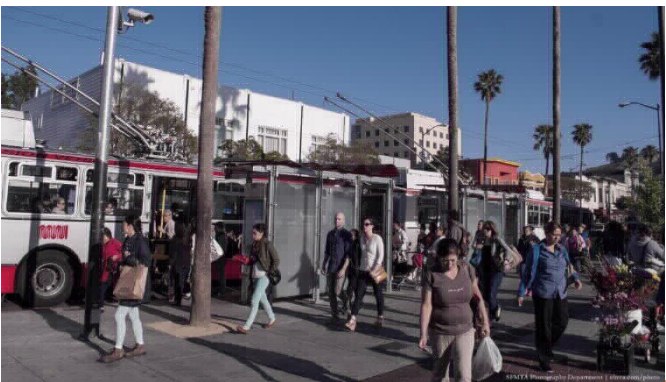




DEEMED APPROVED USES ORDINANCE



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Community Health Equity & Promotion
Branch, San Francisco Department of
Public Health



POPULATION HEALTH DIVISION
SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

Deemed Approved Uses Ordinance (DAO) Overview

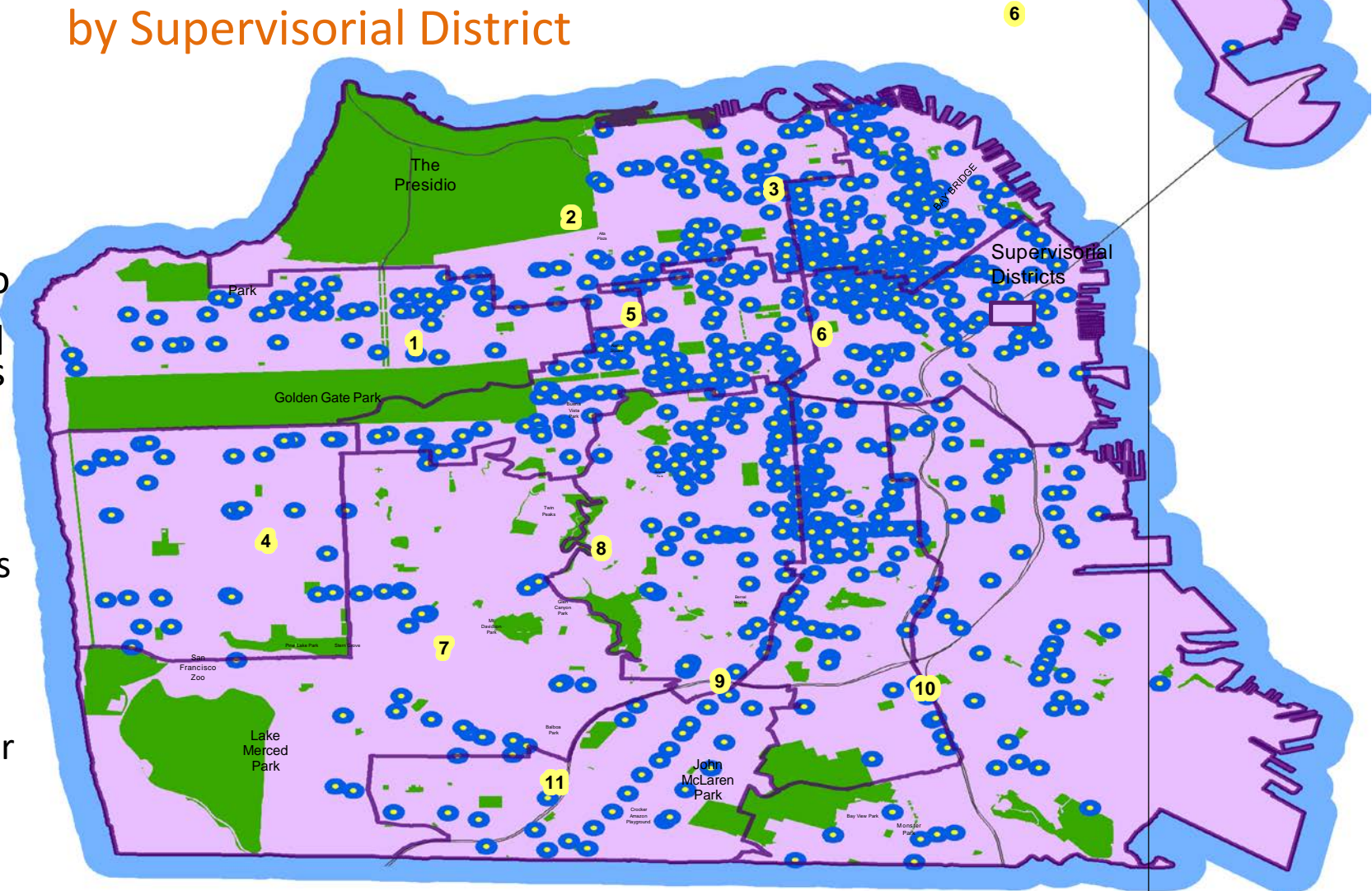
- **SF Board of Supervisors Ordinance** passed in January 2006
- **Purpose:**
 - Ensure that off-sale alcohol sales occur in a manner that protects the health, safety, and welfare of San Francisco residents.
- **City Agencies Partnership:**
 - Department of Public Health
 - SF Police Department
 - Office of Treasurer and Tax Collector
 - Office of City Attorney



Density of Off Sale Alcohol Retailers by Supervisorial District

All off-sale alcohol outlets in San Francisco are required to have a Deemed Approved Uses Ordinance (DAO) certificate.

San Francisco has the highest per capita off-sale alcohol outlets, based on number of residents.



Source: California Department of Alcoholic Beverage Control, 03/08/17

Revenue Generated by DAO

- Annual fee is \$272 for 2019/20
- 13 fiscal years total
 - 2006/07 through 2018/19
- Average of \$192,202 annually



DAO Revenues Fund Various Services

- **San Francisco Department of Public Health**
 - Coordinate implementation and conduct education
- **SF Police Department**
 - Conduct enforcement services
- **City Attorney Office**
 - Provide legal consultation services as needed



Dept. of Public Health DAO Staff Services

- **1.75 FTE core SFDPH staff funded on DAO**
- **Coordinate implementation and services with City Agencies:**
 - SFPD, TTX and as needed City Attorney
- **Implement educational services to retailers and community**
- **Develop education and information materials**
- **Maintain the DAO website www.sfdph.org/dao**
- **Prepare and submit DAO Annual Report to Board of Supervisors**



DAO Education and Outreach Services

- Educational Site Visits at Retail Locations
 - Average of 544 retail locations/year
- Annual Mailing
 - In Spring of each year to all current retailers with Type 20/21 licenses

Fiscal Year	Educational Visits Conducted
2006-07	48
2007-08	320
2008-09	248
2009-10	510
2010-11	813
2011-12	797
2012-13	726
2013-14	495
2014-15	782
2015-16	701
2016-17	400
2017-18	571
2018-19	656
7/2019-1/2020	156
Average/Year (through 2018-19)	544



DAO Retailer Education and Outreach Services

■ In Person Education:

- Overview of DAO and how to comply
- Importance of understanding and posting Performance Standards
- Fee waiver opportunity
- 'Frequently Asked Questions' and 'How to Comply' documents distributed

■ Multi-Lingual:

- Staff speaks English and Spanish
- Education Materials available in 8 languages:
 - Arabic, Chinese, English, Korean, Russian, Spanish, Tagalog and Vietnamese



DAO Fee Waiver Opportunity

- Fee waiver opportunity available for retailers that meet 3 criteria:
 - Same ownership for at least 3 years
 - Fee paid on time for at least 3 years
 - No record of City Department-referred complaint or any administrative penalties or conditions imposed by the City (under the provisions of Administrative Code, Chapter 26)
- Once approved, fee waivers are in place indefinitely, as long as the business continues to meet the 3 criteria



DAO Fee Waiver Opportunity

- Businesses informed of fee waivers through
 - Webpage: www.sfdph.org/dao
 - On the Vendor FAQ
 - Annual Mailing
 - Fee waiver guidelines in 8 languages
- Businesses apply through one-page form self-certifying they meet criteria
- DPH coordinates verification with SFPD and TTX



City and County of San Francisco
 DEPARTMENT OF PUBLIC HEALTH
 Population Health Division
 Community Health Equity and Promotion Branch

London N. Breed, Mayor
 Dr. Grant Colfax,
 Director of Health

H73 Fee Waiver Request

Registered Ownership Name: _____

DBA (Doing Business As): _____

Business Account Number (BAN) #: _____

H73 Permit #: _____ ABC License #: _____

A request for waiver of the H73 Fee may be granted if an owner can show to the satisfaction of the Department of Public Health **all of the following**:

- That the Deemed Approved Off-Sale Alcohol Use has been under the same ownership for not less than the previous three years;
- That the annual fee for the Deemed Approved Off-Sale Alcohol Use has been paid in a timely manner for not less than the previous three years;
- That the Deemed Approved Off-Sale Alcohol Use has not been the subject of a City Department-referred complaint or any administrative penalties or conditions imposed by a Hearing Officer, Board of Appeals, or Board of Supervisors under the under the provisions of Administrative Code, Chapter 26

I certify:

- My business has been under the same ownership for not less than the previous three years;
- My business has paid the annual fee in a timely manner for not less than the previous three years;
- My business has not been the subject of a City Department-referred complaint under the provisions of Administrative Code, Chapter 26.

I understand that this request is subject to review by the Department of Public Health and if denied the Tax Collector may assess additional fees, taxes and penalties. I understand that misrepresentation of information is subject to a penalty of up to \$500 (SF Business and Tax Regulations code, Section 6.17-3), and other penalties legally available.

Name: _____
 Signature _____ Print Full Name (and Title, if applicable) _____

Date: _____ Telephone: _____

Email: _____

MAIL THIS FORM WITH ORIGINAL SIGNATURE TO: San Francisco Department of Public Health
 25 Van Ness Avenue, Suite 500
 San Francisco, CA 94102
 ATTN: Deemed Approved Uses Ordinance

or

SCAN THIS FORM WITH ORIGINAL SIGNATURE TO: H73.DAO@sfdph.org

<input type="checkbox"/> Request Approved	<input type="checkbox"/> Request Denied	For Office Use Only	Date _____
<input type="checkbox"/> Business has NOT been under the same ownership for not less than the previous three years; <input type="checkbox"/> Business has NOT paid the annual fee in a timely manner for not less than the previous three years; <input type="checkbox"/> Business has been the subject of a City Department-referred complaint under the provisions of Administrative Code, Chapter 26.			

Phone (628) 206-7697

25 Van Ness Avenue, Suite 500, San Francisco, CA 94102

Email: H73.DAO@sfdph.org
 Revised 03.01.19



POPULATION HEALTH DIVISION
 SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

DAO Fee Waivers

- 27 retailers have applied for fee waivers
- 26 approved, all small businesses
- 1 retailer denied based on not paying fee in timely manner for the past 3 years
- In recent analysis DPH identified that 106 retailers out of a total of 727 stores were determined to be eligible for a fee waiver, based on available data



Thank You

- Department of Public Health:
 - Justina Bocanegra
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 - Sammi Truong
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- San Francisco Police Department, Alcohol Liaison Unit
- Office of Treasurer and Tax Collector
- City Attorney's Office
- Office of Small Business

