

## LEGISLATIVE DIGEST

[Permits for commercial parking garages and lots.]

**Ordinance amending sections of the San Francisco Police Code, Business and Tax Regulations Code and Fire Code to: transfer responsibility for parking garage and parking lot permits from the Fire Department to the Police Department; require a commercial parking permit to operate a garage or lot where members of the public can park for a charge; set fees; establish permit issuance, suspension and revocation procedures; establish requirements for permit holders and individuals working at parking garages and lots; and limit the term of a commercial parking permit to one year and require annual application for a commercial parking permit.**

### Existing Law

Currently, the Fire Department is responsible for issuing permits for parking garages and parking lots. The permit becomes a license through the Office of the Treasurer and Tax Collector after the first year.

### Amendments to Current Law

The proposed ordinance would transfer responsibility for permits for parking garages and parking lots from the Fire Department to the Police Department. The proposed ordinance would add Sections 1215 through 1215.6 to the San Francisco Police Code, to require a commercial parking permit to operate a garage or lot where members of the public can park for a charge; make each commercial parking permit valid for one year only and require application for a new permit each year; establish application, suspension and revocation procedures for commercial parking permits; set insurance, posting and notice requirements for the permit holder; and set criminal history and other requirements for individuals working at a parking garage or parking lot.

The proposed ordinance would set a filing fee of \$455 for commercial parking permits, to cover the costs to the Police Department of investigating a commercial parking permit application. Under the proposed ordinance, the Police Department would also collect fees for inspections or services provided by other City departments in investigating a commercial parking permit application.

The proposed ordinance would repeal or amend sections of the San Francisco Business and Tax Regulations Code and Fire Code that relate to the current Fire Department parking garage and parking lot permit (sometime referred to as an "automobile parking station" permit) and license. The proposed ordinance would not change any other Fire Code requirements for parking garages and lots, including safety requirements.

The proposed ordinance includes a transition plan, to facilitate transferring the permit function from the Fire Department to the Police Department. If adopted, the proposed ordinance would be operative on its effective date or January 1, 2011, whichever is later.

#### Background Information

This ordinance is designed to enhance public safety related to parking garages and lots. By moving the permit process to the Police Department, this ordinance allows for a criminal history background check on a permit applicant, every officer, partner, and owner of 10 percent or larger of an applicant, and the individual an applicant authorizes to manage, direct, or control the operations of a parking garage or lot. The ordinance establishes criminal history requirements for these individuals, as well as for employees and other individuals working at parking garages and lots. The ordinance includes other provisions related to public safety, including a requirement that any individual working at a parking garage or lot wear an approved identification badge. In addition, the ordinance requires to applicant to provide detailed information regarding the applicant and the parking garage or lots for which the applicant seeks a permit, so the Chief of Police may thoroughly investigate the application to determine whether granting the application is in the public interest, health, safety and welfare.

In addition, this ordinance will facilitate coordination between the Police Department and the Office of the Treasurer and Tax Collector, enhance the ability of the City to collect taxes due from parking garages and lots, and provide an enforcement mechanism to use when parking garage and lot operators are not in compliance with the City's Business and Tax Regulations Code.