

1 [Annual License Fees.]

2

3 **Ordinance (1) amending the San Francisco Police Code by amending Section 2.26 to**
 4 **increase the annual license fees for Place of Entertainment Permits and Extended**
 5 **Hours Premises Permits, and (2) making findings pursuant to the California**
 6 **Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the**
 7 **adjustments to the annual license fees are not "projects" and that such annual license**
 8 **fees are imposed for the purpose of meeting operating expenses of the Entertainment**
 9 **Commission, including employee wage rates, fringe benefits and other direct and**
 10 **indirect overhead charges attributable to such annual licenses.**

11 Note: Additions are *single-underline italics Times New Roman*;
 12 deletions are *strikethrough italics Times New Roman*.
 13 Board amendment additions are double underlined.
 Board amendment deletions are ~~strikethrough normal~~.

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

15

16 Section 1. Findings.

17 The Board of Supervisors finds and declares the following:

18 The San Francisco Entertainment Commission, established effective July 1, 2003,
 19 assumed responsibility from the Police Department for issuing "entertainment-related
 20 permits," including permits for places of entertainment and extended hours premises, as set
 21 forth in Articles 15.1 and 15.2 of the San Francisco Police Code.

22 As part of the enabling legislation creating the Entertainment Commission, the Board of
 23 Supervisors established a policy to set fees for entertainment-related permits and associated
 24 annual licenses at levels sufficient to cover the estimated annual operating costs of the
 25 Commission. This ordinance amends the existing annual license fees for licenses associated

1 with Place of Entertainment permits (Police Code Sections 1060.1-1 and 2.27) and Extended
2 Hours Premises permits (Police Code Sections 1070.1-1 and 2.27). As set forth in the
3 analysis prepared by the Controller's Office, contained in Board of Supervisors File No. _____,
4 the City's estimated annual costs of the Entertainment Commission, including legal services
5 provided by the City Attorney's Office, commission hearings and meetings, staff, employee
6 wage rates, fringe benefits and associated direct and indirect overhead costs attributable to
7 the Commission's ongoing regulatory responsibilities with respect to businesses holding such
8 permits, is reflected in the revised annual license fees.

9 The annual license fee increases imposed by this ordinance will take effect beginning
10 with fiscal year 2006-2007, and will be adjusted annually for inflation or deflation according to
11 the relevant Consumer Price Index, as determined by the Controller, pursuant to Section 2.31
12 of the Police Code. As a result of prior inflation adjustments, the current annual license fee for
13 the 2005-2006 fiscal year for Place of Entertainment permits is \$352.21, and for Extended
14 Hours Premises permits is \$370.00. This ordinance increases the annual license fees for
15 Place of Entertainment permits by \$99.79, from \$352.21 to \$452.00, and for Extended Hours
16 Premises permits by \$100, from \$370.00 to \$440.00.

17
18 Section 2. The San Francisco Police Code is hereby amended by amending Section
19 2.27, to read as follows:

20
21 SEC. 2.27. SCHEDULE OF LICENSE FEES FOR PERMITS ISSUED BY THE
22 POLICE DEPARTMENT OR ENTERTAINMENT COMMISSION.

23 The following license fees are payable to the Tax Collector for permits issued by the
24 Police Department or Entertainment Commission and, when applicable, for their renewal:

25

1 Note: All license fees are at an annual rate unless otherwise indicated.

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

| TYPE OF PERMIT | LICENSE FEE |
|--------------------------------------|----------------|
| Amusement Park | \$ 310 |
| Antique Shop | 52 |
| Auto Wrecker | 408 |
| Ball or Ring Throwing Games | 136 |
| Balloon and Kite Advertising | 75 per quarter |
| Billiard Parlor | |
| First Table | 125 |
| Each Additional Table | 12 |
| Bingo Game | 66 |
| Cabaret | 263 |
| Circus | 275 per day |
| Dance Hall Keeper | 354 |
| Dealer in Firearms and/or Ammunition | 378 |
| Discharge of Cannon | 41 per day |
| Distributor of Advertising | |
| Class A | 112 |
| Class B | 29 |
| Driverless Auto Rental | 269 |
| Encounter Studio | |
| Owner | 426 |
| Employee | 48 |

| | | |
|----|---------------------------------|----------------------|
| 1 | Escort Service | |
| 2 | Owner | 432 |
| 3 | Employee | 75 |
| 4 | Extended Hours Permit | 370 470 |
| 5 | Fortuneteller | 40 |
| 6 | Funeral Procession Escort | 96 |
| 7 | General Soliciting Agent | 74 |
| 8 | Itinerant Show, Each Concession | 36 per day |
| 9 | Junk Dealer | 454 |
| 10 | Junk Gatherer | |
| 11 | Resident | 86 |
| 12 | Nonresident | 86 |
| 13 | Licensed Tour Guide | 128 |
| 14 | Loudspeaker, <i>Commercial</i> | 135 |
| 15 | Masked Ball | 194 per day |
| 16 | Massage Establishment | 463 |
| 17 | Masseur/Masseuse | 75 |
| 18 | Trainee | 75 per 90-day permit |
| 19 | Mechanical Amusement Devices | |
| 20 | First Machine | 256 |
| 21 | Each Additional Machine | 29 |
| 22 | Mechanical Contrivance | |
| 23 | First Machine | 144 |
| 24 | Each Additional Machine | 22 |
| 25 | | |

| | | |
|----|------------------------------------------|------------|
| 1 | Miniature Golf Course | 582 |
| 2 | Assistant | 41 |
| 3 | Museum | 172 |
| 4 | Nude Models in Public Photography Studio | |
| 5 | Owner | 408 |
| 6 | Employee | 75 |
| 7 | Off-Heliport Landing Site | 32 per day |
| 8 | Outcall Massage | 393 |
| 9 | Pawnbroker | 447 |
| 10 | Peddler | |
| 11 | Fish, Vegetables, Fruit | 624 |
| 12 | Food for Human Consumption | 624 |
| 13 | Nonfood | 166 |
| 14 | Employee | 67 |
| 15 | Pedicab Driver | 22 |
| 16 | Pedicab Owner | |
| 17 | First Pedicab | 277 |
| 18 | Each Additional Pedicab | 139 |
| 19 | Photographer, Public Place | |
| 20 | Owner | 172 |
| 21 | Solicitor | 66 |
| 22 | Photographic Solicitor | |
| 23 | Owner | 139 |
| 24 | Employee | 66 |
| 25 | | |

| | | |
|----|--------------------------------------|--------------------|
| 1 | Place of Entertainment | 347 452 |
| 2 | Poker | 261 |
| 3 | Public Bathhouse | 364 |
| 4 | Public Outcry Sales | 246 |
| 5 | Pushcart Peddler | 624 |
| 6 | Recreational Equipment Vendor | 261 |
| 7 | Rodeo Exhibition/Wild West Show | 125 per day |
| 8 | Second Hand Dealer | 53 |
| 9 | Second Hand Dealer, Auto Accessories | 53 |
| 10 | Shooting Gallery | 136 |
| 11 | Skating Rink | 300 |
| 12 | Street Photographer | |
| 13 | Owner | 137 |
| 14 | Solicitor | 67 |
| 15 | Tow Car Driver | 28 |
| 16 | Tow Car Firm | |
| 17 | First Tow Truck | 457 |
| 18 | Each Additional Tow Truck | 182 |
| 19 | Trade-In Dealer | 513 |
| 20 | Valet Parking | |
| 21 | Fixed Location | 222 |
| 22 | Annual Special Event | 139 |
| 23 | Vehicle for Hire, Nonmotorized | 139 |
| 24 | | |
| 25 | | |

1 Section 3. CEQA Findings.

2 The Board of Supervisors finds that the annual license fees for Place of Entertainment
3 permits authorized by Section 1060.1-1 of the San Francisco Police Code and the annual
4 license fees for Extended Hours Premises authorized by Section 1070.1-1 of the San
5 Francisco Police Code are not "projects" as defined by the California Environmental Quality
6 Act pursuant to Public Resources Code Section 21080(b)(8)(A). The Board finds that the
7 annual license fees for such permits, as amended by this ordinance, are for the purpose of
8 meeting operating expenses, including employee wage rates and fringe benefits.

9

10 Section 4. Operative Date.

11 The increases to the annual license fees made by the amendment to Police Code
12 Section 2.27 shall become operative on July 1, 2006.

13

14

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

17 By: _____
18 Dorji Roberts
19 Deputy City Attorney

20

21

22

23

24

25