

1 [Administrative Code - Lower Haight Entertainment Zone]

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3 **Ordinance amending the Administrative Code to create the Lower Haight Entertainment**
4 **Zone on Haight Street from Webster Street to Scott Street and on Fillmore Street from**
5 **Waller Street to Oak Street; and affirming the Planning Department’s determination**
6 **under the California Environmental Quality Act.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

11

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

13

14 Section 1. Environmental Findings.

15 The Planning Department has determined that the actions contemplated in this
16 ordinance comply with the California Environmental Quality Act (California Public Resources
17 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
18 Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this
19 determination.

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21 Section 2. Chapter 94B of the Administrative Code is hereby amended by revising
22 Section 94B.4, to read as follows. Section 94B.2 is reprinted in part, for informational
23 purposes only.

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1 **SEC. 94B.2. ENTERTAINMENT ZONE CONTROLS.**

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3 (c) All open alcoholic beverages consumed during an Entertainment Zone Event shall
4 be purchased only from a premises located within the Entertainment Zone that is authorized
5 under California Business and Professions Code Section 23357, 23358, or 23396, as may be
6 amended from time to time, to permit consumers to leave the premises with open containers
7 of alcoholic beverages for consumption off the premises, or an organization that is authorized
8 by an ABC special event permit or license to make such sales within the Entertainment Zone.

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10 **SEC. 94B.4. ENTERTAINMENT ZONE LOCATIONS.**

11 * * * *

12 (b) **Additional Entertainment Zones.**

13 * * * *

14 **(19) Lower Haight Entertainment Zone.**

15 (A) All public streets, public rights-of-way, and sidewalks abutting both sides of
16 Haight Street from Webster Street to Scott Street and both sides of Fillmore Street from Waller Street to
17 Oak Street, and all premises specified in Section 94B.2(c) that are adjacent thereto, are hereby
18 designated as the Lower Haight Entertainment Zone under Sections 23039.5 and 25690 of the
19 California Business and Professions Code.

20 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within the
21 Lower Haight Entertainment Zone does not involve the closure of a public street, it need not receive a
22 permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or
23 Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

24 (c) Except as otherwise specified in this Section 94B.4, an Entertainment Zone Event
25 must take place in conjunction with a permit for the use of a public street under Transportation

1 Code Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section 206, or other
2 applicable authority of the SFMTA.

3 (d) Outdoor consumption of alcoholic beverages is authorized within an Entertainment
4 Zone during any Entertainment Zone Event on any day of the year between the hours of
5 11:00 a.m. and 11:59 p.m., inclusive, subject to any additional limitations imposed by any
6 ABC permit or license and by the Management Plan, or if none, the Downtown Activation
7 Permit, for the Entertainment Zone, including but not limited to more restrictive days and
8 hours during which outdoor consumption of alcoholic beverages is authorized.

9 * * * *

10 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
11 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
12 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
13 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
14 additions, and Board amendment deletions in accordance with the "Note" that appears under
15 the official title of the ordinance.

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17 Section 4. Effective Date. This ordinance shall become effective on the 31st day after
18 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
19 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
20 of Supervisors overrides the Mayor's veto of the ordinance.

21 APPROVED AS TO FORM:
22 DAVID CHIU, City Attorney

23 By: /s/ Victoria Wong
24 VICTORIA WONG
Deputy City Attorney

25 4921-7578-4617 v.1