

File No. 131032

Committee Item No. 1

Board Item No. 30

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Neighborhood Services & Safety Date November 21, 2013

Board of Supervisors Meeting Date Dec. 10, 2013

#### Cmte Board

- |                                     |                                     |                                              |
|-------------------------------------|-------------------------------------|----------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form (for hearings)             |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU                                          |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER (Use back side if additional space is needed)

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Completed by: Derek Evans Date 11/15/13  
 Completed by: Derek Evans Date 12/5/13

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
 The complete document can be found in the file.

1 [Police Code - Litter Enforcement]

2  
3 **Ordinance amending the Police Code to update the list of City job classifications**  
4 **responsible for enforcement of litter laws and having the power to issue citations for**  
5 **that purpose.**

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.

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

14 Section 1. The Police Code is hereby amended by revising Section 38, to read as  
15 follows:

16 **SEC. 38. ENFORCEMENT OF LITTER LAWS; DESIGNATED OFFICERS AND**  
17 **EMPLOYEES.**

18 The classes of officers or employees of the City and County of San Francisco  
19 hereinbelow set forth may have the duty of enforcing those provisions of state law or the San  
20 Francisco Municipal Code which relate to abatement of nuisance conditions on public property  
21 or the littering of private or public property, including, but not limited to, streets, sidewalks,  
22 parks, squares or recreation areas within said City and County, the removal or abatement of  
23 any such litter from said private or public property or the unauthorized use of litter receptacles.  
24 In addition to any other authority provided by state law or the Municipal Code, each of these  
25 classes of officers or employees may also issue citations imposing administrative penalties  
authorized by Section 39-1.

1	Classification Number	Class Title
2	<u>0922</u>	<u>Manager I (positions assigned to the Recreation and Park</u>
3		<u>Department only)</u>
4	<u>0932</u>	<u>Manager IV (positions assigned to the Department of</u>
5		<u>Public Works only)</u>
6	<u>0933</u>	<u>Manager V (positions assigned to the Department of</u>
7		<u>Public Works only)</u>
8	0941	Manager <u>VI VII</u> (positions assigned to the
9		Department of Public Works only)
10	<u>1310</u>	<u>Public Relations Assistant (positions assigned to the</u>
11		<u>Department of Public Works only)</u>
12	1312	Public Information Officer (positions assigned to the
13		Department of Public Works only)
14	1314	Public Relations Officer (positions assigned to the
15		Department of Public Works only)
16	<u>2716</u>	<u>Custodial Assistant Supervisor</u>
17	<u>2917</u>	<u>Program Support Analyst</u>
18	<u>3130</u>	<u>Arboretum Director</u>
19	<u>3230</u>	<u>Golf Director</u>
20	3234	Harbormaster
21	<u>3287</u>	<u>Assistant Recreation Supervisor</u>
22	<u>3289</u>	<u>Recreation Supervisor</u>
23	<u>3291</u>	<u>Principal Recreation Supervisor</u>
24	3292	Assistant Superintendent, Recreation
25	<u>3418</u>	<u>Gardener Assistant Supervisor</u>

1	3422	<i>Park Section Supervisor</i>
2	3426	<i>Urban Forester</i>
3	3432	<i>Assistant Director, Arboretum</i>
4	3436	<i>Tree Topper Supervisor I</i>
5	3438	<i>Tree Crew Supervisor II</i>
6	3440	<i>Landscaping and Street Planting Supervisor</i>
7	3462	<i>Assistant Director, Golf Course Maintenance</i>
8	3464	<i>Area Supervisor, Parks, Squares and Facilities</i>
9	3466	<i>Assistant Superintendent, Parks, Squares and Facilities</i>
10	5103	<i>Operations Superintendent</i>
11	5170	<i>Superintendent, Street Cleaning and Tree Planting</i>
12	5173	<i>Assistant Superintendent, Street Cleaning and Tree</i>
13		<i>Planting</i>
14	5182	<i>Deputy Director of Engineering</i>
15	<u>0964 5190</u>	Director of Public Works
16	<u>0954 5194</u>	Deputy Director <i>for Operations</i> ( <u>positions assigned to</u>
17		<u>the Department of Public Works only</u> )
18	6120	Environmental Health Inspector
19	6122	Senior Environmental Health Inspector
20	6124	Principal Environmental Health Inspector
21	6126	Chief, Bureau of Environmental Health Services
22	6127	Assistant Chief, Bureau of Environmental Health
23		Services
24	6230	Street Inspector
25	6231	Senior Street Inspector

1	6232	Street Inspector Supervisor
2	7215	General Laborer Supervisor I
3	7281	Street Cleaning <i>Supervisor II General Foreman</i>
4	<u>7514</u>	<u>General Laborer (receiving lead pay only)</u>
5	8208	Park Patrol Officer
6	8210	Head Park Patrol Officer
7	<del>8214</del>	<del>Parking Controlman</del>
8	<del>8280</del>	<del>Environmental Control Officer</del>
9	<del>8282</del>	<del>Senior Environmental Control Officer</del>
10	H4	Inspector, Bureau of Fire Prevention and Public
11		Safety
12	H22	Lieutenant, Bureau of Fire Prevention and Public
13		Safety
14	H32	Captain, Bureau of Fire Prevention and Public Safety
15	H40	Battalion Chief, Fire Department
16	H50	Assistant Chief, Fire Department

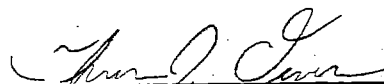
18           Section 2. Effective Date. This ordinance shall become effective 30 days after  
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
21 of Supervisors overrides the Mayor's veto of the ordinance.

23           Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
24 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
25 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal

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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:  
DENNIS J. HERRERA, City Attorney

By:   
THOMAS J. OWEN  
Deputy City Attorney

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**LEGISLATIVE DIGEST**

[Police Code - Litter Enforcement]

**Ordinance amending the Police Code to update the list of City job classifications responsible for enforcement of litter laws and having the power to issue citations for that purpose.**

Existing Law

State law authorizes local agencies to designate "litter control officers, vehicle abatement officers, registered sanitarians, and solid waste specialists" to issue citations for violations of laws relating to abandoned vehicles and littering. (Cal. Penal Code § 830.12.) In Police Code Section 38, the City has identified those classes of City officers and employees who may issue citations for violations of state and local laws relating to abatement of nuisance conditions on public property or littering on private or public property. These officers and employees may also issue citations imposing administrative penalties for violations of local anti-litter laws.

Amendments to Current Law

The proposal is an ordinance that would amend Police Code Section 38 to correct and update the list of those classes of City officers and employees who may issue citations for violations of state and local laws relate to abatement of nuisance conditions on public property or littering on private or public property

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# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee.  
An ordinance, resolution, motion, or charter amendment.
- 2. Request for next printed agenda without reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission     Youth Commission     Ethics Commission
- Planning Commission     Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative**

Sponsor(s):

Cohen

Subject:

Police code - litter enforcement

The text is listed below or attached:

Attached

Signature of Sponsoring Supervisor:

For Clerk's Use Only:



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**From:** Christine.Fountain@sfgov.org  
**Sent:** Tuesday, October 29, 2013 2:42 PM  
**To:** Evans, Derek  
**Subject:** Re: Referral: BOS File No. 131032

Derek,

The SFPD has no issues or concerns with this proposed legislation.

Thank you.

Christine Fountain  
San Francisco Police Department  
Office of the Chief of Police  
850 Bryant Street, Room 525  
San Francisco CA 94103  
Tel: (415) 734-3633  
Fax: (415) 553-1554  
Email: [christine.fountain@sfgov.org](mailto:christine.fountain@sfgov.org)

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-----"Evans, Derek" <[derek.evans@sfgov.org](mailto:derek.evans@sfgov.org)> wrote: -----  
To: "Suhr, Chief" <[chiefsuhr@sfgov.org](mailto:chiefsuhr@sfgov.org)>, "Nuru, Mohammed" <[mohammed.nuru@sfdpw.org](mailto:mohammed.nuru@sfdpw.org)>  
From: "Evans, Derek" <[derek.evans@sfgov.org](mailto:derek.evans@sfgov.org)>  
Date: 10/29/2013 10:23AM  
Cc: "Fountain, Christine" <[christine.fountain@sfgov.org](mailto:christine.fountain@sfgov.org)>, "Lee, Frank" <[frank.w.lee@sfdpw.org](mailto:frank.w.lee@sfdpw.org)>, "Monroe, John" <[john.monroe@sfgov.org](mailto:john.monroe@sfgov.org)>  
Subject: Referral: BOS File No. 131032

Hello,

The Board of Supervisors Neighborhood Services and Safety Committee has received the following legislation, which is being referred to your department for informational purposes.

**File No. 131032**

**Ordinance amending the Police Code to update the list of City job classifications responsible for enforcement of litter laws and having the power to issue citations for that purpose.**

Please submit any comments or reports to the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Derek K. Evans**

**Assistant Committee Clerk**

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Phone: (415) 554-7702 | Fax: (415) 554-5163

[derek.evans@sfgov.org](mailto:derek.evans@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.

<http://www.sfbos.org/index.aspx?page=104>

[attachment "131032\_Police\_DPW - Litter Enforcement.pdf" removed by Christine Fountain/SFPD/SFGOV]