March 31, in accordance with the
20 provisions of Section 76.1 of the Business and Tax Regulations Code.

21 ~~License fees paid under the provisions of this Section shall not be prorated or refunded.~~

22 The licensee shall issue to each solicitor employed a badge of such wording, design
23 and material as the Chief of Police shall authorize. Said badge shall be worn on the person by
24 the solicitor for whom it was issued, in a conspicuous place for the public to see, at all times

1 when said person is engaged in taking such photographs or soliciting the same. It shall be
2 unlawful for any other person to wear or otherwise display said badge.
3

4 **SEC. 3425. LICENSE FEE.**

5 Every photographic solicitor shall pay a license fee for each such designated address
6 and, in addition thereto, a license fee for each and every person engaged, employed or hired
7 by said person, firm or corporation to solicit such business in any public street, alley, park or
8 other public place. The license fee shall be paid annually on or before March 31, in accordance with
9 the provisions of Section 76.1 of the Business and Tax Regulations Code.
10

11 **SEC. 3907. PRESENTATION OF PERMIT TO TAX COLLECTOR-LICENSE FEES.**

12 Upon the granting of a permit, as hereinabove provided, the Police Department shall
13 forward the permit to the Tax Collector, who shall furnish the permittee with the following:

14 (a) **Owner/Lessee:**

- 15 (1) Permit
- 16 (2) License
- 17 (3) Permit Plate

18 (b) **Operator:**

- 19 (1) Permit
- 20 (2) License
- 21 (3) Operator's Badge
- 22 (4) Identification Card

23 Each permittee is required to pay a license fee to the Tax Collector ~~as set forth in Section~~
24 ~~2.27 of this Code~~, and must pay the cost of such badge, card and plate as are issued. The
25

1 license fee shall be paid annually on or before March 31, in accordance with the provisions of Section
2 76.1 of the Business and Tax Regulations Code.

3
4 **SEC. 3908. PEDICAB LICENSE, PLATE, IDENTIFICATION CARD AND OPERATOR'S**
5 **BADGE.**

6 All pedicab licenses, metal plates and identification cards issued under the provisions
7 of Section 3907 of this Article shall date from the first day of ~~January~~ April of each year and
8 shall be issued for one year from the aforesaid date; provided, however, that when service is
9 first initiated, the license will be issued through the upcoming March 31 ~~for the remaining portion of~~
10 ~~the calendar year in which it is authorized~~ and only subsequent licenses will date from the first
11 day of ~~January~~ April for each succeeding year.

12 Section 6. Effective Date. This ordinance shall become effective 30 days from the
13 date of passage.

14
15 APPROVED AS TO FORM:
16 DENNIS J. HERRERA, City Attorney

17 By: 

18 JEAN ALEXANDER
19 Deputy City Attorney

20
21
22
23
24
25
Supervisor Chiu, Treasurer-Tax Collector
BOARD OF SUPERVISORS

Page 56
10/31/2011

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LEGISLATIVE DIGEST

[Administrative, Business and Tax, Fire, Health, and Police Codes – Business License Fees]

Ordinance amending various sections of the San Francisco Business and Tax Regulations Code, Administrative Code, Fire Code, Health Code, and Police Code to
1) establish March 31 as the date for the annual renewal of certain business licenses;
2) apply a schedule of penalties for failure to timely renew certain business licenses;
and 3) require Departments to post current business license fees on their website.

Existing Law

Under current law, annual license fees are due and payable either on the first day of January, April, July or October. In addition, licenses are provided by location. As a result, a licensee may receive several bills during the year, for various activities involved in conducting a single business. If the licensee owns more than one business or facility, he/she will receive numerous bills at each location at various times during the year.

A "permit" is the one-time authorization to perform an act or conduct a business activity. A "license" is an annual renewal of the permit. Currently, the Office of the Treasurer and Tax Collector bills and collects fees for some, but not all, license renewals based on information from regulatory departments. The departments that issue the permits collect other license fees.

Amendments to Current Law

This ordinance establishes March 31 as the due date for all license fees collected by the Office of the Treasurer and Tax Collector. The license fees subject to this ordinance are found in the Business and Tax Regulations Code, Administrative Code, Fire Code, Health Code, and Police Code. This ordinance does not create new fees.

The proposed changes will facilitate the administration of annual license renewals by establishing one mailing address based on licensee, rather than location, and establishing one billing period per year, so that one payment may be submitted for multiple licenses and/or multiple locations operated by a single licensee. The ordinance also clarifies the manner that penalties apply to delinquent accounts, without changing the amount of the penalties. It notifies licensees that the license fee may be adjusted for cost increases and requires departments to post the current amount of the fees that they administer on their websites. In addition, the ordinance updates outdated licensing provisions.

FILE NO.

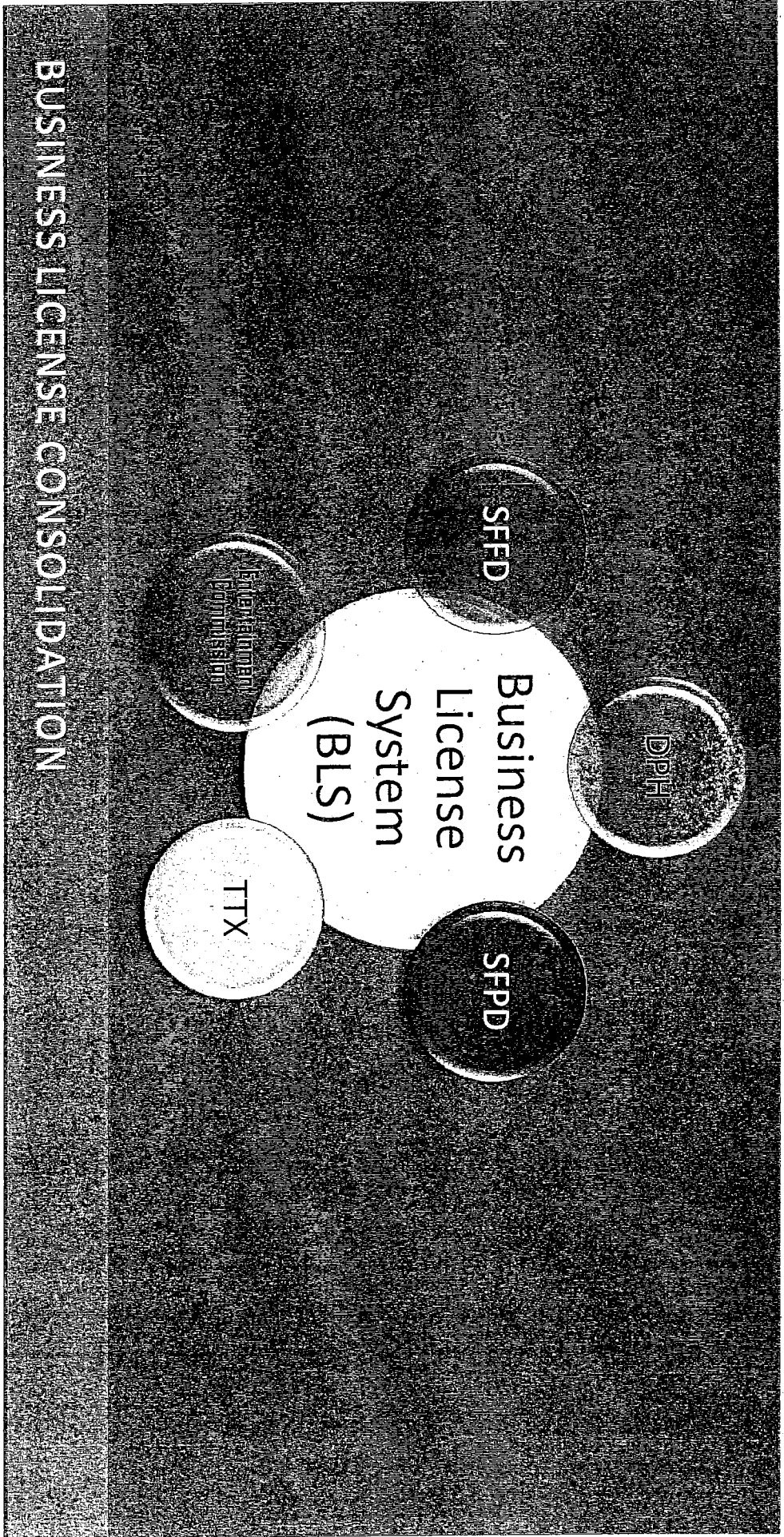
Background Information

The City regulates local business practices that impact the general welfare by issuing permits and requiring annual license renewals. Annual license fees allow the City to recover the cost of the inspections and verifications conducted by the various permitting departments.

The Business and Tax Regulations Code includes Article 1: Permit Procedures and Article 2: License Fees. However, regulations for permits and licenses are found in the Administrative Code, Fire Code, Health Code, and Police Code. The Office of the Treasurer and Tax Collector is responsible for billing and collecting most of the license fees authorized in the City's codes.

Currently, a single licensee with multiple locations and permitted uses receives several bills; one for each location and use. For example, a gas station with only one facility may receive bills for fuel tanks, gas distribution, candy and snack sales and tobacco product sales. Each of these licenses expires and renewal fees are due on a different month of the year.

The proposed amendment will enable the Office of the Treasurer and Tax Collector to issue a consolidated bill to each licensee. A consolidated license bill will facilitate administrative verification that licensees have complied with all City ordinances and that their licenses are current. The proposed amendments and accompanying administrative changes will result in easier compliance for licensees and enhanced enforcement for the City. Better management of delinquent accounts should increase fee collections.



BUSINESS LICENSE CONSOLIDATION

Wednesday, November 29, 2011



- Regulatory Department - Department that issues the permit that allows a business to conduct the activity desired and annually (or more) confirms that activity is done within the specified requirements.
- Permit – One time allowance/issuance to conduct or have the desired business activity or item
- License – Annual renewal of the above permit
- TTX – Office of the Treasurer & Tax Collector – bills and collects payments for licenses based on information from the Regulatory Department



- TTX administers **some** annual license renewals

- License renewals are mailed out in February (March Deadline), May (June),

July (August) and November (December)

- Majority are mailed in February and November
- Licenses are mailed by permit issued



**ONE BILL PER BUSINESS
OWNER
NO MATTER HOW MANY
LOCATIONS**



Project Overview

The scope of the business license consolidation will consist of the following:

- Legislative changes to support the mission of the project
- New licensing application
- Linking licenses (permits) to business registration information from the Tax Collector,
- Consolidating mailings beginning with accounts that expire 3/31

Impact

- Streamline administration for businesses
- One mailing address
 - Business demographics obtained and maintained in TTX Business Tax System (BTS)
- One billing period per year
 - One payment can be submitted for multiple licenses for multiple businesses owned by a single owner
- Easier compliance
 - Business receives one list of licenses per location
- Notifications when ownership changes occur



- First meeting was in May 2010
- Engaged in a bottom up process with all the departments – finance, policy, budget and inspection/compliance
- Feasibility and development work yielded immediate improvements in the area of delinquent account reporting
- Small Business Commission deeply involved with over four distinct presentations / meetings
- Outreach to the merchant and restaurant associations conducted
- Cross departmental staff established a work group for change management, issue spotting and future improvements



| Gas Station XXXXMission Street | | | |
|-----------------------------------|-----------------------|--------|-----------------|
| License | Description | Fee | Expiration Date |
| D08-00072 | Station Tanks-under | 344.00 | 3/31/2011 |
| D14-000371 | SS Motor Fuel Disp F | 344.00 | 12/31/2010 |
| H01-011006 | Candy/Snack < \$1000 | 128.00 | 08/31/2010 |
| H31-000646 | Tobacco Product Sales | 211.00 | 09/30/2010 |

4 mailings

| Gas Station II XX - 5th Street | | | |
|-----------------------------------|-----------------------|--------|-----------------|
| License | Description | Fee | Expiration Date |
| D08-000971 | Station Tanks-under | 344.00 | 3/31/2011 |
| D14-000223 | SS Motor Fuel Disp F | 344.00 | 12/31/2010 |
| H01-147051 | Candy/Snack < \$1000 | 128.00 | 08/31/2010 |
| H31-001043 | Tobacco Product Sales | 211.00 | 09/30/2010 |

4 mailings

| Gas Station III XXXX Geary Blvd | | | |
|------------------------------------|-----------------------|--------|-----------------|
| License | Description | Fee | Expiration Date |
| D08-001007 | Station Tanks-under | 344.00 | 3/31/2011 |
| D13-000471 | Motor Fuel Disp Fac | 344.00 | 12/31/2010 |
| H01-010846 | Candy/Snack < \$1000 | 128.00 | 08/31/2010 |
| H31-000222 | Tobacco Product Sales | 211.00 | 09/30/2010 |

4 mailings

1 - Owner
3 - Gas Stations
12 - Bills per year

Business Certificate
xxx907

Ownership Name
Gas Petro



Consolidation Rollout Overview

OWNERSHIP INFORMATION
 Business Certificate
xxx907
 Ownership Name
 Gas Petro

LOCATION SUMMARY

1. Gas
xxx Mission Street
2. II
xxx - 5th Street
3. III
4501 Geary Blvd

Expiration Date 3/31/2012

| License | Fee | Description |
|------------|--------|---------------------|
| D08-00072 | 344.00 | Station Tanks-under |
| D08-000971 | 344.00 | Station Tanks-under |
| D08-001007 | 344.00 | Station Tanks-under |

Expiration Date 08/31/2012

| License | Fee | Description |
|------------|--------|----------------------|
| H01-010846 | 128.00 | Candy/Snack < \$1000 |
| H01-147051 | 128.00 | Candy/Snack < \$1000 |
| H01-011006 | 128.00 | Candy/Snack < \$1000 |

Expiration Date 09/30/2012

| License | Fee | Description |
|------------|--------|-----------------------|
| H31-000646 | 211.00 | Tobacco Product Sales |
| H31-000222 | 211.00 | Tobacco Product Sales |
| H31-001043 | 211.00 | Tobacco Product Sales |

Expiration Date 12/31/2012

| License | Fee | Description |
|------------|--------|----------------------|
| D13-000471 | 344.00 | Motor Fuel Disp Fac |
| D14-000223 | 344.00 | SS Motor Fuel Disp F |
| D14-000371 | 344.00 | SS Motor Fuel Disp F |

2012

2013

12 month bill
 (3/31 Exp Date)
\$1,032.00

7 month bill
 (8/31 Exp Date)
 Consolidated
 prorated bills

6 month bill
 (9/30 Exp Date)
 Consolidated
 prorated bills

All licenses on
 same cycle by
 3/2013
 12 month bill

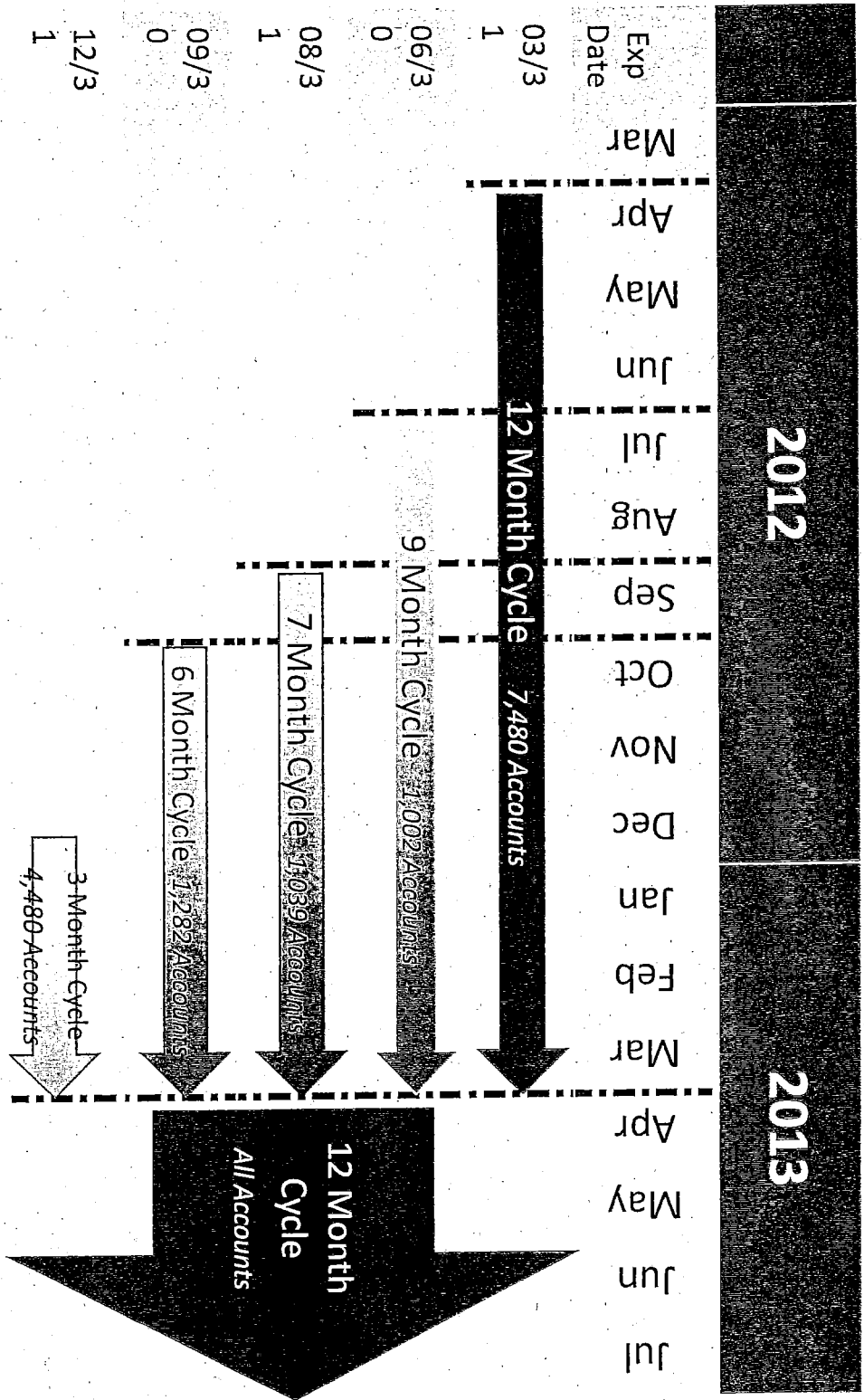
\$3081.00
 (based on current fees)



CONSOLIDATION BILLING ALIGNMENT OVERVIEW

Billing Alignment

- First consolidated bill will include licenses expiring on 3/31
- 6/30, 8/31, 9/30, and 12/31 bills will be sent with prorated amounts
- All bills will have the same expiration date of 3/31
- 4/1/2013 cycle will contain all 5 billing cycles for a full 12 months – this will be the first fully consolidated billing
- Variable length bills will be created using Adobe Lifecycle



- Continue to build out new license application
- Continue to review how consolidated billing positively and adversely impacts inspection processes
- Legislation to remove any permits/licenses that have no active accounts and no foreseeable use
- Move other licenses to businesses managed by other departments onto the consolidated date and bill





SMALL BUSINESS COMMISSION
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO
EDWIN M. LEE, MAYOR

November 29, 2011

Ms. Angela Calvillo, Clerk of the Board
Board of Supervisors
City Hall room 244
1 Carlton B. Goodlett Place
San Francisco, CA 94102-4694

Re: File No. 111101 [Administrative, Business and Tax Regulations, Fire, Health, and Police Codes - Business License Fees]

Small Business Commission Recommendation: Approval

Dear Ms. Calvillo:

On November 14, 2011, the Small Business Commission (SBC) voted 5-0 to recommend approval of Board of Supervisors File No. 111101.

The Office of Small Business (OSB) and SBC were early stakeholders during the process of developing this plan and the Commission received multiple briefings over the past twelve months by the Office of the Tax and Treasurer (TTX.) The TTX developed this plan in a thoughtful manner and utilized the input of the OSB and SBC, as well as input from the small and broader businesses community. Multiple presentations were also made to merchant organizations and other groups by the TTX.

The Commission finds that several components of the ordinance will benefit small businesses. This includes consolidating multiple bills with multiple due dates into a single bill with a single bill date. Additionally, businesses with multiple locations will see further streamlining as all of their locations are included on a single bill.

In addition to the legislation, the TTX has taken additional steps to ensure that this policy is successful. This includes the above mentioned outreach efforts, internal "cleanup" of records, mailings to businesses confirming the types and number of permits, and planned mailings informing businesses of the upcoming changes. Furthermore, by prorating the upcoming year's bills and allowing for pre-payments of the single consolidated bill, the TTX is lessening the cash flow impact that licensees face in having the bill due on a single date.

The Commission thanks Tajel Shah and Greg Kato of the TTX for their informative presentations at several of our Committee and full Commission meetings. The Commission also thanks

SMALL BUSINESS ASSISTANCE CENTER/ SMALL BUSINESS COMMISSION
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(415) 554-6408