

1 [Administrative Code Revision – Chapter 9B]
2 ORDINANCE AMENDING CHAPTER 9B OF PART I OF THE SAN FRANCISCO MUNICIPAL
3 CODE (ADMINISTRATIVE CODE), BY AMENDING SECTIONS 9B.1, 9B.4, 9B.5, 9B.6, 9B.7,
4 AND 9B.8, REGARDING THE FLEA MARKET.

5 Note: Additions or substitutions are underlined;
6 deletions are in ((double parentheses)).

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

8
9 Section 1. Chapter 9B of the San Francisco Administrative Code is hereby amended by
10 amending Section 9B.1, to read as follows:

11 **SEC. 9B.1. ESTABLISHMENT AUTHORIZED; APPROVED SALES.** The Agricultural
12 Commissioner ((City Administrator)) is hereby authorized to establish, maintain and direct in
13 the City and County a Flea Market for the sale of collectibles, antiques, and other goods by
14 the owners thereof.

15
16 Section 2. Chapter 9B of the San Francisco Administrative Code is hereby amended by
17 amending Section 9B.4, to read as follows:

18 **SEC. 9B.4. ADMINISTRATION.** The Agricultural Commissioner ((Department of
19 Agriculture under the direction of the City Administrator)) shall administer the operation of the
20 Market.

21
22 Section 3. Chapter 9B of the San Francisco Administrative Code is hereby amended by
23 amending Section 9B.5, to read as follows:

24 **SEC. 9B.5. FEES.** For Fiscal Year 1999-2000((1998-1999)), each vendor shall pay a
25 daily fee of \$30 per stall for each day on which he or she sells. A vendor who pays in advance

1 for an entire month shall receive a 10 percent discount on the total charge for that month.
2 After Fiscal Year 1999-2000((1998-1999)), the Agricultural Commissioner ((City
3 Administrator)) shall propose and the Board of Supervisors shall adopt a new fee schedule for
4 the Market.

5
6 Section 4. Chapter 9B of the San Francisco Administrative Code is hereby amended by
7 amending Section 9B.6, to read as follows:

8 **SEC. 9B.6. RULES AND REGULATIONS.** The Agricultural Commissioner ((City
9 Administrator)) is hereby authorized to make such rules and regulations as he or she shall
10 deem necessary and proper for admission to the Market, assignment of stall space at the
11 Market, expulsion from the Market, maintenance of sanitary conditions at the Market, and safe
12 and orderly conduct of the Market, which rules shall not be in conflict with the provisions of
13 this Chapter but shall be in furtherance thereof. Such rules shall be posted in a conspicuous
14 place or places in the Market.

15
16 Section 5. Chapter 9B of the San Francisco Administrative Code is hereby amended by
17 amending Section 9B.7, to read as follows:

18 **SEC. 9B.7. PERMISSION TO SELL.** Every person has the right to apply for the
19 privilege to sell at the Market provided that he or she meets the following terms and
20 conditions:

21 (a) Files and completes an application, which may include a hold harmless agreement
22 and an agreement to abide by the Market rules and regulations;

23 (b) Agrees to comply with the requirements of all ordinances relating to the operation,
24 use and enjoyment of the facilities or the Market premises;

1 (c) Agrees to comply with all rules and regulations of the Agricultural Commissioner
2 ((City Administrator)) regarding use of the Market facilities.


3
4 Section 6. Chapter 9B of the San Francisco Administrative Code is hereby amended by
5 amending Section 9B.8, to read as follows:

6 **SEC. 9B.8. EXPULSION.** The Agricultural Commissioner ((head of the Department of
7 Agriculture)) or his or her duly authorized representative may expel a vendor from the Market
8 for up to 18 months for violating any provision of this Chapter or any rule or regulation
9 promulgated under the authority of this Chapter. The expulsion must be in writing and must
10 provide the grounds for the expulsion and inform the affected party of the appeal process
11 allowed in Section 9B.9 of this Code. A vendor who has been expelled from the Market shall
12 be ineligible to apply for permission to sell at the Market for the duration of the expulsion. Any
13 vendor who has been expelled from the Market more than twice in a five-year period may,
14 upon the occasion giving grounds for a third expulsion, be indefinitely expelled from the
15 Market.

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17
18 APPROVED AS TO FORM:

19 LOUISE H. RENNE, City Attorney

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22 By:


THOMAS J. OWEN
Deputy City Attorney

23
24
25
SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 991546

Date Passed:

Ordinance amending Administrative Code Sections 9B.1, 9B.4, 9B.5, 9B.6, 9B.7, and 9B.8, regarding the Flea Market.

October 12, 1999 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yee

Absent: 2 - Katz, Yaki

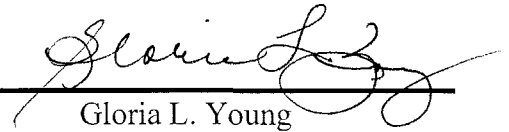
October 18, 1999 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Teng, Yaki, Yee

Absent: 2 - Becerril, Newsom

File No. 991546

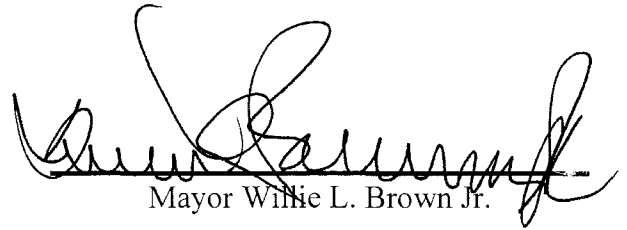
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on October 18, 1999
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

OCT 29 1999

Date Approved



Mayor Willie L. Brown Jr.