

1 [Street Tree Removal Appeal Fee]
 2 AMENDING PART III OF THE SAN FRANCISCO MUNICIPAL CODE (REVENUE AND
 3 FINANCE/BUSINESS REGULATIONS) BY AMENDING SECTION 8 TO ESTABLISH A FEE
 4 FOR FILING AN APPEAL FROM THE DECISION OF THE DIRECTOR OF THE
 5 DEPARTMENT OF PUBLIC WORKS CONCERNING STREET TREE REMOVAL BY A CITY
 6 AGENCY, COMMISSION, OR DEPARTMENT.

7 Note: Additions are underlined; deletions are in ((double parentheses)).

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

9 Section 1. Part III of the San Francisco Municipal Code (Revenue and
 10 Finance/Business Regulations) is hereby amended by amending Section 8, to read as
 11 follows:

12 **SEC. 8. METHOD OF APPEAL TO THE BOARD OF APPEALS.** Except for variance
 13 decisions, appeals to the Board of Appeals shall be taken within 15 days from the making or
 14 entry of the order or decision from which the appeal is taken. Appeals of variance decisions
 15 shall be taken within 10 days. Appeals shall be taken by filing a notice of appeal with the
 16 Board of Appeals and paying to said Board at such time a filing fee as follows:

17 (a) **Zoning Administrator, Planning Department, Director of Planning and**
 18 **Planning Commission.**

19 (1) For each appeal from the Zoning Administrator's variance decision the fee shall be
 20 \$400.

21 (2) For each appeal from any order, requirement, decision or other determination
 22 (other than a variance) made by the Zoning Administrator, the Planning Department or
 23 Commission or the Director of Planning, including an appeal from disapproval of a permit
 24 which results from such an action, the fee shall be \$400.

25 (b) **Department of Building Inspection.**

SUPERVISOR KATZ, BIERMAN, YAKI, LENO
 BOARD OF SUPERVISORS

1 (1) For each appeal from a Department of Building Inspection denial, conditional
2 approval or granting of a residential hotel or apartment conversion permit the fee shall be
3 \$350.

4 (2) For each appeal from the granting or denial of a building demolition, or other
5 permit (other than residential hotel conversion) the fee shall be \$100.

6 (3) For each appeal from the imposition of a penalty only the fee shall be \$200.

7 (c) **Police Department.**

8 (1) For each appeal from the denial or granting of a Police permit or license issued to
9 the owner or operator of a business the fee shall be \$250; for each such permit or license
10 issued to an individual employed by or working under contract to a business, the fee shall be
11 \$100.

12 (2) For each appeal from the revocation or suspension of a Police permit or license
13 the fee shall be \$250 for an entity or individual.

14 (d) Department of Public Works. For each appeal from the decision of the Director
15 of the Department of Public Works concerning street tree removal by a City agency,
16 commission, or department the fee shall be \$75.

17 (e) For each appeal from any other order or decision the fee shall be \$200.

18 (((e))) (f) For requests for rehearing under Section 16 of this Article the fee shall be
19 \$100.

20 (((f))) (g) For requests for jurisdiction the fee shall be \$100.

21 (((g))) (h) An exemption from paying the full fee specified in Subsections (a), (b), (c),
22 (d), (e), ((and)) (f), and (g) herein may be granted upon the filing under penalty of perjury of a
23 declaration of indigency on the form provided and approved by the Board. All agencies of the
24 City and County of San Francisco are exempted from these fees.

25 Notice of appeal shall be in such form as may be provided by the rules of the Board of

1 Appeals.

2 On the filing of any appeal, the Board of Appeals shall notify in writing the department,
3 board, commission, officer or other person from whose action the appeal is taken of such
4 appeal. On the filing of any appeal concerning a structural addition to an existing building, the
5 Board of Appeals shall additionally notify in writing the property owners of buildings
6 immediately adjacent to the subject building.

7 The Board of Appeals shall fix the time and place of hearing, which shall be not less
8 than 10 nor more than 45 days after the filing of said appeal, and shall act thereon not later
9 than 60 days after such filing or a reasonable time thereafter. In the case of a fixed pedestal
10 newsrack permit, a place of entertainment permit or an extended-hours premises permit, the
11 Board of Appeals shall set the hearing not less than 15 days after the filing of said appeal,
12 shall act thereon not more than 30 days after such filing, and shall not entertain a motion for
13 rehearing. Pending decision by the Board of Appeals, the action of such department, board,
14 commission, officer or other person from which an appeal is taken, excluding actions of
15 revocation or suspension of permit by the Director of Public Health when determined by the
16 Director to be an extreme public health hazard, shall be suspended.

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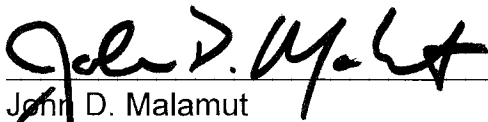
18 APPROVED AS TO FORM:

19 LOUISE H. RENNE, City Attorney

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22 By:


John D. Malamut
Deputy City Attorney

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SUPERVISOR KATZ
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading

September 14, 1998

Ayes: Supervisors Ammiano Bierman
Brown Katz Leno Medina Newsom
Teng Yaki

Noes: Supervisor Kaufman

Absent: Supervisor Yee

§ Finally Passed

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§ September 22, 1998

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§ Ayes: Supervisors Ammiano Brown
§ Katz Leno Medina Newsom Teng Yaki
§ Yee

§

§ Noes: Supervisor Kaufman

§

§ Absent: Supervisor Bierman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco


Clerk

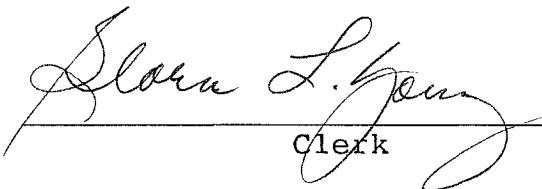
File No.
98-0992

Date Approved

Mayor

Date: October 5, 1998

I hereby certify that the foregoing ordinance, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.


Clerk

File No.
98-0992