

1 [Park Code - Botanical Garden Non-Resident Fees]

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3 **Ordinance amending the San Francisco Park Code, Article 12, by amending Section**  
4 **12.46 to: 1) extend admission fees to the Botanical Garden for non-San Francisco**  
5 **residents beyond June 30, 2011; and 2) eliminate the provision cancelling this**  
6 **admission fee if the Recreation and Park Department receives revenue from a new tax**  
7 **that can be used for Botanical Garden operating and maintenance costs, and making**  
8 **environmental findings.**

9 NOTE: Additions are *single-underline italics Times New Roman*;  
10 deletions are *strike-through italics Times New Roman*.  
11 Board amendment additions are double-underlined;  
Board amendment deletions are ~~strike-through normal~~.

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

13 Section 1. Findings.

14 (a) The Planning Department has determined that the actions in this Ordinance are in  
15 compliance with the California Environmental Quality Act (California Public Resources Code  
16 section 21000 et seq.). Said determination is on file with the Clerk of the Board of  
17 Supervisors in File No. 110225 and is incorporated herein by reference.

18 (b) For fiscal year 2010-2011, the Recreation and Park Department has had to reduce  
19 its general fund support by ~~30%~~ 20%.

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21 Section 2. The San Francisco Park Code is hereby amended by amending Section  
22 12.46, to read as follows:

23 **SEC. 12.46. COUNTY FAIR BUILDING AND BOTANICAL GARDEN FACILITY RENTAL**  
24 **FEES.**

25 (a) Definitions.

1           1. "Corporate Event" means any rental by, on behalf of, or in connection with any  
2 corporate entity, except for Garden Clubs or Nonprofit Organizations as defined below.

3           2. "Garden Club" means any garden club or flower society engaged in horticultural  
4 activities in which there are no monetary transactions (admission charge, donation, ticket  
5 sales, or product sales) during or in connection with the activity.

6           3. "Individual or Nonprofit Organization" means (a) any person renting the County Fair  
7 Building or Botanical Garden in his or her individual capacity for private use, or (b) any entity  
8 qualifying for tax-exempt status under 26 U.S.C. § 501(c)(3), engaged in community or social  
9 activities in which there are no monetary transactions (admission charge, donation, ticket  
10 sales, or product sales) during or in connection with the activity, or (c) any garden club or  
11 flower society using the County Fair Building or Botanical Garden for fundraising activities.

12           (b) County Fair Building Facility Rental Fees. All spaces must be rented for a  
13 minimum of two hours.

<b>Rental Area</b>	<b>Reservation Fee</b>	<b>Hourly Rate</b>
Garden Club Room		
Garden Club	\$10.00	\$5.00
Individual or Nonprofit Organization	\$25.00	\$10.00
Corporate Event	\$100.00	\$30.00
Recreation Room		
Garden Club	\$10.00	\$10.00
Individual or Nonprofit Organization	\$25.00	\$20.00
Corporate Event	\$100.00	\$60.00
Auditorium		

1	Garden Club	\$25.00	\$20.00
2	Individual or Nonprofit Organization	\$50.00	\$40.00
3	Corporate Event	\$150.00	\$90.00
4	Gallery		
5			
6	Garden Club	\$25.00	\$30.00
7	Individual or Nonprofit Organization	\$50.00	\$75.00
8	Corporate Event	\$150.00	\$180.00
9	Entire Facility		
10			
11	Garden Club	\$35.00	\$60.00
12	Individual or Nonprofit Organization	\$75.00	\$140.00
13	Corporate Event	\$150.00	\$390.00
14	Commercial Kitchen*		
15	Garden Club	None	\$5.00
16	Individual or Nonprofit Organization	None	\$10.00
17	Corporate Event	None	\$30.00
18			
19	Patio*		
20	Garden Club	None	\$5.00
21	Individual or Nonprofit Organization	None	\$15.00
22	Corporate Event	None	\$30.00
23			
24	Courtyard*		
25	Garden Club	None	\$10.00

Individual or Nonprofit Organization	None	\$30.00
Corporate Event	None	\$90.00

\* May only be rented in conjunction with other space in the building.

(c) Botanical Garden Facility Rental Fees. All spaces must be rented for a minimum of two hours.

Rental Area	Reservation Fee	Hourly Rate
Demonstration Garden		
Individual or Nonprofit Organization	\$250.00	\$375.00
Corporate Event	\$500.00	\$750.00
Fragrance Garden		
Individual or Nonprofit Organization	\$250.00	\$375.00
Corporate Event	\$500.00	\$750.00
Redwood Grove		
Individual or Nonprofit Organization	\$250.00	\$375.00
Corporate Event	\$500.00	\$750.00
Rhododendron Garden		
Individual or Nonprofit Organization	\$250.00	\$375.00
Corporate Event	\$500.00	\$750.00
Fountain Plaza		
Individual or Nonprofit Organization	\$750.00	\$875.00
Corporate Event	\$1,500.00	\$1,750.00

1	Great Meadow		
2	Individual or Nonprofit Organization	\$750.00	\$875.00
3	Corporate Event	\$1,500.00	\$1,750.00
4	Zellerbach Garden		
5	Individual or Nonprofit Organization	\$750.00	\$875.00
6	Corporate Event	\$1,500.00	\$1,750.00

8 (d) The Department shall charge the following fees for entrance to the Botanical  
9 Garden:

10 <b>Age/Category</b>	10 <b>Non-San Francisco Residents</b>
11 Adults	\$7.00
12 Youth 12—17 and Seniors 65 and over	\$5.00
13 Children 5—11	\$2.00
14 Children 4 and under	No charge
15 Families (2 adults and all children under 17 years residing 16 in the same household)	\$15.00

18 *If the Department receives revenue from a new tax that can be used for operating and*  
19 *maintenance costs at the Botanical Gardens, authority to collect the non-resident fee for entrance to*  
20 *the Gardens shall expire by operation of the law within 90 days after the effective date of the new tax.*

21 The Department shall provide *bi*annual reports to the Budget and Finance Committee  
22 on the collection of the non-resident fee for entrance to the Botanical Gardens, such reports  
23 shall include the following information: 1. Attendance figures for San Francisco residents,  
24 Members of San Francisco Botanical Garden Society, and Non-San Francisco residents; 2.  
25 Capital improvements and operating costs of the Botanical Gardens; 3. Capital improvements

1 and operating costs incurred by the Department and the Botanical Garden Society associated  
2 with the collection of all fees; 4. Revenue from the new non-resident fee, separated into (a)  
3 point of sale gate tickets and (b) actual attendance from packaged sales with other Park sites,  
4 and revenue from all other fees; 5. The numbers of San Francisco Botanical Garden Society  
5 members; and 6. Gifts, donations and services-in-kind received by the Department and the  
6 Botanical Garden Society for the Botanical Garden.

7 *The non-resident fee for the Botanical Gardens sunset at the end of Fiscal Year 2010-11.*

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9 APPROVED AS TO FORM:  
10 DENNIS J. HERRERA, City Attorney

11 By: \_\_\_\_\_  
12 VIRGINIA DARIO ELIZONDO  
13 Deputy City Attorney

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