

1 [Environment Code - Greenhouse Gas Information Labels for Gas Pumps]

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3 **Ordinance amending the Environment Code to require service station operators to**  
 4 **place labels on gas pumps advising the public of the amount of carbon dioxide**  
 5 **generated by burning a gallon of fuel; and making environmental findings.**

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

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

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13 Section 1. The Planning Department has determined that the actions contemplated in  
 14 this ordinance comply with the California Environmental Quality Act (California Public  
 15 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the  
 16 Board of Supervisors in File No. 141094 and is incorporated herein by reference.

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18 Section 2. The Environment Code is hereby amended by adding Section 429, to read  
 19 as follows:

20 **SEC. 429. GREENHOUSE GAS INFORMATION LABELS FOR GAS PUMPS.**

21 (a) Beginning March 1, 2015, the operator of any Service Station shall post or cause to be  
 22 posted on each pump used to dispense gasoline or other motor fuel to the public a legible and  
 23 conspicuous label which contains the following statement: "The U.S. Environmental Protection  
 24 Agency (EPA) has determined that a typical passenger vehicle burning one gallon of fuel produces on  
 25 average almost 20 pounds of tailpipe carbon dioxide (CO<sub>2</sub>), which the EPA has determined is the

1 primary greenhouse gas that is contributing to recent climate change. This is a message from the City  
2 and County of San Francisco. To learn about San Francisco's efforts to reduce greenhouse gas  
3 emissions, go to [www.sfclimate.org](http://www.sfclimate.org)." The operator shall attach the label either to the hose or hoses for  
4 each pump or to the top of the nozzle or nozzles for each pump.

5 (b) For purposes of this section, "Service Station" means any establishment which offers for  
6 sale or sells gasoline or other motor vehicle fuel to the public.

7 (c) The Director of the Department of the Environment may, after a noticed public hearing,  
8 adopt necessary forms, regulations, and guidelines to implement this Section 429. Within 90 days after  
9 the effective date of the ordinance adopting this Section 429, the Director of the Department of the  
10 Environment shall issue regulations specifying the size, format, and related standards for the labels.

11 (d) The Director of the Department of the Environment or his or her designee may impose  
12 administrative fines for violations of this Section 429, or of any rule or regulation adopted pursuant to  
13 this Section. Administrative Code Chapter 100, "Procedures Governing the Imposition of  
14 Administrative Fines," as amended, is hereby incorporated in its entirety and shall govern the  
15 imposition, enforcement, collection, and review of such administrative citations.

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17 Section 3. Effective Date; Operative Date. This ordinance shall become effective  
18 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor  
19 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,  
20 or the Board of Supervisors overrides the Mayor's veto of the ordinance. The provisions of  
21 this ordinance shall become operative on January 1, 2015.

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23 Section 4. Severability. If any section, subsection, sentence, clause, phrase, or word  
24 of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any  
25 court of competent jurisdiction, such decision shall not affect the validity of the remaining

1 portions of the ordinance. The Board of Supervisors hereby declares that it would have  
2 passed this ordinance and each and every section, subsection, sentence, clause, phrase, and  
3 word not declared invalid or unconstitutional without regard to whether any other portion of  
4 this ordinance would be subsequently declared invalid or unconstitutional.

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6 Section 5. Undertaking for the General Welfare. In enacting and implementing this  
7 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not  
8 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it  
9 is liable in money damages to any person who claims that such breach proximately caused  
10 injury.

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12 Section 6. No Conflict with Federal or State Law. Nothing in this ordinance shall be  
13 interpreted or applied so as to create any requirement, power, or duty in conflict with any  
14 federal or state law.

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

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20 By: \_\_\_\_\_  
21 THOMAS J. OWEN  
22 Deputy City Attorney

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