

[Various Codes - Environmental Health Permit, Fee, and Penalties Revisions]

**Ordinance amending the Business and Tax Regulations Code, Health Code, Administrative Code, and Public Works Code to: 1) eliminate Department of Public Health permit requirement for veterinary hospitals and laundry facilities; 2) eliminate the food facility surcharge and certain fees for agricultural inspections; 3) establish fees for regulatory compliance activities for solid waste facilities, refuse service for commercial and residential properties, and licensing of refuse collectors; 4) establish regulatory fee for food safety classes and food safety examinations; 5) increase existing regulatory fees for agricultural inspections, certified farmers' market permits, and hazardous waste management; and 6) increase penalties for violations of tobacco sales ordinances by tobacco retailers.**

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

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

Section 1. Article 1 of the Business and Tax Regulations Code is hereby amended by revising Sections 1.24, 1.25, 22, and 35, to read as follows:

**SEC. 1.24. DOG ~~HOSPITALS OR KENNELS OR HOSPITALS FOR SICK ANIMALS~~.**

For the establishment, maintenance and operation of dog ~~hospitals and~~ kennels ~~or hospitals for sick animals~~—by the Health Department.

1           **SEC. 1.25. LAUNDRIES.**

2           For the establishment, maintenance and operation of laundries including laundry  
3 delivery services doing business in the City and County of San Francisco ~~—by the Health~~  
4 ~~Department;~~ subject to the approval of the Fire Department.

5  
6           **SEC. 22. PROVIDING FOR POSTING AND FORM OF NOTICE OF HEARING,**  
7 **APPLICATIONS FOR CERTAIN PERMITS.**

8           \* \* \* \*

9           The classes of permits referred to in this Section 22 are: Service stations, commercial  
10 parking permits, public repair garages, public storage garages, commercial and truck garages,  
11 automobile sales garages, hospitals, ~~of any character, including exclusive of~~ hospitals for sick  
12 animals, dog kennels, places of refuge and detention, ~~laundries including laundry delivery~~  
13 ~~services doing business in San Francisco~~, junkyards or premises, livery stables, riding academies  
14 and riding schools, pawnbrokers, secondhand dealers, secondhand clothing dealers and  
15 secondhand furniture dealers, encounter studios, retail firearms dealers, nursing homes, day  
16 nurseries, nursery schools, play schools, kindergartens, and children's institutions, but shall  
17 not include private family boarding homes for aged or children.

18  
19           **SEC. 35. FEE FOR INSPECTION BY THE ~~HEALTH~~ DEPARTMENT OF PUBLIC**  
20 **HEALTH.**

21           (a) Unless otherwise specifically provided, all fixed fees for inspection or permits  
22 which involve the ~~Health~~ Department of Public Health shall be payable in advance annually. A  
23 filing fee of \$298 payable in advance to the ~~Health~~ Department of Public Health for each  
24 inspection for a permit is required for a first-time inspection of a premises or thing if such  
25 inspection is requested or required as a condition of the issuance of a first permit or of a first

1 license, except applications for permits for ambulances, refuse trucks, swill trucks, fumigation  
2 site surveillance, soft-serve ice cream machines and hazardous material storage.

3 \* \* \* \*

4 (f) When ~~ever~~ the ~~Health~~ Department of Public Health provides environmental health  
5 inspection services, permit review, or training services, ~~whether~~ including in response to a  
6 permit or license application, in response to a complaint alleging violation of a permit or license  
7 condition, or applicable laws, or by request, a fee of \$167 per hour will be charged for service by  
8 environmental health inspectors, and a fee of \$150 per hour will be charged for service by  
9 environmental health technicians. When these services are provided during nonregular  
10 working hours, a fee of \$174 per hour will be charged. "Environmental Health Inspection  
11 services, permit review, or training services" includes but is not limited to reviewing  
12 applications, plans and blueprints, providing consultations, and making site inspections. ~~A bill~~  
13 ~~for these services will be issued to the person making the application or request and must be paid prior~~  
14 ~~to the Department's providing the service. If the time expended exceeds what the Department~~  
15 ~~anticipated, the Department shall bill the applicant or person making the request for the additional~~  
16 ~~time expended and such person shall be responsible for paying that amount. Notwithstanding any other~~  
17 ~~provision of this Section 35, all fees for routine, nonenforcement-related inspection services provided~~  
18 ~~for solid waste transfer station permit issuance and compliance review will be included in the license~~  
19 ~~fee required by Section 249.15 of this Article.~~

20 (g) When the ~~Health~~ Department of Public Health, while in the process of conducting  
21 inspections of businesses required to have a valid Permit To Operate, issued by the  
22 Department of Public Health, finds violations of local, state law or federal law, requiring follow  
23 up inspection(s) to determine if the documented violations have been corrected, the permitted  
24 establishment is liable for payment to the ~~San Francisco~~ Department of Public Health a fee of  
25

1 \$75 per half-hour of on-site inspection services. Violations subject to reinspection fees include  
2 those listed as high-risk violations on the Department of Public Health food inspection report.

3 (h) Notwithstanding any other provision of this Section 35, when the Department of Public  
4 Health conducts inspections, permitting, and enforcement of solid waste facilities, as defined in Section  
5 40194 and required by Section 43209 et seq. of the California Public Resources Code, as may be  
6 amended from time to time, a fee of \$251 per hour will be charged for service by environmental health  
7 inspectors, and a fee of \$229 per hour will be charged for service by environmental health technicians.

8 (i) When the Department of Public Health offers training, classes, or examinations to the  
9 person in charge of the operation of a food facility and food handlers, such as a food safety classes and  
10 food safety examinations as required by Section 113947 et seq. of the California Health and Safety  
11 Code, as may be amended from time to time, a fee of \$188 per training, class or examination will be  
12 charged. The Department of Public Health may require a deposit in advance, which shall be returned  
13 to the depositor upon advance notice of cancellation in accordance with Department policy.

14 ~~(j)~~ Beginning with ~~f~~Fiscal ~~y~~Year ~~2024-2025~~~~2008-2009~~, fees set forth in Sections 35,  
15 120, 248, 249, 249.1, 249.2, 249.6, 249.7, 249.8, 249.11, 249.12, 249.13, 249.14, 249.15,  
16 249.16, and 249.20 may be adjusted each year, without further action by the Board of  
17 Supervisors, as set forth in this Section 35.

18 Not later than April 1, the Director shall report to the Controller the revenues  
19 generated by the fees for the prior fiscal year and the prior fiscal year's costs of operation, as  
20 well as any other information that the Controller determines appropriate to the performance of  
21 the duties set forth in this Section.

22 Not later than May 15, the Controller shall determine whether the current fees have  
23 produced or are projected to produce revenues sufficient to support the costs of providing the  
24 services for which the fees are assessed and that the fees will not produce revenue that is  
25 significantly more than the costs of providing the services for which the fees are assessed.

1           The Controller shall, if necessary, adjust the fees upward or downward for the  
2           upcoming fiscal year as appropriate to ensure that the program recovers the costs of  
3           operation without producing revenue which is significantly more than such costs. The adjusted  
4           rates shall become operative on July 1.

5  
6           Section 2. Article 2 of the Business and Tax Regulations Code is hereby amended by  
7           revising Sections 120, 248, 249.5, 249.6, and 249.15, and deleting Section 249.21, to read as  
8           follows:

9  
10           **SEC. 120. LAUNDRIES AND CLEANING AND DYEING WORKS.**

11           ~~—(a) Every owner, manager or lessee of a wash laundry will pay the following license fee~~  
12           ~~annually: \$187.~~

13           ~~—(b)~~ Every person, firm or corporation engaged in the business of dry cleaning that  
14           requires a permit from the Fire Department shall ~~also~~ pay an annual license fee of \$359 per  
15           year.

16           ~~—(c) Every owner, manager or lessee of an automatic laundry (mechanical, pay to operate,~~  
17           ~~washing or dyeing machine) will pay the following license fee annually: \$29 plus \$11 per machine.~~

18           ~~—(d) Every owner, manager or lessee of a laundry delivery service will pay the following~~  
19           ~~license fee annually: \$21 per delivery vehicle per year.~~

20           The license fees set forth above shall be paid annually on or before March 31, in  
21           accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

22  
23           **SEC. 248. FOOD PRODUCT AND MARKETING ESTABLISHMENTS.**

24           (a) The following fee for licenses is established for persons, firms, or corporations  
25           engaged in the conduct or operation of the handling, manufacture, or sale of foodstuffs,  
          annually payable in advance to the Tax Collector.

<b>Class</b>	<b>Fee</b>
<b>Class A.</b> Food product and marketing establishments without food preparation with a total square footage of:	
Class A-1. Less than 5,001 square feet	\$647
Class A-2. 5,001 square feet to 10,000 square feet	\$847
Class A-3. 10,001 square feet to 20,000 square feet	\$1,054
Class A-4. Greater than 20,000 square feet	\$1,277
<b>Class B.</b> Food product and marketing establishments with food preparation with a total square footage of:	
Class B-1. Less than 5,001 square feet	\$693
Class B-2. 5,001 square feet to 10,000 square feet	\$898
Class B-3. 10,001 square feet to 20,000 square feet	\$1,091
Class B-4. Greater than 20,000 square feet ("Supermarket") with:	
1 Food Preparation Station	\$1,235
2 to 3 Food Preparation Stations	\$1,390
4 or more Food Preparation Stations	\$1,544
<b>Class C.</b> Retail bakeries	
Without food preparation	\$753
With food preparation	\$1,290
<b>Class D.</b> Farm Stand	\$0
<b>Class E.</b> Certified farmers market	<del>\$1,039</del> \$628
<b>Class F.</b> Wholesale food markets with retail	\$645
<b>Class G.</b> Food manufacturing or processing	\$714
<b>Class H.</b> Food product and marketing establishments with an inventory of food at cost in stock as of the first day of April:	
Less than \$1,000	
Greater than \$1,000	Refer to Class A
<b>Class I.</b> Food product and marketing establishments in stadiums, arenas or auditoriums with a seating capacity of 25,000 or more	

\* \* \* \*

1           **SEC. 249.5. PET SHOPS,AND DOG KENNELS,~~HOSPITALS FOR SICK ANIMALS.~~**

2           Every person, firm or corporation engaged in the business of operating a pet shop ~~or~~  
3 ~~hospital for sick animals~~ that requires a permit from the Health Department shall pay an annual  
4 license fee of \$108 to the Tax Collector.

5           Every person, firm or corporation engaged in the business of operating a dog kennel  
6 that requires a permit from the Health Department shall pay an annual license fee of \$108 to  
7 the Tax Collector, in addition to the fee prescribed in Section 221 of Article 2 Part III of this  
8 Code.

9           The license fees set forth above shall be paid annually on or before March 31, in  
10 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.  
11

12           **SEC. 249.6. VEHICLES FOR THE TRANSPORTATION OF REFUSE AND**  
13 **COLLECTORS OF REFUSE~~ADJUDICATION OF RATE DISPUTES.~~**

14           Every person, firm or corporation engaged in operating a vehicle for transportation of  
15 refuse or garbage that requires a permit from the Health Department shall pay an annual  
16 license fee to the Tax Collector as follows:

17           (a) Garbage truck, ~~\$3,268~~\$502 for each vehicle subject to approval by the Director of  
18 Public Health in accordance with Articles 6 and 12 of the Health Code.

19           (b) Every refuse collector licensed by the Director of Health shall pay an annual license fee  
20 of \$12,545 to the Tax Collector for each refuse collection route permitted by Director of Health in  
21 accordance with Article 6 of the Health Code.

22           The license fees set forth above shall be paid annually on or before March 31, in  
23 accordance with the provisions of Section 76.1 of the Business and Tax Regulations Code.

24           The fees prescribed by this Section 249.6 are for the purpose of reimbursing the City  
25 and County of San Francisco for costs incurred in the implementation of the Mandatory

1 Refuse Collection Program, the inspection and licensing of refuse vehicles and the  
2 adjudication of refuse collection rate disputes.

3  
4 **SEC. 249.15. SOLID WASTE TRANSFER STATION LICENSE FEE.**

5 Every person, firm or corporation operating a solid waste transfer or processing station  
6 within the City and County of San Francisco shall pay to the Tax Collector an annual license  
7 fee. The license fees set forth in this Section 249.15 shall be paid annually on or before March  
8 31, in accordance with the provisions of Section 76.1 of the Business and Tax Regulations  
9 Code.\* All fees for routine, nonenforcement-related inspection services provided for solid waste  
10 transfer station permit issuance and compliance review will be included in the license fee required by  
11 this Section 249.15.

12 \* \* \* \*

13  
14 **~~SEC. 249.21. FOOD FACILITY SURCHARGE.~~**

15 ~~—(a) Every person, firm or corporation engaged in the business of operating a Food Facility~~  
16 ~~shall pay a surcharge annually in advance to the Tax Collector in the amount of \$285. "Food Facility"~~  
17 ~~for purposes of this section shall have the same meaning set forth in California Health and Safety Code~~  
18 ~~Section 114094, or any successor provisions.~~

19 ~~—(b) Beginning with fiscal year 2009-2010 and annually thereafter, the surcharge set forth in~~  
20 ~~this Section may be adjusted each year, without further action by the Board of Supervisors, as set forth~~  
21 ~~in this Section.~~

22 ~~—(c) Not later than April 1, the Director of Health, or his or her designee, shall report to the~~  
23 ~~Controller the revenues generated by the surcharge for the prior fiscal year and the prior fiscal year's~~  
24 ~~costs of operation, as well as any other information that the Controller determines appropriate to the~~  
25 ~~performance of the duties set forth in California Health and Safety Code Section 114094, or any~~



1 ~~successor provisions. Not later than May 15, the Controller shall determine whether the current~~  
2 ~~surcharge has produced or is projected to produce revenues sufficient to support the costs of providing~~  
3 ~~the services for which the surcharge is assessed and that the surcharge will not produce revenue that is~~  
4 ~~significantly more than the costs of providing the services for which the surcharge is assessed. The~~  
5 ~~Controller shall, if necessary, adjust the surcharge upward or downward for the upcoming fiscal year~~  
6 ~~as appropriate to ensure that the program recovers the costs of operation without producing revenue~~  
7 ~~that is significantly more than such costs. The adjusted rates shall become operative on July 1.~~

8  
9 Section 3. Article 1 of the Health Code is hereby amended by repealing Section 17, to  
10 read as follows:

11  
12 **~~SEC. 17. DOG HOSPITALS, KENNELS, ETC.~~**

13 ~~It shall be unlawful for any person, firm or corporation, or association, to erect, establish or~~  
14 ~~maintain any dog hospital, dog kennel, or hospital for sick animals within the City and County of San~~  
15 ~~Francisco, without permission first obtained from the Department of Public Health.~~

16  
17 Section 4. Article 6 of the Health Code is hereby amended by revising Section 291.16,  
18 to read as follows:

19  
20 **SEC. 291.16. INSPECTION FEE.**

21 If the Director of Public Health causes a Dwelling or a Commercial Property to  
22 be inspected to determine whether the Owner has complied with Sections 291.1 and 291.2, the  
23 Owner of the Dwelling or Commercial Property shall pay an inspection fee in accordance with  
24 Section 35 of the Business and Tax Regulations Code, for equal to \$167 per hour of Department of  
25 Public Health staff time spent during the inspection.

1  
2 Section 5. The Health Code is hereby amended by deleting Article 7, consisting of  
3 Sections 348, 349, 354, 355, 359, and 360, to read as follows:  
4

5 ***ARTICLE 7:***

6 ***LAUNDRIES***

7 ***SEC. 348. SPRAYING OF CLOTHES BY CERTAIN METHODS PROHIBITED.***

8 ~~——— It shall be unlawful for any person or persons, owning or employed in any laundry in the~~  
9 ~~City and County of San Francisco, to spray the clothing of any person or persons with water emitted~~  
10 ~~from the mouth of said owner or employee.~~  
11

12 ***SEC. 349. PENALTY.***

13 ~~——— Any person violating any of the provisions of Section 348 of this Article shall be deemed~~  
14 ~~guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$50,~~  
15 ~~or by imprisonment in the County Jail for not more than one month, or by both such fine and~~  
16 ~~imprisonment.~~  
17

18 ***SEC. 354. ESTABLISHMENT AND MAINTENANCE OF PUBLIC LAUNDRIES.***

19 ~~——— It shall be unlawful for any person, firm, corporation or association of persons to~~  
20 ~~establish, maintain, operate or carry on the business of a public laundry or washhouse, where clothes~~  
21 ~~or other articles are cleansed, ironed, washed, starched, marked or sorted for hire or profit, including~~  
22 ~~automatic laundries as defined in Section 360 of this Code, in any building or premises within the limits~~  
23 ~~of the City and County of San Francisco, without having first obtained a permit therefor from the~~  
24 ~~Director of Public Health, which said permit shall specify the name of the permittee and the location of~~  
25 ~~the premises used or to be used as such laundry or washhouse.~~

1           ~~——— (a) ——— Permit Conditions. No permit shall be granted except upon satisfactory evidence~~  
2 ~~that the premises are properly and sufficiently drained, and that all proper arrangements for carrying~~  
3 ~~on the business without injury to the sanitary condition of the neighborhood have been complied with,~~  
4 ~~and particularly that the provisions of all ordinance pertaining thereto have been complied with and~~  
5 ~~upon a report from the Chief of the Division of Fire Prevention and Investigation of the City and~~  
6 ~~County of San Francisco, or other satisfactory evidence that the stoves, chimneys, machinery,~~  
7 ~~equipment, washing and drying apparatus and the appliances for heating smoothing irons are~~  
8 ~~adequate and in good condition, and that their use is not dangerous to the surrounding property from~~  
9 ~~fire, and that all proper precautions have been taken to comply with the provisions of the ordinance~~  
10 ~~defining the fire limits of the City and County of San Francisco and regulating the erection and use of~~  
11 ~~buildings in said city and county, and of all ordinances pertaining thereto.~~

12           ~~——— It shall be the duty of the Director of Public Health and of the Chief of the Division of~~  
13 ~~Fire Prevention and Investigation, respectively, upon request of any applicant for a permit hereunder~~  
14 ~~to inspect the premises on which it is proposed to establish, maintain, operate or carry on said~~  
15 ~~business, or in which said business is being maintained, operated or carried on with a view to~~  
16 ~~ascertaining the existence or nonexistence of the conditions and matters set forth in this Section.~~

17           ~~——— (b) ——— Revocation of Permits, etc. The Director of Public Health shall not grant, refuse~~  
18 ~~or revoke any permit hereunder except after a full hearing, publicly had, at which the applicant or~~  
19 ~~permittee may appear in person and by counsel and introduce evidence; and in the granting, refusal or~~  
20 ~~revocation of permits said Director of Public Health shall exercise a sound and reasonable discretion.~~

21           ~~——— Permits issued hereunder are not transferable.~~

22           ~~——— Any permit granted hereunder shall be revocable by the Director of Public Health for~~  
23 ~~any violation of the provisions of any ordinances of the City and County of San Francisco, in the~~  
24 ~~conduct of such laundry or washhouse.~~

1           ~~—— (c) — Persons Afflicted with Contagious Diseases. No person, firm, corporation or~~  
2 ~~association of persons maintaining, operating or carrying on the business of a public laundry or~~  
3 ~~washhouse or automatic laundry, as defined in Section 360 hereof, within the limits of the City and~~  
4 ~~County of San Francisco, shall permit any person suffering from any infectious or contagious disease~~  
5 ~~to lodge, sleep or remain within or upon the premises used by him, her, it or them, for the purpose of~~  
6 ~~such laundry or washhouse.~~

7           ~~—— It shall be unlawful for any person, firm, corporation or association of persons to~~  
8 ~~establish, maintain, operate or carry on a public laundry or washhouse, or automatic laundry as~~  
9 ~~defined in Section 360 hereof, within the City and County of San Francisco in any building or any~~  
10 ~~portion thereof, or in any annex or outhouse thereto or other premises that is frequented by persons~~  
11 ~~likely to spread infectious, contagious or loathsome diseases or that is occupied or used or frequented~~  
12 ~~directly or indirectly for any immoral or unlawful purpose, or that is occupied or used as a public hall~~  
13 ~~or store unless there is a complete wall separation between said hall or store and said laundry,~~  
14 ~~washhouse, or automatic laundry and the latter has its own separate entrance from the street.~~

15           ~~—— (d) — Lettering on Laundry Vehicles. It shall be unlawful for any person, firm or~~  
16 ~~corporation either as owner, agent or employee of any public laundry or public washhouse, where~~  
17 ~~clothes or other articles are cleansed for hire, or for any owner or operator of any independently~~  
18 ~~owned laundry route, to operate or to cause to be operated any vehicle for the purpose of receiving~~  
19 ~~clothes or other articles to be cleansed or for the purpose of delivering any clothes or other articles~~  
20 ~~which have been cleansed, unless such vehicle shall carry in letters at least four inches high, painted on~~  
21 ~~both sides, the name of the laundry where said clothes or other articles have been or are to be~~  
22 ~~cleansed.~~

23           ~~—— (e) — Exception. The provisions of this Section shall not apply to hotels, or hospitals~~  
24 ~~maintaining or operating laundries exclusively for the convenience, service or accommodation of the~~  
25 ~~respective guests, patients or employees.~~

1                   ~~—— (f) —— Violation. It shall be unlawful for any owner, lessee, occupant, or person in~~  
2 ~~charge or control of any building or premises within the limits of the City and County of San Francisco~~  
3 ~~or for the president, manager, superintendent or other managing officer of any firm, corporation or~~  
4 ~~association to cause or to permit the business of public laundry or public washhouse, or automatic~~  
5 ~~laundry as defined in Section 360 hereof, to be established, maintained, operated or carried on in any~~  
6 ~~building or premises within the City and County of San Francisco in violation or in disregard of the~~  
7 ~~provisions of this Article.~~

8  
9                   **~~SEC. 355. CHANGES OR REPLACEMENTS OF MACHINERY OR EQUIPMENT.~~**

10                   ~~—— No permittee may change or replace existing machinery or equipment or install~~  
11 ~~additional machinery or equipment in any building or premises for which a permit has been previously~~  
12 ~~issued under the provisions of Section 354 of this Article without first having obtained a certificate of~~  
13 ~~approval therefor from the Director of Public Health. No certificate of approval shall be granted~~  
14 ~~except upon satisfactory evidence that such change, replacement or installation is in compliance with~~  
15 ~~the conditions and requirements set forth in subdivision (a) of Section 354 for the original issuance of a~~  
16 ~~permit for the laundry operation.~~

17  
18                   **~~SEC. 359. HANDLING OF CLOTHES.~~**

19                   ~~—— It shall be unlawful for any person, firm or corporation to maintain any device for~~  
20 ~~receiving soiled clothing for the purpose of being laundered, or to conduct any office or place for the~~  
21 ~~collection of soiled clothing for laundering purposes, or for the distribution of clothing after~~  
22 ~~laundering, within any building, room, apartment, dwelling, basement or cellar where food stuffs are~~  
23 ~~sold, offered for sale, prepared, produced, manufactured, packed, stored, or otherwise disposed of; or~~  
24 ~~in any premises wherein the business of secondhand or misfit clothing, hat or clothing renovating,~~  
25 ~~cleaning and dyeing and repairing of shoes is conducted.~~

1  
2       **~~SEC. 360. AUTOMATIC LAUNDRIES, DEFINITION.~~**

3       ~~—— Any automatic laundry is defined to be any place where two or more self-service type~~  
4 ~~automatic washing machines are installed, each powered by electric motors; where one or more gas-~~  
5 ~~fired or electric heated drying machines are installed; where one or more extractor machines are~~  
6 ~~installed; and where a fee is charged for the individual use of such washing machines and drying~~  
7 ~~machines or either of them.~~

8       ~~—— (a) —— Solicitation of Business, Collection of Laundry. It shall be unlawful for the~~  
9 ~~owner, operator or there agent to solicit or collect clothing to be laundered from the customer outside~~  
10 ~~the premises.~~

11       ~~—— (b) —— Operation, Removal of Clothes by Operators. Nothing in this Section shall be~~  
12 ~~construed to prevent the operator of an automatic laundry, as defined herein, from operating and~~  
13 ~~controlling the mechanical operations of the equipment in such automatic laundry, or from removing~~  
14 ~~clothes from the washing machines after the washing operation has been completed, or from placing~~  
15 ~~such cleansed clothes in and removing them from an extractor or drying machine.~~

16       ~~—— (c) —— Maintenance of Machines. It shall be the duty of the owner, operator, or their~~  
17 ~~agent of the automatic laundry, to post in a conspicuous manner, the name, address and telephone~~  
18 ~~number of the person or entity responsible for the servicing of defective machinery in the automatic~~  
19 ~~laundry. For purposes of this Section, a post office box number constitutes an address.~~

20       ~~—— (d) —— Penalty. Any person violating any of the provisions of this Section 360 shall be~~  
21 ~~deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed~~  
22 ~~\$200, or by imprisonment in the County Jail for not more than one month, or by such fine and~~  
23 ~~imprisonment.~~

1           Section 6. Article 19D of the Health Code is hereby amended by revising Section  
2   1009.3, to read as follows:

3  
4           **SEC. 1009.3. PENALTIES AND ENFORCEMENT.**

5           \* \* \* \*

6           (c)   Any person who violates or refuses to comply with the provisions of this  
7   Article 19D shall be guilty of ~~an~~ infraction ~~misdemeanor~~, and shall be deemed guilty of a  
8   separate offense for every day such violation or refusal shall continue. Every violation is  
9   punishable by (1) a fine of at least \$25 but not exceeding \$100 for a first violation; (2) a fine of  
10   at least \$100 but not exceeding \$200 for a second violation within one year; (3) a fine of at  
11   least \$200 but not exceeding \$500 for each additional violation within one year, and by the  
12   imposition of administrative penalties in the amounts set forth in Article 19H.20 of the Health Code.

13  
14           Section 7. Article 19H of the Health Code is hereby amended by revising Sections  
15   19H.16, 19H.17, 19H.18, 19H.19, 19H.20, to read as follows:

16  
17           **SEC. 19H.16. FRAUDULENT PERMIT APPLICATIONS.**

18           \* \* \* \*

19           (f)   Any person who obtained a permit by fraud or misrepresentation may be  
20   prosecuted for ~~either an infraction or~~ a misdemeanor punishable by (1) a fine not to exceed ~~one~~  
21   ~~hundred dollars (\$100)~~ for a first violation; (2) a fine not to exceed ~~two hundred dollars (\$200)~~ for a  
22   second violation within one year; and (3) a fine not to exceed ~~five hundred dollars (\$500)~~ for a  
23   third and for each subsequent violation within one year, and by the imposition of administrative  
24   penalties in the amounts set forth in Article 19H.20 of the Health Code.

1           **SEC. 19H.17. SELLING TOBACCO WITHOUT A PERMIT.**

2           \* \* \* \*

3           (d)     Any person who engages in tobacco sales without the required permit  
4 may be prosecuted for ~~either an infraction or~~ a misdemeanor punishable by (1) a fine not to  
5 ~~exceed one hundred dollars (\$250)~~ exceed two hundred ~~dollars (\$500)~~ dollars (\$1000) for a first violation; (2) a fine not to exceed five  
6 ~~dollars (\$1000)~~ dollars (\$2000) for a second violation within ~~one~~ two years; and (3) a fine not to exceed five  
7 ~~hundred dollars (\$1000)~~ hundred dollars (\$2000) for a third and for each subsequent violation within ~~one~~ two years,  
8 and by the imposition of administrative penalties in the amounts set forth in Article 19H.20 of the  
9 Health Code.

10  
11           **SEC. 19H.18. OTHER ENFORCEMENT.**

12           (a)     Violations of this Article 19H are hereby declared to be public nuisances  
13 and may be enforced as set forth in Section 596 of the San Francisco Health Code.

14           (b)     Violations of this Article 19H are hereby declared to be unfair business  
15 practices and are presumed to damage each and every resident of the community in which  
16 the business operates.

17           (c)     Any person, the owner, or the owner's authorized agent, who violates any  
18 provision of this Article 19H shall be liable for a civil penalty of not less than \$250 and not exceeding  
19 \$1,000 for each day such violation is committed or permitted to continue. Penalties shall be assessed  
20 and recovered in a civil action brought in the name of the People of the City and County of San  
21 Francisco in any court of competent jurisdiction. Any penalty assessed and recovered in an action  
22 brought pursuant to this subsection (c) shall be paid to the City Treasurer and credited to the  
23 Department's Special Fund.

24           (d)     In addition to other remedies provided by this Article 19H or by other law,  
25 any violation of this ordinance may be remedied by a civil action brought by the City Att-orney,



1 including, for example, administrative or judicial abatement proceedings, civil or criminal  
2 ~~e~~Code enforcement proceedings, and suits for injunctive relief. The person against whom a  
3 successful civil action is brought shall be liable for the costs and attorney's fees incurred by  
4 the City and County of San Francisco.

5  
6 **SEC. 19H.19. TIME PERIOD OF SUSPENSION OF PERMIT; PERMIT**  
7 **REVOCATION.**

8 When this Article 19H allows the Director to suspend a permit, the following  
9 sanctions may be imposed:

10 (a) The Director may suspend the permit for a maximum of 90 days for the  
11 first violation.

12 (b) If a second violation occurs within ~~twelve~~ 24 months of the first violation,  
13 the Director may suspend the permit for a maximum of six months.

14 (c) Upon the third violation, if within ~~twelve~~ 24 months of the prior violation,  
15 the Director may suspend the permit for a maximum of one year.

16 ~~(d)~~ Upon the fourth or subsequent violation within 24 months of the prior violation,  
17 ~~the Director may revoke the permit.~~

18 (~~de~~) Each suspension is an independent sanction and is served consecutively.

19  
20 **SEC. 19H.20. ADMINISTRATIVE PENALTY.**

21 When this Article 19H allows the Director to impose an administrative penalty, the  
22 Director may assess an administrative penalty (1) not exceeding ~~\$500~~ one hundred dollars  
23 ~~(\$100)~~ for a first violation; (2) not exceeding ~~two hundred dollars (\$200)~~ \$750 for a second  
24 violation; and (3) not exceeding ~~five hundred dollars (\$500)~~ \$1,000 for the third and each  
25

1 subsequent violation. For purposes of administrative penalties, each day that tobacco sales  
2 occur without a permit shall constitute a separate violation.

3  
4 Section 8. Article 22A of the Health Code is hereby amended by revising Section  
5 22A.19, to read as follows:

6  
7 **SEC. 22A.19. FEES.**

8 (a) The Director is authorized to charge the following fees to defray the costs of  
9 administering this Article 22A, including but not limited to document processing and review; field  
10 inspection and documentation; conference and consultation with applicant; and monitoring of  
11 compliance with implementation of environmental land use or activity restrictions ~~document processing~~  
12 ~~and review, consultation with applicants, and administration of this Article:~~

13 (1) an initial fee of ~~\$609.54~~ \$1,000, payable to the Department for administrative work,  
14 due upon filing initial documents for review ~~upon filing a site history report~~ with the Department; and

15 (2) an additional fee of ~~\$333.203~~ \$17 per hour for administration of this Article 22A  
16 ~~document processing and review and applicant consultation~~ exceeding three hours or portion  
17 thereof, payable to the Department, ~~upon filing of the certification required pursuant to Section~~  
18 ~~22A.11.~~

19 (b) Beginning with ~~fiscal year~~ Fiscal Year 2025-2026 ~~2008-2009~~ and annually thereafter, the  
20 fees set forth in this Section 22A.19 may be adjusted each year, without further action by the  
21 Board of Supervisors, as set forth in this Section. In adjusting the fees, the Controller may round  
22 up or down to the nearest dollar, half-dollar or quarter-dollar.

23 Not later than April 1, the Director shall report to the Controller the revenues generated  
24 by the fees for the prior fiscal year and the prior fiscal year's costs of operation, as well as any

1 other information that the Controller determines appropriate to the performance of the duties  
2 set forth in this Section 22A.19.

3 Not later than May 15, the Controller shall determine whether the current fees have  
4 produced or are projected to produce revenues sufficient to support the costs of providing the  
5 services for which the fees are assessed and that the fees will not produce revenue which is  
6 significantly more than the costs of providing the services for which the fees are assessed.

7 The Controller shall, if necessary, adjust the fees upward or downward for the  
8 upcoming fiscal year as appropriate to ensure that the program recovers the costs of  
9 operation without producing revenue which is significantly more than such costs. The adjusted  
10 rates shall become operative on July 1.

11 (c) Fees assessed for administration of this Article 22A shall be paid within 30 days of the  
12 Director's service of notice that such fees are due. In the event the fees assessed under this Article are  
13 not paid in full within 30 days of notice, a late penalty fee of 10% plus interest at 1% per month on the  
14 outstanding balance may be charged.

15 (d) The Director may decline to make a determination of compliance with provisions of this  
16 Article 22A on the basis of outstanding fee balances.

17 (e) All fees, costs,, and administrative penalties assessed under this Article 22A shall be an  
18 obligation owed to the City by the Applicant and the owner of the property. Such obligation may be  
19 collected by means of the imposition of a lien against the property, under the procedures set forth  
20 in Article XX of Chapter 10 of the Administrative Code.

21  
22 Section 9. Article 22B of the Health Code is hereby amended by revising Section  
23 1249, to read as follows:  
24

25 **SEC. 1249. FEES.**

1       (a) The Director is authorized to charge the following fees to defray the costs of  
2       administering this Article 22B, including but not limited to the document processing and review; field  
3       inspection and documentation; conference and consultation with applicants; and monitoring of  
4       compliance with implementation of environmental land use or activity restrictions.~~document processing~~  
5       ~~and review, consultation with applicants, and administration of this Article:~~

6       (1) An initial fee of \$1,000, payable to the Department, due upon filing a dust control plan  
7       for review with the Department; and

8       (2) An additional fee of \$333 per hour for administration of this Article 22B exceeding  
9       three hours or portion thereof payable to the Department.

10       (b) Beginning with Fiscal Year 2025-2026 and annually thereafter, the fees set forth in this  
11       Section 1249 may be adjusted each year, without further action by the Board of Supervisors, as set  
12       forth in this Section. In adjusting the fees, the Controller may round these fees up or down to the  
13       nearest dollar, half-dollar or quarter-dollar.

14       Not later than April 1, the Director shall report to the Controller the revenues generated by  
15       the fees for the prior fiscal year and the prior fiscal year's costs of operation, as well as any other  
16       information that the Controller determines appropriate to the performance of the duties set forth in this  
17       Section 1249.

18       Not later than May 15, the Controller shall determine whether the current fees have  
19       produced or are projected to produce revenues sufficient to support the costs of providing the services  
20       for which the fees are assessed and that the fees will not produce revenue which is significantly more  
21       than the costs of providing the services for which the fees are assessed.

22       The Controller shall, if necessary, adjust the fees upward or downward for the upcoming  
23       fiscal year as appropriate to ensure that the program recovers the costs of operation without producing  
24       revenue which is significantly more than such costs. The adjusted rates shall become operative on July  
25       1, for fiscal year 2008-2009 (1) an initial fee of \$492, payable to the Department upon the filing of a

1 ~~Dust Control Plan with the Department; and (2) an additional fee of \$164 per hour for time spent in~~  
2 ~~document processing and review and applicant consultation exceeding three hours or portion thereof~~  
3 ~~payable to the Department. Beginning with fiscal year 2009-2010, no later than April 15 each year, the~~  
4 ~~Controller shall adjust the fees provided in this Article to reflect changes in the relevant Consumer~~  
5 ~~Price Index, without further action by the Board of Supervisors. In adjusting the fees, the Controller~~  
6 ~~may round these fees up or down to the nearest dollar. The Director shall perform an annual review of~~  
7 ~~the fees scheduled to be assessed for the following fiscal year and shall file a report with the Controller~~  
8 ~~no later than May 1st of each year, proposing, if necessary, an adjustment to the fees to ensure that~~  
9 ~~costs are fully recovered and that fees do not produce significantly more revenue than required to~~  
10 ~~cover the costs of operating the program. The Controller shall adjust fees when necessary in either~~  
11 ~~case.~~

12 (c) Fees assessed for administration of this Article 22B shall be paid within 30 days of the  
13 Director's service of notice that such fees are due. In the event the fees assessed for this Article are not  
14 paid in full within 30 days of the Director's service of notice, a late penalty fee of 10% plus interest at  
15 1% per month on the outstanding balance may be charged.

16 (d) The Director may withhold approvals required under this Article 22B on the basis of  
17 outstanding fee balances.

18 (e) All fees, costs, and administrative penalties assessed under this Article 22B shall be an  
19 obligation owed to the City by the Applicant and the owner of the property. Such obligation may be  
20 collected by means of the imposition of a lien against the property, under the procedures set forth  
21 in Article XX of Chapter 10 of the Administrative Code.

22  
23 Section 10. Article 31 of the Health Code is hereby amended by revising Section 3108,  
24 to read as follows:  
25

1           **SEC. 3108. FEES.**

2           (a) The Director is authorized to charge the following fees to defray the costs of  
3 administration of this Article 31, including but not limited document processing and review; field  
4 inspection and documentation; and conference and consultation with applicant~~document processing~~  
5 ~~and review, consultation with Applicants, and administration of this Article:~~

6           (1) an initial fee of \$1,000, payable to the Department, due upon filing initial documents  
7 for review with the Department; and

8           (2) an additional fee of \$333 per hour for administration of this Article 31 exceeding three  
9 hours or portion thereof, payable to the Department, prior to the Director's issuance of written  
10 notification that the requirements of this Article 31 have been met.

11           (b) Beginning with Fiscal Year 2025-2026 and annually thereafter, the fees set forth in this  
12 Section 3108 may be adjusted each year, without further action by the Board of Supervisors, as set  
13 forth in this Section. In adjusting the fees, the Controller may round these fees up or down to the  
14 nearest dollar, half-dollar or quarter-dollar.

15           Not later than April 1, the Director shall report to the Controller the revenues generated by  
16 the fees for the prior fiscal year and the prior fiscal year's costs of operation, as well as any other  
17 information that the Controller determines appropriate to the performance of the duties set forth in this  
18 Section 3108.

19           Not later than May 15, the Controller shall determine whether the current fees have  
20 produced or are projected to produce revenues sufficient to support the costs of providing the services  
21 for which the fees are assessed and that the fees will not produce revenue which is significantly more  
22 than the costs of providing the services for which the fees are assessed.

23           The Controller shall, if necessary, adjust the fees upward or downward for the upcoming  
24 fiscal year as appropriate to ensure that the program recovers the costs of operation without producing  
25 revenue which is significantly more than such costs. The adjusted rates shall become operative on July

1 ~~1. for Fiscal Year 2010-2011, the fees are as follows: Application Fee = \$592 for up to three hours of~~  
2 ~~document review/consultation and \$197 for each additional hour, including site visits. No later than~~  
3 ~~April 15 of each year, the Controller shall adjust the allowable fees to reflect changes in the relevant~~  
4 ~~Consumer Price Index, without further action by the Board of Supervisors. In adjusting the fees, the~~  
5 ~~Controller may round these fees up or down to the nearest dollar, half-dollar or quarter-dollar. The~~  
6 ~~Director shall perform an annual review of the fees scheduled to be assessed for the following fiscal~~  
7 ~~year and shall file a report with the Controller no later than May 1st of each year, proposing, if~~  
8 ~~necessary, an adjustment to the fees to ensure that costs are fully recovered and that fees do not~~  
9 ~~produce significantly more revenue than required to cover the costs of operating the program. The~~  
10 ~~Controller shall adjust fees when necessary in either case.~~

11 (c) Fees assessed for implementation and administration of this Article 31 shall be paid within  
12 30 days of the Director's service of notice that such fees are due. In the event the fees assessed for this  
13 Article are not paid in full within 30 days of the Director's service of notice, a late penalty fee of 10%  
14 plus interest at 1% per month on the outstanding balance may be charged.

15 (d) The Director may withhold approvals required under this Article 31 on the basis of  
16 outstanding fee balances.

17 (e) All final costs and fees, and administrative penalties assessed under this Article 31 shall be  
18 an obligation owed to the City by the Applicant and the owner of the property. Such obligation may be  
19 collected by means of the imposition of a lien against the property under the procedures set forth  
20 in Article XX of Chapter 10 of the Administrative Code.

21  
22 Section 11. Article 38 of the Health Code is hereby amended by revising Section 3811,  
23 to read as follows:

24  
25 **SEC. 3811. FEES.**

(a) The Director is authorized to charge the following fees to defray the costs of administration of this Article 38:

(1) Review and approval of an Enhanced Ventilation Proposal:--- \$1,255,984.00  
(b) (2) Additional consultation, document review or inspection:--- \$251,225.00 per hour

(b) Beginning with Fiscal Year 2025-2026 and annually thereafter, the fees set forth in this Section 3811 may be adjusted each year, without further action by the Board of Supervisors, as set forth in this Section 3811.

Not later than April 1, the Director shall report to the Controller the revenues generated by the fees for the prior fiscal year and the prior fiscal year's costs of operation, as well as any other information that the Controller determines appropriate to the performance of the duties set forth in this Section 3811.

Not later than May 15, the Controller shall determine whether the current fees have produced or are projected to produce revenues sufficient to support the costs of providing the services for which the fees are assessed and that the fees will not produce revenue which is significantly more than the costs of providing the services for which the fees are assessed.

The Controller shall, if necessary, adjust the fees upward or downward for the upcoming fiscal year as appropriate to ensure that the program recovers the costs of operation without producing revenue which is significantly more than such costs. The adjusted rates shall become operative on July 1.

Section 12. Chapter 1 of the Administrative Code is hereby amended by revising Sections 1.10, 1.10-2, 1.13-1 and deleting Sections 1.10-3, 1.11, 1.12, and 1.13, to read as follows:



1           **SEC. 1.10. INSPECTION OF AGRICULTURAL PRODUCTS PRIOR TO SHIPMENT**  
2   **– INSPECTION FEES.**

3           (a)    The fees to be charged for inspection and certificates for agricultural  
4 products to be shipped, effective ~~January~~July 1, 202~~5~~13, shall be ~~\$70~~\$40.00.

5           (b)    The fees for each certificate of fumigation shall be ~~\$70~~\$30.00.

6           (c)    ~~\$70~~Twenty-five dollars shall be the minimum charge for any single  
7 certificate.

8           \* \* \* \*

9  
10           **SEC. 1.10-2. QUARANTINE INSPECTION FEES.**

11           The County Agricultural Commissioner is hereby authorized to impose fees for  
12 the inspection of shipments of any agricultural products sent to the City and County of San  
13 Francisco, to ensure compliance with California quarantine law, as follows:

14           (a)    Inspections Made Outside Regular Business Hours. In the case of  
15 inspections which must be made outside of regular business hours or on any weekend day or  
16 legal holiday, due to the time of arrival of the shipment in the City and County of San  
17 Francisco, the fee authorized by this Section 1.10-2 shall be a minimum of ~~\$240~~\$35 plus ~~\$90~~\$5  
18 per hour for any hour or portion thereof in excess of three hours required to complete the  
19 inspection, and ~~\$0.56~~\$0.30 per mile traveled to perform such inspections.

20           (b)    Inspections of Quarantine Shipments Which Require Special Handling. In  
21 the case of (1) shipments of agricultural products sealed at the California ~~st~~State border by the  
22 California Department of Food and Agriculture, which includes shipments with a "Warning  
23 Hold Notice," and (2) any shipments which have not passed an initial inspection and which  
24 require follow-up inspection by the County Agricultural Commissioner to ensure compliance  
25

1 with California quarantine law, the fee authorized by this Section 1.10-2 shall be \$90<sup>35</sup> per  
2 hour, and \$0.56<sup>30</sup> per mile traveled to perform such inspections.

3 \* \* \* \*

4  
5 **~~SEC. 1.10-3. SALAD PRODUCTS PROCESSOR INSPECTION FEES.~~**

6 ~~——— (a) ——— Imposition of Fee. The County Agricultural Commissioner is hereby authorized~~  
7 ~~to impose a fee for inspection of salad products processors in an amount of 4½ cents per 20-pound~~  
8 ~~master carton or .0025 cents per pound. Such inspections are authorized pursuant to Title 3 of the~~  
9 ~~California Code of Regulations, Sections 1438.22 et seq. Where repeated violations of those sections~~  
10 ~~occur, the County Agricultural Commissioner is hereby authorized to impose fees necessary to cover~~  
11 ~~the cost of additional inspections necessitated by such violations.~~

12 ~~——— (b) ——— Procedures. The County Agricultural Commissioner may develop procedures for~~  
13 ~~the collection of any fees authorized by this Section.~~

14 ~~——— (c) ——— Effective Date. This Section shall be effective as of October 1, 1995.~~

15  
16 **~~SEC. 1.11. INSPECTION OF AGRICULTURAL PRODUCTS PRIOR TO SHIPMENT—~~**  
17 **~~INSPECTION OF IMPORTED VEGETABLES.~~**

18 ~~——— It shall be the duty of the County Agricultural Commissioner, at the request of the~~  
19 ~~consignor or consignee, to inspect all vegetables shipped from any point outside of the United States of~~  
20 ~~America to the City and County (irrespective as whether such vegetables are shipped directly to the~~  
21 ~~City and County or by reshipment from points within the United States) for the purpose of ascertaining~~  
22 ~~if the vegetables are fit for human consumption. The inspection may be made either at the time of~~  
23 ~~arrival of the vegetables in the City and County or at any other time before they are finally disposed of.~~

1            ~~SEC. 1.12. INSPECTION OF AGRICULTURAL PRODUCTS PRIOR TO SHIPMENT—~~  
2 ~~INSPECTION OF IMPORTED VEGETABLES—FEES.~~

3            ~~———The fees to be paid by the person requesting the inspection provided for by the preceding~~  
4 ~~section shall be two cents for each package (not above standard size) inspected by the County~~  
5 ~~Agricultural Commissioner.~~

7            ~~SEC. 1.13. INSPECTION OF AGRICULTURAL PRODUCTS PRIOR TO SHIPMENT—~~  
8 ~~CERTIFICATE OF INSPECTION; DESTRUCTION OF UNFIT VEGETABLES.~~

9            ~~———The County Agricultural Commissioner shall, on the payment of the fees provided in~~  
10 ~~Sections 1.10 and 1.12 of this Code, furnish to the person requesting the inspection a certificate~~  
11 ~~showing the total number of packages of vegetables inspected, the number fit for human consumption~~  
12 ~~and the number unfit for human consumption; and shall destroy all of such vegetables found to be unfit~~  
13 ~~for human consumption.~~

15           **SEC. 1.13-1. REGISTRATION FEES – STRUCTURAL PEST CONTROL**  
16 **OPERATORS, PEST CONTROL OPERATORS AND ADVISERS.**

17           Pursuant to the California Food and Agricultural Code, Sections 11734, 12034, 15204  
18 and 15204.5, giving the Board of Supervisors authority to establish reasonable fees for  
19 registration of Structural Pest Control Operators, Pest Control Operators and Pest Control  
20 Advisers, the fees to be charged are:

21                                \$25 for Branch 1 Fumigation Structural Pest Control Operator.

22            ~~———\$10 for each Branch 1 Fumigation Structural Pest Control Operator~~  
23 ~~Registration Amendment.~~

24                                \$10 for Branch 2 or 3 Fumigation Structural Pest Control Operator.

1                   ~~————— \$10 for each Branch 2 or 3 Fumigation Structural Pest Control Operator~~

2     ~~Registration Amendment.~~

3                   \$50 for Agricultural Pest Control Operators.

4                   \$25 for Maintenance Gardeners.

5                   ~~————— \$10 for Structural Pest Control Operators.~~

6                   \$10 for a resident Agricultural Pest Control Adviser, and

7                   \$5 for a nonresident Agricultural Pest Control Adviser.

8  
9  
10           Section 13. Chapter 105 of the Administrative Code is hereby amended by revising  
11   Section 105.4, to read as follows:

12  
13           **SEC. 105.4. ENFORCEMENT.**

14           \* \* \* \*

15           (d)    The Cigarette Litter Abatement Fee Ordinance is a Tobacco Control Law  
16   under Section 19H.13 of the Health Code ~~Section 1009.60~~. Upon a decision of the Director of the  
17   Department of Public Health that any Cigarette Retailer has engaged in any conduct that  
18   violates any requirement of this Ordinance, the Director may suspend the Cigarette Retailer's  
19   tobacco sales permit as set forth in Article 19H of the Health Code ~~Section 1009.66~~, impose  
20   administrative penalties as set forth in Health Code ~~Section 1009.67~~ 19H.13, or both suspend  
21   the permit and impose administrative penalties. The Director may prosecute violations of this  
22   Ordinance as either a misdemeanor or infraction.

23  
24           Section 14. Article 25 of the Public Works Code is hereby amended by revising  
25   Section 1527, to read as follows:

1  
2           **SEC. 1527. FEES AND COSTS.**

3           \* \* \* \*

4           **(d)     Inspection Fees.** The Department and the Department of Public Health shall  
5 impose fees for the inspection of a permitted Personal Wireless Service Facility. The purpose  
6 of these fees is to enable these City departments to recover their costs related to inspecting a  
7 permitted Personal Wireless Service Facility.

8                       **(1)     Department Inspection Fee.** Each Permittee shall pay the  
9 Department a non-refundable time and materials inspection fee not to exceed \$150 to inspect  
10 a permitted Personal Wireless Service Facility as required under Section 1516(b).

11                      **(2)     Department of Public Health Inspection Fee.** Each Permittee  
12 shall pay the Department of Public Health a non-refundable time and materials inspection fee  
13 not to exceed the amount listed in Section 35(f) of Article 1 of the Business and Tax Regulations Code,  
14 as amended from time to time, to inspect a permitted Personal Wireless Service Facility where  
15 such inspection is required or requested under Section 1516(b).

16           **(e)     Adjustment of Fees.**

17           ~~———(1)———**CPI Adjustments.** Beginning with fiscal year 2011-2012, the fees established~~  
18 ~~herein may be adjusted each year, without further action by the Board of Supervisors, to reflect~~  
19 ~~changes in the relevant Consumer Price Index (“CPI”) (as determined by the Controller). No later~~  
20 ~~than April 15 of each year, the Director shall submit the current fee schedule to the Controller, who~~  
21 ~~shall apply the CPI adjustment to produce a new fee schedule for the following year. No later than May~~  
22 ~~15 of each year, the Controller shall file a report with the Board of Supervisors reporting the new fee~~  
23 ~~and certifying that the fees produce sufficient revenue to support the costs of providing the services for~~  
24 ~~which the Permit fee is charged, and that the fees do not produce revenue that exceeds the costs of~~  
25

1 ~~providing the services for which each Permit fee is charged. The operation of this subsection (e)(1)~~  
2 ~~shall terminate after the CPI adjustment for fiscal year 2019-2020.~~

3       —(2)— **Controller Adjustments.** Beginning with ~~f~~Fiscal ~~y~~Year 2020-2021, the  
4 fees established herein, ~~including as adjusted through fiscal year 2019-2020 under Section~~  
5 ~~1527(e)(1) above,~~ may be adjusted each year on July 1 without further action by the Board of  
6 Supervisors, to reflect changes in City department costs to provide the services required  
7 herein. No later than April 1st of each year, the director of each City department responsible for  
8 review of an Application for a Personal Wireless Service Facility Site Permit shall submit their current  
9 fee schedule to the Controller, who shall apply the Consumer Price Index (CPI) adjustment to produce  
10 a new fee schedule for the following year. Not later than April 1~~5~~ of each year the Controller will  
11 determine whether the current fees have produced or are projected to produce revenues  
12 sufficient to enable City departments to recover the costs of the permitting services required  
13 by this Article 25, and that the fees will not produce revenue that is significantly more than the  
14 costs of providing such services. If necessary, the Controller will adjust the fees upward or  
15 downward for the upcoming fiscal year as appropriate to ensure that City departments recover  
16 their costs without producing revenue that is significantly more than such costs. The adjusted  
17 fees shall become operative on July 1.

18       \* \* \* \*

19  
20       Section 15. Effective Date. This ordinance shall become effective 30 days after  
21 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
22 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
23 of Supervisors overrides the Mayor's veto of the ordinance.

Section 16. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

APPROVED AS TO FORM:  
DAVID CHIU, City Attorney

By: /s/  
ADAM RADTKE  
Deputy City Attorney

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