

File No. 211292

Committee Item No. 9

Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date March 2, 2022

Board of Supervisors Meeting Date March 8, 2022

Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
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Completed by: Brent Jalipa Date February 22, 2022

Completed by: Brent Jalipa Date March 4, 2022

1 [Various Codes - Street Vendor Regulation]

2

3 **Ordinance amending the Public Works Code to regulate vending, require permits for**
4 **vending, and authorize permit fees and enforcement actions; amending provisions of**
5 **the Administrative, Business and Tax Regulations, Park, and Police Codes to conform**
6 **with those amendments; amending the Port Code to merge its permit program with the**
7 **Public Works permit program; repealing reporting provisions from the Health Code;**
8 **and adopting findings under the California Environmental Quality Act.**

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

13

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

15 Section 1. Environmental Findings.

16 The Planning Department has determined that the actions contemplated in this
17 ordinance comply with the California Environmental Quality Act (California Public Resources
18 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
19 Supervisors in File No. 211292 and is incorporated herein by reference.

20

21 Section 2. The Public Works Code is hereby amended by adding Article 5.9, consisting
22 of Sections 5.9-1, 5.9-2, 5.9-3, 5.9-4, 5.9-5, 5.9-6, 5.9-7, 5.9-8, 5.9-9, 5.9-10, 5.9-11, 5.9-12,
23 5.9-13, and 5.9-14, to read as follows:

24

25

1 riders would access the Civic Center station near UN Plaza, and about 3,500 City, state, and federal
2 employees would make their way to work by passing through UN Plaza. Ridership on BART and Muni
3 have continued to rebound since the depths of the pandemic, particularly in 2021, as much of the
4 economy has reopened and many members of the community have received the COVID-19 vaccine.
5 Further, congestion at UN Plaza is heightened on days that the Market is in operation.

6 (e) Vending, because it has a relatively low barrier to entry, encourages entrepreneurship,
7 represents a significant sector of San Francisco’s local economy, and provides economic opportunity
8 for people to support themselves and their families, which is a City priority.

9 (f) A well-designed vending program is beneficial because it: (1) provides minimum
10 standards for vending, including vendors’ equipment; (2) safeguards pedestrian and chair-user
11 movement on sidewalks, streets, and other public spaces; (3) prevents unsanitary conditions and
12 ensures that trash and debris are removed by vendors; and (4) prevents or minimizes public health,
13 safety, or welfare hazards caused or exacerbated by unregulated vending.

14 (g) In 2018, then-Governor Jerry Brown signed Senate Bill 946 (“SB 946”), which
15 decriminalized street vending across California and constrained local regulatory authority. SB 946
16 seeks to create entrepreneurial and economic development opportunities for immigrant and low-income
17 communities, increase consumers’ access to desired goods, contribute to a safe and dynamic public
18 space, and promote the safety and welfare of the public by encouraging local authorities to support and
19 properly regulate vending.

20 (h) The City seeks to prioritize health and safety while expanding economic opportunities
21 for those who aspire to vend lawfully in a manner consistent with SB 946. The City recognizes that
22 regulation of vending benefits the City as a whole, as it leads to orderly commerce and safeguards
23 public health. The City seeks to provide vendors with the ability to operate in a safe and professional
24 manner that enhances the public’s experience while providing increased economic opportunities. To
25 achieve these goals, the City needs to restrict and limit vending in certain areas and under certain

1 circumstances to prevent or minimize public health, safety, and welfare concerns, while ensuring that
2 the permit application process is accessible to all vendors, including vendors with limited business
3 experience and limited English proficiency.

4 (i) In 2021, the Port of San Francisco initiated a vending program pursuant to Ordinance
5 No. 118-21 to accommodate vending, including vendors' equipment, while safeguarding pedestrian and
6 chair-user movement on sidewalks, streets, and other public spaces; to prevent unsanitary conditions
7 and ensure trash and debris are removed by vendors; and to protect the scenic and natural character of
8 the Port of San Francisco's parks and waterfront, and the recreational opportunities the areas provide,
9 to ensure the Port's streetscape can remain a vibrant and dynamic marketplace, with unparalleled
10 historic, scenic, and recreational value that can be safely enjoyed by all, which program shall be
11 discontinued and merged with the vending program authorized for the City in this ordinance.

12 (j) This ordinance creates a vending program that provides for permitting and regulation of
13 street vendors on City property that is both meaningfully enforceable and consistent with SB 946.

14
15 **SEC. 5.9-2. DEFINITIONS.**

16 For the purpose of this Article 5.9, the following words and phrases have the following
17 meanings:

18 **Administrative Citation.** An administrative fine for a violation of this Article 5.9, as described
19 in Section 5.9-11.

20 **Certified Farmers' Market.** A farmers' market operated in accordance with California Health
21 Code Section 440(d) and Chapter 10.5 (commencing with section 47000) of Division 17 of the
22 California Food and Agricultural Code, as each may be amended, and any implementing regulations.

23 **City.** The City and County of San Francisco.

24 **Department.** The Department of Public Works.

25 **Director.** The Director of the Department of Public Works or the Director's designee.

1 **Enforcement Official.** Officers, employees, and contractors of the Department, and of such
2 other departments and agencies of the City that the Director authorizes to assist in carrying out
3 enforcement functions in a Memorandum of Understanding or otherwise.

4 **Food.** Any pre-packaged food, foodstuffs, confectionary, condiment, or beverage for human
5 consumption that a Vendor is reselling in its original packaging.

6 **Hallidie Plaza.** The area defined by Section 2.01(b) of the Park Code.

7 **Merchandise.** Any item that is not Food and that is not an art or craft regulated under Article
8 24 (Regulating Street Artists) of the Police Code.

9 **Notice of Violation.** A Notice of Violation for a violation of this Article 5.9, as described in
10 Section 5.9-11.

11 **Roaming Vendor.** A Vendor that moves from place to place and stops intermittently to
12 complete a Vending transaction.

13 **Rules and Regulations.** The Rules and Regulations of Vendors as described in Section 5.9-8 of
14 this Article.

15 **Sidewalk Vendor.** Sidewalk Vendor has the meaning set forth in California Government Code
16 Section 51036, as it may be amended.

17 **Stationary Vendor.** A Vendor that Vends from one or more fixed locations.

18 **Swap Meet.** A swap meet operated in accordance with Article 6 (commencing with section
19 21660) of Chapter 9 of Division 8 of the California Business and Professions Code, as it may be
20 amended, and any regulations adopted in accordance with that chapter, as they may be amended.

21 **Vend (and variations such as Vends, Vending).** To sell, offer for sale, expose or display for
22 sale, solicit offers to purchase, or barter Food or Merchandise. Vending includes offering free samples
23 of Food or Merchandise that are also for sale, or negotiating fees for Food or Merchandise.

24 **Vendor.** A person or entity that Vends Food or Merchandise from a pushcart, pedal-driven
25 cart, wagon, or other nonmotorized conveyance, or from one's person or a stand, display, showcase,

1 table, rack, or other movable structure. The term Vendor includes but is not limited to Roaming
2 Vendor, Sidewalk Vendor, and Stationary Vendor. In addition, if a Vendor Vends as an employee or
3 agent of another person or entity, that person or entity is also a Vendor. The term Vendor does not
4 include a person or entity that Vends from a Mobile Food Facility as defined by Public Works Code
5 Section 184.80.

6 United Nations Plaza. The area defined by Section 2.01(b) of the Park Code.

7
8 **SEC. 5.9-3. PERMIT REQUIRED; MANDATORY DISPLAY; PROOF OF PURCHASE.**

9 (a) No person may Vend on any City property, including a public right-of-way (as that term
10 is defined in Public Works Code Section 2.4.4) or any other street, sidewalk, alley, walkway, or
11 pedestrian path available to the public, except on property regulated by Article 7 of the Park Code,
12 without first having obtained either a Roaming Vendor permit or a Stationary Vendor permit pursuant
13 to this Article 5.9.

14 (b) A Vendor shall prominently display a valid Vendor permit that corresponds with the
15 Vendor's business activity while Vending in accordance with this Article 5.9.

16 (c) Upon request by an Enforcement Official and in accordance with Section 5.9-5(a)(5), a
17 Vendor shall immediately provide proof of ownership or authorization to sell the Food and/or
18 Merchandise that the Vendor is Vending.

19
20 **SEC. 5.9-4. VENDOR PERMIT TYPE.**

21 (a) The Department shall issue Vending permits to applicants under Section 5.9-5. Each
22 Vendor permit must:

23 (1) Include a photograph of the Vendor or any personal identifier meant to prevent
24 the sale or transfer of the permit.

1 (2) Identify whether the permit authorizes the permittee to Vend Food, Vend
2 Merchandise, or Vend both Food and Merchandise, except as provided in subsection (b).

3 (b) Notwithstanding subsection (a), the Department may issue a time-limited Vendor permit
4 to a nonprofit corporation that is exempt from federal taxation under 26 U.S.C. Section 501(c)(3), as it
5 may be amended, and which permit may apply to multiple Vendors as further described in the permit.

6
7 **SEC. 5.9-5. PERMIT APPLICATION; FEE.**

8 (a) Department Permit. The Department shall establish a uniform application process
9 through which a Vendor may request, and upon approval receive, a Vendor permit. The application
10 process shall be easily accessible to individuals with limited business experience and limited English
11 language proficiency. The permit application shall require:

12 (1) The name, phone number, and current mailing address of the Vendor.

13 (2) A description of the Food and/or Merchandise that the Vendor intends to Vend.

14 (3) The locations where the Vendor requests to Vend.

15 (4) An attestation by the Vendor that the Vendor procured the Food and/or
16 Merchandise, whether new or used, through a transaction authorized by law, including but not limited
17 to, bartering and foraging.

18 (5) For new Food and/or Merchandise to Vend, an attestation by the Vendor that the
19 Vendor will maintain proof of ownership or authorization to sell the Food and/or Merchandise and will
20 produce the documentation of same immediately upon request. If the Vendor does not have proof of
21 ownership or authorization to sell the Food and/or Merchandise, the Vendor shall provide a written
22 explanation for the lack of proof thereof.

23 (6) A certification by the Vendor that to the Vendor's knowledge and belief, the
24 information submitted for the permit application is true.

1 (7) Proof of Identity, as described in Administrative Code Section 95.2 and as it may
2 be amended, of the Vendor.

3 (8) If the Vendor is an agent of an individual, company, partnership, corporation, or
4 other entity (each a “principal”), the name and business address of the principal.

5 (9) Any other information deemed relevant by the Department.

6 (b) Confidentiality of Permit Application Data. *The Department shall maintain*
7 *confidentiality of Vendor’s personal identifying information to the extent permitted by law. The*
8 *Department shall inform applicants about the circumstances under which the information they provide*
9 *in the application could become public or be disclosed.*

10 (c) Additional Permit Conditions.

11 (1) Each permit that applies to a Vendor that uses an energy source, including but
12 not limited to propane, butane, or battery, shall be conditioned on the Vendor obtaining approval from
13 the Fire Marshal and complying with sections of the Fire Code that apply to the use of flammable gas,
14 flammable liquids, compressed gas, open flames, and other energy sources. Separate fees may apply
15 and be payable to the Fire Marshal.

16 (2) Each permit for Food Vending shall be conditioned on the Vendor obtaining a
17 permit to operate a food facility from the Department of Public Health pursuant to Health Code Section
18 452, as it may be amended. Separate fees may apply and be payable to the Department of Public
19 Health.

20 (3) Each Vendor permit issued pursuant to this Article 5.9 and the approval, as
21 applicable, of the Fire Marshal (see subsection (c)(1)) and/or the Department of Public Health (see
22 subsection (c)(2)), shall authorize inspection by the City of the Vendor’s operations at any time during
23 operating hours, as long as the ~~inspecting agency~~ ~~Department~~ provides at least 48-hours’ notice.

24 (4) The applicable conditions of this subsection (c) are preconditions to the issuance
25 of a Vendor permit. Lapse or revocation of approvals, as applicable, from the Fire Marshal or

1 Department of Public Health shall, by operation of law, automatically invalidate any Vendor permit
2 without further action by the Department.

3 (d) **Permit Fee.** The Department shall identify the reasonable regulatory costs for the
4 administrative enforcement and any adjudication of this Article 5.9, including but not limited to the
5 Department's costs to issue permits, perform investigations, conduct inspections, issue administrative
6 citations or other enforcement actions, and audit permittees. The Department shall charge applicants
7 for each Vendor permit and permit renewal an amount that does not exceed the reasonable regulatory
8 costs described in this subsection (d), and may include the actual costs that other agencies, boards,
9 commissions, or departments of the City incur in connection with the processing or administration of
10 this Article 5.9, which fee shall be waived in accordance with California Business and Professions
11 Code Section 16102, as it may be amended, and as applicable. After consulting with the Controller,
12 and by no later than two months after the effective date of the ordinance in Board File No. 211292
13 establishing this Article 5.9, the Department shall publish on its website a schedule of all fees charged
14 by the Department under this Section 5.9-5, and shall submit that fee schedule to the Clerk of the Board
15 of Supervisors for inclusion in Board File No. 211292. The permit fee shall be adjusted annually in
16 accordance with Public Works Code Section 2.1.2.

17 In addition, separate annual fees may apply and be payable to the Tax Collector, Department of
18 Public Health, and the Fire Marshal for any approvals required by each department.

19 (e) **Permit Fee Waiver.** The Department shall adopt regulations via Director's Order
20 authorizing the Director to fully waive fees for new permits and partially waive fees for permit
21 renewals, for reasons including, but not necessarily limited to, economic hardship and a Vendors'
22 status as a nonprofit corporation exempt from federal taxation under 26 U.S.C. Section 501(c)(3), as it
23 may be amended. The partial waiver of renewal fees shall be on a sliding scale and the amount waived
24 shall be determined based on the economic hardship of each individual Vendor or the financial
25 circumstances of a nonprofit corporation.

1 (f) **Permit Expiration.** Each Vendor permit shall expire if not renewed by its Renewal Date
2 in subsection (g)(1) unless revoked or unless the Director determines on issuance of the permit that the
3 particular circumstances warrant a permit term of less than one year.

4 (g) **Permit Renewal.**

5 (1) Each Vendor permit may be renewed annually so long as the Vendor remains in
6 compliance with this Article 5.9, including payment of all fees due to the City and compliance with the
7 Good Neighbor Policies in Section 5.9-9. The permit renewal date (“Renewal Date”) shall be the date
8 that the Director issues the decision to renew the permit or conditionally renew the permit, and shall be
9 the same day of the year, selected by the Director, for all Vendor permits.

10 (2) Each Vendor permit renewed by the Department shall be operative for 90 days
11 from the date of renewal, but shall become inoperative if by the end of that 90-day period, the Vendor
12 has not obtained approvals, as applicable, from the Fire Department and Department of Public Health.
13 A permittee shall still owe the renewal fee in subsection (d) if the Vendor permit becomes inoperative
14 under this subsection (g)(2), and shall not be entitled to a refund or proration as a result of the Vendor
15 permit becoming inoperative.

16 (3) Pursuant to Section 76.1 of Article 2 of the Business and Tax Regulations Code,
17 the fees in subsection (d), above, for renewing a Vendor permit shall be due and payable annually on
18 or before March 31, for the 12-month period commencing with the most recent Renewal Date prior to
19 March 31. If a permittee ceases Vending between the Renewal Date and the next March 31, such
20 permittee shall still owe the fees due on that March 31 for the entire 12-month period commencing with
21 the most recent Renewal Date prior to March 31, and shall not be entitled to any refund or proration.

22 (h) **Application Denial; Appeal.**

23 (1) The Department may reject an application for a Vendor permit for any of the
24 following reasons:

1 (A) the applicant failed to provide any required information or prerequisite
2 approvals identified in this Section 5.9-5, or provided incorrect or incomplete information, and failed
3 to correct the application within a reasonable time identified by the Department;

4 (B) the applicant knowingly presented false and material information or
5 knowingly omitted material information;

6 (C) the applicant previously received a permit, which permit was revoked
7 pursuant to Section 5.9-11, and the revocation occurred within one year of the application;

8 (D) the applicant submitted a substantially similar application that was
9 rejected within the past year;

10 (E) the proposed Vending location may lead to or exacerbate objective
11 safety, health, and welfare concerns; or

12 (F) good cause, including but not limited to violations of federal, state, or
13 City law that in the Department's judgment are relevant to whether the applicant would perform as a
14 Vendor in a lawful manner.

15 (2) The applicant may appeal the Department's rejection of an application for a
16 Vendor permit in writing to the Director within 30 days of the rejection. The Director may investigate
17 the rejection and consider any claims by the applicant, and shall either affirm or reverse the rejection
18 within a reasonable time following receipt of the written appeal. Upon denial of a permit by the
19 Director, an applicant may appeal the Director's decision, to the Board of Appeals, in accordance with
20 Section 8 of the Business and Tax Regulations Code, as amended from time to time.

21
22 **SEC. 5.9-6. VENDING RESTRICTIONS.**

23 (a) Certified Farmers' Market or Swap Meet. No person, without written approval of the
24 Director, may Vend within the immediate vicinity of a permitted Certified Farmers' Market or a
25 permitted Swap Meet during the operating hours of that Certified Farmers' Market or Swap Meet.

1 **(b) Temporary Special Permit.** No person, without written approval of the Director, may
2 Vend within the immediate vicinity of a temporary special permit issued by the City that authorizes the
3 temporary use of, or encroachment in or on, the sidewalk or other public area, including an
4 encroachment permit, special event permit, or temporary event permit for purposes including filming,
5 parades, or outdoor concerts. This prohibition against Vending shall be effective only for the limited
6 duration of the temporary special permit. Any notice, business interruption mitigation, or other rights
7 provided to affected businesses or property owners under the temporary special permit shall also be
8 provided to any Vendor whom the Director previously specifically permitted to operate within the
9 immediate vicinity of the temporary special permit during the period that the temporary special permit
10 is effective.

11 **(c) United Nations Plaza.** No person, without written approval of the Director may Vend at
12 UN Plaza, unless it is an approved seller in the course of a permitted Certified Farmers' Market. The
13 Director, in consultation with the General Manager of the Recreation and Park Department or the
14 General Manager's designee, may approve a Vending permit at UN Plaza if the Director finds that the
15 issuance of such a permit would not objectively undermine public health, safety, or welfare.

16 **(d) Hallidie Plaza.** The Director, in consultation with the General Manager of the
17 Recreation and Park Department or the General Manager's designee, may approve a Vending permit
18 at Hallidie Plaza if the Director finds that the issuance of such a permit would not objectively
19 undermine public health, safety, or welfare.

20
21 **SEC. 5.9-7. EXEMPTIONS.**

22 **(a) This Article 5.9 does not govern:**

- 23 **(1) Food products being sold as part of a fundraiser by a non-profit entity; or**
24 **(2) the sale of an art or craft regulated under Article 24 (Regulating Street Artists)**
25 **of the Police Code; or**

- 1 (3) the operation of, or any sale within, a Certified Farmers’ Market; or
2 (4) the operation of, or any sale within, a permitted Swap Meet; or
3 (5) Vending on property regulated by Article 7 of the Park Code; except UN Plaza
4 and Hallidie Plaza; or
5 (6) Vending within areas permitted under Article 6 (Interdepartmental Staff
6 Committee on Traffic and Transportation (“ISCOTT”)) of the Transportation Code.

7 (b) This Article 5.9 does not supersede or alter Article 24 (Regulating Street Artists) of the
8 Police Code. A Vendor permit authorizing the permittee to Vend either Merchandise or Food and
9 Merchandise in accordance with Section 5.9-4 may also Vend an art or craft regulated under Article 24
10 (Regulating Street Artists) of the Police Code if the Vendor has obtained a Street Artist Certificate
11 under Article 24 of the Police Code.

12
13 **SEC. 5.9-8. DELEGATION OF AUTHORITY FOR RULEMAKING.**

14 (a) **Rules and Regulations Authorized.** Subject to the restrictions stated in subsections (b)
15 and (c), the Department, in consultation with the Office of Economic and Workforce Development and
16 the Human Rights Commission, may adopt Rules and Regulations related to the administration and
17 enforcement of this Article 5.9, in order to further the purposes of this Article 5.9, and to promote
18 public health, safety, or welfare. The Rules and Regulations may include but are not necessarily
19 limited to:

- 20 (1) Standards for approving permits.
21 (2) Additional requirements regulating the time, place, and manner of Vending,
22 including prohibiting Vending in certain locations, if the Rules and Regulations are directly related to
23 objective health, safety, or welfare concerns.
24 (3) Notice requirements of new Rules and Regulations regarding the time, place,
25 and manner of Vending, including locations where Vending is prohibited.

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(4) The process for granting fee waivers.

(5) Requirements to maintain sanitary conditions.

(6) Requirements necessary to ensure compliance with the Americans with Disabilities Act of 1990 (Public Law 101-336), as it may be amended, and other disability access standards.

(7) Requirements necessary to ensure the public’s use and enjoyment of natural resources and recreational opportunities.

(8) Requirements necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of a park.

(9) The process for selecting organizations to accept donated goods pursuant to Section 5.9-11 (f)(3).

(10) Any other Rules and Regulations in order to further the purposes of this Article 5.9 and promote public health, safety, or welfare.

(b) **Disapproval by the Board of Supervisors.** Any Rules and Regulations adopted under the authority of subsection (a) shall be subject to disapproval of the Board of Supervisors by ordinance until August 31, 2022. The Department shall provide written notice to the Clerk of the Board of Supervisors of its adoption of any Rule or Regulation under subsection (a), along with a copy of said Rule or Regulation. If a Member of the Board of Supervisors does not introduce an ordinance to disapprove the Rule or Regulation within 30 days of the date of delivery of said notice to the Clerk of the Board of Supervisors, or if such an ordinance is introduced within the 30-day period but the ordinance is not passed on second reading by the Board of Supervisors within 90 days of the date of the Department’s delivery of notice to the Clerk of the Board of Supervisors, or, if so passed by the Board is not subsequently enacted by the City or does not become law, the Rule or Regulation shall go into effect.

1 (c) Approval by the Public Works Commission. Starting on September 1, 2022, any Rules
2 and Regulations adopted under the authority of subsection (a) shall be subject to approval of the Public
3 Works Commission.

4 (d) Port of San Francisco. The Port Commission and its Executive Director, in
5 consultation with the Department, may adopt additional requirements regulating the time, place, and
6 manner of Vending within the regulatory jurisdiction of the Port of San Francisco, including
7 prohibiting Vending in certain locations, if the rules and regulations are directly related to objective
8 health, safety, or welfare concerns. Such Rules and Regulations may impose, but are not limited to
9 imposing, (1) further requirements to maintain sanitary conditions; (2) requirements necessary to
10 ensure compliance with the Americans with Disabilities Act of 1990 (Public Law 101-336), as it may be
11 amended, and other disability access standards; (3) requirements necessary to ensure the public's use
12 and enjoyment of natural resources and recreational opportunities; or (4) requirements necessary to
13 prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and
14 natural character of a park.

15
16 **SEC. 5.9-9. GOOD NEIGHBOR POLICIES.**

17 (a) Vendors shall operate in accordance with the following good neighbor policies:

18 (1) Vendors shall be individually responsible for any garbage, detritus, or debris
19 that directly results from their Vending activity;

20 (2) Vendors shall contain noise and odors within the immediate area of the Vendor
21 so as not to cause a nuisance to neighbors;

22 (3) Vendors shall urge patrons to not litter and to maintain the safety, cleanliness,
23 quiet, peace, and orderliness of the area; and

24 (4) Vendors shall provide for proper and adequate storage and disposal of garbage,
25 detritus, and debris.

1 **(b) The Director may adopt additional and/or more specific good neighbor policies as long**
2 **as they are consistent with the principles in this Section 5.9-9.**

3
4 **SEC. 5.9-10. OUTREACH AND EDUCATION.**

5 **(a) The Department shall conduct extensive outreach and education in a manner that is**
6 **accessible to all Vendors, including Vendors with limited business experience and limited English**
7 **proficiency, in order to provide Vendors sufficient notice regarding the requirements of this Article 5.9,**
8 **including information about the application process and good neighbor policies, as well as any**
9 **applicable Rules and Regulations.**

10 **(b) The Department shall also provide Vendors information about:**

11 **(1) How to obtain assistance filling out the permit application.**

12 **(2) Workforce development opportunities and job placement programs.**

13 **(c) The Department shall conduct extensive outreach and education prior to the operative**
14 **date for enforcement of this Article 5.9 as stated in Section 5.9-11(a).**

15 **(d) If this Article 5.9 is modified to include new requirements or if the Department adopts**
16 **new Rules and Regulations, the Department shall conduct additional outreach and education for a**
17 **period of 4 weeks in a manner that is accessible to all Vendors, including Vendors with limited business**
18 **experience and limited English proficiency, before Enforcement Officials may issue a Notice of**
19 **Violation concerning a new requirement or new Rule and Regulation pursuant to Section 5.9-11.**

20
21 **SEC. 5.9-11. ENFORCEMENT.**

22 **(a) Operative Date. The enforcement provisions outlined in this Section 5.9-11 in**
23 **subsections (b)-(k) shall become operative eight weeks after the effective date of the ordinance in Board**
24 **File No. 211292 establishing this Article 5.9, in order to allow the Department to conduct pre-**
25 **enforcement extensive education and outreach pursuant to Section 5.9-10.**

1 **(b) Nuisance Declaration.** *Any violation of this Article 5.9, or of any applicable Rules and*
2 *Regulations, constitutes a public nuisance.*

3 **(c) Notice of Violation.** *Any Enforcement Official may issue a Notice of Violation for any*
4 *violation of this Article 5.9, or of the Rules and Regulations that interpret and implement this Article,*
5 *and as described in subsection (e) below, that occurs on a public right-of-way (as that term is defined*
6 *in Public Works Code Section 2.4.4) or any other street, sidewalk, alley, walkway, or pedestrian path*
7 *available to the public. The Notice of Violation shall include: (1) information identifying the Offender,*
8 *(2) details of the violation, (3) the name or identifying number of the Enforcement Official, (4) a*
9 *general description of administrative fines, and payment method and options, including the ability-to-*
10 *pay determination, (5) a general description of the appeals process, (6) information about the*
11 *requirements of this Article 5.9 and any applicable Rules and Regulations that interpret and implement*
12 *this Article, (7) information about who to contact for assistance related to this Article 5.9, and (8)*
13 *information about workforce development opportunities and job placement programs.*

14 **(d) Written Warnings.**

15 **(1)** *The Department shall use the information included in the Notice of Violation to*
16 *issue a written warning for any violation of this Article 5.9, or the Rules and Regulations that interpret*
17 *and implement this Article 5.9, within 15 calendar days of issuing the Notice of Violation. The written*
18 *warning shall inform the Vendor of a reasonable time, identified by the Department, to correct the*
19 *issue or if the Vendor fails to correct the issue, the Vendor may be subject to an Administrative*
20 *Citation. If a Vendor is found Vending Food and/or Merchandise in a package that is different from*
21 *the description listed in the Vendor's permit application pursuant to Section 5.9-5, the written warning*
22 *shall inform the Vendor of a reasonable time, identified by the Department, to update the description of*
23 *the Food and/or Merchandise in the Vendor's permit application, or the Vendor may be subject to an*
24 *Administrative Citation for failing to update the description.*

1 (2) If a Vendor fails to correct any of the issues for which they received a written
2 warning within the reasonable time identified by the Department, all additional violations of this
3 Article 5.9, or of any applicable Rules and Regulations that interpret and implement this Article 5.9,
4 shall be subject to an Administrative Citation.

5 (e) **Administrative Citation.** The Department will use the information included in the
6 Notice of Violation to issue an Administrative Citation for any violation of this Article 5.9, or the Rules
7 and Regulations that interpret and implement this Article, as described below, within 15 calendar days
8 of issuing the Notice of Violation:

9 (1) Vending that violates a requirement in this Article 5.9 or in the Rules and
10 Regulations that interpret and implement this Article, other than failure to possess a valid license or
11 permit:

12 (A) An administrative fine equal to \$100 for a first violation.

13 (B) An administrative fine equal to \$200 for a second violation within twelve
14 months of the first violation.

15 (C) An administrative fine equal to \$500 for a third violation, and each
16 subsequent violation, within twelve months of the first violation.

17 (D) In addition to any other authorized enforcement activity, the Director may
18 revoke or suspend a Vendor's license and/or permit for the remainder of its term upon a fourth or
19 subsequent violation within twelve months of the first violation.

20 (2) Vending without a valid license or permit:

21 (A) An administrative fine equal to \$250 for a first violation.

22 (B) An administrative fine equal to \$500 for a second violation within twelve
23 months of the first violation.

24 (C) An administrative fine equal to \$1,000 for a third violation, and each
25 subsequent violation, within twelve months of the first violation.

1 (D) If the Vendor submits proof of a valid permit that was effective at the time of
2 the citation, the administrative fines set forth in subsections (A) through (C) of this subsection (e)(2)
3 shall be reduced to equal the administrative fines set forth in subsections (A) through (C) of subsection
4 (e)(1), as those amounts may be revised pursuant to subsection (e)(5).

5 (3) Failure to pay an Administrative Citation described in this subsection (e) shall
6 not be punishable as an infraction or misdemeanor; further, additional fines, fees, assessments, or any
7 other financial conditions beyond those authorized in this subsection (e) may not be assessed.

8 (4) When assessing an Administrative Citation authorized in this subsection (e), the
9 Director shall take into consideration the person's ability to pay the fine using the criteria described in
10 subsection (a) or (b) of California Government Code Section 68632, as it may be amended. The
11 Enforcement Official shall give notice to the Vendor of the right to request an ability-to-pay
12 determination and instructions or other materials for requesting an ability-to-pay determination. The
13 Vendor may request an ability-to-pay determination at any time while the judgment remains unpaid,
14 including when a case is delinquent or has been referred to a comprehensive collection program. The
15 Director's determination shall be final. If the Vendor meets the ability-to-pay criteria, the Department
16 shall accept 20% of the total administrative fine specified in subsection (e)(1) or (e)(2), as applicable,
17 as full satisfaction.

18 (5) To the extent permitted by State law, the amounts of the administrative fines
19 identified in subsections (A) through (C) of subsections (e)(1) and (e)(2) shall automatically increase or
20 decrease to the maximum amount authorized under California Government Code Section 51039, as it
21 may be amended. If Section 51039 is repealed and not replaced with a similar limitation on
22 administrative fines, then the Director, in consultation with the Controller, may adjust the
23 administrative fine amounts in this Section 5.9-11 each year, without further action by the Board of
24 Supervisors, to reflect changes in the relevant Consumer Price Index.

1 (6) Within 30 days of issuance, the Vendor shall pay the Administrative Citation
2 unless the Vendor files a written appeal with the Director. The grounds of appeal are limited to error
3 or abuse of discretion in the issuance of the Administrative Citation. The Director may make an
4 ability-to-pay determination pursuant to subsection (e)(4), but inability to pay shall not be grounds for
5 rescinding the Administrative Citation or reducing the amount required to satisfy the fine to an amount
6 less than the amount specified in subsection (e)(4). The Director shall consider any claims or defenses
7 by the appellant, and shall issue and mail a written decision on the appeal within a reasonable time of
8 receipt of the written appeal. Within 20 days of the Director’s decision upholding a fine in whole or in
9 part, the Vendor shall pay the Administrative Citation. The Vendor may seek judicial review of an
10 Administrative Citation pursuant to subsection (c)(1) in San Francisco Superior Court pursuant to
11 Government Code Section 53069.4.

12 (7) Administrative Citation Issuance Date. For purposes of payment and appeals
13 deadlines, the issuance date of any Administrative Citation delivered by the U.S. Postal Service shall be
14 5 calendar days after the date of mailing.

15 (8) Collection of Fines. The failure of any person to pay a fine assessed by
16 Administrative Citation within the required time constitutes a debt to the City. Simple interest at 10%
17 per year shall accrue on unpaid amounts.

18 **(f) Temporary Order to Cease Vending and Removal.**

19 (1) Any Enforcement Official may order a Vendor to promptly cease Vending when,
20 in the judgment of the Enforcement Official, (A) the Vendor constitutes a safety hazard, including but
21 not limited to impeding the safe use of a public right-of-way by pedestrians or persons with disabilities,
22 or (B) when the presence of an emergency so requires, or (C) if the Vendor is unpermitted.

23 (2) (A) After the Enforcement Official orders an unpermitted Vendor to cease
24 Vending, the Vendor must discontinue any Vending and remove all Food, Merchandise, and any other
25

1 Vending paraphernalia from property within the City’s jurisdiction. A failure to promptly obey any
2 such order from an Enforcement Official is a violation of this Article 5.9.

3 (B) After the Enforcement Official orders a permitted Vendor to cease Vending,
4 the Vendor must discontinue any Vending and follow the orders of the Enforcement Official with regard
5 to removing and relocating all Food, Merchandise, and any other Vending paraphernalia, and any
6 other orders the Enforcement Official may give to mitigate safety hazards, and no further Vending may
7 occur until the conditions that caused the order to cease Vending have been abated to the satisfaction
8 of the Enforcement Official. A failure to promptly obey any such orders from an Enforcement Official
9 is a violation of this Article 5.9.

10 (3) If a Vendor fails, within a reasonable time, to remove Food, or Merchandise, or
11 any other Vending paraphernalia from the location subject to the order to cease Vending, or fails to
12 follow any other orders the Enforcement Official may issue to mitigate safety hazards, the Enforcement
13 Official or the Department may remove any or all of the items. Prior to removal by the Enforcement
14 Official or the Department, the Enforcement Official shall warn the Vendor of the impending removal
15 and impoundment, and shall urge the Vendor to make every effort to remove the items, or cause their
16 removal. Where the Department actually removes any items, the Enforcement Official shall issue an
17 Administrative Citation to the Vendor. The Vendor shall pay the actual costs of removal and storage of
18 any items impounded, and of disposal of any items the storage of which may cause public health, safety,
19 or infestation issues. The Vendor may contest the liability for these costs by timely appealing the
20 Administrative Citation. However, these actual costs to the City are not subject to reduction based on
21 the ability to pay; actual costs are a debt to the City that may be collected in the same manner as
22 provided in subsection (e)(8). Vendor items that have been removed and stored may be recovered by
23 the Vendor within 90 days from the date of removal and upon payment of a sum equal to the costs of
24 removal, plus any reasonable transport and storage costs, as determined by the Department, and any
25 costs incurred by the Department in disposing of any items. If the Vendor filed a written appeal

1 pursuant to subsection (e)(6) and the appeal is not resolved within 90 days, the Department
2 shall continue to store Vendor's items until the appeal is resolved in order to allow Vendor to
3 recover items. After 90 days, or as soon as the Vendor's appeal is resolved if longer than 90
4 days, the Department shall donate non-Food items to organizations providing services to
5 people who are unhoused, as appropriate. Prior to making any donations, the Department
6 shall adopt regulations governing the process for selecting organizations to accept these
7 donated goods.

8 (g) **Other Violations.** Any violation of this Article 5.9, or of the Rules and Regulations that
9 interpret and implement this Article, may be subject to one or more of the following:

10 (1) An administrative fine as described in subsection (e).

11 (2) Civil Action.

12 (A) The Department may refer violations to the City Attorney to maintain an
13 action for injunction to restrain to cause the correction or abatement of the violation of this Article 5.9,
14 and for recovery of any City department's enforcement and abatement costs (including but not limited
15 to costs for removal, storage, impoundment, and disposal).

16 (B) The City shall be awarded its reasonable attorney's fees and costs incurred
17 in enforcing this Article 5.9.

18
19 **SEC. 5.9-12. REPORTING REQUIRED.**

20 The Department shall report to the Board of Supervisors regarding the implementation of this
21 Article 5.9, annually for the first three years after the effective date of the ordinance in Board File No.
22 211292 establishing this Article; and once every three years thereafter. The report shall include but
23 not be limited to the following: number of applications; number of permits issued; number of permits
24 renewed; locations approved for Vending; locations excluded from Vending; outreach and education
25

1 efforts; outreach and education outcomes; number of Notice of Violations issued; number of written
2 warnings issued; number of Administrative Citations issued; fines collected; and outstanding fines.

3
4 **SEC. 5.9-13. UNDERTAKING FOR THE GENERAL WELFARE.**

5 In enacting and implementing this Article 5.9, the City is assuming an undertaking only to
6 promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an
7 obligation for breach of which it is liable in money damages to any person who claims that such breach
8 proximately caused injury.

9
10 **SEC. 5.9-14. SEVERABILITY.**

11 If any section, subsection, sentence, clause, phrase, or word of this Article 5.9, or any
12 application thereof to any person or circumstance, is held to be invalid or unconstitutional by a
13 decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining
14 portions or applications of the Article. The Board of Supervisors hereby declares that it would have
15 passed this Article 5.9 and each and every section, subsection, sentence, clause, phrase, and word not
16 declared invalid or unconstitutional without regard to whether any other portion of the Article or
17 application thereof would be subsequently declared invalid or unconstitutional.

18
19 Section 3. Chapter 1 of the Administrative Code is hereby amended by revising
20 Section 1.58, to read as follows:

21 **SEC. 1.58. PERMITS FOR UNITED NATIONS AND HALLIDIE PLAZAS.**

22 * * * *

23 (b) **Permitting Authorities.** Permits for the use of United Nations Plaza and Hallidie
24 Plaza shall be issued by the Recreation and Park Department ~~or the Recreation and Park~~
25 ~~Commission~~ according to the procedures and standards established for the issuance of permits

1 for the use of property under the jurisdiction of the Recreation and Park Commission;
2 provided, however, that the Recreation and Park Department ~~and the Recreation and Park~~
3 ~~Commission~~ shall only issue permits for activities that are recreational in nature or that are
4 engaged in primarily for the purpose of espousing or advocating causes or ideas, which
5 activities are generally recognized as protected by the First Amendment to the U.S.
6 Constitution. Permits to engage in any other type of activity in United Nations or Hallidie
7 Plaza, including permits for Vending under Article 5.9 of the Public Works Code, shall be issued ~~by~~
8 ~~the~~ in accordance with the procedures in Articles 8B and 8C of the Park Code ~~Board of Supervisors.~~
9 This section 1.58 does not alter the authority of the Art Commission to issue certificates for the sale of
10 an art or craft under Article 24 (Regulating Street Artists) of the Police Code.

11 (c) **Appeals.** An appeal from the denial of a permit application by the Recreation and
12 Park Department ~~or the Recreation and Park Commission~~ for the use of United Nations Plaza or
13 Hallidie Plaza shall be made to the Recreation and Park Commission pursuant to Article 7 of the
14 Park Code and any procedures for the filing and processing of permit applications that may be adopted
15 by the Recreation and Park Commission. An appeal from the denial of a permit application by the
16 Department of Public Works shall be made to the Board of Appeals according to the same procedures
17 that would otherwise apply to the denial of permits on property under the permitting jurisdiction of the
18 Department of Public Works. ~~Board of Supervisors. An appropriate committee of the Board of~~
19 ~~Supervisors shall consider the appeal before it goes to the full Board, unless there is insufficient time~~
20 ~~before the date of the proposed event for committee review. If a quorum of the full Board cannot be~~
21 ~~convened in time to consider the appeal before the date of the proposed event, the procedure to be~~
22 ~~followed shall be that established in the Park Code or by Commission resolution for the appeal of the~~
23 ~~denial of a permit application by the Recreation and Park Department when a quorum of the~~
24 ~~Recreation and Park Commission cannot be convened in a timely manner to consider the appeal. In the~~
25

1 ~~event that neither the Code nor a Commission resolution contains such a procedure, the decision of the~~
2 ~~Recreation and Park Department shall be final.~~

3 (d) **Procedures; Restitution.** All procedures and standards, ~~other than procedures for~~
4 ~~appeal from the denial of a permit application, shall be the same~~ for permits issued by the
5 Recreation and Park Department for the use of United Nations Plaza and Hallidie Plaza shall
6 be the same as they are for permits issued for the use of park property. If a permittee uses
7 United Nations Plaza or Hallidie Plaza and damages it, or fails to clean up after the permitted
8 event, or otherwise leaves the property in a manner that requires the expenditure of labor or
9 money to restore the Plaza, the City and County of San Francisco may bill the permittee and
10 ~~otherwise seek any remedy authorized by law normally sought when the property involved is property~~
11 ~~under the jurisdiction of the Recreation and Park Commission.~~

12 * * * *

13 Section 4. Article 1 of the Business and Tax Regulations Code is hereby amended by
14 revising Section 1.36, to read as follows:

15 **SEC. 1.36. VENDING.**

16 For Vending – by the ~~Port of San Francisco~~ Department of Public Works; subject to the
17 approval of the Public Health Department for food Vending, if applicable (See ~~Article 2A of the~~
18 ~~Port Code Article 5.9 of the Public Works Code~~).

19
20 Section 5. Article 8 of the Health Code is hereby amended by deleting Section 452.2,
21 as follows:

22 **~~SEC. 452.2. REPORTING REQUIRED.~~**

23 ~~The Department of Public Health, in consultation with the Port of San Francisco, shall report to~~
24 ~~the Board of Supervisors regarding the implementation of Article 2A of the Port Code and any health~~
25 ~~and safety enforcement actions related to Mobile Food Vendors: six months after the effective date of~~

1 ~~Article 2A of the Port Code; annually for the first three years after the effective date of Article 2A of the~~
2 ~~Port Code; and once every three years thereafter (see Port Code Section 2A.10 (Reporting Required)).~~

3
4 Section 6. The Park Code is hereby amended by revising Section 2.01 of Article 2,
5 Section 8B.01 of Article 8B, and Sections 8C.01 and 8C.03 of Article 8C, to read as follows:

6 **SEC. 2.01. "PARK" DEFINED.**

7 (a) When used in this Code, the word "park" shall mean and include (1) all grounds,
8 roadways, avenues, squares, recreation facilities, and other property placed under the control,
9 management, and direction of the Recreation and Park Commission by the Charter of the City
10 and County of San Francisco; (2) the open space on the blocks bounded by Market, Folsom,
11 Third, and Fourth Streets which is under the control, management, and direction of the
12 Redevelopment Agency of the City and County of San Francisco, otherwise known as the
13 "Yerba Buena Gardens;" and (3) the open space generally known as the "Transbay Rooftop
14 Park" which is located on the roof of the facility located on the blocks bounded by Mission,
15 Beale, Howard, and Second Streets, and which is under the ownership, control, management,
16 and direction of the Transbay Joint Powers Authority (TJPA), provided that the TJPA Board of
17 Directors has not rescinded or revoked the TJPA resolution of consent to the enforcement of
18 the Park Code for the Transbay Rooftop Park, which is on file with the Clerk of the Board of
19 Supervisors in File No. 180087. The foregoing definitions of the word "park" shall not apply
20 where *unless* such word is otherwise defined within the section in which it appears. In addition,
21 the designation of Yerba Buena Gardens and the Transbay Rooftop Park as "parks" for
22 purposes of this Code does not effect a jurisdictional transfer of either property, does not
23 place either property under the jurisdiction and control of the Recreation and Park
24 Commission, does not render either property "park land" or "park property" as those terms are
25

1 used in any provision of the Charter, and does not entitle the City and County of San
2 Francisco to receive revenues that may be generated by either property.

3 (b) When used in Articles 3, 4 and 7 of this Code, the word “park” shall also include
4 the area comprising Fulton Street between Hyde and Market Streets and Leavenworth Street
5 between McAllister and Fulton Streets, which area was closed to vehicular traffic by San
6 Francisco Board of Supervisors Resolution No. 373-73 and is otherwise known as United
7 Nations Plaza, and the area that is bounded by the northwesterly line of Market Street, the
8 southerly line of Eddy Street and the westerly line of Lot 13, Assessor's Block 341, and is
9 otherwise known as Hallidie Plaza. The designation of United Nations Plaza and Hallidie
10 Plaza as parks for purposes of Articles 3, 4 and 7 of this Code does not effect a jurisdictional
11 transfer of these plazas, does not place these plazas under the jurisdiction and control of the
12 Recreation and Park Commission and does not render these plazas “park land” or “park
13 property” as those terms are used in any provision of the San Francisco Charter.

14 * * * *

15 **SEC. 8B.01. AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF PUBLIC**
16 **WORKS.**

17 With respect to United Nations Plaza, the Director of the Department of Public Works,
18 or ~~his or her~~ the Director's designee, shall have the authority to manage the Plaza and to
19 perform all functions with respect to United Nations Plaza that would otherwise be performed
20 by the Recreation and Park Department, the Recreation and Park Commission, the General
21 Manager of the Recreation and Park Department, the Superintendent of Parks, or the
22 employees of the Recreation and Park Department under Sections 3.03, 3.07, 3.16, 4.01,
23 4.12, and 4.13 of this Code. The Department of Public Works shall also have authority to issue
24 permits for Vending under Article 5.9 of the Public Works Code. The Recreation and Park
25 Department ~~or Commission and the Board of Supervisors~~ shall issue all other permits and all other

1 authorizations required by Articles 3, 4, and 7 of this Code pursuant to Section 1.58 of the ~~San~~
2 ~~Francisco~~ Administrative Code.

3 * * * *

4 **SEC. 8C.01. AUTHORITY OF THE DIRECTOR OF PROPERTY.**

5 With respect to Hallidie Plaza, the Director of Property, or ~~his or her~~ the Director's
6 designee, shall have the authority to manage the Plaza and to perform all functions with
7 respect to Hallidie Plaza that would otherwise be performed by the Recreation and Park
8 Department, the Recreation and Park Commission, the General Manager of the Recreation
9 and Park Department, the Superintendent of Parks, or the employees of the Recreation and
10 Park Department under Sections 3.03, 3.07, 3.16, 4.11, 4.12 and 4.13, of this Code. The
11 Department of Public Works shall have authority to issue permits for Vending under Article 5.9 of the
12 Public Works Code. The Recreation and Park Department ~~or Commission and the Board of~~
13 ~~Supervisors~~ shall issue all other permits and authorizations required by Articles 3, 4 and 7 of
14 this Code pursuant to Section 1.58 of the ~~San Francisco~~ Administrative Code.

15 **SEC. 8C.02. RULES AND REGULATIONS GOVERNING USE OF HALLIDIE**
16 **PLAZA.**

17 The Director of Property shall have jurisdiction to set the rules and regulations for
18 Hallidie Plaza pursuant to Sections 3.01 and 3.02 of this Code, violation of which rules and
19 regulations, when posted in Hallidie Plaza, shall constitute a misdemeanor or an infraction
20 pursuant to Article 10 of this Code. The signs posted to advise the public of rules and
21 regulations for Hallidie Plaza shall inform the public where a copy of the full text of the rule or
22 regulation can be obtained. Any such rule or regulation shall be consistent with Articles 3, 4
23 and 7 of this Code and shall be adopted after a noticed public hearing upon a finding by the
24 Director of Property or ~~his or her~~ the Director's designee that violation of the proposed rule or
25

1 regulation will be detrimental to the health, safety, or welfare of members of the public using
2 or passing through Hallidie Plaza or using adjacent property.

3 **SEC. 8C.03. ADDITIONAL ACTIVITIES REQUIRING PERMITS.**

4 The Director of Property shall have the authority to require a permit for additional
5 activities in Hallidie Plaza not enumerated in Articles 3, 4 and 7 of this Code when such a
6 requirement furthers the purposes set forth in Section 7.01 of this Code; *provided that the*
7 *Department of Public Works shall have authority to issue permits for Vending under Article 5.9 of the*
8 *Public Works Code.* A list of the additional activities for which permits are required shall be
9 posted at McLaren Lodge in Golden Gate Park and filed with the Secretary of the Recreation
10 and Park Commission and the Clerk of the Board of Supervisors and shall be made available
11 to the public upon request.

12
13 Section 7. Article 9.6 of the Police Code is hereby amended by revising Section 660.2,
14 to read as follows:

15 **SEC. 660.2. UNLAWFUL SOLICITATION.**

16 * * * *

17 (h) No individual shall engage in sales solicitations for charitable purposes by
18 means of selling goods, products, services, or merchandise on the public sidewalks:

19 (1) Within five feet of any of the following:

20 * * * *

21 (b) A person Vending Food, and/or Merchandise, pursuant to *any*
22 *applicable* ~~permit issued under Article 2A of the Port Code,~~ *including but not limited to a permit*
23 *issued under Article 5.9 of the Public Works Code,* or any other provision of the Charter or
24 Municipal Code.

25 * * * *

1 (j) No individual shall engage in sales solicitations for charitable purposes by
2 means of selling clothing, jewelry, or any other goods, products, services, or merchandise in
3 any area of the City unless that person obtains the appropriate permit, including but not limited
4 to a permit issued pursuant to Article 24 of the Police Code, ~~Article 2A of the Port Code~~ or Article
5 5.9 of the Public Works Code. This subsection (j) shall not apply to the sale of books, pamphlets,
6 buttons, bumper stickers, posters, or any other type of item that has no intrinsic value or
7 purpose other than to communicate a message.

8 * * * *

9 Section 8. The Port Code is hereby amended by revising Sections 2.8 (in Article 2)
10 and 6.3 (in Article 6), and by adding Section 2A.13 (to Article 2A), to read as follows:

11 **SEC. 2.8. PEDDLING AND VENDING REGULATED ~~MERCHANDISE OR PRINTED~~**
12 **~~MATERIAL.~~**

13 (a) No person may vend ~~Vend~~ *(as that term is defined in Section 2A.1 of the Port Code)*,
14 or bring, or cause to be brought, for the purposes of ~~V~~vending any food, beverage, goods,
15 wares, or merchandise within the jurisdiction of the Commission without first having obtained
16 a permit ~~(in accordance with Article 2A of the Port Code)~~, or a concession, license, or lease from
17 the Executive Director.

18 (b) The Commission, Executive Director, or designee may adopt Rules and
19 Regulations applicable to all vending ~~Vending~~ on property under the jurisdiction of the
20 Commission, in accordance with Section 5.9-8 of the Public Works Code ~~2A.5 of the Port Code~~.

21 (c) Any ~~V~~vending in violation of this Section 2.8, ~~Article 2A Port Code~~, or any Rules
22 and Regulations applicable to all vending ~~Vending~~ on property under the jurisdiction of the
23 Commission, in accordance with Section 5.9-8 of the Public Works Code ~~2A.5 of the Port Code~~.

24 **SEC. 6.3. PERMITS REQUIRED.**

25 No person shall, without a permit, perform any of the following acts in any park:

1 * * * *

2 (C) Vend food or merchandise ~~Food or Merchandise~~ unless in accordance with Section
3 2.8 and any applicable permit or other authorization ~~Article 2A of the Port Code~~.

4 **SEC. 2A.13. SUNSET.**

5 This Article 2A shall expire by operation of law when each Mobile Vendor permit issued by the
6 Department has expired. The Department may not issue or renew a Mobile Vendor permit after the
7 vending program authorized under Article 5.9 of the Public Works Code has issued its first vendor
8 permit. Upon expiration of this Article 2A, the City Attorney shall cause the Article to be removed from
9 the Port Code.

10
11 Section 9. Article 5.8 of the Public Works Code is hereby amended by revising Section
12 184.80, to read as follows:

13 **SEC. 184.80. DEFINITIONS.**

14 * * * *

15 **Mobile Food Facility.** Any vehicle or pushcart used in conjunction with a commissary
16 or other permanent food facility upon which food is sold or distributed at retail. Mobile Food
17 Facility does not include a “Transporter” used to transport packaged food from a food facility
18 or other approved source to the consumer. A Mobile Food Facility does not include any use
19 that sells goods, wares, or merchandise other than food or drink intended for human
20 consumption, or a Vendor holding a valid permit pursuant to Article 5-9, who sells pre-packaged
21 food, foodstuffs, confectionary, condiment, or beverage for human consumption that is being resold in
22 its original packaging. For purposes of this Article, a pushcart or a mobile caterer are both
23 referred to as a Mobile Food Facility unless specifically stated otherwise.

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Section 10. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned, or the Mayor does not sign the ordinance within ten days after receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

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

APPROVED AS TO FORM:
DAVID CHIU City Attorney

By: /s/Christina Fletes-Romo
Christina Fletes-Romo
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(Amended in Committee, 3/2/2022)

[Various Codes - Street Vendor Regulation]

Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

Existing Law

Street vending in the City is largely unregulated. Public Works Code Article 5.8 (Sections 184.80 et seq.) establishes the Department of Public Works' regulatory program for mobile food facilities, but does not regulate stationary vendors or roaming vendors. Port Code Article 2A establishes a regulatory program for stationary and roaming vending in areas under the Port's jurisdiction.

Amendments to Current Law

The ordinance would create a new City-wide regulatory program for street and sidewalk vending that would require permits to vend merchandise, pre-packaged food, or both, authorize a permit fee, establish rules and regulations to govern the time, place, and manner of vending, ban vending at United Nations Plaza except during the farmers' market, and establish enforcement methods including administrative citations and impoundment. The ordinance requires the Department of Public Works to engage in outreach and education before enforcement begins. The ordinance does not regulate vending on property under the jurisdiction of the Recreation and Parks Department, except for UN Plaza and Hallidie Plaza. The ordinance requires the Department of Public Works to report to the Board of Supervisors regarding the implementation and enforcement of this regulatory program. The ordinance amends the Port Code and includes a sunset provision to phase out the Port's regulatory vending program in order to merge the program with the Public Works permit program. The ordinance amends provisions of the Administrative, Business and Tax Regulations, Park, and Police codes and repeals a reporting provision from the Health Code.

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<p>Item 9 File 21-1292</p>	<p>Department: Public Works</p>
<p>EXECUTIVE SUMMARY</p>	
<p style="text-align: center;">Legislative Objectives</p> <ul style="list-style-type: none"> • The proposed ordinance would: (a) amend the Public Works Code to regulate street vending, require permits for vending, and authorize permit fees and enforcement actions; (b) amend provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; (c) amend the Port Code to merge its permit program with the Public Works permit program; (d) repeal reporting provisions from the Health Code; and (e) adopt findings under the California Environmental Quality Act. <p style="text-align: center;">Key Points</p> <ul style="list-style-type: none"> • In 2018, the California Legislature adopted Senate Bill 946 (SB 946), which decriminalized and limited local regulation of sidewalk vending to promote entrepreneurship and support immigrant and low-income communities. SB 946 stipulates that restrictions on sidewalk vending must have a direct relationship to “objective health, safety, or welfare concerns.” SB 946 also prohibits criminal penalties for violations of vending regulations and sets maximum amounts for administrative fines. • Street and sidewalk vending is unregulated in most areas of the City. In 2021, the Port established a regulatory program for street vendors in areas under the Port’s jurisdiction, but this program does not apply to other areas of the City. <p style="text-align: center;">Fiscal Impact</p> <ul style="list-style-type: none"> • Public Works staff estimates that they would require 13.8 new full-time equivalent (FTE) positions to implement the proposed street vending regulations, including issuing permits, conducting outreach, and conducting inspections and enforcement activities. Estimated salary and benefit costs are \$2.15 million; the Department would incur additional costs for space, workstations, and other costs. The actual staff needs and costs are not yet known and would depend on the number of street vendor permits and associated workload to issue permits and enforce compliance. Actual program staffing and costs are subject to Board of Supervisors appropriation approval. • Under the proposed ordinance, Public Works would establish permitting fees based on the reasonable regulatory costs for administrative enforcement and adjudication. <p style="text-align: center;">Policy Consideration</p> <ul style="list-style-type: none"> • The proposed ordinance would establish a civilian enforcement program to regulate street vendors in the City to maintain public health, safety, and welfare in public spaces. Enforcement efforts to keep unpermitted vendors clear may require a continued enforcement presence and significant staff resources. <p style="text-align: center;">Recommendation</p> <ul style="list-style-type: none"> • Approval of the proposed ordinance is a policy matter for the Board of Supervisors. 	

MANDATE STATEMENT

City Charter Section 2.105 states that all legislative acts shall be by ordinance, approved by a majority of the members of the Board of Supervisors.

BACKGROUND

Under state law, a sidewalk vendor is someone who sells food or merchandise on a “public sidewalk or other pedestrian path” from a pushcart, stand, or “other nonmotorized conveyance.”¹ In 2018, the California Legislature adopted Senate Bill 946 (SB 946), which decriminalized and limited local regulation of sidewalk vending to promote entrepreneurship and support immigrant and low-income communities. SB 946 established standards for local sidewalk vendor regulations, including but not limited to restrictions on hours of operations, certain location restrictions, and compliance with disability access standards. Further, SB 946 stipulates that restrictions on sidewalk vending must have a direct relationship to “objective health, safety, or welfare concerns” and prohibits criminal penalties for violations of vending regulations and sets maximum amounts for administrative fines. Local vending regulations must also allow violators to pay a lower fine if they can demonstrate a lack of ability to pay the maximum fines.

Existing Regulations for Street Vendors

Street and sidewalk vending is unregulated in most areas of the City. The Department of Public Works is responsible for regulating mobile food facilities but does not regulate stationary vendors or roaming vendors. In 2021, the Port established a regulatory program for street vendors in areas under the Port’s jurisdiction (described below), but this program does not apply to other areas of the City.

Regulation of Street and Sidewalk Vending on Port Property

In July 2021, the Board of Supervisors approved Ordinance 118-21 which amended the Port Code to regulate street and sidewalk vending, require permits, and authorize permit fees and enforcement actions within the jurisdiction of the Port (File 21-0566). The Ordinance also repealed peddler regulations in the Police Code to comply with SB 946.

According to a January 2022 staff memo to the Port Commission, the Port’s pilot sidewalk vending program began on October 14, 2021 in accordance with the Ordinance and administrative regulations adopted by the Port Commission. As of January 5, 2022, the Port had issued 37 vending permits and 8 notices of violations, all to unpermitted vendors. According to Mike Martin, Assistant Port Director, the Port does not have any full-time staff dedicated to the program but instead has a range of employees (e.g., property managers, wharfingers, security manager, maintenance staff) billing time to the program. As of February 23, 2022, the Port’s expenditures to date for salaries and benefits and materials and supplies to support the program

¹ California Government Code Section 51036.

were approximately \$52,000. This amount does not include work order costs with other agencies that have supported enforcement initiatives or the cost of a \$50,000 contract with Mission Economic Development Agency to conduct education and outreach for the program and provide technical assistance to vendors applying for permits through December 2021.

DETAILS OF PROPOSED LEGISLATION

The proposed ordinance would:

- amend the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions;
- amend provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments;
- amend the Port Code to merge its permit program with the Public Works permit program;
- repeal reporting provisions from the Health Code; and
- adopt findings under the California Environmental Quality Act.

Permit Requirements for Street Vendors

Under the proposed ordinance, street vendors are required to obtain either a Roaming Vendor permit or a Stationary Vendor permit from Public Works to sell food and/or merchandise on City property, including a public right-of-way or any other street, sidewalk, alley, walkway, or pedestrian path. Vendors using an energy source, such as propane, must obtain approval from the Fire Marshal, and vendors selling food must obtain a permit to operate a food facility from the Department of Public Health. Separate fees may apply and be payable to the Fire Marshal and the Department of Public Health.

In addition, applicants must attest that they procured the food or merchandize through legal means and that they will maintain proof of ownership or authorization to sell to be provided upon request.

The proposed ordinance also establishes an annual permit renewal process and appeals process for applicants that have had their application denied

Permit Fees

The proposed ordinance stipulates that Public Works shall establish permitting fees based on the reasonable regulatory costs for administrative enforcement and adjudication. The ordinance also authorizes Public Works to establish permit fee waivers for vendors experiencing economic hardship and vendors that are nonprofit corporations exempt from federal taxation.

Exemptions

The following vending activities are exempt from the ordinance:

- Food products sold as part of a fundraiser by a non-profit entity;
- The operation of or sales within a Certified Farmers' Market or permitted Swap Meet
- Operation of mobile food facilities, which are separately permitted and regulated by Public Works;

- The sale of an art or craft regulated under Article 24 (Regulating Street Artists) of the Police Code;
- Vending on City property regulated by Article 7 of the Park Code except United Nations Plaza and Hallidie Plaza;
- Vending within areas permitted under Article 6 (Interdepartmental Staff Committee on Traffic and Transportation) of the Transportation Code

Vending Restrictions

The proposed ordinance prohibits vending within the immediate vicinity of a permitted Certified Farmers' Market, a permitted Swap Meet, or a temporary special permit² without written approval from the Public Works Director. The proposed ordinance also prohibits vending at United Nations Plaza except for approved sellers associated with a permitted Certified Farmers' Market, or Hallidie Plaza unless the Public Works Director, in consultation with the General Manager of the Recreation and Park Department or their designee finds that issuance of such a permit would not undermine public health, safety, or welfare.

Authorization of Rules and Regulations

The proposed ordinance authorizes Public Works to adopt rules and regulations related to the administration and enforcement of the permitting program. Rules and Regulations adopted before August 31, 2022 are subject to disapproval of the Board of Supervisors. Rules and Regulations adopted on or after September 1, 2022 are subject to approval by the Public Works Commission.

Good Neighbor Policies

The proposed ordinance requires vendors to adhere to good neighbor policies, such as requirements to maintain the cleanliness of the area and to contain noise and odors.

Outreach and Education

The ordinance requires Public Works to conduct outreach and education on the permitting program that is accessible to all vendors, including vendors with limited business experience and limited English proficiency in advance of any enforcement efforts.

Enforcement

The proposed ordinance outlines enforcement methods for non-compliance including administrative fines and impoundment of vending equipment. Violators that meet ability-to-pay criteria would receive reduced fines consistent with SB 946. A violation by a vendor who holds a valid permit will be punishable by an administrative citation in the following amounts:

- \$100 for a first violation
- \$200 for a second violation

² Permits issued by the City that authorize the temporary use of public areas, such as a special event permit.

- \$500 for each additional violation, and permit revocation for a fourth violation, within a year of the first violation

A person who is vending without a valid permit is punishable by an administrative citation in the following amounts:

- \$250 for a first violation
- \$500 for a second violation
- \$1,000 for each additional violation within a year of the first violation

Ultimately, an enforcement official may order a vendor to stop vending and remove and impound vending equipment if the vendor constitutes a safety hazard or if the vendor is unpermitted and fails to comply with prior enforcement efforts.

Reporting Requirements

Public Works would be required to report to the Board of Supervisors on implementation of the permitting program, including permitting, enforcement, and outreach activities and outcomes, annually for the first three years and every three years thereafter.

Sunset of Port Program

The proposed ordinance amends the Port Code to sunset the Port's permitting program for street vendors once the Public Works program is operational and permits previously issued by the Port have expired.

FISCAL IMPACT

The Public Works Department would require additional staff resources to implement the proposed street vending regulations, including staff to issue permits, conduct outreach, and conduct inspections and enforcement activities. Public Works staff estimates that they would require 13.8 new full-time equivalent (FTE) positions. These 13.8 FTE positions have estimated salary and benefit costs of \$2.15 million based on FY 2021-22 salaries and benefits, as shown in Exhibit 1 below. The Department would incur additional costs for space, workstations, and other costs for 13.8 new positions. The actual staff needs are not yet known and would depend on the number of street vendor permits and associated workload to issue permits and enforce compliance.

Exhibit 1: Public Works Staffing Estimates for Proposed Program

Position Classification	FTE	Salaries & Benefits ^a
Permits		
1823 Senior Administrative Analyst	1.0	\$185,450
1822 Administrative Analyst	2.0	322,256
1820 Junior Administrative Analyst	2.0	253,139
1314 Public Relations Officer	1.0	187,576
<i>Subtotal Permits</i>	<i>6.0</i>	<i>\$948,421</i>
Inspections		
1822 Administrative Analyst	1.5	\$241,692
6232 Street Inspection Supervisor	0.3	48,294
6231 Senior Street Inspector	1.0	169,831
6230 Street Inspector	5.0	745,794
<i>Subtotal Inspections</i>	<i>7.8</i>	<i>\$1,205,611</i>
Total	13.8	\$2,154,032

Source: Public Works and FY 2021-22 Annual Salary Ordinance

^a Based on FY 2021-22 salaries and benefits

The estimates assume Public Works staff would conduct proactive enforcement activities, rather than complaint driven enforcement consistent with the proposed ordinance. Public Works did not provide estimates of workload, including the number permits and inspections and the time to conduct those activities, so we could not evaluate the reasonableness of these estimated staffing needs. Actual program staffing and costs are subject to Board of Supervisors appropriation approval. We will review staffing for the proposed program during our review of the Mayor’s proposed budget for FY 2022-23 and FY 2023-24.

Under the proposed ordinance, Public Works would establish permitting fees based on the reasonable regulatory costs for administrative enforcement and adjudication, as noted above. The challenge in setting permit fees is the uncertainty around how many vendors will apply for and be granted permits. Permit fees that are too low may not cover the City’s regulatory costs and fees that are too high may create barriers for vendors who may otherwise wish to comply with City regulations.

POLICY CONSIDERATION

The proposed ordinance would establish a civilian enforcement program to regulate street vendors in the City to maintain public health, safety, and welfare in public spaces. In particular, the proposed ordinance states that unregulated vending at United Nations Plaza contributes to criminal activity and congestion at United Nations Plaza. However, the impact of street vendor regulations on deterring criminal activity is not known. Further, enforcement efforts to keep unpermitted vendors clear may require a continued enforcement presence and significant staff resources. According to a January 2022 staff memo to the Port Commission, Port staff found that

enforcement efforts related to the Port's sidewalk vending program were staff intensive and most effective when coordinated with law enforcement. Port staff also found that unpermitted vendors often returned to a location after enforcement efforts ended.

RECOMMENDATION

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

February 18, 2022

File No. 211292-3

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On February 15, 2022, following substituted legislation was received at the Budget and Finance Committee:

File No. 211292-3

Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Brent Jalipa

By: Brent Jalipa, Assistant Clerk
Budget and Finance Committee

Attachment

c: Devyani Jain, Environmental Planning
Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

02/18/2022

Joy Navarrete

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
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January 18, 2022

File No. 211292-2

Lisa Gibson
Environmental Review Officer
Planning Department
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

Dear Ms. Gibson:

On January 11, 2022, Mayor Breed submitted the following substitute legislation:

File No. 211292-2

Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

01/20/2022

A handwritten signature in cursive script, appearing to read "Joy Navarrete".

BOARD of SUPERVISORS



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San Francisco, CA 94102-4689
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Fax No. (415) 554-5163
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December 17, 2021

File No. 211292

Lisa Gibson
Environmental Review Officer
Planning Department
49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103

Dear Ms. Gibson:

On December 14, 2021, Mayor Breed submitted the following legislation:

File No. 211292

Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Business and Tax Regulations and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 16060(c)(2) because it would not result in a direct or indirect physical change in the environment.

12/27/2021 A handwritten signature in cursive script, appearing to read "Joy Navarrete".

From: [Nicholson, Jeanine \(FIR\)](#)
To: [Major, Erica \(BOS\)](#)
Subject: Re: REFERRAL FYI (211292) Various Codes - Street Vendor Regulation
Date: Monday, December 20, 2021 7:56:07 PM

Erica

The Fire Department has no comments

Thank yoh

Jeanine R. Nicholson
She/her/hers
Chief of Department
San Francisco Fire Department
698 2nd Street
San Francisco, CA 94107
415-558-3401

From: Major, Erica (BOS) <erica.major@sfgov.org>
Sent: Friday, December 17, 2021 4:08:00 PM
To: Short, Carla (DPW) <Carla.Short@sfdpw.org>; Forbes, Elaine (PRT) <elaine.forbes@sfport.com>; Scott, William (POL) <william.scott@sfgov.org>; Colfax, Grant (DPH) <grant.colfax@sfdph.org>; Chu, Carmen (ADM) <carmen.chu@sfgov.org>; Nicholson, Jeanine (FIR) <jeanine.nicholson@sfgov.org>; Rosenfield, Ben (CON) <ben.rosenfield@sfgov.org>; Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Ginsburg, Phil (REC) <phil.ginsburg@sfgov.org>
Cc: Steinberg, David (DPW) <david.steinberg@sfdpw.org>; Dahl, Bryan (DPW) <bryan.dahl@sfdpw.org>; Thomas, John (DPW) <John.Thomas@sfdpw.org>; Liu, Lena (DPW) <lina.liu@sfdpw.org>; Delepine, Boris (PRT) <boris.delepine@sfport.com>; Gamero, Lili (POL) <lili.gamero@sfgov.org>; Oliva-Aroche, Diana (POL) <diana.oliva-aroche@sfgov.org>; Madland, Sarah (REC) <sarah.madland@sfgov.org>; Wagner, Greg (DPH) <greg.wagner@sfdph.org>; Bobba, Naveena (DPH) <naveena.bobba@sfdph.org>; Patil, Sneha (DPH) <sneha.patil@sfdph.org>; Validzic, Ana (DPH) <ana.validzic@sfdph.org>; Bukowski, Kenneth (ADM) <kenneth.bukowski@sfgov.org>; Po, Vivian (ADM) <vivian.po@sfgov.org>; Barnes, Bill (ADM) <bill.barnes@sfgov.org>; Agbayani, Nicole (ADM) <nicole.agbayani@sfgov.org>; Ludwig, Theresa (FIR) <theresa.ludwig@sfgov.org>; Allersma, Michelle (CON) <michelle.allersma@sfgov.org>; Lu, Carol (CON) <carol.lu@sfgov.org>; Fried, Amanda (TTX) <amanda.fried@sfgov.org>
Subject: REFERRAL FYI (211292) Various Codes - Street Vendor Regulation

Greetings,

This matter is being forwarded to your department for informational purposes. If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

ERICA MAJOR
Assistant Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

Click [HERE](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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**Disclosures:** *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*



CITY AND COUNTY OF SAN FRANCISCO  
LONDON BREED, MAYOR

OFFICE OF SMALL BUSINESS  
DIRECTOR KATY TANG

January 24, 2022

Ms. Angela Calvillo, Clerk of the Board  
City Hall Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**RE: BOS File #211292 – Various Codes – Street Vendor Regulation**

Dear Ms. Calvillo,

On January 24, 2022 the Small Business Commission (SBC) heard BOS File No. 211292 Various Codes - Street Vendor Legislation. Supervisor Safai and Ivy Lee, from the Office of Mayor London Breed, presented the legislation.

**After extensive discussion, the SBC voted (4-1) to support this legislation.**

The Commission had a robust discussion around the merits of creating a permitting system for street vendors, and were particularly concerned about the City's creation of a program that may be difficult for people to navigate or comply with. Several Commissioners emphasized the following recommendations:

- The need for language translation, outreach through community organizations, and cultural sensitivity to ensure smooth implementation of this proposal.
- Emphasis on a streamlined permitting and application process, which could include an online application.
- Ample noticing and technical assistance support in the rollout of this proposal.

The Commission thanks the Mayor's Office and Supervisor Safai for this thoughtful proposal and their ongoing engagement on this important issue. Thank you for considering the Commission's recommendations. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Katy Tang".

Katy Tang  
Director, Office of Small Business

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
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**NOTICE OF PUBLIC HEARING  
BUDGET AND FINANCE COMMITTEE  
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO**

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Committee of the City and County of San Francisco will hold a remote public hearing to consider the following matter and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

**Date:** March 2, 2022

**Time:** 10:30 a.m.

**Location:** REMOTE MEETING VIA VIDEOCONFERENCE

**Watch:** [www.sfgovtv.org](http://www.sfgovtv.org)

**Watch:** SF Cable Channel 26, 78 or 99 (depending on provider)

**Public Comment Call-In:** <https://sfbos.org/remote-meeting-call>

**Subject:** **File No. 211292.** Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

If this legislation passes, Public Works Code, Article 5.9, will establish a new regulatory program for street and sidewalk vendors who will be required to pay a permit fee to vend food, merchandise, or both. Public Works shall identify the reasonable regulatory costs for the administrative enforcement and any adjudication, including but not limited to the costs to issue the permit, perform investigations, conduct inspections, issue administrative citations or other enforcement actions, and audit permittees. Public Works shall charge applicants for each vendor permit and permit renewal, an amount not to exceed the reasonable regulatory costs determined. Separate fees may be applied by the Tax Collector under Business and Tax Regulations Code, Article 12, and the Department of Public Health under Health Code, Section 452. In addition, separate annual fees may apply and be payable to the Tax Collector, Department of Public Health, and the Port Fire Marshal for any approvals required by each department. The fees due may include the actual costs that other agencies, boards, commissions, or departments of the City incur in connection with the processing or administration of Public Works Code, Article 5.9; which shall be waived in accordance with California

**NOTICE OF PUBLIC HEARING**

**File No. 211292 (10-Day Fee Ad)**

**Hearing Date: March 2, 2022**

**Page 2**

Business and Professions Code, Section 16102, as it may be amended, and as applicable. The permit fee shall be adjusted annually in accordance with Public Works Code, Section 2.1.2.

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely and allow for remote public comment due to the Coronavirus -19 pandemic. Therefore, Board of Supervisors meetings that are held through videoconferencing will allow remote public comment. Visit the SFGovTV website ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings or watch them on demand.

**PUBLIC COMMENT CALL-IN**

**WATCH:** SF Cable Channel 26, 78, or 99 (*depending on your provider*), once the meeting starts, and the telephone number and access code will be displayed on the screen; or

**VISIT:** <https://sfbos.org/remote-meeting-call>

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email ([board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, February 25, 2022.

For any questions about this hearing, please contact the Assistant Clerk for the Budget and Finance Committee:

Brent Jalipa ([Brent.Jalipa@sfgov.org](mailto:Brent.Jalipa@sfgov.org) – (415) 554-7712)

**Please Note:** *The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.*



Angela Calvillo  
Clerk of the Board of Supervisors  
City and County of San Francisco

bjj:jec:ams

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BRENT JALIPA  
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)  
1 DR CARLTON B GOODLETT PL #244  
SAN FRANCISCO, CA 94102

### COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE

Ad Description

BJJ - Fee Ad - File No. 211292

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

02/20/2022 , 02/25/2022

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.

|             |           |
|-------------|-----------|
| Publication | \$1194.75 |
| Total       | \$1194.75 |

EXM# 3558427

#### NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO BUDGET AND FINANCE COMMITTEE MARCH 2, 2022 - 10:30 A.M. REMOTE MEETING VIA VIDEOCONFERENCE

Watch: [www.sfgovtv.org](http://www.sfgovtv.org)  
Watch: SF Cable Channel 26, 78 or 99 (depending on provider) once the meeting starts the telephone number and Meeting ID will be displayed on the screen.  
**Public Comment Call-In:**  
<https://sfbos.org/remotemeeting-call>

NOTICE IS HEREBY GIVEN THAT the Budget and Finance Committee of the City and County of San Francisco will hold a remote public hearing to consider the following matter and said public hearing will be held as follows: at which time all interested parties may attend and be heard: File No. 211292. Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act. If this legislation passes, Public Works Code, Article 5.9, will establish a new regulatory program for street and sidewalk vendors who will be required to pay a permit fee to vend food, merchandise, or both. Public Works shall identify the reasonable regulatory costs for the administrative enforcement and any adjudication, including but not limited to the costs to issue the permit, perform investigations, conduct inspections, issue administrative citations or other enforcement actions, and audit permittees. Public Works shall charge applicants for each vendor permit and permit renewal, an amount not to exceed the reasonable regulatory costs determined. Separate fees may be applied by the Tax Collector under Business and Tax Regulations Code, Article 12, and the Department of Public Health under

Health Code, Section 452. In addition, separate annual fees may apply and be payable to the Tax Collector, Department of Public Health, and the Port Fire Marshal for any approvals required by each department. The fees due may include the actual costs that other agencies, boards, commissions, or departments of the City incur in connection with the processing or administration of Public Works Code, Article 5.9; which shall be waived in accordance with California Business and Professions Code, Section 16102, as it may be amended, and as applicable. The permit fee shall be adjusted annually in accordance with Public Works Code, Section 2.1.2. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely and allow for remote public comment due to the Coronavirus-19 pandemic. Therefore, Board of Supervisors meetings that are held through videoconferencing will allow remote public comment. Visit the SFGovTV website ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings or watch them on demand. PUBLIC COMMENT CALL-IN WATCH: SF Cable Channel 26, 78, or 99 (depending on your provider), once the meeting starts, and the telephone number and access code will be displayed on the screen; or VISIT: <https://sfbos.org/remotemeeting-call>. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email ([board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for



\* A 0 0 0 0 0 5 9 4 5 5 8 0 \*

public review on Friday, February 25, 2022. For any questions about this hearing, please contact the Assistant Clerk for the Budget and Finance Committee: Brent Jalipa (Brent.Jalipa@sfgov.org – (415) 554-7712) Please Note: The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.







SAN FRANCISCO EXAMINER • DAILY CITY INDEPENDENT • SAN MATEO WEEKLY • REDWOOD CITY TRIBUNE • ENQUIRER • BULLETIN • FOSTER CITY PROGRESS • MILLBRAE • SAN BRUNO SUN • BOUTIQUE & VILLAGER • EXAMINER • SO. SAN FRANCISCO • EXAMINER • SAN BRUNO

GOVERNMENT

NOTICE OF REGULAR

SAN FRANCISCO BOARD OF SUPERVISORS LAND USE AND TRANSPORTATION COMMITTEE FEBRUARY 28, 2022 - 1:30 PM

This meeting will be held remotely through videoconferencing. Public comment will be available via telephone at (415) 655-0001 / Meeting ID: 2488 785 0521. Visit www.sfgovtv.org to stream video, view a meeting or watch on SF Cable Channel 26, 78 or 99 (depending on provider)...

Notice is hereby given that the Director of Public Works will hold a remote public hearing via teleconference on March 9th, 2022 commencing at 10:00 AM to consider the following: Treasure Island and Verba Buena Island Project, Request for Exception to Subdivision Regulations From Requirement That City Accept Full, Completed, and Functional Public Street. Subdivider of the Treasure Island and Verba Buena Island Project (Final Map Nos. 9229, 9235, 9856, and 10297 and Tentative Map 10347) submitted a request for exception to the Subdivision Regulations that is intended to allow for Subdivider to offer specific street lots for acceptance and public dedication despite the fact that the street segments will not extend from intersection to intersection due to project phasing. The requested exception has been reviewed and deemed acceptable by each affected City department. In accordance with numerous local and State proclamations, orders and supplemental directions regarding the COVID-19 virus, Public Works hearings are held through videoconferencing and will provide for remote public comment. You are invited to a Zoom webinar. When: March 9th, 2022 at 10:00 AM Pacific Time https://us06web.zoom.us/j/83448636086 Or iPhone one-tap: 1 6 9 9 0 0 6 8 3 3 3 , 83448636086 or +1 3 4 2 4 2 4 8 7 7 9 9 , 83448636086 Telephone: 1 669 900 6833 or +1 346 248 7799 Webinar ID: 834 4863 6086 As the COVID-19 virus situation evolves, please visit the Public Works website (sfbpublicworks.org) regularly to be updated on the current situation as it affects public hearings and the department. Persons unable to participate in the videoconferencing may submit written comments regarding the subject matter to DENNY PHAN at DENNY.PHAN@SFPW.ORG. Comments received before the hearing will be brought to the attention of the hearing

officer and made a part of the official public record. Further information, if desired, on this matter may be obtained prior to the hearing by contacting DENNY PHAN at DENNY.PHAN@SFPW.ORG.

NOTICE OF PUBLIC HEARINGS

SAN FRANCISCO BOARD OF SUPERVISORS LAND USE AND TRANSPORTATION COMMITTEE MONDAY, MARCH 7, 2022 - 1:30 PM

NOTICE IS HEREBY GIVEN THAT THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard in-person or remotely: File No. 210866, Ordinance amending the Planning Code to rezone all Residential, One Family (RH-1) zoning districts to Residential, Two Family (RH-2) zoning districts, and to provide a density limit exception to permit up to four dwelling units per lot, and up to six dwelling units per lot in Corner lots, in all RH (Residential, House) zoning districts, subject to certain requirements, including among others the replacement of protected units; amending the Subdivision Code to authorize a subdivider that is constructing new dwelling units pursuant to the density exception to submit an application for condominium conversion or a condominium map that includes the existing dwelling units and the new dwelling units that constitute the project; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 302. IN-PERSON MEETING - INFORMATION Watch: SF Cable Channel 26, 78, or 99 (depending on your provider) once the meeting starts, the telephone number and Meeting ID will be displayed on the screen. Public Comment Call-in: https://sfbos.org/remotemeeting-call In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (https://sfbos.org/legislative-research-center-irc). Agenda information relating to this matter will be available

for public review on Friday, March 4, 2022. For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee: Erica Major (Erica.Major@sfgov.org - (415) 554-4441) Please Note: The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.

NOTICE OF PUBLIC HEARING

SAN FRANCISCO BOARD OF SUPERVISORS LAND USE AND TRANSPORTATION COMMITTEE MONDAY, MARCH 7, 2022 - 1:30 PM

NOTICE IS HEREBY GIVEN THAT THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard in-person or remotely: File No. 211300, Ordinance amending the Planning Code to create the Group Housing Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302. IN-PERSON MEETING - INFORMATION Watch: SF Cable Channel 26, 78, or 99 (depending on your provider) once the meeting starts, the telephone number and Meeting ID will be displayed on the screen. Public Comment Call-in: https://sfbos.org/remotemeeting-call In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (https://sfbos.org/legislative-research-center-irc). Agenda information relating to this matter will be available

NOTICE OF PUBLIC HEARING

SAN FRANCISCO BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO BUDGET AND FINANCE COMMITTEE MARCH 2, 2022 - 10:30 A.M.

REMOTEMEETING VIA VIDEOCONFERENCE Watch: www.sfgovtv.org Watch: SF Cable Channel 26, 78 or 99 (depending on your provider) once the meeting starts, the telephone number and Meeting ID will be displayed on the screen. Public Comment Call-in: https://sfbos.org/remotemeeting-call NOTICE IS HEREBY GIVEN THAT THE BUDGET AND FINANCE COMMITTEE OF THE CITY AND COUNTY OF SAN FRANCISCO will hold a remote public hearing to consider the following matter and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 211292, Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the

California Environmental Quality Act. If this legislation passes, Public Works Code, Article 5.9, will establish a new regulatory program for street and sidewalk vendors who will be required to pay a permit fee to vend food, merchandise, or both. Public Works shall identify the reasonable regulatory costs for the administrative enforcement and any adjudication, including but not limited to the costs to issue the permit, perform investigations, conduct inspections, issue administrative citations or other enforcement actions, and audit permittees. Public Works shall charge applicants for each vendor permit and permit renewal, an amount not to exceed the reasonable regulatory costs determined. Separate fees may be applied by the Tax Collector under Business and Tax Regulations Code, Article 12, and the Department of Public Health under Health Code, Section 452. In addition, separate annual fees may apply and be payable to the Tax Collector, Department of Public Health, and the Port Fire Marshal for any approvals required by each department. The fees due may include the actual costs that other agencies, boards, commissions, or departments of the City incur in connection with the processing or administration of Public Works Code, Article 5.9; which shall be waived in accordance with California Business and Professions Code, Section 16102, as it may be amended, and as applicable. The permit fee shall be adjusted annually in accordance with Public Works Code, Section 2.1.2. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely and allow for remote public comment due to the Coronavirus-19 pandemic. Therefore, Board of Supervisors meetings that are held through videoconferencing will allow remote public comment. Visit the SFGovTV website (www.sfgovtv.org) to stream the live meetings of which there is a demand/PUBLIC COMMENT CALL-IN WATCH: SF Cable Channel 26, 78, or 99 (depending on your provider), and the telephone number and access code will be displayed on the screen; or VISIT: https://sfbos.org/remotemeeting-call. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (https://sfbos.org/legislative-research-center-irc). Agenda information relating to this matter will be available for public review on Friday, February 25, 2022. For any questions about this hearing, please contact the Assistant Clerk for the Land Use and Transportation Committee: Erica Major (Erica.Major@sfgov.org - (415) 554-4441) Please Note: The Department is open for business, but employees are working from home. Please allow 48 hours for us to return your call or email.

California Environmental Quality Act. If this legislation passes, Public Works Code, Article 5.9, will establish a new regulatory program for street and sidewalk vendors who will be required to pay a permit fee to vend food, merchandise, or both. Public Works shall identify the reasonable regulatory costs for the administrative enforcement and any adjudication, including but not limited to the costs to issue the permit, perform investigations, conduct inspections, issue administrative citations or other enforcement actions, and audit permittees. Public Works shall charge applicants for each vendor permit and permit renewal, an amount not to exceed the reasonable regulatory costs determined. Separate fees may be applied by the Tax Collector under Business and Tax Regulations Code, Article 12, and the Department of Public Health under Health Code, Section 452. In addition, separate annual fees may apply and be payable to the Tax Collector, Department of Public Health, and the Port Fire Marshal for any approvals required by each department. The fees due may include the actual costs that other agencies, boards, commissions, or departments of the City incur in connection with the processing or administration of Public Works Code, Article 5.9; which shall be waived in accordance with California Business and Professions Code, Section 16102, as it may be amended, and as applicable. The permit fee shall be adjusted annually in accordance with Public Works Code, Section 2.1.2. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely and allow for remote public comment due to the Coronavirus-19 pandemic. Therefore, Board of Supervisors meetings that are held through videoconferencing will allow remote public comment. Visit the SFGovTV website (www.sfgovtv.org) to stream the live meetings of which there is a demand/PUBLIC COMMENT CALL-IN WATCH: SF Cable Channel 26, 78, or 99 (depending on your provider), and the telephone number and access code will be displayed on the screen; or VISIT: https://sfbos.org/remotemeeting-call. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available with the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (https://sfbos.org/legislative-research-center-irc). Agenda information relating to this matter will be available for public review on Friday, February 25, 2022. For any questions about this hearing,

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CIVIL

IN THE JUVENILE COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA CASE NO. JSS20081 NOTICE OF HEARING ON THE PETITION FOR TERMINATION OF PARENTAL RIGHTS (Assigned to the Hon. Sigmund Popko)

In re the Matter of: XYIA YAZMIAN FOREMAN d.o.b. 10/21/2010 TO: ROBERT BOWDEN, JOHN DOE, ALLEGED FATHER OF THE ABOVE NAMED CHILD; XYIA YAZMIAN FOREMAN Brennan S. Murray, Counsel for Petitioner, Amber-Rose Foreman, has filed a petition for Termination of Parental Rights pursuant to Title B of the Arizona Revised Statutes for the Juvenile Court. 1. The Court has set a Publication and Initial Termination Hearing on the March 8, 2022 at 10:00 a.m. at the Maricopa County Superior Court, 3131 West Durango, Phoenix, Arizona before the Honorable Sigmund Popko, for the purpose of determining whether any of the above-named individuals are contesting the allegations in the Petition. DUE TO COVID19, YOU MAY APPEAR VIA PHONE FOR THIS HEARING BY CALLING 917-781-4590 AND ENTERING CODE 2612634768 OR BY APPEARING VIRTUALLY BY CLICKING ON HTTP://TINYURL.COM/JBZMIC-JUC04 2. You are entitled to have an attorney present at this hearing. You may hire your own attorney, or if you cannot afford an attorney and want to be represented by an attorney, one may be appointed by the Court. 3. You have a right to appear as a party in this proceeding. You are advised that your failure to personally appear in court at the initial hearing, pretrial conference, status conference or adjudication, without good cause shown, may result in a finding that you have waived your legal rights and have admitted the allegation in the Motions. In addition, if you fail to appear without good cause, the hearing may go forward in your absence and may result in a guardianship of your minor child being granted, or termination of your parental rights based upon the record and the evidence presented to the Court. If you are receiving this Notice by publication, you may obtain a copy of the Motion for Termination of Parental Rights, Notice of Hearings by submitting a written request to: Brennan S. Murray, My AZ Lawyers, 1731 W. Baseline Rd., Ste. 101, or by email at brennan@myazlawyers.com or by calling 480-833-8000. 5. Requests for reasonable accommodation for persons

with disabilities must be made to the Court by parties at least three weeks working days in advance a schedule court proceeding and can be made by emailing the email address listed above. R E S P E C T F U L L Y SUBMITTED THIS 16 DAY OF February 2022. MY AZ LAWYERS, My AZ Lawyers, Brennan S. Murray Attorney for Petitioner, 2/25, 3/4, 3/11, 3/18/22 CNS-3558040# SAN FRANCISCO EXAMINER

SUMMONS (CITACION JUDICIAL)

CASE NUMBER (Número del Caso): 21-CL-02113

NOTICE TO DEFENDANT (AVISO AL DEMANDADO): DAISY MELGAR, an individual; and DOES 1 to 5, inclusive YOU ARE BEING SUED BY PLAINTIFF (LO ESTA DEMANDANDO): LENDMARK FINANCIAL SERVICES, LLC, a limited liability company NOTICE: YOU have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below. You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be proper legal form. If you want the court to hear your case, there may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. You can locate these nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. AVISO: Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación. Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una

carta a una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.suorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia. Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, puede solicitar un programa de servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.suorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos eventos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desahcer el caso. El nombre y dirección de la corte es (El nombre y dirección de la corte es): SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO, 400 COUNTY CENTER, REDWOOD CITY, CA 94063 The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es): THE DUNNING LAW FIRM APC, DONALD T. DUNNING (144865) AND JAMES MACLEOD (291945), 9619 CHESAPEAKE DR., SUITE 2110, SAN DIEGO, CA 92123. TELEPHONE NO. (858) 974-7600 DATE (Fecha): 04/09/2021 NEAL I. TANIGUCHI, Clerk (Secretario), by TANESHA GAINES, Deputy (Adjunto) (SEAL) 2/18, 2/25, 3/4, 3/11/22 SPEN-3557317# EXAMINER • DAILY CITY INDEPENDENT

ORDER TO SHOW CAUSE FOR CHANGE OF NAME

Superior Court of California, County of San Francisco

Petitioner of: JASBIR KAUR for Change of Name

TO ALL INTERESTED PERSONS:

Petitioner JASBIR KAUR filed a petition with this court for a decree changing names as follows: JASBIR KAUR AKA JASBIR

ORDER TO SHOW CAUSE FOR CHANGE OF NAME

Superior Court of California, County of San Francisco

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BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

## MEMORANDUM

TO: Carla Short, Interim Director, Public Works  
Elaine Forbes, Executive Director, Port Department  
William Scott, Police Chief, Police Department  
Dr. Grant Colfax, Director, Department of Public Health  
Carmen Chu, City Administrator, Office of the City Administrator  
Jeanine Nicholson, Chief, Fire Department  
Ben Rosenfield, City Controller, Office of the Controller  
Jose Cisneros, Treasurer, Office of Treasurer and Tax Collector  
Phil Ginsburg, General Manager, Recreation and Parks Department

FROM: Brent Jalipa, Assistant Clerk  
Budget and Finance Committee

DATE: February 18, 2022

SUBJECT: SUBSTITUTE LEGISLATION INTRODUCED

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The Board of Supervisors' Budget and Finance Committee has received the following proposed substitute legislation, introduced by Mayor Breed on February 15, 2022:

**File No. 211292-3**

**Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org).



- c: David Steinberg, Public Works
- Bryan Dahl, Public Works
- John Thomas, Public Works
- Lena Liu, Public Works
- Boris Delepine, Port Department
- Lisa Ortiz, Police Department
- Lili Gamero, Police Department
- Diana Oliva-Aroche, Police Department
- Sarah Madland, Recreation and Parks Department
- Greg Wagner, Department of Public Health
- Dr. Naveena Bobba, Department of Public Health
- Sneha Patil, Department of Public Health
- Ana Validzic, Department of Public Health
- Ken Bukowski, Office of the City Administrator
- Vivian Po, Office of the City Administrator
- Bill Barnes, Office of the City Administrator
- Nicole Agbayani, Office of the City Administrator
- Theresa Ludwig, Fire Department
- Michelle Allersma, Office of the Controller
- Carol Lu, Office of the Controller
- Amanda Kahn Fried, Office of Treasurer and Tax Collector

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

## MEMORANDUM

TO: Carla Short, Interim Director, Public Works  
Elaine Forbes, Executive Director, Port Department  
William Scott, Police Chief, Police Department  
Dr. Grant Colfax, Director, Department of Public Health  
Carmen Chu, City Administrator, Office of the City Administrator  
Jeanine Nicholson, Chief, Fire Department  
Ben Rosenfield, City Controller, Office of the Controller  
Jose Cisneros, Treasurer, Office of Treasurer and Tax Collector  
Phil Ginsburg, General Manager, Recreation and Parks Department

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: January 18, 2022

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed substitute legislation, introduced by Mayor Breed on January 11, 2022:

**File No. 211292-2**

**Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

cc: David Steinberg, Public Works  
Bryan Dahl, Public Works  
John Thomas, Public Works  
Lena Liu, Public Works  
Boris Delepine, Port Department  
Lisa Ortiz, Police Department  
Lili Gamero, Police Department  
Diana Oliva-Aroche, Police Department  
Sarah Madland, Recreation and Parks Department  
Greg Wagner, Department of Public Health  
Dr. Naveena Bobba, Department of Public Health  
Sneha Patil, Department of Public Health  
Ana Validzic, Department of Public Health  
Ken Bukowski, Office of the City Administrator  
Vivian Po, Office of the City Administrator  
Bill Barnes, Office of the City Administrator  
Nicole Agbayani, Office of the City Administrator  
Theresa Ludwig, Fire Department  
Michelle Allersma, Office of the Controller  
Carol Lu, Office of the Controller  
Amanda Kahn Fried, Office of Treasurer and Tax Collector

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Carla Short, Interim Director, Public Works  
Elaine Forbes, Executive Director, Port Department  
William Scott, Police Chief, Police Department  
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Jose Cisneros, Treasurer, Office of Treasurer and Tax Collector  
Phil Ginsburg, General Manager, Recreation and Parks Department

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: December 17, 2021

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Mayor Breed on December 17, 2021:

**File No. 211292**

**Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Business and Tax Regulations and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.**

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

Board of Supervisors  
Land Use and Transportation Committee  
Referral  
Page 2

cc: David Steinberg, Public Works  
Bryan Dahl, Public Works  
John Thomas, Public Works  
Lena Liu, Public Works  
Boris Delepine, Port Department  
Lisa Ortiz, Police Department  
Lili Gamero, Police Department  
Diana Oliva-Aroche, Police Department  
Sarah Madland, Recreation and Parks Department  
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Michelle Allersma, Office of the Controller  
Carol Lu, Office of the Controller  
Amanda Kahn Fried, Office of Treasurer and Tax Collector

BOARD of SUPERVISORS



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San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

**MEMORANDUM**

TO: Kerry Bimbach  
**Small Business Commission, City Hall, Room 448**

FROM: Brent Jalipa, Assistant Clerk  
Budget and Finance Committee

DATE: February 18, 2022

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Budget and Finance Committee

The Board of Supervisors' Budget and Finance Committee has received the following legislation, substituted by Mayor London Breed on February 15, 2022 which is being referred to the Small Business Commission for comment and recommendation.

**File No. 211292-3**  
**Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.**

Please return this cover sheet with the Commission's response to Brent Jalipa, Budget and Finance Clerk, by email to: [brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org).

\*\*\*\*\*

**RESPONSE FROM SMALL BUSINESS COMMISSION - Date: \_\_\_\_\_**

**No Comment**  
 **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Small Business Commission**



BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

# MEMORANDUM

TO: Kerry Birnbach  
**Small Business Commission, City Hall, Room 448**

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: January 18, 2022

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 211292-2**

**Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.**

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

\*\*\*\*\*

**RESPONSE FROM SMALL BUSINESS COMMISSION - Date:** \_\_\_\_\_

\_\_\_\_ **No Comment**

\_\_\_\_ **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Small Business Commission**

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

# MEMORANDUM

TO: Regina Dick-Endrizzi, Director  
**Small Business Commission, City Hall, Room 448**

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: December 27, 2021

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 211292**

**Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Business and Tax Regulations and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.**

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

\*\*\*\*\*

**RESPONSE FROM SMALL BUSINESS COMMISSION - Date:** \_\_\_\_\_

\_\_\_\_ **No Comment**

\_\_\_\_ **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Small Business Commission**

**c:** Kerry Birnbach

**BOARD of SUPERVISORS**



**City Hall**  
**Dr. Carlton B. Goodlett Place, Room 244**  
**San Francisco 94102-4689**  
**Tel. No. (415) 554-5184**  
**Fax No. (415) 554-5163**  
**TDD/TTY No. (415) 554-5227**

February 18, 2022

**File No. 211292-3**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
1650 Mission Street, Ste. 400  
San Francisco, CA 94103

Dear Ms. Gibson:

On February 15, 2022, following substituted legislation was received at the Budget and Finance Committee:

**File No. 211292-3**

Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

*Brent Jalipa*

By: Brent Jalipa, Assistant Clerk  
Budget and Finance Committee

Attachment

c: Devyani Jain, Environmental Planning  
Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

January 18, 2022

**File No. 211292-2**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

Dear Ms. Gibson:

On January 11, 2022, Mayor Breed submitted the following substitute legislation:

**File No. 211292-2**

**Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

BOARD of SUPERVISORS



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Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

December 17, 2021

**File No. 211292**

Lisa Gibson  
Environmental Review Officer  
Planning Department  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

Dear Ms. Gibson:

On December 14, 2021, Mayor Breed submitted the following legislation:

**File No. 211292**

**Ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Business and Tax Regulations and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.**

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk  
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning  
Don Lewis, Environmental Planning

Hello Committee Members,

My name is Amy Hull and I urge you to support this legislation which will prohibit the re-sale of stolen merchandise, help end the theft rampant in San Francisco and make public space safer.

As a property manager I am responsible for thousands of SF residents who express difficulty in safely walking the streets or accessing public transportation due to rampant illegal sidewalk sales and trafficking of stolen goods. My residents have been recent victims of crime and harassment on and around UN Plaza and adjacent sidewalks, which are often literally impassable or dangerous feeling to the average pedestrian. Often, my residents, employees and I feel safer walking in the streets than on sidewalks. What should be clean, safe, and accessible public spaces have instead become places to avoid and potentially fear.

I am aware that theft and black-market vending are out of control in San Francisco, and that seemingly very little is being done to discourage either. The crowds also seem to attract drug dealers. I witness it every day. Stolen merchandise vendors are also often part of larger organized crime rings currently operating without any fear of consequence.

It is encouraging to see the City taking action, to: 1) stop stolen goods markets, 2) reduce property crime and 3) adopt and enforce legitimate vending opportunities.

Please approve this legislation.

Cordially,

Amy Hull  
COO, Trinity Management Services

**From:** [Shadd Newman](#)  
**To:** [Jalipa, Brent \(BOS\)](#)  
**Subject:** Amend public works code to address street vending  
**Date:** Wednesday, March 2, 2022 9:32:43 AM  
**Attachments:** [image1fa4ff.PNG](#)

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Committee Members,

My name is Shadd Newman, and I urge you to support this legislation which will prohibit the re-sale of stolen merchandise, help end the theft rampant in San Francisco, and make public space safer.

As a reside in west SOMA and work across the street from UN Plaza. Daily, I see filth, open air dealing, and conditions that make the neighborhood almost unpassable. Just yesterday a neighbor a video to Reddit of a transaction where someone's (presumably) stolen bike was traded for drugs at the corner of Market and 8th. What should be a clean, safe and accessible public space has instead has become a place to avoid. We fear our own neighborhood, and avoid the local businesses because walking to them is not safe.

Thank you,

Shadd Newman

Shadd Newman  
Vice President  
(415) 575-3356



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[Email Disclaimer](#)

DATE: March 1, 2022

RE: Support for Street Vendor Regulation

TO: Budget and Finance Committee  
Supervisor Matt Haney  
Supervisor Gordon Mar  
Supervisor Ahsha Safai

CC: Supervisor Hillary Ronen

Dear Supervisors Haney, Mar and Safai:

The Tenderloin Community Benefit District (TLCBD) is a property-based assessment district covering 40 blocks of the storied Tenderloin District. We oversee an investment by the property owners in supplemental cleaning, safety and beautification and leverage it for the benefit of everyone who lives, works and visits the Tenderloin. Our core purpose is to lead the evolution of the Tenderloin into a vibrant community for all.

**TLCBD supports the proposed Street Vendor Regulation because it will establish a clear path to lawful street vending.** We ask you to create a city-wide permitting process that is low-barrier and easy-to-understand because it will be pivotal to ensuring the safety of our neighbors.

We urge you to include an extensive outreach and education campaign to people currently vending illegally with the option to be permitted.

We believe this legislation will play an important role in improving sidewalk conditions in the Tenderloin and better allowing safe passage for both children and seniors.

Sincerely,



Simon Bertrang  
Executive Director





March 1, 2022

San Francisco Board of Supervisors  
Attention: Budget and Finance Committee  
1 Dr Carlton B Goodlet Place #244  
San Francisco, CA 94102

*Sent via email to: [brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org)*

**Re: Street Vending Reform Ordinance**

Dear Supervisors:

The Mid Market Community Benefit District (MMCBD) is in full support of the proposed legislation for revised street vending parameters in San Francisco - with added controls for problematic United Nations Plaza – in the heart of Mid Market.

Public health and safety challenges were present in Mid Market prior to the pandemic, but the past two years have exacerbated an entire spectrum of issues ranging from quality of life concerns and burglaries, to violent assaults, shootings and homicides. Unpermitted street vending and our City's inability to address the problem have a hand in all of these issues.

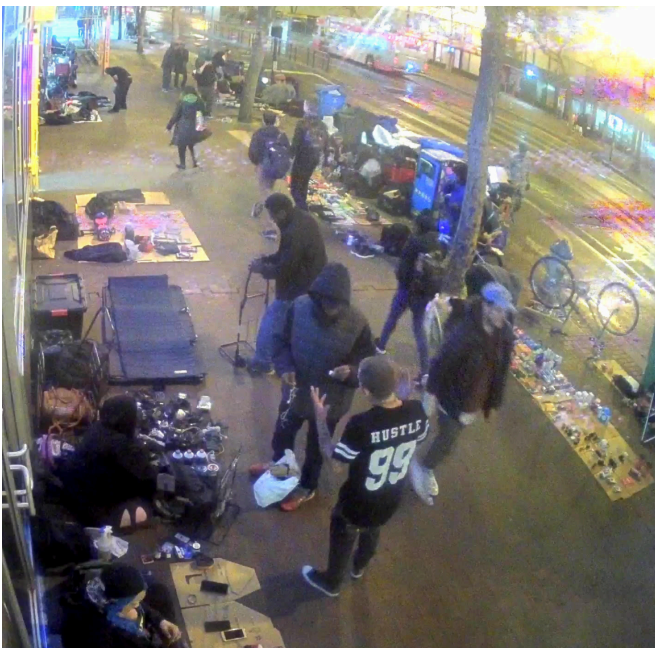
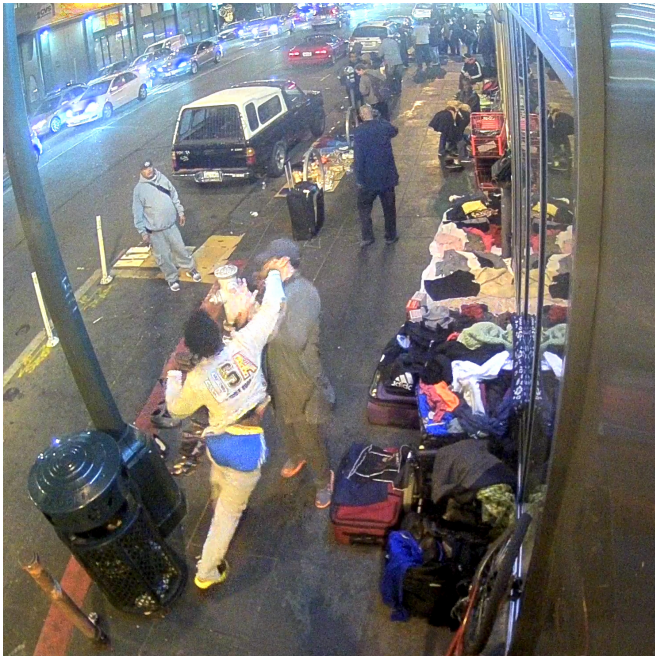
Residents, including the disabled, encounter blocked sidewalks, stairs and plazas because unpermitted vendors have taken over the pedestrian right of way. Pedestrians are harassed by vendors hawking their wares. Business, home and auto break-ins are at an all time high. And disputes between unpermitted vendors vying for territory and price fixing manifest with physicality and fire arms. What's more, residents have left Mid Market, employees are refusing to come back to work or quitting altogether, businesses have closed and visitors don't come.

It is incumbent on our City's leadership to implement a vending policy that facilitates legitimate vending and our City's ability to enforce said policy.

Sincerely,

Tracy Everwine,  
Executive Director

**PHOTOS ATTACHED**





March 2, 2022

Budget and Finance Committee  
San Francisco Board of Supervisors  
1 Dr Carlton B Goodlet Place #244  
San Francisco, CA 94102

Sent via email to: [brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org)

Re: Street Vendor Regulations

Honorable Supervisors:

I write this letter on behalf of the Civic Center Community Benefit District (CCCBD) in support of the proposed Ordinance to enhance San Francisco's street vending policy, especially in United Nations Plaza which is within our purview. We are encouraged this legislation will be a catalyst for safer vending and safer public spaces.

The Civic Center Community Benefit District's mission is to improve and promote San Francisco's historic Civic Center. In addition to providing focused and responsive neighborhood clean and safe services, our CBD also produces free community events and programs in open spaces such as UN Plaza and Civic Center, and should be the preeminent example of safe public spaces in San Francisco.

Currently, our ability to program UN Plaza, a hallmark of what we do, is stifled by the threatening vending activities taking place. Artists, performers and other vendors we are calling on to come back to the Plaza during the City's reopening, are no longer comfortable returning due to the current conditions. Those contemplating coming to the Plaza will only do so if the crime and safety issues are resolved.

Safety is the number one concern for UN Plaza. What in the past has been a relatively welcoming public space for lunchtime concerts, outdoor performing arts and night markets is now a highly organized and dangerous marketplace for drugs and stolen goods. While safety challenges in UN Plaza certainly existed pre-pandemic, the proliferation of stolen merchandise has all but taken over portions of the Plaza. Dense crowds of people participating in these markets, morning, noon and night, create an intimidating and often impassable environment.

Adjacent residents and property owners who rely on the Plaza the most deserve improvements now. And as people return to work, students return to UC Hastings, and visitors return to our city, it is time to reclaim this vital public space for everyone. Protecting the Heart of the City Farmers Market, both its vendors and shoppers, is also of paramount importance, as is making sure surrounding office and retail spaces are attractive to potential businesses – so vital to the area's recovery.

New street vending policy is a critical first step toward improving conditions in UN Plaza and city-wide. We look forward to continued collaboration with you and our City agency partners to support the implementation and effectiveness of vending policy reform.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tracy Everwine".

Tracy Everwine  
Executive Director

Attachments





SAN FRANCISCO  
**CIVIC  
CENTER**



---

(415) 658-7979  
info@sfciviccenter.org  
[www.sfciviccenter.org](http://www.sfciviccenter.org)

*Civic Center Community Benefit District is a privately funded, 501 c3 not-for-profit organization that works tandem with City agencies to enhance the Civic Center public realm.*



SAN FRANCISCO  
**CIVIC**  
**CENTER**



---

(415) 658-7979  
info@sfciviccenter.org  
[www.sfciviccenter.org](http://www.sfciviccenter.org)

*Civic Center Community Benefit District is a privately funded, 501 c3 not-for-profit organization that works tandem with City agencies to enhance the Civic Center public realm.*



1182 MARKET STREET SUITE 200 SAN FRANCISCO CA 94102  
T 415 551 2075 [broadwaysf.com](http://broadwaysf.com)



Mr. Brent Jalipa  
VIA EMAIL

Cc: Ahsha Safai; Matt Haney; Gordon Mar

March 1, 2022

Dear Mr. Jalipa

I'm the Managing Director of the Ambassador Theatre Group San Francisco. We are the owners of the Orpheum, Golden Gate and Curran Theatres and collectively, we welcome more than 1,000,000 guests into our theatres each year.

While many of our guests live or work in San Francisco, more than XX% do not and travel to the City specifically for our performances. Our economic benefit expands to include the many restaurants and hotels that surround us as well as to the employment of hundreds of local craftspeople and theatre workers.

With all 3 theatres reaching their Centennial mark within the next few years, we have been the steady anchor through all phases of these neighborhood's development, demise and rebirth. The mid-Market rebirth is happening now and we are extremely active in working with the City and dozens of nonprofits in our area to help the neighborhood become stronger and safer.

While the recent Emergency Declaration for the Tenderloin area is a necessary step, it does not address all of the ills our neighborhood face. We know first-hand that many of our patrons have stopped coming because of their safety concerns and while the Linkage Center and increased support from the City and police are important, they do not address what some might consider a low-level problem but one that we feel helps to contribute to the impression of the neighborhood by our patrons.

Each day, out of my office window or while I head to a local business, I witness stolen goods being openly sold on the streets. In fact, on some days it is near impossible for me to travel between our theatres (8<sup>th</sup>/Market and 6<sup>th</sup>/Market) without encountering numerous set-ups on the street of goods, usually canned goods and other items usually distributed at food pantries being resold. Sometimes, I have to walk into the street as there are so many that the sidewalk is impassable.

Being adjacent to U.N. Plaza, we also witness other stolen goods being fenced. In fact, it's hard not to see people selling items that are evidently new and still in their boxes.

We understand the State Laws that have allowed for more leniency for street vendors have made it more difficult to combat this type of situation, but we feel that this is another contributing factor as why the Tenderloin and Civic Center area are seen as an "anything goes" environment. We urge the City to find a way to end these practices so that everyone who comes to San Francisco sees its beauty and is not distracted by this unethical practice. Our business will be happier for it and so will more than 1,000,000 people each year.

Sincerely,

Rainier Koeners  
Managing Director



# UC Hastings Law

## SAN FRANCISCO

Sent via email to [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)

February 28, 2022

Budget and Finance Committee  
San Francisco Board of Supervisors  
1 Dr Carlton B Goodlet Place, #244  
San Francisco, California 94102

**Re: Street Vendor Regulation in UN Plaza**

Honorable Supervisors:

I write this letter on behalf of UC Hastings Law in support of the proposed regulation of street vendors in UN Plaza. Many UC Hastings Law employees, students, visitors, and residents use UN Plaza as their main path of travel to and from campus. Additionally, many of our student residents utilize the weekly Farmers Market to ensure that they have fresh produce available to them. Unfortunately, the sale of goods by unlicensed vendors, oftentimes stolen where the proceeds are used to fuel the drug trade, has made travel through or use of UN Plaza unsafe for our community. This situation is most problematic for our students living on campus who also need to navigate the sidewalks in the nighttime hours when safety conditions are the most perilous.

While the proposed legislation will not address all of the community concerns in the Tenderloin including violence, drug dealing, and cleanliness, we believe that providing a safe path of travel to and from campus as well as supporting the continuation of the Farmers Market is an important step. We expect that the City & County of San Francisco will work to ensure that legitimate vendors will receive a streamlined path to permits for authorized vending.

Additionally, while unrelated to the legislation before the Budget & Finance Committee today, we are grateful to have Urban Alchemy practitioners in UN Plaza and throughout the Tenderloin, and we appreciate the continuation of this important program by the City & County of San Francisco.

Approval of this legislation is a step towards limiting the sale of stolen goods and returning UN plaza to an inviting space for all of the public.

Sincerely,

*Rhiannon Bailard*

Rhiannon L. Bailard  
Chief Operating Officer

**From:** [Steve Pulliam](#)  
**To:** [Jalipa, Brent \(BOS\)](#)  
**Subject:** Street Vending Legislation  
**Date:** Monday, February 28, 2022 2:05:49 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am reaching out from **Heart of the City Farmers Market** regarding the street vending legislation being proposed. Heart of the City Farmers Market is very much in support of this legislation being approved.

Since 1981, Heart of the City has provided critical food access to our community. We now distribute nearly \$2million yearly in food assistance to help over 12,000 low-income households afford nutritious produce, including thousands of local seniors.

However, in the past two years, conditions in the UN Plaza have greatly deteriorated. The plaza has been swarmed by drug dealers and users lining the pathways and transit access to and from the market. Parking has been virtually eliminated for the much-needed Safe Sleeping Village, and Illegal sales of stolen goods has increased to unprecedented levels. During this time period the Farmers' Market has lost over 25 vendors (over 40%) due to these unsafe conditions and lack of customers. Daily, we field complaints from customers, employees and vendors complaining of harassment, aggression, and downright fear. Now, for the first time in our history we fear the survival of this neighborhood institution.

There have been two shootings recently on the plaza during our Farmers Market, and many fights with clubs, tasers, and knives. You may recall the elderly Asian woman who was attacked at the corner of Market and 7<sup>th</sup> Street which now harbors the illegal goods market. Her assailant was attacked just prior in this same illegal market. Our security guard, Samba Guise, who caught the assailant was himself recently stabbed in the market. The threat of this illegal goods market is constant and evermore aggressive. We must station one of our 2 security guards on that side of the market just to keep the illegal market from spilling into our own. Of course, when they cannot sell their stolen goods at the corner, they enter our Farmers Market to try their luck. When asked to leave they become aggressive and threatening.

Furthermore, we have had vendors setup stands directly next to and within our market as if they are a part of us. Our vendors pay exorbitant fees and undergo frequent inspection to ensure that their product is safe and their own. Our Temporary Food Facilities, which are located next to the area where the illegal goods are sold, have fees in excess of \$1,000 monthly to sell in our market. Recently an illegal hotdog vendor set up an operation with a



canopy adjacent to our market. When asked to move, he responded “what are you going to do, the cops won’t move me”. He was correct, because repeated calls to SFPD resulted in no action. The best we could do was to get him to agree to move further from the Farmers’ Market.

In the last month, conditions have improved with the addition of the Linkage Center fencing and the return of Urban Alchemy to the plaza. It may take years for many of our customers and farmers to feel safe here again. Our reputation has been severely damaged. The approval of this street vending legislation could be the next step to further improve conditions at Heart of the City Farmers’ Market and facilitate a return to pre-pandemic operations. We wholeheartedly support this legislation.

Steve Pulliam (Market Manager)

--

Steve Pulliam  
Market Manager  
Heart of the City Farmers' Market  
1182 Market Street, Suite 412  
San Francisco, CA 94102  
Ph - 415-690-9016

**From:** [MICHAEL S. ROSSOFF](#)  
**To:** [Jalipa, Brent \(BOS\)](#); [Jim](#); [Cheryl Maloney](#); [DANIEL HELLER](#)  
**Subject:** Street Vendor Reg. 211292  
**Date:** Monday, February 28, 2022 8:18:07 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Sir,

Please convey my ENDORSEMENT of proposed Street Vendor Regulation.

The Regulation prevents the conversion of public land at United Nations Plaza. The plaza is the City's gateway and parade ground. for the exclusive private use without the consent of the City. The current conversion is unjust and undemocratic because it grants valuable City land to a very small elite group of vendors. The vendors often use violence and threats of violence to maintain their unlicensed franchise.

For 25 years, I have seen this situation worsen from my offices at 1 UN Plaza. I have since retired and have tried to rent my vacant offices. My first rental agent was frightened away and never came back after a nearby vendor threaten to shoot her in the face just because she was trying to take a picture of the building for her advertisement. My second agent, from Vanguard, was able to rent the offices. The new tenants moved out before they completely moved in after they saw the scary and tragic situation the unregulated vending causes, especially at night.

The City currently has one of the highest vacancy rates for office space in the world. The proposed legislation will help activate the commercial, civic and cultural life of the Plaza and return it to the people.

Michael Rossoff  
1 UN Plaza  
San Francisco

Sent from my iPhone

**From:** [Ned Desmond](#)  
**To:** [Jalipa, Brent \(BOS\)](#)  
**Cc:** [Helene Sautou](#); [Safai, Ahsha \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Mar, Gordon \(BOS\)](#)  
**Subject:** Concerning proposed new street vendor regulations  
**Date:** Sunday, February 27, 2022 3:06:18 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To whom it may concern -

My name is Ned Desmond. I am a senior operating partner at SOSV, which operates the IndieBio startup development program located at 479 Jessie Street (sixth and Jessie) in San Francisco. I am writing on behalf of myself, my colleagues and the startup founders who work at this location.

As everyone is likely aware, the vicinity of our office has become a major area of criminal activity and our team finds the environment frightening and intimidating. In the past month, our office has been broken into twice, with considerable loss of commercial and personal property. These were reported to the police. We have been forced to bring in security experts to assess and harden our building security.

Just last week, one of our colleagues was punched in the face by a random passerby at Blue Bottle Cafe, a few yards from our office on Jessie Street. Other employees have been harrassed and chased. Everyone tries to avoid walking up to the corner of Jessie and Sixth when possible. These incidents led us to hire a security company to provide personal security training for our team.

Based on our own observations as well as briefings from local police, our area is a center of activity for stolen goods trafficking and drug dealing. We believe that the new proposed legislation, which requires permits for street vendors and proof of goods ownership would have a beneficial impact on our neighborhood. The activity related to stolen goods could no longer be carried out so openly, and we hope that would reduce the sense of threat as well as level of crime in our neighborhood.

The startup founders we work with at our IndieBio location come from all over the world to work with our experts, and they leave after six months to create world-changing companies that address the twin challenges of human and planetary (climate) health. They are always excited to come to San Francisco, and we hope their enthusiasm continues. We would be grateful if the city could take these steps and others to make the streets safe and welcoming for everyone. Thank you. - Ned Desmond

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**Ned Desmond**  
Senior Operating Partner, [SOSV](#)  
Twitter: NedDesmond



Note: This email has been sent in line with SOSV's [Communication Policy](#)

**From:** [Jane Weil](#)  
**To:** [Jalipa, Brent \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Mar, Gordon \(BOS\)](#)  
**Subject:** In favor: proposed Legislation to regulate sale of stolen goods  
**Date:** Thursday, February 24, 2022 12:01:15 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Committee Members,

My name is Jane Weil, and I urge you to support legislation which will prohibit the re-sale of stolen merchandise, help end the theft rampant in San Francisco and make public space safer.

UN Plaza and Market Street should be clean, safe and accessible public space but have instead become a place to avoid, and the center of our precious city has become a nightmare and embarrassment.

As a resident of Mid Market I have witnessed firsthand the sales of clearly stolen goods. I am aware that theft and black market vending are out of control in San Francisco, and that seemingly very little is being done to discourage either. Stolen merchandise vendors are also often part of larger organized crime rings currently operating without any fear of consequences.

When my phone was stolen from Obama Headquarters I was immediately able to trace it to 7<sup>th</sup> & Market, a block from my home, and the feeling of helplessness and violation was terrible.

Recently I watched a man use a tool to break theft prevention devices off a pile of stolen sneakers while a crowd grew around him ready to try them on....nobody was the slightest bit concerned that his clearly stolen goods would be taken...This is not acceptable!

It is encouraging to see the City taking action, to: 1) stop stolen goods markets, 2) reduce property crime and 3) adopt and enforce legitimate vending opportunities.

Please approve this legislation.

*Jane Weil*  
*1160 Mission Street #2108*  
*San Francisco 94103*

**From:** [Conine-Nakano, Susanna \(MYR\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Cc:** [Paulino, Tom \(MYR\)](#); [Lee, Ivy \(MYR\)](#); [Morris, Geoffrea \(BOS\)](#); [FLETES, CHRISTINA \(CAT\)](#)  
**Subject:** Mayor -- Substitute Ordinance—Street Vendor Regulation  
**Date:** Tuesday, January 11, 2022 3:37:32 PM  
**Attachments:** [Mayor -- Substitute Ordinance—Street Vendor Regulation.zip](#)

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Hello Clerks,

Attached for introduction to the Board of Supervisors is an ordinance amending the Public Works Code to regulate vending, require permits for vending, and authorize permit fees and enforcement actions; amending provisions of the Administrative, Business and Tax Regulations, Park, and Police Codes to conform with those amendments; amending the Port Code to merge its permit program with the Public Works permit program; repealing reporting provisions from the Health Code; and adopting findings under the California Environmental Quality Act.

The attached substitute ordinance will supersede File 21129.

Please note that Supervisor Safai is a co-sponsor of this legislation.

Please let me know if you have any questions.

Sincerely,  
Susanna

Susanna Conine-Nakano  
Office of Mayor London N. Breed  
City & County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 200  
San Francisco, CA 94102  
415-554-6147