

1 [Emergency Ordinance - Grocery Store, Drug Store, Restaurant, and On-Demand Delivery
2 Service Employee Protections]

3 **Reenactment of emergency ordinance (Ordinance No. 74-20, as reenacted by**
4 **Ordinance Nos. 110-20, 156-20, and 230-20) to temporarily require grocery store, drug**
5 **store, restaurant, and on-demand delivery service employers to provide health and**
6 **scheduling protections to employees during the public health emergency related to**
7 **COVID-19.**

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

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

16 Section 1. Declaration of Emergency Pursuant to Charter Section 2.107.

17 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in
18 cases of public emergency affecting life, health, or property, or for the uninterrupted operation
19 of any City or County department or office required to comply with time limitations established
20 by law. An emergency ordinance enacted under Charter Section 2.107 automatically
21 terminates on the 61st day after passage, but may be reenacted upon the same terms and
22 conditions applicable to its initial enactment.

23 (b) Pursuant to Charter Section 2.107, the City enacted Ordinance No. 74-20, an
24 emergency ordinance to temporarily require grocery store, drug store, restaurant, and on-
25 demand delivery service employers to provide health and scheduling protections to
employees during the public health emergency related to COVID-19. The emergency

1 ordinance became effective when enacted, on May 1, 2020. On July 10, 2020, Ordinance No.
2 110-20 reenacted Ordinance No. 74-20; on August 28, 2020, Ordinance No. 156-20 again
3 reenacted Ordinance No. 74-20, as reenacted; and on November 13, 2020, Ordinance No.
4 230-20 again reenacted Ordinance No. 74-20, as reenacted. Ordinance No. 74-20, as
5 reenacted, will terminate automatically on January 12, 2021, unless again reenacted.

6 (c) The Board of Supervisors hereby finds that the findings declared in Sections 1 and
7 2 of Ordinance No. 74-20 and reaffirmed in Ordinance No. 110-20, Ordinance No. 156-20,
8 and Ordinance No. 230-20 remain valid and compelling, and declares further that an actual
9 emergency continues to exist that requires the reenactment of Ordinance No. 74-20 to reduce
10 the likelihood of COVID-19 infection among employees of grocery stores, drug stores,
11 restaurants, and on-demand delivery services and the members of the public with whom they
12 interact.

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14 Section 2. Reenactment of Emergency Ordinance.

15 Consistent with Charter Section 2.107, this emergency ordinance reenacts for an
16 additional 60 days the emergency ordinance temporarily requiring grocery store, drug store,
17 restaurant, and on-demand delivery service employers to provide health and scheduling
18 protections to employees during the public health emergency related to COVID-19 (Ordinance
19 No. 74-20, as reenacted by Ordinance No. 110-20, Ordinance No. 156-20, and Ordinance No.
20 230-20).

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22 Section 3. Effective Date; Expiration.

23 (a) If enacted prior to the expiration of Ordinance No. 230-20, which reenacted
24 Ordinance No. 74-20, this reenacted emergency ordinance shall become effective
25 immediately upon the date of expiration of Ordinance No. 230-20, and shall itself expire on the

1 61st day following its effective date unless reenacted as provided by Charter Section 2.107, or
2 upon the termination of the Public Health Emergency, whichever occurs first.

3 (b) If enacted after the expiration of Ordinance No. 230-20, this reenacted emergency
4 ordinance shall become effective immediately upon enactment, shall have operative effect
5 retroactively to the date that Ordinance No. 230-20 expired, and shall expire on the 61st day
6 following the date that Ordinance No. 230-20, expired, unless reenacted as provided by
7 Charter Section 2.107.

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9 Section 4. Directions to Clerk.

10 The Clerk of the Board of Supervisors is hereby directed to place a copy of this
11 reenacted emergency ordinance in File No. 200360 for Ordinance No. 74-20, File No. 200609
12 for Ordinance No. 110-20, File No. 200912 for Ordinance No. 156-20, and File No. 201054 for
13 Ordinance No. 230-20 and to make a notation cross-referencing this emergency ordinance
14 where Ordinance No. 74-20, Ordinance No. 110-20, Ordinance No. 156-20, and Ordinance
15 No. 230-20 appear on the Board of Supervisors website as legislation passed.

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1 Section 5. Supermajority Vote Required.

2 In accordance with Charter Section 2.107, passage of this reenacted emergency
3 ordinance by the Board of Supervisors requires an affirmative vote of two-thirds of the Board
4 of Supervisors.

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6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By: /s/ _____
9 LISA POWELL
Deputy City Attorney

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