

File No. 110967

Committee Item No. 1

Board Item No. 8

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Public Safety Date: October 20, 2011

Board of Supervisors Meeting Date: Nov 8, 2011

#### Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement (Approved as to Form)     |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Andrea S. Ausberry

Date October 14, 2011

Completed by: *[Signature]*

Date 10/26/11

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Police Code - Regulating Public Nudity in Restaurants and Public Seating Areas]

2  
3 **Ordinance amending the San Francisco Police Code Section 1071.1 to: 1) prohibit**  
4 **public nudity in restaurants; and 2) prohibit sitting on public benches or public seating**  
5 **areas without clothing or some other separate material between the person's genitals,**  
6 **buttocks, or anal region and the seating surface.**

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

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

11 Section 1. The San Francisco Police Code is hereby amended by amending  
12 Section 1071.1, to read as follows:

13 **SEC. 1071.1. PROHIBITION. REGULATING PUBLIC NUDITY IN RESTAURANTS AND**  
14 **PUBLIC SEATING AREAS.**

15 (a) Waiters, Waitresses, and Entertainers. Every person is guilty of a misdemeanor who,  
16 while acting as a waiter, waitress or entertainer in an establishment which serves food,  
17 beverages, or food and beverages, including but not limited to, alcoholic beverages; ~~(a)~~ (1)  
18 exposes his or her genitals, pubic hair, buttocks, natal cleft, perineum, anal region or pubic  
19 hair region; or ~~(b)~~ (2) exposes or employs any device, costume or cover which gives the  
20 appearance of or simulates the genitals, pubic hair, buttocks, natal cleft, perineum, anal  
21 region or pubic hair region; or ~~(c)~~ (3) exposes any portion of the female breast at or below the  
22 areola thereof; or ~~(d)~~ (4) employs any device or covering which is intended to simulate such  
23 portion of the breast.

24 (b) Members of the Public in Restaurants and on Public Seating. Except as provided herein,  
25 every person is guilty of an infraction who, (1) while present as a customer in the public eating and

1 drinking areas of an establishment whose primary business is to serve food, exposes his or her genitals,  
2 buttocks, or anal region; or (2) sits on any public bench, public steps, or other public seating area  
3 without clothing or other separate material as a barrier between his or her genitals, buttocks, or anal  
4 region and the public seating. Any person who violates this Section 1071.1(b) shall be deemed guilty of  
5 an infraction and upon conviction thereof such person shall be punished by a fine not to exceed one  
6 hundred dollars (\$100) for a first violation, and not to exceed two hundred dollars (\$200) for a second  
7 violation of this Section 1071.1(b) within a twelve-month period. Upon the third or subsequent  
8 conviction within a twelve-month period, such person shall be deemed guilty of a misdemeanor and  
9 shall be punished by a fine not to exceed \$1,000 or by imprisonment in the County Jail for a period not  
10 to exceed one year or by both such fine and imprisonment. This Section 1071.1(b) shall not apply to  
11 children under the age of sixteen years.

12  
13 Section 2. Effective Date. This ordinance shall become effective 30 days from the  
14 date of passage.

15  
16 APPROVED AS TO FORM:  
17 DENNIS J. HERRERA, City Attorney

18 By:

  
19 ADINE VARAH  
20 Deputy City Attorney  
21  
22  
23  
24  
25

