

LEGISLATIVE DIGEST

[Police Code - Entertainment Permits]

Ordinance amending the Police Code to 1) increase the filing fee for One Time Outdoor Amplified Sound Permits; 2) eliminate permit requirements for ball or ring throwing games, dance halls, and masked balls; 3) eliminate referral of Place of Entertainment Permit applications to the Department of Building Inspection (“DBI”); 4) eliminate referral of Limited Live Performance and Fixed Place Outdoor Amplified Sound permits to the Planning Department; 5) relax public notice requirements on the applicant and the Entertainment Commission with respect to applications for Place of Entertainment, Limited Live Performance, and Fixed Place Amplified Sound permits; 6) require the Entertainment Commission to hold a hearing on any application for a One Time Event Permit or One Time Outdoor Amplified Sound Permit in cases where an applicant has previously obtained 12 or more such permits in the same calendar year, rather than the preceding 12 months; 7) for Extended-Hours Permits, eliminate referral to DBI, and eliminate referral to the Department of Public Health and the Fire Department in cases where the applicant or permittee already holds valid permits from those departments; and 8) amend definitions relevant to noise limit enforcement.

Existing Law

Current law imposes a \$435 filing fee for One Time Outdoor Amplified Sound Permits for a period of up to four hours, and \$75 for each additional hour.

Current law requires entertainment permits for anyone seeking to operate a ball or ring throwing game, host a dance outside a private residence, or operate a dance hall.

Current law requires that applications for Place of Entertainment permits be referred to the Department of Building Inspection (“DBI”), along with other departments, prior to approval by the Entertainment Commission.

Current law requires that applications for Limited Live Performance and Fixed Place Outdoor Amplified Sound permits be referred to the Planning Department.

Current law requires that applicants for Place of Entertainment, Limited Live Performance, and Fixed Place Amplified Sound permits distribute leaflets to residences within 150 feet of the venue at least 30 days prior to the permit hearing date, and that the Entertainment Commission provide notice at least 30 days prior to the permit hearing date to any person that has requested that notice.

Current law requires the Entertainment Commission to hold a hearing on an application for a One Time Outdoor Amplified Sound permit if the applicant has obtained such a permit 12 or more times in the preceding 12 months.

Current law requires that applications for Extended-Hours permits be referred to DBI, the Department of Public Health ("DPH") and the Fire Department ("SFFD") in all cases.

Current law includes definitions relevant to noise level enforcement.

Amendments to Current Law

This ordinance would change the filing fee for One Time Outdoor Amplified Sound Permit to \$558, regardless of the length of time permitted.

This ordinance would eliminate the entertainment permit requirements for ball or ring throwing games, dances, and dance halls.

This ordinance would eliminate the DBI referral requirement for Place of Entertainment permit applications.

This ordinance would eliminate the Planning Department referral requirement for applications for Limited Live Performance and Fixed Place Outdoor Amplified Sound permits.

This ordinance would require applicants for Place of Entertainment, Limited Live Performance, and Fixed Place Amplified Sound permits to serve written notice, not limited to leaflets, on any residence located within 150 feet of the venue, at least two weeks, rather than 30 days, prior to the permit hearing date, and would require that the Entertainment Commission provide notice of a permit hearing to persons that have requested such notice, under the ordinary notice rules, and not 30 days prior to the hearing.

This ordinance would require the Entertainment Commission to hold a hearing on an application for a One Time Outdoor Amplified Sound permit if the applicant has obtained such a permit 12 or more times in the same calendar year, rather than in the preceding 12 months.

This ordinance would eliminate the DBI referral requirement for all applications for Extended-Hours permits, and would eliminate the DPH and/or SFFD referral requirements for Extended-Hours permit applications for which the applicant already holds a valid permit from that department.

This ordinance would make minor amendments to the definitions relevant to noise level enforcement.

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