

1 [Administrative Code - Upper Fillmore Entertainment Zone]

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3 **Ordinance amending the Administrative Code to create the Upper Fillmore**
4 **Entertainment Zone on Fillmore Street from Jackson to Sutter Streets, California Street**
5 **from Fillmore Street to Steiner Street, and Pine Street from Fillmore Street to Steiner**
6 **Street; and affirming the Planning Department’s determination under the California**
7 **Environmental Quality Act.**

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 font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

12

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

14

15 Section 1. Environmental Findings.

16 The Planning Department has determined that the actions contemplated in this
17 ordinance comply with the California Environmental Quality Act (California Public Resources
18 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
19 Supervisors in File No. ____ and is incorporated herein by reference. The Board affirms this
20 determination.

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22 Section 2. Chapter 94B of the Administrative Code is hereby amended by revising
23 Section 94B.4, to read as follows. Section 94B.2 is reprinted in part, for informational
24 purposes only.

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1 **SEC. 94B.2. ENTERTAINMENT ZONE CONTROLS.**

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3 (c) All open alcoholic beverages consumed during an Entertainment Zone Event shall
4 be purchased only from a premises located within the Entertainment Zone that is authorized
5 under California Business and Professions Code Section 23357, 23358, or 23396, as may be
6 amended from time to time, to permit consumers to leave the premises with open containers
7 of alcoholic beverages for consumption off the premises, or an organization that is authorized
8 by an ABC special event permit or license to make such sales within the Entertainment Zone.

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10 **SEC. 94B.4. ENTERTAINMENT ZONE LOCATIONS.**

11 * * * *

12 (b) **Additional Entertainment Zones.**

13 * * * *

14 **(15) Upper Fillmore Entertainment Zone.**

15 (A) All public streets, public rights-of-way, and sidewalks abutting both sides of
16 Fillmore Street from Jackson to Sutter Streets, California Street from Fillmore Street to Steiner Street,
17 and Pine Street from Fillmore Street to Steiner Street, and all premises specified in Section 94B.2(c)
18 that are adjacent thereto, are hereby designated as the Upper Fillmore Entertainment Zone under
19 Sections 23039.5 and 25690 of the California Business and Professions Code.

20 (B) Notwithstanding subsection (c), if an Entertainment Zone Event within the
21 Upper Fillmore Entertainment Zone does not involve the closure of a public street, it need not receive a
22 permit for the use of a public street under Transportation Code Division I, Section 6.6 or 6.16 or
23 Transportation Code Division II, Section 206, or other applicable authority of the SFMTA.

24 (c) Except as otherwise specified in this Section 94B.4, an Entertainment Zone Event
25 must take place in conjunction with a permit for the use of a public street under Transportation

1 Code Division I, Section 6.6 or 6.16 or Transportation Code Division II, Section 206, or other
2 applicable authority of the SFMTA.

3 * * * *

4
5 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
6 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
7 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
8 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
9 additions, and Board amendment deletions in accordance with the "Note" that appears under
10 the official title of the ordinance.

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12 Section 4. Effective Date. This ordinance shall become effective at 12:00 a.m. on the
13 31st day after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor
14 returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it,
15 or the Board of Supervisors overrides the Mayor's veto of the ordinance.

16
17 APPROVED AS TO FORM:
18 DAVID CHIU, City Attorney

19 By: /s/ Victoria Wong
20 VICTORIA WONG
21 Deputy City Attorney

22 4934-7883-6888, v. 1
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