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1 [Repealing the San Francisco Traffic Code and enacting Division I of the San Francisco  
2 Transportation Code, containing all provisions under the jurisdiction of the Board of  
Supervisors.]

3 **Ordinance repealing the San Francisco Traffic Code and enacting Division I of a new**  
4 **San Francisco Transportation Code, setting forth requirements for the regulation of**  
5 **transit, traffic, streets and parking under the jurisdiction of the Board of Supervisors,**  
6 **including the regulation of news gathering vehicles, enforcement authority, parking**  
7 **control, rules for driving, bicycle registration, towing and impoundment, abatement of**  
8 **nuisance vehicles, procedures on the temporary use or occupancy of public streets,**  
9 **violations, and establishment of a procedure for Board of Supervisors review of**  
10 **specified SFMTA decisions.**

11 Note: All text is new.

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

13 Section 1. The San Francisco Traffic Code is hereby repealed in its entirety.

14 Section 2. Division I of the San Francisco Transportation Code is enacted to read as  
15 follows:

16 **ARTICLE 1: DEFINITIONS AND GENERAL PROVISIONS**

17 **SEC. 1.1. DEFINITIONS.**

18 (a) Whenever in this Transportation Code words or phrases are used which are not  
19 defined by the provisions of this Code, but are defined in the Vehicle Code, the definition and  
20 meaning shall be applied as set forth in the Vehicle Code.

21 (b) Any words or phrases that are not defined in the Vehicle Code or in Division II of  
22 this Code shall have the meanings set forth below.

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1           (1)   **Chief of Police.** The Chief of the San Francisco Police Department, or his or  
2 her designee(s).

3           (2)   **City.** The City and County of San Francisco.

4           (3)   **Code.** The Transportation Code of the City and County of San Francisco,  
5 consisting of Division I, under the jurisdiction of the San Francisco Board of Supervisors, and  
6 Division II under the jurisdiction of the Board of Directors of the Municipal Transportation  
7 Agency.

8           (4)   **Director of Public Health.** The Director of the San Francisco Department of  
9 Public Health or his or her designee(s).

10          (5)   **Director of Transportation.** The Executive Director/CEO of the Municipal  
11 Transportation Agency or his or her designee(s).

12          (6)   **Division I.** Division I of the Transportation Code, under the jurisdiction of the  
13 San Francisco Board of Supervisors.

14          (7)   **Division II.** Division II of the Transportation Code, under the jurisdiction of the  
15 San Francisco Municipal Transportation Agency Board of Directors.

16          (8)   **Final SFMTA Decision.** A decision on a matter subject to review by the Board  
17 of Supervisors pursuant to Article 11 because the SFMTA has taken the last action according  
18 to procedures set forth in Division II.

19          (9)   **Fire Chief.** The Chief of the San Francisco Fire Department, or his or her  
20 designee(s).

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1           (10) **Municipal Parking Facility.** An off-street parking lot or off-street parking  
2 garage owned, leased or operated by the City or the Parking Authority of the City and County  
3 of San Francisco.

4           (11) **Municipal Transportation Agency or SFMTA.** The San Francisco Municipal  
5 Transportation Agency.

6           (12) **Park.** To park or stop a vehicle, as defined in the Vehicle Code, or to cause or  
7 permit a vehicle to be parked or stopped, unless the context requires a different meaning.

8           (13) **Parking Control Officer.** A City employee authorized by the Municipal  
9 Transportation Agency to enforce state laws and the San Francisco Municipal Code related to  
10 Parking of vehicles.

11           (14) **Parking Meter.** Any device that, upon payment, registers the amount of time for  
12 which a vehicle is authorized to Park in a particular Parking Space.

13           (15) **Parking Meter Zone.** A geographic area in which on-street Parking may be  
14 controlled by Parking Meters at rates as may be established by the Municipal Transportation  
15 Agency Board of Directors under Section 8A.102(b)(5) of the City Charter.

16           (16) **Parking Permit.** A permit issued by the Municipal Transportation Agency to a  
17 person or a vehicle which, when current, valid and properly displayed, entitles the vehicle or a  
18 vehicle occupied by the person to specified exemptions from the Parking regulations of this  
19 Code.

20           (17) **Parking Space.** A space demarked by painted lines or other indicators for the  
21 Parking of a single vehicle.

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1           (18) **Placard.** A placard issued by a state agency to a person with disabilities  
2 pursuant to Vehicle Code Section 22511.59 that entitles the holder to Parking privileges as  
3 specified in Vehicle Code Sections 22511.5 *et seq.*

4           (19) **Police Officer.** An employee of the San Francisco Police Department  
5 authorized to enforce the criminal laws of the state and the San Francisco Municipal Code.

6           (20) **Port Commission.** The Port Commission of the City and County of San  
7 Francisco.

8           (21) **Port Regulations.** With respect to any property under the jurisdiction of the  
9 San Francisco Port Commission, such parking and traffic conditions and regulations as are  
10 imposed by and on file and available for public inspection at the office of the Port  
11 Commission.

12           (22) **Proof of Payment or Proof of Payment Program.** A fare collection system  
13 that requires transit passengers to possess a valid fare receipt or transit pass upon boarding a  
14 transit vehicle or while in a Proof of Payment Zone, and which subjects such passengers to  
15 inspections for proof of payment of fare by any authorized representative of the transit system  
16 or duly authorized peace officer.

17           (23) **Proof of Payment Zone.** The paid area of a subway or boarding platform of a  
18 transit system within which any person is required to show proof of payment of fare for use of  
19 the transit system.

20           (24) **Public Property.** Property owned by a public agency that is not within the  
21 public right of way.

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1           (25) **Request for Review.** A form submitted to the Clerk of the Board of Supervisors  
2 that seeks Board of Supervisors' review of a Final MTA Decision.

3           (26) **Sidewalk Bicycle.** Any bicycle with wheel diameter of less than 21 inches  
4 overall, including tires.

5           (27) **Special License Plate.** A license plate issued by a state agency to the vehicle  
6 of a person with disabilities pursuant to Vehicle Code Section 5007 that entitles the holder to  
7 Parking privileges as specified in Vehicle Code Sections 22511.5 *et seq.*

8           (28) **Special Traffic Permit.** A permit issued by the Municipal Transportation  
9 Agency required for any obstruction of traffic upon a street or sidewalk area by any  
10 construction, excavation or other activity, to the extent that such activity will not be conducted  
11 in accordance with City contract specifications or with the Municipal Transportation Agency's  
12 "Regulations for Working in San Francisco Streets" (otherwise known as the "Bluebook").

13           (29) **Stand.** A zone established by the Municipal Transportation Agency for the  
14 exclusive use of a class of vehicle or vehicles identified by signs posted at such Stand.

15           (30) **Truck.** A commercial motor vehicle with six or more wheels that is designed,  
16 used, or maintained primarily for the transportation of property.

17           (31) **Truck Loading Zone.** A zone for the exclusive use of Trucks while loading or  
18 unloading freight, subject to any posted time limits.

19           (32) **Vehicle Code.** The Vehicle Code of the State of California as it may be  
20 amended from time to time.

21           (c) Any statutes or regulations of the State of California that are cited in this Code  
22 shall refer to such sections as they may be amended or renumbered to the extent that the  
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1 provisions of any such amended or renumbered section governs substantially the same  
2 subject matter as the former provision referenced in this Code.

3 **SEC. 1.2. CITY UNDERTAKING LIMITED TO PROMOTION OF GENERAL**  
4 **WELFARE.**

5 In undertaking the adoption and enforcement of this Division I, the City is assuming an  
6 undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its  
7 officers or employees, an obligation for breach of which the City is liable in money damages to  
8 any person who claims that such breach proximately caused injury.

9 **SEC. 1.3. APPLICABILITY OF VEHICLE CODE**

10 (a) The provisions of the San Francisco Transportation Code shall be construed in a  
11 manner consistent with the Vehicle Code. Nothing in this Code is intended to narrow or limit  
12 any authority granted to the City by the Vehicle Code.

13 (b) No provisions of Article 10 of this Division I shall be enforceable against an  
14 alleged violator if at the time and place of the alleged violation any sign required by the  
15 Vehicle Code is not in position and sufficiently legible to be seen by an ordinarily observant  
16 person.

17 **SEC. 1.4. SEVERABILITY.**

18 If any section, subsection, sentence, clause or phrase of this Division I is for any  
19 reason held to be unconstitutional, such decision shall not affect the validity of the remaining  
20 portions of this Code. The Board of Supervisors hereby declares that it would have passed  
21 this Code and each article, section, subsection, sentence, clause and phrase thereof,

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1 irrespective of the fact that any one or more articles, sections, subsections, sentences, clause  
2 or phrase be declared unconstitutional.

3 **ARTICLE 2: HISTORIC STREET SIGNS**

4 **SEC. 2.1. HISTORIC DISTRICT STREET SIGNS.**

5 The Director of Transportation shall provide signage displaying information about  
6 designated historic districts on all street signs along the length of any street at each  
7 intersection located within a historic district in the City.

8 **ARTICLE 3: NEWS-GATHERING VEHICLES**

9 **SEC.3.1. DEFINITIONS.**

10 For the purposes of this Article, the following definitions shall apply:

11 (a) News-Gathering Vehicle. A News-Gathering Vehicle is a motor vehicle for which  
12 a Vehicle Press Card has been issued by the Chief of Police while the vehicle is in the control  
13 of a newspaper, radio or television station, or is being operated by an employee of a  
14 newspaper, radio or television station whose primary duty is to gather or photograph news  
15 events.

16 (b) Vehicle Press Card. A Vehicle Press Card is an identification card on a form  
17 approved and signed by the Chief of Police for the use of an authorized News-Gathering  
18 Vehicle.

19 **SEC. 3.2. ISSUANCE OF VEHICLE PRESS CARD.**

20 The Chief of Police shall issue one or more Vehicle Press Cards to a newspaper, radio  
21 or television station upon receipt of an application signed by the managing editor, station  
22 manager, or person of equivalent managerial responsibility, of the newspaper, radio or  
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1 television station. The application shall be on a form approved by the Chief of Police. The  
2 application shall require the applicant to verify in writing that each requested Vehicle Press  
3 Card is for either (a) an identified vehicle owned and operated by the newspaper, radio or  
4 television station and used primarily for the gathering of news, or (b) a person holding a full-  
5 time position with that organization whose duties primarily involve the actual gathering of  
6 news outside of the organization's main office. Each such organization with 12 or more full-  
7 time employees may also apply for one temporary Vehicle Press Cards, and each such  
8 organization with 25 or more full-time employees may also apply for two temporary Vehicle  
9 Press Cards, which Vehicle Press Cards shall be of a distinguishing color and which may be  
10 assigned by the newspaper, radio or television station on an as-needed basis to temporary or  
11 free-lance reporters or photographers when they are engaged in news gathering for that  
12 newspaper, radio or television station, subject to the other restrictions on use set forth in this  
13 Article. In the event the temporary Vehicle Press Cards are being used by a newspaper, radio  
14 or television station in a manner inconsistent with the provisions of this Article, the Chief of  
15 Police shall have the discretion, after a hearing to consider evidence of such misuse and  
16 testimony from the newspaper, radio or television station and other interested persons, to  
17 revoke any or all Vehicle Press Cards then issued to such organization. All Vehicle Press  
18 Cards shall expire at the end of each calendar year, and a new application must be submitted  
19 for reissuance of the card for the following calendar year. The Chief of Police may request  
20 supporting documentation or evidence to verify any information supplied on an application for  
21 a Vehicle Press Card, including verification of an employee's newsgathering duties. Print

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1 media outlets whose publications are not published more frequently than once per month shall  
2 not be eligible to receive Vehicle Press Cards.

3 **SEC. 3.3. DISPLAY OF PRESS CARD.**

4 A person who displays a valid press card issued by the Chief of Police to that person  
5 pursuant to the provisions of Section 939 of the San Francisco Police Code shall be entitled to  
6 pass behind police lines in a vehicle that does not have a Vehicle Press Card; provided,  
7 however, that such access may be denied at the discretion of the Chief of Police to protect the  
8 public health, safety or welfare.

9 **SEC. 3.4. GENERAL PROVISIONS.**

10 Nothing in this Article shall relieve the operator and/or owner of a News-Gathering  
11 Vehicle or the newspaper, radio or television station that holds a Vehicle Press Pass for such  
12 a vehicle from the duty to operate and Park the vehicle with due regard for access of Fire  
13 Department vehicles to any property, and to the safety of all persons and vehicles, nor shall  
14 these provisions protect the owner of the newspaper, radio or television station from the  
15 consequences of reckless disregard for the safety of others.

16 **SEC. 3.5. FEE FOR VEHICLE PRESS CARD.**

17 The Police Department may collect a fee for each Vehicle Press Card issued pursuant  
18 to this Article.

19 **SEC. 3.6. LOCATIONS FOR NEWS-GATHERING VEHICLES.**

20 Provided that the News-Gathering Vehicle complies with all other applicable  
21 requirements, a News-Gathering Vehicle shall not be subject to the provisions of this Code  
22 regulating the Parking of vehicles on any street where Parking is subject to payment of  
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1 Parking Meters, where there are time restrictions for Parking vehicles without a Parking  
2 Permit, or where any other time restriction on Parking is posted.

3 **ARTICLE 4: ENFORCEMENT AUTHORITY**

4 **SEC. 4.1. POLICE COMMISSION REGULATION OF TRAFFIC; CIVILIAN**  
5 **EMPLOYEES AUTHORIZED TO ENFORCE PARKING REGULATIONS.**

6 (a) The Police Commission is hereby authorized to direct, control, divert and  
7 regulate all traffic by means of Police Officers or persons designated as special police officers  
8 limited to the control and direction of traffic by the Chief of Police pursuant to Section 4.127 of  
9 the Charter for the exclusive or main purpose of enforcing the provisions of Division 11 of the  
10 Vehicle Code, and the emergency use of temporary signs and devices.

11 (b) In addition to any grounds for removal of a vehicle authorized by the Vehicle  
12 Code, any Police Officer or Parking Control Officer may authorize the removal of any vehicle  
13 that is Parked in the street, on Public Property or in a Municipal Parking Facility, in  
14 accordance with the provisions of this Code and the Vehicle Code.

15 (b) Any Parking Control Officer employed by the Municipal Transportation Agency  
16 and assigned to the "Robert Greenstrand Disabled Placard Detail" shall have the power and  
17 authority to issue misdemeanor citations for violations of Vehicle Code § 4461.

18 (c) The Director of Transportation shall be empowered to identify staff with authority  
19 to enforce other parking laws and regulations in compliance with the requirements of the  
20 Vehicle Code.

21 **SEC. 4.2. REMOVAL OF UNAUTHORIZED SIGNS.**

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1           The Municipal Transportation Agency is hereby authorized and empowered without  
 2 notice to remove, or cause to be removed, every sign, signal, device or light prohibited by the  
 3 terms of Section 21465, 21466, 21466.5, or 21467 of the Vehicle Code, or may bring or cause  
 4 to be brought, an action as provided by law to abate the nuisance therein declared to exist by  
 5 virtue of such signal, device or light.

6           **SEC. 4.3. AUTHORITY TO CITE VEHICLES ON PUBLIC PROPERTY.**

7           Any Police Officer or Parking Control Officer may issue a citation to the owner or driver  
 8 of, and/or may order the removal of, any vehicle that has been Parked on Public Property in  
 9 violation of any prohibition contained in this Code to the extent authorized by this Code and  
 10 applicable state and federal law.

11           **SEC. 4.4. DIVERTING OF TRAFFIC AND TEMPORARY PARKING RESTRICTIONS.**

12           A Police Officer may divert traffic from any street or area when made necessary or  
 13 advisable by any parade, public assemblage, film or video production, traffic congestion,  
 14 conflagration, building collapse, obstruction on or damage to any street or any other  
 15 emergency.

16           **ARTICLE 5: BICYCLE MESSENGER BUSINESS REGULATION**

17           **SEC. 5.1. RESPONSIBILITY OF BICYCLE MESSENGER BUSINESS;**  
 18 **IDENTIFICATION REQUIRED FOR EMPLOYEES AND BICYCLES.**

19           Every person, firm, partnership, joint venture, association or corporation which  
 20 engages, either on behalf of itself or others, in delivering articles of any kind by bicycle, except  
 21 newspaper businesses making deliveries by bicycle, shall require each of its bicycle-riding  
 22 employees while making deliveries, or otherwise riding a bicycle on behalf of the business, to  
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1 have on his or her person a current California Driver's License or a California Identification  
 2 Card issued by the Department of Motor Vehicles or a photo identification including name,  
 3 residence address and date of birth, issued by said business for which the employee is  
 4 making bicycle deliveries. Said business shall also provide identification of the business on its  
 5 bicycles by affixing to the rear of each bicycle seat, and maintaining, in such a way as to be  
 6 visible when the bicycle is in use, a sign with the business name and the bicycle's individual  
 7 identification number, in a print of 72-point height and Helvetica medium-face type.

**SEC. 5.2. RESPONSIBILITY OF BICYCLE-RIDING EMPLOYEES.**

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 9 Any person while making deliveries, or otherwise riding a bicycle on behalf of a  
 10 business making deliveries by bicycle, shall comply with the provisions of Section 98 of this  
 11 Division I.

**SEC. 5.3. REGISTER AND DAILY LOG.**

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 13 Each business making deliveries by bicycle shall maintain a register of all bicycle-riding  
 14 employees including each employee's name, residence address, date of birth, photograph  
 15 and individual bicycle identification number required in Section 5.1. Each such business shall  
 16 also keep a daily log which lists the name of each messenger working that day and the bicycle  
 17 number assigned to each messenger for that day. Such register and daily log shall be made  
 18 available for inspection by a representative of any law enforcement agency at all times during  
 19 regular business hours.

**ARTICLE 6: BICYCLE REGISTRATION PROGRAM**

**SEC. 6.1. VOLUNTARY REGISTRATION.**

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1 (a) Voluntary Registration. Any bicycle owner, including the owner of a business  
2 that rents bicycles, may register a bicycle in accordance with regulations of the San Francisco  
3 Police Department. Such regulations shall designate locations including commercial bicycle  
4 dealers and public events where bicycle registration may be conducted.

5 (b) Registration Records. The Chief of Police shall maintain records of bicycle  
6 registration that include the bicycle serial number, the registration number, a description of the  
7 bicycle, the name, address and telephone number of the registered owner, and such other  
8 information that the Chief concludes will deter theft, impede frequency of and facilitate  
9 recovery of a stolen bicycle.

10 (c) Bicycle Registration Program. When the Police Department takes possession of  
11 a registered bicycle, the Department shall utilize registration records to notify the registered  
12 owner where the bicycle may be recovered from the Police Department.

13 (d) Bicycle Safety Education. Bicycle and public safety or other relevant educational  
14 information that has been approved by the Chief of Police and the Bicycle Advisory  
15 Committee may be distributed to bicycle registrants at the time the registration is completed.

16 (e) Registration Confidentiality. The disclosure of personal information about a  
17 registered bicycle owner constitutes an unwarranted invasion of personal privacy. Such  
18 information shall not be disclosed except where necessary to the administration of the bicycle  
19 registration program and the detection of bicycle theft and the recovery of stolen bicycles.

20 (f) Report of Program. The Chief of Police shall submit a quarterly report on  
21 voluntary bicycle registration to the Board of Supervisors, the Police Commission, the  
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1 Municipal Transportation Agency, and the Bicycle Advisory Committee. The report shall  
2 include the following:

3 (1) The total number of bicycles registered to date, and the number of all bicycle  
4 registrations completed during the quarter;

5 (2) The number of bicycles found or recovered by the Police Department during the  
6 quarter;

7 (3) The number of registered bicycles found or recovered during the quarter;

8 (4) The number of bicycles that have been reported stolen during the quarter; and

9 (5) The number of bicycles in storage at the end of the quarter, and the number of  
10 bicycles that were disposed of during the quarter by return to owner, sale, dismantling, or any  
11 other means.

12 (g) Termination of Program. In the event this Article is repealed, or the bicycle  
13 registration program is otherwise suspended or terminated, the Chief of Police shall notify all  
14 persons of such termination or suspension who have registered a bicycle within the previous  
15 five years.

16 **SEC. 6.2. ADMINISTRATIVE FEE.**

17 (a) Registration Fee. Upon registration of a bicycle, the Police Department shall  
18 collect a fee in the amount of \$5.00 to recover costs incurred by the Police Department in all  
19 aspects of the administration of the bicycle registration program. Such fee shall be \$5.00 and  
20 shall not exceed costs necessary to the administration of the bicycle registration program and  
21 to the promotion of safe bicycling in San Francisco. The promotion of safe bicycling in San  
22 Francisco shall include efforts by the Police Department to help bicycle owners to remember  
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1 the serial numbers of their bicycles, and to encourage bicycle owners properly to lock their  
2 bicycles. The administrative costs may include, but not be limited to, supplies, computer  
3 equipment, and personnel costs. The fee shall not be subject to the reimbursement provisions  
4 of Chapter 10C of the Administrative Code.

5 (b) Filing Fee. The San Francisco Police Department shall collect a fee in the  
6 amount of \$1.00 for the replacement of a bicycle registration certificate, the filing of a change  
7 of address by the registered owner, or the filing of a transfer of ownership.

8 (c) The fees shall be evaluated and reviewed annually pursuant to the San  
9 Francisco Administrative Code. In the event an ordinance that could repeal this Article so as  
10 to terminate or substantially diminish the protections afforded by the bicycle registration  
11 program is reintroduced before the Board of Supervisors, the Chief of Police shall cause  
12 notice of the prepared ordinance to be mailed to all persons who have registered within the  
13 immediately preceding five years of the date of introduction of the prepared ordinance.

14 (d) Deposit of Revenue. The revenue received by the Police Department through  
15 the collection of the administrative fee shall be deposited with the City and County Treasurer.

16 **SEC. 6.3. BICYCLE REGISTRATION FUND.**

17 (a) Establishment of Fund. There is hereby established the Bicycle Registration  
18 Fund (the "Fund") for the purpose of the deposit and the expenditure of administrative fees  
19 collected by the Police Department for the registration of bicycles pursuant to this Article.

20 (b) Appropriation of Funds. Subject to the budgetary, fiscal and procurement  
21 provisions of the Charter, funds shall be appropriated by the Board of Supervisors to  
22 reimburse the Police Department for the costs of departmental administration of the bicycle  
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1 registration program, and for public information that is administered by the Police Department  
2 that promotes safe bicycling in San Francisco.

3 (c) Report of Expenditures. The Chief of Police shall submit a quarterly report to the  
4 Board of Supervisors, the Police Commission, the Municipal Transportation Agency, and the  
5 Bicycle Advisory Committee that states the expenditures from the Fund for that quarter. The  
6 quarterly report shall state the amount of revenue deposited in the Fund, the remaining  
7 balance at the end of the quarter, and an itemization of expenditures and the purpose of each  
8 expenditure.

9 (d) Balance of Fund. The balance remaining in the Bicycle Registration Fund at the  
10 end of each fiscal year shall be carried forward in the Fund to the following fiscal year for the  
11 purposes provided by this Section.

12 **ARTICLE 7: PARKING AND TRAFFIC ENFORCEMENT FUNDS AND FEES**

13 **SEC. 7.1. ADMINISTRATIVE FEE- POLICE DEPARTMENT AND MUNICIPAL**  
14 **TRANSPORTATION AGENCY.**

15 (a) A fee to reimburse the City and County for costs incurred in the administration of  
16 the procedures for removing vehicles shall be charged by the San Francisco Police  
17 Department to the owner of a vehicle removed pursuant to Sections 22651(h), 22651(p),  
18 22655.5 or 22850.5 of the Vehicle Code. Such charges collected for the removal or storage of  
19 vehicles shall not be subject to the reimbursement provisions of Chapter 10C of the  
20 Administrative Code.

21 (b) The Chief of Police shall propose the fee authorized by Subsection (a). The fee  
22 shall not go into effect until approved, by resolution, by the Board of Supervisors. The fee

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1 shall not exceed an amount that covers the City's average actual costs for the removal,  
 2 impoundment, storage, and release of vehicles. The fee imposed pursuant to this Section  
 3 shall not be taken into account in determining the maximum fee that may be charged by the  
 4 tow car operator to the owner of a removed vehicle as provided in this Code, nor shall the  
 5 administrative fee imposed pursuant to this Section be taken into account in determining  
 6 whether a fee charged by the tow car operator to the owner of removed vehicle is excessive.

7 (c) The Chief of Police, with the approval of the Police Commission, is hereby  
 8 authorized to adopt such rules, regulations and procedures as he or she determines are  
 9 necessary for the department to impose, collect and administer the fee imposed by this  
 10 Section.

11 **SEC. 7.2. TRAFFIC OFFENDER FUND.**

12 (a) Establishment of Fund. There is hereby established a special fund for the  
 13 purpose of receiving and expending fees collected for the impoundment of vehicles from the  
 14 public right of way. Said special fund shall be known and designated as the Traffic Offender  
 15 Fund.

16 (b) Expenditure of Monies. The appropriation of all monies in the Traffic Offender  
 17 Fund ("Fund") shall be made exclusively for the purposes of the Traffic Offender Program.  
 18 The Traffic Offender Program shall include the enforcement of, education for, and prosecution  
 19 of a suspended or revoked driving privilege, unlicensed driver, and persons driving under the  
 20 influence of alcohol or drugs. Expenditures shall include, but not be limited to, purchase of  
 21 equipment, contractual services, material and supplies, any other technology necessary to  
 22 prosecute the case, and personnel costs, including salary and benefits for a Deputy District  
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1 Attorney and a part-time law clerk, specifically provided to the program. The administration of  
2 the Fund shall conform to the provisions of the Charter, annual appropriation ordinance, and  
3 the procurement procedures as prescribed by the Controller and the Office of Contract  
4 Administration.

5 (c) Accumulation of Monies in Fund. The balance remaining in the Traffic Offender  
6 Fund at the close of any fiscal year shall be deemed to have been provided for a specific  
7 purpose and shall be carried forward and accumulated in said Fund for the purposes recited  
8 herein.

9 **SEC. 7.3. USE OF PARKING METER AND GARAGE REVENUE--ESTABLISHMENT**  
10 **OF PARKING REVENUE FUND.**

11 All funds obligated to pay debt service from the Parking Revenue Fund, the Parking  
12 Meter Revenue Account, or the Off-Street Parking Fund pursuant to Section 213 of the former  
13 San Francisco Traffic Code, shall continue to be used for such purposes pursuant to all  
14 approved debt and contractual obligations existing as of January 1, 2008. Any subsequent  
15 expenditures from such funds shall be made in accordance with Section 8A.105 of the San  
16 Francisco Charter.

17 **SEC. 7.4. SERVICE AUTHORITY ESTABLISHED.**

18 (a) A Service Authority for the Abatement of Abandoned Vehicles is hereby  
19 established pursuant to the provisions of Section 22710 of the Vehicle Code. The members of  
20 the Municipal Transportation Agency Board of Directors shall serve ex officio as the members  
21 of the Service Authority for the Abatement of Abandoned Vehicles. Except as otherwise  
22 provided in this Article 7, the Service Authority shall have all of the powers and be subject to  
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1 all of the conditions, restrictions and obligations that are set forth in Section 22710 of the  
2 California Vehicle Code.

3 (b) Imposition of a service fee of \$1 on vehicles registered to an owner with an  
4 address in the City and County of San Francisco for deposit in the Abandoned Vehicle Trust  
5 Fund, as permitted by Section 9250.7 of the Vehicle Code, is hereby approved, and the  
6 Service Authority for the Abatement of Abandoned Vehicles is authorized to enact a resolution  
7 imposing such service fee pursuant to said Section 9250.7.

8 **ARTICLE 8: ABATEMENT OF NUISANCE VEHICLES FROM PRIVATE PROPERTY**

9 **SEC. 8.1. PUBLIC NUISANCE: FINDINGS AND DECLARATIONS.**

10 The Board of Supervisors makes the following findings and declarations:

11 The accumulation and storage of abandoned, wrecked, dismantled, or inoperative  
12 vehicles or parts thereof on private property or Public Property creates conditions tending to  
13 reduce the value of private property, to promote blight and deterioration, to invite plundering,  
14 to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and  
15 safety of minors, to create harborage for rodents and insects and to be injurious to the health,  
16 safety and general welfare. Accordingly, the presence of an abandoned, wrecked, dismantled  
17 or inoperative vehicle or parts thereof, on private property or Public Property, except as  
18 expressly permitted by the San Francisco Municipal Code, is hereby declared to constitute a  
19 public nuisance that may be abated as such in accordance with applicable laws.

20 **SEC. 8.2. DEFINITIONS.**

21 (a) The term "abandoned vehicle" means any vehicle, or part thereof, left Parked or  
22 otherwise unattended for 72 or more consecutive hours.

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1 (b) The term "cost of removal" means the actual cost incurred by the Director of  
2 Public Health in removing, causing the removal of, storing of and/or disposing of abandoned,  
3 wrecked, dismantled or inoperative vehicle(s) and/or vehicle parts.

4 (c) The term "cost of administration" means the cost incurred by the Director of  
5 Public Health in carrying out the requirements of this Article, not including the cost of removal.

6 (d) The term "hearing officer" means the Director of Public Health.

7 (e) The term "order" means the official findings and conclusions arrived at by the  
8 Director of Public Health following a public hearing conducted pursuant to this Article.

9 (f) The term "property owner" means the owner of the real property on which the  
10 vehicle(s) and/or vehicle parts are located, as shown on the last equalized assessment roll.

11 (g) The term "owner of the vehicle" or "vehicle owner" means the last registered  
12 owner and legal owner of record.

13 **SEC. 8.3. EXCEPTIONS.**

14 This Article shall not apply to:

15 (a) A vehicle or part thereof which is completely enclosed within a building or behind  
16 a fence in a lawful manner where it is not visible from the street or other Public Property or  
17 private property; or

18 (b) A vehicle or part thereof which is stored or Parked in a lawful manner on private  
19 property in connection with the business of a licensed dismantler, licensed vehicle dealer, or  
20 when such storage or Parking is necessary to the operation of a lawfully conducted business  
21 or commercial enterprise.

22 **SEC. 8.4. SCOPE OF REGULATION.**

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1           This Article is not the exclusive regulation of abandoned, wrecked, dismantled or  
 2 inoperative vehicles within the City. It shall supplement and be in addition to the other  
 3 regulatory codes, statutes, and ordinances heretofore or hereafter enacted by the City, the  
 4 State of California, or any other legal entity or agency having jurisdiction.

5           **SEC. 8.5. ENFORCEMENT BY HEALTH DEPARTMENT.**

6           Except as provided elsewhere in this Code, with respect to the abatement of  
 7 abandoned vehicles from Public Property and private property, the provisions of this Article  
 8 shall be administered and enforced by the Director of Public Health. The Director of Public  
 9 Health may enter upon private property to examine vehicle(s) or parts thereof, or obtain  
 10 information as to the identity of a vehicle and to remove or cause the removal of a vehicle or  
 11 part thereof declared to be a nuisance pursuant to this Code when there are reasonable  
 12 grounds to believe that a vehicle or parts thereof is abandoned, wrecked, dismantled or  
 13 inoperative.

14           **SEC. 8.6. DIRECTOR OF TRANSPORTATION TO ENTER INTO CONTRACTS.**

15           The Director of Transportation is hereby authorized to enter into contracts on behalf of  
 16 the City for the removal and disposal of vehicles and/or vehicle parts which are ordered  
 17 removed by the Director of Public Health, and the Municipal Transportation Agency may  
 18 recover actual costs for such removal and disposal from the Department of Public Health.  
 19 The Director of Public Health may charge the owner of the parcel of land on which the vehicle  
 20 or part thereof is located a fee not in excess of actual costs of removal and disposal.

21           **SEC. 8.7. INDEPENDENT CONTRACTORS.**

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1           When the Director of Transportation has contracted with or granted a franchise to any  
 2 person or persons, such person or persons shall be authorized to enter upon private property  
 3 or Public Property to remove or cause the removal of a vehicle or parts thereof declared to be  
 4 a nuisance in this Code.

5           **SEC. 8.8. FIXING COST OF ADMINISTRATION.**

6           The Director of Public Health shall from time to time determine and fix an amount to be  
 7 assessed as an administrative fee (excluding the actual cost of removal and disposal) for the  
 8 actual costs of implementing this Article.

9           **SEC. 8.9. AUTHORITY TO CAUSE ABATEMENT.**

10          Upon discovering the existence of an abandoned, wrecked, dismantled, or inoperative  
 11 vehicle, or parts thereof, on private property or Public Property within the City, the Director of  
 12 Public Health shall have the authority to cause the abatement and removal thereof in  
 13 accordance with the procedure prescribed herein and applicable state law.

14          **SEC. 8.10. NOTICE OF INTENTION TO ABATE AND REMOVE ABANDONED**  
 15 **VEHICLES.**

16          A 10-day notice of intention to abate and remove the vehicle, or parts thereof, as a  
 17 public nuisance shall be mailed by registered or certified mail to the property owner and to the  
 18 vehicle owner, unless the vehicle is in such condition that identification numbers are not  
 19 available to determine ownership. The notice of intention shall be in substantially the following  
 20 form:

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1 NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED,  
2 DISMANTLED, OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC  
3 NUISANCE

4 [name and address of property owner]

5 This is to notify you, the property owner shown on the last equalized assessment roll of  
6 the property located at [address] ("Property"), that the Department of Public Health has  
7 determined that there are abandoned, wrecked, dismantled or inoperative vehicle(s) and/or  
8 vehicle parts registered to [name of vehicle owner], license number [vehicle license number(s)  
9 if identifiable], located on the Property which constitute(s) a public nuisance pursuant to the  
10 provisions of San Francisco Transportation Code Article 8.

11 You must abate the nuisance by removing the vehicle and/or vehicle parts within 10  
12 days from the date of this notice. If you do not remove the vehicle or request a hearing within  
13 10 days, the Department of Public Health will undertake to abate the nuisance. The cost of  
14 abatement by the Department of Public Health, including administrative costs, may be  
15 assessed to you as owner of the Property.

16 How to Request a Public Hearing

17 As owner of the Property, you may request a public hearing within 10 days by  
18 submitting a written request to the Department of Public Health, at [mailing address, fax  
19 number, email address]. Any request for a public hearing must be postmarked no later than  
20 the 10th day following the date of this notice. If you do not make a request for a public  
21 hearing within 10 days, the Director of Public Health has the authority to abate and remove

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1 the vehicle and/or vehicle parts as a public nuisance, and to assess the costs, including  
2 administrative costs, to you.

3 How to Request a Hearing for which Your Presence is not Required

4 You may submit a signed written statement within such 10-day period denying  
5 responsibility for the presence of the vehicle and/or vehicle parts on the Property and  
6 explaining the reason why you should not be held responsible for the removal of the vehicle(s)  
7 and/or vehicle parts, or for the cost of their removal. Any such statement must be  
8 postmarked no later than the 10th day following the date of this notice, and will be construed  
9 as a request for hearing at which your presence is not required.

10 Right to Appear in Hearing

11 You may appear in person at any hearing requested by you or the owner of the vehicle,  
12 or, in lieu thereof, may present a signed written statement in time for consideration at such  
13 hearing.

Notice Mailed _____	s/ _____
[Date]	[Locally Designated Officer]

17 NOTICE OF INTENTION TO ABATE AND REMOVE AN ABANDONED, WRECKED,  
18 DISMANTLED OR INOPERATIVE VEHICLE OR PARTS THEREOF AS A PUBLIC  
19 NUISANCE

20 [Name and address of last registered and/or legal owner of record of vehicle– notice  
21 should be given to both the property owner and the vehicle owner if different]



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1 This is to notify you, the last registered and/or legal owner(s) of record of the following  
 2 vehicle(s): [make, model year, color of vehicle], license number [vehicle license number(s) if  
 3 identifiable], that the Department of Public Health has determined that said vehicle(s) and/or  
 4 parts of vehicles are abandoned, wrecked, dismantled or inoperative at the property located at  
 5 [address] ("Property"), and constitute(s) a public nuisance pursuant to the provisions of San  
 6 Francisco Transportation Code Article 8.

7 You are hereby notified to abate said nuisance by the removal of said vehicle(s) and/or  
 8 parts of vehicles within 10 days from the date of mailing of this notice.

9 How to Request a Public Hearing

10 As owner of the Property, you may request a public hearing within 10 days by  
 11 submitting a written request to the Department of Public Health, at [mailing address, fax  
 12 number, email address]. Any request for a public hearing must be postmarked no later than  
 13 the 10th day following the date of this notice. If you do not make a request for a public  
 14 hearing within 10 days, the Director of Public Health has the authority to abate and remove  
 15 the vehicle and/or vehicle parts as a public nuisance.

Notice Mailed _____	s/ _____
[Date]	[Locally Designated Officer]

20 **SEC. 8.11. REQUEST FOR PUBLIC HEARING BY INTERESTED PARTIES.**

21 Upon written request by the vehicle owner or the property owner received by the  
 22 Director of Public Health within 10 days after the date of the notices of intention to abate and  
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1 remove, a public hearing shall be held by the Director of Public Health on the question of  
 2 abatement and removal of the vehicle or parts thereof as an abandoned, wrecked, dismantled  
 3 or inoperative vehicle, and the assessment of the administrative costs and the cost of removal  
 4 of the vehicle or parts thereof against the property on which it is located.

5 If the property owner submits a sworn written statement denying responsibility for the  
 6 presence of the vehicle on the property within such 10-day period, said statement shall be  
 7 construed as a request for a hearing which does not require the attendance of the property  
 8 owner. Notice of the hearings shall be mailed, by registered or certified mail, at least 10 days  
 9 before the hearing to the property owner and to the vehicle owner, unless the vehicle is in  
 10 such condition that identification numbers are not available to determine ownership. If such a  
 11 request for hearing is not received within 10 days after mailing of the notice of intention to  
 12 abate and remove, the City shall have the authority to abate and remove the vehicle or parts  
 13 thereof as a public nuisance without holding a public hearing.

14 **SEC. 8.12. CONDUCT OF HEARING: NOTIFICATION OF FINDINGS: IMPOSITION**  
 15 **OF COSTS.**

16 All hearings conducted pursuant to this Article shall be held before the Director of  
 17 Public Health. Testimony at the hearing may include the testimony on the condition of the  
 18 vehicle or parts thereof and the circumstances concerning its location on the said private  
 19 property or Public Property. The Director of Public Health shall not be limited to the judicial  
 20 rules of evidence. The property owner may appear in person at the hearing or present a  
 21 sworn written statement in time for consideration at the hearing, and deny responsibility for  
 22 the presence of the vehicle on the property, stating the reasons for such denial.

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1           The Director of Public Health may impose such conditions and take such other action  
2 as he or she deems appropriate under the circumstances to carry out the purpose of this  
3 Article. The Director of Public Health may delay the time for removal of the vehicle or parts  
4 thereof, if in his or her opinion, the circumstances justify it. At the conclusion of the public  
5 hearing, the Director of Public Health may find that a vehicle or parts thereof has been  
6 abandoned, wrecked, dismantled, or is inoperative on private property or Public Property and  
7 order the same removed from the property as a public nuisance, and may determine the  
8 administrative costs and the cost of removal and disposal to be charged against the property  
9 owner. The order requiring removal and disposal shall include a description of the vehicle or  
10 parts thereof and the correct identification number and license number of the vehicle, if  
11 available.

12           If it is determined at the hearing that the vehicle was placed on the land without the  
13 consent of the property owner and that the property owner has not subsequently acquiesced  
14 in its presence, the Director of Public Health shall not assess the costs of administration or  
15 removal or disposal of the vehicle against the property upon which the vehicle is located or  
16 otherwise attempt to collect such costs from the property owner.

17           If the property owner submits a sworn written statement denying responsibility for the  
18 presence of the vehicle on the property but does not appear, or if an interested party makes a  
19 written presentation to the Director of Public Health but does not appear, the property owner  
20 shall be notified in writing of the decision.

21           **SEC. 8.13. DISPOSAL OF VEHICLE.**

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1 Five days after adoption of the order declaring the vehicle or parts thereof to be a  
 2 public nuisance or five days from the date of mailing of notice of the decision if such notice is  
 3 required by Section 8.12, the vehicle or parts thereof, shall be removed and disposed of in  
 4 accordance with applicable legal requirements.

5 **SEC. 8.14. NOTICE TO DEPARTMENT OF MOTOR VEHICLES.**

6 Within five days after the date of removal of the vehicle or parts thereof, notice shall be  
 7 given to the Department of Motor Vehicles identifying the vehicle or parts thereof removed. At  
 8 the same time there shall be transmitted to the Department of Motor Vehicles any evidence of  
 9 registration available, including registration certificates, certificates of title and license plates.

10 **SEC. 8.15. ASSESSMENT OF COSTS AGAINST LAND.**

11 If the administrative costs and the cost of removal which are charged against the  
 12 property owner pursuant to Section 8.12 are not paid within 30 days of the date of the order,  
 13 such costs shall be assessed against the parcel of land pursuant to Section 25845 of the  
 14 Government Code and shall be transmitted to the Tax Collector for collection. Said  
 15 assessment shall have the priority as other City taxes.

16 **SEC. 8.16. IMPOSITION OF FINE ON THE OWNER OF AN ABANDONED**  
 17 **VEHICLE.**

18 The Director of Public Health is hereby authorized to impose a fine upon the owner of  
 19 any vehicle removed this Article, in accordance with Section 22523 of the Vehicle Code, for  
 20 the reimbursement of the costs of removal and administration of the abandoned vehicle  
 21 program.

22 **SEC. 8.17. CONTINUING APPROPRIATION ACCOUNT.**

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1           There is hereby created in the General Fund a continuing appropriation account  
 2 entitled "The Abandoned Vehicle Abatement and Removal Fund." This account shall be  
 3 credited with such sums as may be appropriated by the Board of Supervisors, amounts  
 4 collected by the Director of Public Health or the Director of Transportation, sums received in  
 5 payment of special assessments and moneys received from the Abandoned Vehicle Trust  
 6 Fund pursuant to Section 9250.7 of the California Vehicle Code. Expenditures from said Fund  
 7 shall be made to pay for the abatement and removal of nuisances pursuant to this Article. All  
 8 moneys received from the Abandoned Vehicle Trust Fund shall be segregated and used only  
 9 for abatement, removal and disposal of abandoned, wrecked, dismantled or inoperative  
 10 vehicles or parts thereof. In the event that the unexpended balance in said account, excluding  
 11 moneys received from the Abandoned Vehicle Trust Fund, shall exceed \$200,000, such  
 12 excess shall be transferred to the unappropriated balance of the General Fund.

**ARTICLE 9: TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS**

**SEC. 9.1. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND  
TRANSPORTATION (ISCOTT).**

16           There is hereby established a committee to be known as the Interdepartmental Staff  
 17 Committee on Traffic and Transportation (ISCOTT), consisting of the department heads or  
 18 their designated representatives from the following departments and agencies: Municipal  
 19 Transportation Agency, Public Works, Police, Fire, Public Health, and Entertainment  
 20 Commission. The Director of Transportation or his or her designee shall serve as Chair of  
 21 ISCOTT. The Director of Administrative Services or his or her designee shall review recycling  
 22 plans submitted pursuant to Section 9.5 and recommend any conditions to ISCOTT that

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1 should be imposed on any applicant. In exercising its powers the Committee shall consult  
 2 with any other City department or agency that could be affected by any temporary use or  
 3 occupancy of a public street. The Committee shall have the authority to take all acts  
 4 reasonably necessary for it to carry out any duties imposed upon it by law. Before acting on  
 5 any application for temporary use or occupancy of public streets, street fair or an athletic  
 6 event, ISCOTT shall conduct a public hearing at a publicly noticed time and place to be  
 7 determined by the Committee.

8 **SEC. 9.2. REQUEST FOR PERMISSION FOR TEMPORARY USE OR OCCUPANCY**  
 9 **OF PUBLIC STREETS; PROCEDURE.**

10 (a) Any person seeking permission for the temporary use or occupancy of a public  
 11 street within the City shall file an application with, and on a form provided by, the SFMTA, and  
 12 shall pay the filing fee established by the SFMTA Board of Directors.

13 (b) An application shall not be accepted or approved for a proposed temporary use  
 14 or occupancy scheduled to occur fewer than 30 calendar days after the application is  
 15 submitted to the Municipal Transportation Agency, except as follows in this paragraph:

16 (i) An application for a proposed temporary use or occupancy scheduled to  
 17 occur fewer than 30 calendar days after the application date may be filed for emergency  
 18 consideration. The Director of Transportation shall consider the request if the applicant has  
 19 demonstrated that an extraordinary emergency exists that requires the closing of a street, and  
 20 provided that there is adequate time available for the Municipal Transportation Agency to  
 21 conduct the required public hearing and post notice of the scheduled hearing at least 72 hours  
 22 in advance of the hearing.

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1           (ii)     The Mayor's Film and Video Arts Commission (the "Film Commission"),  
2 or other successor commission or division of the Mayor's office, may file with the Director of  
3 Transportation an application on behalf of a film or other video production company (which  
4 company shall be responsible for the payment of all applicable fees) for a proposed temporary  
5 use or occupancy scheduled to occur fewer than 30 calendar days after the application date,  
6 provided that there is adequate time available for the Director of Transportation to conduct the  
7 required public hearing and post notice of the scheduled hearing at least 72 hours in advance  
8 of the hearing. The Film Commission (or the film company on whose behalf the application  
9 was made) shall (A) notify residents, merchants and other occupants of the public street(s) to  
10 be closed of the dates proposed for street closure, and (B) notify any and all affected City  
11 departments, including the Police Department and the Department of Public Works.

12           (c)     The completed application shall include, when applicable, maps and/or drawings  
13 which identify the streets that would be affected, describe the scope and design of the event,  
14 including illustrations of the location of staging, food booths, seating, and a diagram of an  
15 emergency access plan. In addition, the Director of Transportation may request such  
16 additional information as is necessary to allow ISCOTT to make an informed evaluation of the  
17 proposed temporary use or street occupancy. In the case of "major events," as defined in  
18 Section 9.3, applicants shall submit an emergency medical services plan.

19           (d)     Applicants shall be responsible for posting notice of the public hearing at least  
20 seven calendar days prior to the hearing at which the application will be reviewed by ISCOTT.  
21 Such notice shall include a description of the streets that would be affected and shall be  
22 posted in the area of the proposed temporary use or street occupancy according to rules and  
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1 regulations prescribed by the Director of Transportation. A declaration under penalty of perjury  
2 shall be submitted to the Director of Transportation by the applicant attesting that the required  
3 public notices have been posted.

4 (e) ISCOTT Review and Approval Process. In reviewing an application, ISCOTT  
5 shall: Consider the impact of the temporary use or occupancy of public streets on the traffic,  
6 security, health, and safety of the public; determine the traffic, security, health, and safety  
7 requirements of the proposed temporary use or occupancy; and evaluate the measures  
8 proposed by the applicant to satisfy those requirements. For major events, ISCOTT shall  
9 forward the applicant's proposed emergency medical services plan to the Director of  
10 Emergency Medical Services and Emergency Operations Section (EMSEO). ISCOTT shall  
11 consider the recommendations of EMSEO regarding the proposed emergency medical  
12 services plan. It shall be the duty of ISCOTT to also consider the following:

13 (1) Demonstrated ability of the applicant to comply with requirements necessary to  
14 protect the safety, health, and welfare of the public.

15 (2) Duration of the temporary use or street occupancy and the City's ability to  
16 accommodate such use or occupancy with the necessary resources.

17 (3) Overextension of the City's resources because of previously approved  
18 temporary use or occupancy of public streets or other activities that could cause scheduling  
19 conflicts during the same period.

20 (4) The availability of an appropriate emergency access plan.

21 (5) The number of major events (as defined in Section 9.3 below) scheduled during  
22 the period for which the applicant seeks a permit, the nature and location of the major events,  
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1 and the demand these major events will have on the City's resources, including its police,  
2 emergency and sanitation personnel. In considering the major events for which applications  
3 have been filed and/or approved, ISCOTT should give priority based on the chronological  
4 order in which the applications are received, and applicants denied permission on the basis  
5 that there are too many major events already approved or pending for approval shall be  
6 offered alternative dates by ISCOTT. Notwithstanding this provision, ISCOTT may, in its  
7 discretion, grant preference to recurring events traditionally or historically associated with a  
8 particular day or dates, provided that applications, once approved, cannot be revoked  
9 because of the subsequent filing of an application for a permit for an event traditionally or  
10 historically associated with a particular day or dates.

11 (6) If the application is related to a filming project to be conducted by the applicant,  
12 ISCOTT shall notify the Film Commission (or other successor commission or division of the  
13 Mayor's office) and shall consider such conditions and criteria as the Film Commission shall  
14 attach to the application.

15 (f) ISCOTT may impose additional requirements or conditions it deems necessary  
16 to protect the public interest by ensuring traffic management, security of property and health  
17 and safety of citizens. At the time ISCOTT reviews the application, it shall also determine the  
18 necessity of and the total estimated actual costs incurred by the Municipal Railway to run  
19 motor coaches to accommodate the rerouting of electrically powered transit vehicles because  
20 of restrictions which are imposed by the temporary street closing. The applicant shall pay a  
21 fee to the SFMTA based on the number of electrically powered vehicle hours per line affected.  
22 For purposes of this provision, "vehicle hour" shall mean the number of hours each coach on  
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1 a line is in operation during the day of the street closing. If the application is approved,  
2 ISCOTT shall transmit to the applicant an invoice for the fee. The applicant shall make full  
3 payment of the fee no later than five days prior to the date of the street closing, or in  
4 accordance with a schedule agreed to by the Director of Transportation. ISCOTT shall not  
5 disapprove any application for a temporary use or occupancy of public streets because of the  
6 applicant's political, religious, or cultural orientation.

7 (g) ISCOTT shall take action to approve or disapprove an application within 30 days  
8 of receipt of a complete application. Notice of ISCOTT's action of approval or disapproval  
9 shall be submitted to the Chief of Police; the Fire Chief; the Director of Public Health; the  
10 Director of Public Works; and the Executive Director of the Entertainment Commission, and  
11 be maintained as a matter of record. For major events, notice of ISCOTT's action of approval  
12 or disapproval shall also be submitted to the Director of EMSEO.

13 (h) Appeals Process. Should the application be disapproved by ISCOTT, the  
14 applicant may first appeal the decision to the Director of Transportation if the application was  
15 filed at least 30 days prior to the date of the proposed temporary use or occupancy. Such  
16 appeal shall be made by filing the appeal with the Director of Transportation on a form  
17 provided by the Municipal Transportation Agency within five working days of disapproval.  
18 Upon receipt, the Director of Transportation shall set a time and place for hearing such  
19 appeal. In considering the appeal the Director of Transportation shall conduct a public  
20 hearing for which notice shall be posted at least 72 hours in advance of the hearing at the  
21 Municipal Transportation Agency, at the main library, and at the Office of the Clerk of the  
22 Board of Supervisors.

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1           (i)     At the appeal hearing, the appellant and members of ISCOTT shall have an  
2 opportunity to present oral testimony and written materials in support of their positions. The  
3 Director of Transportation shall consider the same criteria as set forth in Section 9.2(e). Upon  
4 hearing the appeal, and after any further investigation by the Director of Transportation, the  
5 Director of Transportation may affirm, reverse, or modify the ISCOTT decision. Notice of the  
6 Director of Transportation's action of approval or disapproval shall be submitted to the Chief of  
7 Police, the Fire Chief, the Director of Public Health, the Director of Public Works, and the  
8 Executive Director of the Entertainment Commission and shall be maintained as a matter of  
9 record.

10           (j)     If the Director of Transportation denies the application after the appeal described  
11 in the preceding paragraph, the applicant may then appeal the decision to the Board of  
12 Supervisors. Such appeal shall be made by filing the appeal with the Clerk of the Board, on a  
13 form provided by the Clerk, within five working days of the Director of Transportation's  
14 disapproval. The Board may establish a fee to be imposed upon the filing of any such appeal.  
15 Upon receipt, the Clerk shall set a time and place for hearing such appeal by the Board of  
16 Supervisors, which hearing shall be at the Board's next regular meeting, provided that all  
17 applicable public notice requirements are satisfied. The Board shall conduct the hearing  
18 according to the same standards of review as set forth in Section 9.2(e) hereof. Upon hearing  
19 the appeal, and after any further investigation that the Board may request, the Board may  
20 affirm, reverse or modify the Director of Transportation's decision. The decision of the Board  
21 regarding the appeal shall be final. The Clerk of the Board shall transmit copies of any  
22 legislation approving a temporary street closing to the Director of Public Works, Chief of  
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1 Police, the Fire Chief, the Superintendent of Emergency Hospital Service of the Department of  
2 Public Health, the Executive Director of the Entertainment Commission, and to the Director of  
3 Transportation. For major events, the Clerk shall transmit copies of any legislation approving  
4 a temporary street closing to the Director of EMSEO.

5 (k) Any permission for the temporary use of occupancy of a public street authorized  
6 pursuant to these provisions shall be subject to the conditions set forth in Sections 9.7 and  
7 9.8.

8 (l) Late Application. Should the applicant file an application for a proposed  
9 temporary use or occupancy fewer than 30 days prior to the date of the proposed use or  
10 occupancy, and not far enough in advance of the proposed use or occupancy to allow  
11 ISCOTT to consider the application at a regularly scheduled meeting of ISCOTT, then the  
12 Director of Transportation shall have the responsibility and duty to consider and approve or  
13 disapprove the application after consulting with the members of ISCOTT. The Director of  
14 Transportation shall conduct a public hearing for which notice shall be posted at least 24  
15 hours in advance of the hearing at the Municipal Transportation Agency, the main library, and  
16 at the Office of the Clerk of The Board of Supervisors. At the hearing, the applicant and  
17 interested persons shall have an opportunity to present oral testimony and written materials in  
18 support of their position. The Director of Transportation shall conduct the hearing according to  
19 the same standards of review as set forth in Section 9.2(e) hereof. Notice of the Director of  
20 Transportation's action of approval or disapproval shall be submitted to the Chief of Police,  
21 the Chief of the Fire Department, the Director of Public Health, the Director of Public Works,  
22 and the Executive Director of the Entertainment Commission, and shall be maintained as a

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1 matter of record. In the event the Director of Transportation disapproves the application, the  
 2 applicant shall have the right to appeal the Director of Transportation's decision to the Board  
 3 of Supervisors in accordance with the same terms and conditions as set forth in Section  
 4 9.2(e).

5 **SEC. 9.3. MAJOR EVENTS DEFINED.**

6 "Major events" are those events, including athletic events and street fairs, involving any  
 7 of the following: The use or occupancy of more than five blocks, the expected attendance or  
 8 participation of more than 1,000 people at any one time, or the rerouting of more than three  
 9 Municipal Railway transit lines. "Major events" shall also include any sports events at  
 10 Candlestick Park with expected attendance of more than 50,000 people, or any parade  
 11 governed by the provisions of Police Code Section 366 et seq.

12 **SEC. 9.4. INSURANCE.**

13 Sponsors of major events shall be required to provide an insurance policy naming the  
 14 City as an additional insured, in a form approved by the Office of Risk Management.  
 15 Coverage shall be in an amount of \$1,000,000 or more, as determined by the Office of Risk  
 16 Management. This insurance requirement shall be waived by the Committee of the Board  
 17 where the event constitutes the exercise of rights protected under the First Amendment to the  
 18 United States Constitution, and the event sponsor submits a sworn statement of indigence.

19 **SEC. 9.5. RECYCLING, COLLECTION AND DISPOSITION.**

20 (a) Any applicant seeking permission for the temporary use or occupancy of a  
 21 public street, a street fair or an athletic event within the City and County for an activity or  
 22 special event that includes dispensing of beverages from glass, aluminum, or plastic  
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1 containers, or which causes to be generated large amounts of other recyclable materials, shall  
2 be required to submit a plan demonstrating a good-faith effort to provide a method to separate  
3 glass, aluminum and plastic beverage containers or other materials for the purpose of  
4 recycling.

5 (b) Disposition of Recyclable Materials. Prior to the review by ISCOTT of such  
6 application, the applicant shall submit to the chair of ISCOTT the following information:

7 (1) A plan which describes the number and location of source-separated recycling  
8 containers which are necessary to ensure convenient utilization and protect public health and  
9 safety; and

10 (2) Documentation that collection services shall be performed by a private or  
11 nonprofit source.

12 (c) Collection of Recyclable Containers. At the time ISCOTT considers the  
13 application, it shall determine that all of the necessary information has been submitted and  
14 that the measures proposed by the applicant shall provide for the collection and disposition of  
15 source-separated materials. The applicant shall pay a deposit in the amount of \$100, for each  
16 day of the event, to the Director of Public Works, at the time the application is filed, which  
17 shall be forfeited if applicant fails to collect recyclable materials and deposit said materials at a  
18 recycling facility. Such deposit shall be refunded in full to the permittee, by the Director of  
19 Public Works, upon receipt of documentation which verifies that the collected material was  
20 disposed at an appropriate recycling facility.

21 (d) The Director of Public Works shall maintain records for a period of three years  
22 which document the recycling performance of the applicant when a temporary use of a public  
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1 street is permitted. If an applicant for a temporary street closing, street fair or athletic event  
 2 has been granted approval in the past pursuant to a permit issued by the City and County of  
 3 San Francisco and failed to collect and dispose recyclable beverage containers, ISCOTT may  
 4 require the applicant to pay a deposit in an amount greater than that normally required, so  
 5 long as the increased amount is reasonably related to the anticipated costs of collecting and  
 6 disposing of recyclable materials. However, if an applicant who has failed to comply with a  
 7 recycling plan in the past has, since that occurrence, temporarily used a public street, or  
 8 sponsored a street fair or athletic event pursuant to a permit and has complied with a  
 9 recycling plan, the amount of the deposit normally required of applicants shall apply.

10 (e) The Director of Administrative Services shall promulgate any rules and  
 11 regulations necessary or appropriate to carry out the purposes and requirements of this  
 12 Article. Before issuing or amending any rules or regulations, the Director of Administrative  
 13 Services shall provide a 30-day public comment period by providing published notice in an  
 14 official newspaper of general circulation in the City of the intent to issue or amend the  
 15 regulations.

16 **SEC. 9.6. TEMPORARY USE OF STREETS FOR STREET FAIRS.**

17 (a) Definitions. For the purpose of this Section, the following definitions shall apply:

18 (1) To "issue" a permit is to deliver to an applicant for a street fair permit written  
 19 permission to sponsor or hold a street fair at a specified date and location.

20 (2) "Sponsor" means that organization responsible for organizing a street fair and  
 21 authorized to represent the street fair before City agencies and officials.

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1           (3)    A "street fair" means a social or community event, not including an athletic event  
 2 or parade, in which any group of persons convene to celebrate their community or  
 3 neighborhood on any street in the City and County of San Francisco which event obstructs or  
 4 interferes with the normal flow of vehicular traffic.

5           (b)    Applying for Temporary Use of Street for Street Fair. Notwithstanding any other  
 6 provisions of this Code or the San Francisco Administrative Code, the regulation of street  
 7 fairs, including the processes for obtaining permits from the City for conducting these street  
 8 fairs and the payment of associated fees to the City, shall be governed by this Section. In  
 9 order to provide for the safe, orderly and cost-effective conduct of street fairs, any  
 10 organization seeking permission for the temporary use of a street for the purpose of  
 11 conducting a street fair shall file an application with the Director of Transportation no later than  
 12 90 days prior to the proposed date for the event. Applications shall be submitted on forms  
 13 prepared by the Director of Transportation after conferring with the appropriate  
 14 representatives from the Police Department, Fire Department, Department of Public Health,  
 15 the Department of Public Works, and the Entertainment Commission. At the time of filing an  
 16 application under this Section, the sponsoring organization shall also file an application fee  
 17 established by the Municipal Transportation Agency Board of Directors.

18           (c)    Timeliness of Applications. No person submitting an application after the  
 19 deadlines set forth in this Article shall be granted permission to conduct a street fair in the  
 20 corresponding period unless the person demonstrates to the satisfaction of the Director of  
 21 Transportation that the failure to submit a timely application was justified by extraordinary  
 22 circumstances; provided, however, that in no event shall an applicant be permitted to file an  
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1 application less than 60 days prior to the proposed date for the event. A late fee established  
2 by the Municipal Transportation Agency Board of Directors shall be assessed for untimely  
3 filed applications.

4 (d) Review of Application.

5 (1) Upon receiving an application for permission for the temporary use of a street for  
6 purposes of conducting a street fair, the Director of Transportation shall review the application  
7 to determine whether the information required in the application has been provided. If the  
8 Director of Transportation determines that the applicant has failed to provide the information  
9 required, the Director of Transportation shall, within five business days of receiving the  
10 application, notify the applicant of what additional information is required. If the applicant fails  
11 to provide the additional information required within five business days of notification by the  
12 Director of Transportation, the applicant's application shall be deemed to be untimely filed;  
13 provided, however, that upon good cause shown the Director of Transportation may extend  
14 this five-day period. Except as provided in Subsection (2) of this Section, the Director of  
15 Transportation shall transmit the completed application to ISCOTT.

16 (2) If, upon reviewing the application, the Director of Transportation determines that  
17 the proposed street fair will be contained within one block in such a manner that no  
18 intersections will be closed, and that the proposed street fair will not require the rerouting of  
19 Municipal Railway vehicles, the Director of Transportation may grant the street fair permit  
20 without referring the application to ISCOTT, provided however that the Director of  
21 Transportation shall transmit copies of the applications to the constituent members of ISCOTT  
22 for informational purposes. The Director of Transportation will calculate the fee to be charged

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1 to the sponsor using the same schedule and in the same manner as prescribed in Subsection  
2 (f) of this Section. If such a street fair will include the sale of food or beverages, the  
3 appropriate permits shall be obtained from the Department of Public Health no later than 14  
4 days prior to the date of the event. If such a street fair will include the use of propane or  
5 butane (liquefied petroleum gas), open flames, pyrotechnics and fireworks, or tent or  
6 membrane structure, the appropriate permits shall be obtained from the Fire Chief no later  
7 than 10 days prior to the date of the event.

8 (e) Review by ISCOTT; Recommendation. Except as provided in Subsection (d)(2)  
9 of this Section, no later than 60 days prior to the proposed date of the street fair, ISCOTT  
10 shall review the application and shall recommend that the Director of Transportation grant,  
11 deny, or grant with conditions the application for a permit. The Director of Transportation may  
12 accept or reject the recommendation of ISCOTT, and may grant, deny or grant with conditions  
13 the application for a permit. Upon granting permission to conduct a street fair, the Director of  
14 Transportation shall cause all necessary permits to be issued to the sponsor of the street fair.  
15 If the Director of Transportation denies permission to conduct the street fair, the Director of  
16 Transportation shall state in writing his or her reasons for the denial.

17 (f) Fee. No later than 60 days prior to the proposed date of the street fair and in  
18 consultation with other City departments, ISCOTT shall determine the fee to be charged for  
19 the permit pursuant to the schedule below. No other fee for conducting a street fair shall be  
20 required or assessed. All fees paid by the sponsors for street fair permits shall be deposited in  
21 the City Treasury and allocated by the Controller to the appropriate City departments. The fee

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1 shall be based on the actual costs to the City of temporarily closing the street for the street  
 2 fair, pursuant to the following fee schedule:

3 TABLE INSET:

5 (1)	6 Fire Department:		
7	(A)	Application fee: \$135.00	
8	(B)	Inspection fee--Food vendors using propane, butane,	
9		charcoal briquettes or open flame:	
10		(i)	First Day of Street Fair:
11			1 to 10 food vendors: \$172.00
12			11 to 20 food vendors: \$342.00
13			21 to 30 food vendors: \$514.00
14			31 food vendors and over:
15			\$685.00
16		(ii)	Each Consecutive Day of Street
17			Fair:
18			1 to 20 food vendors: \$172.00
19			21 food vendors and over:
20			\$342.00
21	(C)	LPG heaters: \$172.00 and \$43.00 for each hour after	
22		four hours of service. Whenever an LPG heater is used in a	

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		tent where a public assembly event is held, one inspector shall be on duty during the duration of the operation of the heater, pursuant to Section 2501.18.1 of the Municipal Fire Code.	
	(D)	Tents or membrane structures	
		Permit fee: \$153.00	
	(E)	Fireworks or pyrotechnics	
		Permit fee: \$94.00	
(2)		Department of Public Health: Application and permit fees payable to the Department of Public Health under this Section shall be the same as those charged for temporary food permits for special events as governed by Section 249.11 of the Business and Tax Regulations Code.	
(3)		Municipal Railway fee: Fee to be established by the Municipal Transportation Agency.	
(4)	(A)	Street fairs where alcoholic beverages are served:	
		100 percent of the projected Police Department costs incurred by reason of the street fair, subject to the following	

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TABLE INSET:

ATTENDANCE	MAXIMUM FEE
0 to 100,000 patrons	\$5,494.07
100,001 to 250,000 patrons	\$10,988.14
More than 250,000 patrons	\$21,976.28

TABLE INSET:

		The Police Department, working with the sponsor, shall provide an estimate of attendance for the event for purposes of determining the applicable cap.	
	(B)	Street fairs where alcoholic beverages are not served:	
		Police Department: 40 percent of the projected Police Department costs incurred by reason of the street fair; provided, that this fee shall not exceed \$2,793.49. ISCOTT shall waive all or part of this fee upon a showing that the sponsors of the event are unable to pay the full fee.	

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If the Director of Transportation grants the application for a permit, he or she shall transmit to the sponsor an invoice for the fee. The sponsor of the street fair shall make full payment of the fee no later than 10 days prior to the date of the event.

(g) Insurance. Street fair sponsors shall be required to file with the Director of Transportation proof of insurance in accordance with Section 9.7(l).

(h) Conditions. In addition to any other conditions imposed by the Director of Transportation, any street fair conducted pursuant to this Article shall be subject to the conditions set forth in Section 9.7.

(i) Appeals. Any appeal from the denial of the issuance of a permit to conduct a street fair, from the imposition of conditions on the issuance of a permit, or the determination or refund of fees shall be to the Board of Supervisors. Such appeal shall be made by filing with the Clerk of the Board, on a form provided by the Clerk of the Board, within 10 days of the Director of Transportation's approval or disapproval or the determination or refund of fees. The Board may establish a fee to be imposed upon the filing of any such appeal. Upon receipt, the Clerk shall set a time and place for hearing such appeal by the Board of Supervisors, which shall be at its next regular meeting in conformance with public notice requirements. At the appeal hearing, the appellant and Director of Transportation shall have an opportunity to present oral testimony and written materials in support of their positions. Upon hearing the appeal, and after any further investigation that the Board may request, the

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1 Board may affirm, reverse, or modify the Director of Transportation's decision on the issue  
2 appealed.

3 (j) Notice. The Director of Transportation shall transmit copies of the granting of  
4 permission to conduct a street fair to the Chief of Police, the Fire Chief, the Director of Public  
5 Works, the Executive Director of the Entertainment Commission, the Director of the  
6 Environmental Health Section of the Department of Public Health and the Superintendent of  
7 Emergency Hospital Service of the Department of Public Health.

8 (k) Authorization to Sell Goods; Unauthorized Sales. The sponsor of a street fair  
9 shall determine which individuals or organizations may sell goods or merchandise on a street  
10 that has been closed for the purposes of conducting a street fair, provided, however, that such  
11 authorization shall not be withheld on the basis of the race, sex, religion, creed, national origin  
12 or sexual orientation of the person seeking such authorization. Individuals seeking to sell  
13 goods or merchandise in a street that has been closed for the purpose of a street fair without  
14 the authorization of a sponsor may be cited for violating San Francisco Police Code Section  
15 869 (peddling without a permit). Nothing in this Section shall be construed to deprive the  
16 Department of Public Health of its authority to determine that foods or beverages may be sold.

17 (l) Refund of Fees. If for any reason a sponsor cancels a proposed street fair, the  
18 sponsor shall be entitled to a refund of that portion of the fees paid, other than application  
19 fees, representing the costs saved by City departments by reason of the cancellation of the  
20 street fair.

21 (m) Annual Reports. No later than December 1st of each year, the Chief of Police  
22 and the Director of Transportation shall provide to the Board of Supervisors written reports  
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1 setting forth in detail the Police Department and Municipal Transportation Agency's costs,  
2 respectively, associated with street fairs for that year.

3 (n) Annual Adjustment of Fees. Fees set in this Section, including the caps on fees  
4 for police services, may be adjusted each year, without further action by the Board of  
5 Supervisors or the Municipal Transportation Agency Board of Directors, to reflect changes in  
6 the relevant Consumer Price Index, as determined by the Controller. No later than April 15th  
7 of each year, the officer, department, or agency administering the fees shall submit its current  
8 fee schedule to the Controller, who shall apply the Consumer Price Index adjustment to  
9 produce a new fee schedule for the following year. No later than May 15th of each year, the  
10 Controller shall file a report with the Board of Supervisors and the Municipal Transportation  
11 Agency Board of Directors reporting the new fee schedule and certifying that: (a) the fees  
12 produce sufficient revenue to support the costs of providing the services for which each fee is  
13 assessed, and (b) the fees do not produce revenue which is significantly more than the costs  
14 of providing the services for which each fee is assessed.

15 **SEC. 9.7. CONDITIONS.**

16 Any permission for the temporary use or occupancy of a public street authorized by the  
17 City shall be subject to the following conditions:

18 (a) The temporary use or occupancy of a public street shall not unnecessarily  
19 obstruct or bar public access onto said street. Sidewalks shall remain open at all times for  
20 pedestrian use unless closure of the sidewalk is provided for by resolution of the Board of  
21 Supervisors explaining the reason for such closure.

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1 (b) No object of any nature shall be placed or maintained within 15 feet of any fire  
2 hydrant or within five feet of any fire alarm box or police call box.

3 (c) No object of any nature shall be placed or maintained within any intersection or  
4 pedestrian crosswalk nor shall any vehicle be permitted to be Parked in such areas.

5 (d) A continuous passageway in the roadway at least 14 feet in width shall be  
6 maintained at all times during the period of such use or occupancy for the use of emergency  
7 vehicles.

8 (e) No object of any nature shall be fastened to or erected over the surface of the  
9 street or sidewalk, and no object shall be affixed to any pole or standard upon any street or  
10 sidewalk, without prior written consent of the Director of Public Works.

11 (f) Painting upon any street or sidewalk surface shall be permitted only if a  
12 washable paint is used.

13 (g) Adequate illumination of area shall be maintained at all times such illumination is  
14 appropriate.

15 (h) Official traffic-control devices and traffic signal controllers shall not be covered or  
16 blocked at any time during the period of such use or occupancy.

17 (i) Street barricades determined by the Police Department as being necessary to  
18 protect the public's safety shall be delivered by the Police Department; shall be maintained in  
19 said locations at all times during the period of such use or occupancy by the permittee; and  
20 shall be collected by the Police Department upon termination of the period of said use or  
21 occupancy.

22 (j) All manhole covers and valve box covers shall be kept clear of any fixed object.

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1 (k) All streets and sidewalks within the area for which such permission is granted  
2 shall be kept clean and free from dirt and debris at all times during the period of such  
3 temporary use or occupancy, and all materials and equipment used in connection with said  
4 temporary use and occupancy shall be removed therefrom within 24 hours of the termination  
5 of the period of such use or occupancy. The Director of Public Works shall report any  
6 violations of this Subsection to the Board of Supervisors.

7 (l) Applicants for permission to hold a street fair on a predominantly commercial  
8 street shall comply with the following requirements for insurance coverage. For purposes of  
9 this Subsection, a "predominantly commercial street" shall mean a street block on which at  
10 least 50 percent of front footage of private property on the ground floor of the street is used for  
11 commercial purposes. A street block shall be measured from street intersection to street  
12 intersection, but shall not include any alley intersection.

13 (1) Applicants shall maintain in force, during the full term of the permit, insurance as  
14 follows:

15 (A) General Liability Insurance with limits not less than \$500,000 each  
16 occurrence Combined Single Limit Bodily Injury and Property Damage, including Contractual  
17 Liability, Personal Injury, Broadform Property Damage, Products and Completed Operations  
18 Coverages;

19 (B) If any vehicles will be operated by the applicant in connection with street  
20 fair activities under the permit, Automobile Liability Insurance with limits not less than  
21 \$500,000 each occurrence Combined Single Limit Bodily Injury and Property Damage,  
22 including owned, nonowned and hired auto coverages, as applicable; and  
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1 (C) If the applicant has employees, Workers' Compensation with Employers'  
2 Liability limits not less than \$500,000 each accident. General Liability and Automobile Liability

3 (2) Insurance policies shall be endorsed to provide the following:

4 (A) Name as additional insureds the City and County of San Francisco, its  
5 officers, agents and employees;

6 (B) That such policies are primary insurance to any other insurance available  
7 to the Additional Insureds with respect to any claims arising out of activities under the permit,  
8 and that insurance applies separately to each insured against whom claim is made or suit is  
9 brought.

10 (3) Certificates of insurance, in format and with insurers satisfactory to the City  
11 evidencing all applicable coverages shall be furnished to the City not less than 10 working  
12 days prior to the date of the event and before commencing any operations under the permit,  
13 with complete copies of policies to be furnished to the City upon request.

14 (4) The insurance requirement of this Subsection shall be waived by the Board of  
15 Supervisors if the applicant certifies in writing that (1) the purpose of the street fair is First  
16 Amendment expression and that (2) the cost of obtaining insurance is so financially  
17 burdensome that it would constitute an unreasonable prior restraint on the right of First  
18 Amendment expression, or that it has been impossible for the applicant to obtain insurance  
19 coverage.

20 (m) Signs shall be posted pursuant to San Francisco Health Code Sections 265  
21 through 265.3 wherever alcohol is offered for sale.

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1 (n) Such further conditions as may be imposed by the Department of Public Works  
2 after inspection of the area involved.

3 **SEC. 9.8. EXCEPTIONS.**

4 The provisions of Sections 9.1 through 9.7 of this Article shall not be applicable to  
5 permits issued by the Director of Public Works pursuant to the provisions of Section 724 of the  
6 Public Works Code or to the temporary use or occupancy of a public street by a school where  
7 the school is using the street area for play purposes during specified hours of the school day.

8 **SEC. 9.9. TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS BY THE**  
9 **SAN FRANCISCO UNIFIED SCHOOL DISTRICT FOR DEBARKATION AND**  
10 **EMBARKATION OF STUDENTS: DUTIES.**

11 Notwithstanding the conditions set forth in Section 9.7 of this Article, any school of the  
12 San Francisco Unified School District receiving permission for the temporary use or  
13 occupancy of a public street within the City and County pursuant to Section 9.1 of this Article  
14 for the debarkation and embarkation of students from buses, shall be solely responsible for:

15 (a) The procurement and placement of all street barricades necessary for the  
16 establishment of the requested student debarkation and embarkation of bus zones;

17 (b) The placement on or near said barricades of clearly visible signs of a uniform  
18 type prohibiting the Parking of vehicles adjacent to said barricades; and

19 (c) The handling of school buses at loading zones within areas enclosed by said  
20 barricades.

21 **SEC. 9.10. ATHLETIC EVENTS.**

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1 Notwithstanding any other provision of this Code, the regulation of athletic events as  
 2 defined herein, including the processes for obtaining permits from the City for conducting  
 3 these athletic events and the payment of associated fees to the City, shall be governed by  
 4 Sections 9.10 through 9.14.

5 For the purposes of this Article, an "athletic event" is an event in which a group of  
 6 people collectively engage in a sport or form of physical exercise on any street in the City,  
 7 which event obstructs or interferes with the normal flow of vehicular traffic. An "athletic event"  
 8 includes, but is not limited to, jogging, bicycling, race walking, roller skating or running. Any  
 9 event taking place entirely on property under the jurisdiction of the Recreation and Parks  
 10 Department shall be exempt from this Article.

11 **SEC. 9.11. ATHLETIC EVENTS; DESIGNATION OF ROUTES.**

12 (a) The increasing number of athletic events being held on City streets places a  
 13 significant burden on the City and its inhabitants. Athletic events provide entertainment and  
 14 recreation for San Franciscans and people throughout the Bay Area, as well as promoting and  
 15 supporting tourism in the City. But closing off several major streets at the same time to  
 16 accommodate a race often causes hardship in the daily lives of local residents, widespread  
 17 disruption of public transit service, increased litter on public streets and sidewalks, and  
 18 potential interference with emergency services. By adopting this ordinance, the Board of  
 19 Supervisors intends to reconcile the City's interest in promoting athletic events with the right of  
 20 its citizens to the quiet enjoyment of their own neighborhoods.

21 (b) Athletic events requiring temporary street closings shall be limited in location to  
 22 routes previously designated as appropriate by the Board of Supervisors. These routes shall  
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1 be drawn up by ISCOTT and approved by resolution of the Board of Supervisors. In  
 2 designating these routes, ISCOTT and the Board shall consider the effect of the designation  
 3 upon: Local traffic patterns; Municipal Railway routes; the ability of the Police Department and  
 4 the Department of Public Works to provide special services to the event; the safe and efficient  
 5 delivery of police, fire and emergency medical services to the affected neighborhoods; the  
 6 safety of participants in the event; and, the rights of participants, residents and local  
 7 businesses to the reasonable use and enjoyment of City streets.

8 (c) Any person seeking permission to conduct an athletic event as defined in  
 9 Section 9.10 shall file an application. The filing of an application and its processing shall be  
 10 governed by the same processes, application fees, appellate procedures, Municipal Railway  
 11 fees, and other requirements contained in Section 9.2, which sets forth the procedures for  
 12 requesting permission for temporary use or occupancy of public streets. A street closing for an  
 13 athletic event shall be restricted to those routes designated pursuant to this Section. The  
 14 applicant may, as part of the application, request a waiver of this restriction. In considering a  
 15 request for a waiver, the City may take into account the extent to which the event has been  
 16 held along a particular route prior to the application date if that same route has been in use  
 17 continuously for a period of three or more years. An applicant's request for a waiver shall be  
 18 granted to the extent that a change of route is required by the Police Department for reasons  
 19 of public safety.

20 **SEC. 9.12. ATHLETIC EVENTS; PUBLIC NOTICE.**

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1 (a) ISCOTT shall mail a copy of any application for a temporary street closing for an  
 2 athletic event to any community group or neighborhood association that has previously  
 3 requested in writing to be notified of such applications.

4 (b) If the temporary street closing is approved, the applicant shall cause notices of  
 5 the event to be conspicuously posted on both sides of the street along the entire route, at not  
 6 more than 300 feet in distance apart on each street so posted, but not less than three notices  
 7 on each street forming part of the route. The notices shall be posted not less than 72 hours  
 8 prior to the scheduled start of the event. The applicant shall remove the notices within 48  
 9 hours after the completion of the event, or be liable for the costs of removal by the City  
 10 pursuant to Article 10 of the San Francisco Police Code.

11 Each notice shall be headed "STREET CLOSED FOR ATHLETIC EVENT" in letters  
 12 not less than one inch in height, and shall in legible characters (1) briefly describe the event to  
 13 be held; (2) identify the date and time the event is to take place; and, (3) warn that the street  
 14 will be closed to traffic at that time.

15 **SEC. 9.13. ATHLETIC EVENTS; COST RECOVERY--POLICE.**

16 (a) An application for a temporary street closing for an athletic event shall be  
 17 deemed a request for police department services within the meaning of Sections 10B.1  
 18 through 10B.5 of the San Francisco Administrative Code. If the temporary street closing is  
 19 approved, the Chief of Police may detail such personnel to police the event in the number and  
 20 for the period of time the Chief determines to be necessary to perform the services. If the on-  
 21 site services of two or more police officers are required during the event, the applicant shall be  
 22 liable for the cost of police services, including field investigation needed to determine

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1 manpower requirements, and shall be responsible for indemnifying and holding harmless the  
2 City and County of San Francisco and the police personnel as required by Section 10B.2.

3 (b) Upon approval of a temporary street closure for an athletic event, a sum of  
4 money which the Chief of Police estimates will be necessary to cover the costs of services  
5 pursuant to Section 10B.2 of the Administrative Code shall be due. No temporary street  
6 closure shall be deemed effective until such sum of money is deposited with the Chief of  
7 Police of the City and County of San Francisco and the applicant presents to the Chief of  
8 Police proof of such deposit. The sum of money required pursuant to this paragraph shall be  
9 deposited at least one calendar week before the scheduled event. If the applicant does not  
10 deposit the sum required within the time limit specified, the temporary street closing shall be  
11 deemed denied, or, if the street closing already has been approved, revoked.

12 (c) Within a reasonable time after the event is over, the Chief of Police shall  
13 determine the amount of money necessary to cover the cost of services provided by the  
14 Police Department pursuant to Section 10B.2 of the Administrative Code. If the deposit  
15 pursuant to Subsection (b) hereof is insufficient to cover the cost of police services, the Chief  
16 of Police shall notify the applicant by United States mail to the address listed on the  
17 application and the applicant shall have ten days to pay the balance. If the amount deposited  
18 exceeds the actual costs, the Chief of Police shall authorize a refund of the excess to the  
19 applicant at the address shown on the application.

20 (d) If the applicant or sponsor cancels the event after personnel have been  
21 assigned to police it and such personnel have begun that duty, the applicant shall be liable for  
22 the time expended by police personnel pursuant to Section 10B.2 of the San Francisco  
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1 Administrative Code, but in no case for less than two hours per employee. If the temporary  
2 street closure is revoked, the money deposited for the costs of police services pursuant to this  
3 Article shall be refunded.

4 **SEC. 9.14. ATHLETIC EVENTS; COST RECOVERY--PUBLIC WORKS.**

5 (a) An application for a temporary street closing for an athletic event shall be  
6 deemed a request for Department of Public Works services within the meaning of Sections  
7 10B.11 through 10B.15 of the San Francisco Administrative Code. If the temporary street  
8 closing is approved, the Director of Public Works may detail such personnel to provide street-  
9 cleaning and related services for the event in the number and for the period of time the  
10 Director of Transportation determines to be necessary to perform the services. The applicant  
11 for the temporary street closing shall be liable for the cost of street-cleaning and related  
12 services, including field investigation needed to determine manpower requirements, and shall  
13 be responsible for indemnifying and holding harmless the City and County of San Francisco  
14 and the Department of Public Works personnel as required by Section 10B.12.

15 (b) Upon approval of a temporary street closing for an athletic event, a sum of  
16 money which the Director of Public Works estimates will be necessary to cover the costs of  
17 services pursuant to Section 10B.12 of the Administrative Code shall be due. No approval  
18 shall be deemed effective until such sum of money is deposited with the Director of Public  
19 Works. The sum of money required pursuant to this paragraph shall be deposited at least one  
20 calendar week before the scheduled event. If the applicant does not deposit the sum required  
21 within the time limit specified, the application for a temporary street closing shall be deemed  
22 denied, or, if the street closing has already been approved, revoked. The Director of Public  
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1 Works may waive the advance deposit requirement if the particular event has not required  
 2 additional street-cleaning or related services for the past three years. The applicant shall,  
 3 however, remain liable for the costs of any additional services actually required.

4 (c) Within a reasonable time after the event is over, the Director of Public Works  
 5 shall determine the amount of money necessary to cover the cost of services provided by the  
 6 Department of Public Works pursuant to Section 10B.12 of the Administrative Code. If the  
 7 deposit pursuant to Subsection (b) hereof is insufficient to cover the cost of street-cleaning  
 8 and related services, the Director of Public Works shall notify the applicant by United States  
 9 mail to the address listed on the application and he or she shall have ten days to pay the  
 10 balance. If the amount deposited exceeds the actual costs, the Director of Public Works shall  
 11 authorize a refund of the excess to the applicant at the address shown on the application.

12 (d) If the Board of Supervisors has approved a temporary street closing for an  
 13 athletic event and the applicant cancels the event after personnel have been assigned to  
 14 provide street-cleaning and related services to the event and such personnel have begun that  
 15 duty, the applicant shall be liable for the time expended by Department of Public Works  
 16 personnel pursuant to Section 10B.12 of the San Francisco Administrative Code. If a  
 17 temporary street closing is revoked, the money deposited for the costs of street-cleaning and  
 18 related services pursuant to this Article shall be refunded.

19 **SEC. 9.15. MONITORED BICYCLE PARKING AT PUBLIC EVENTS.**

20 The Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), or  
 21 other applicable permitting authority, is authorized and encouraged in its discretion to require,  
 22 and develop guidelines regarding, monitored bicycle parking at appropriate large permitted  
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1 public events. The sponsor of the public event may provide such monitoring service or ensure  
 2 that such monitored bicycle parking is available in local garages or other similar facilities. If  
 3 the sponsor provides monitored bicycle parking, the sponsor may charge a nominal fee for  
 4 such service. The amount of such fee shall be included as part of the sponsor's permit  
 5 application. If the sponsor is unable to ascertain the fee amount at the time of the permit  
 6 application, the sponsor may submit a fee schedule to ISCOTT, or other applicable permitting  
 7 authority, as soon as possible but no later than 10 days before the event.

**ARTICLE 10: VIOLATIONS.**

**SEC. 10.1 TRAFFIC CODE SECTION NUMBERING.**

8  
 9  
 10 Police Officers and Parking Control Officers shall have the authority to issue citations  
 11 for violations of this Code by citing either the former Traffic Code section number applicable to  
 12 the violation as set forth in parenthesis at the end of each subdivision below, the current  
 13 Transportation Code section or the applicable Vehicle Code section number, without affecting  
 14 the validity of the citation.

**SEC. 10.2 CIVIL INFRACTIONS.**

15  
 16 In addition to civil infractions created by the Vehicle Code, the actions listed in this  
 17 Section 10.2 are prohibited, and each and every violation of a prohibition listed below shall be  
 18 a civil infraction, except as otherwise provided in: (a) this Code; or (b) the Vehicle Code; or (c)  
 19 as necessary to comply with the direction of a Police Officer or Parking Control Officer; or (d)  
 20 with respect to a Municipal Parking Facility, upon the direction of an authorized parking  
 21 attendant; or (e) with respect to any other Public Property, except with the permission of, and  
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1 subject to such conditions and regulations as are imposed by the agency that owns the  
2 property that are available for public inspection at the agency's offices.

3 **SEC. 10.2.1. PEDESTRIAN CROSSINGS.**

4 For a pedestrian to cross a roadway at any place other than by a route at right angles  
5 to the curb or by the shortest route to the opposite curb, or in any business district specified in  
6 Division II, to cross a roadway other than in a crosswalk. (77, 78)

7 **SEC. 10.2.2. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES.**

8 To operate an electric personal assistive mobility device on any sidewalk. (104)

9 **SEC. 10.2.3. BICYCLE RIDING RESTRICTED.**

10 To ride a bicycle upon any sidewalk in violation of any restriction on riding bicycles on  
11 sidewalks set forth in Division II. (96)

12 **SEC. 10.2.4. FAILURE TO COMPLY WITH BICYCLE MESSENGER BUSINESS**  
13 **REGULATIONS.**

14 For any person, firm or corporation to violate any requirement of Sections 98 through  
15 98.2 of this Division I. (98.3)

16 **SEC. 10.2.5. PARKING WITHIN PARKING SPACES.**

17 To Park a vehicle other than in a designated Parking Space, or across any  
18 demarcation of the boundaries of a Parking Space, or in any manner such that the vehicle is  
19 not entirely within the area of the Parking Space. (32.14, 32.4.2(b), 58(c))

20 **SEC. 10.2.6. BLOCKING PARKING SPACES.**

21 To Park a vehicle in any manner which either wholly or partially obstructs or interferes  
22 with access to any Parking Space; or in any manner so as to obstruct or otherwise prevent or  
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1 interfere with the free movement of vehicles in any area designed for ingress to or egress  
2 from any Municipal Parking Facility. (32.14)

3 **SEC. 10.2.7. PARALLEL OR DIAGONAL PARKING.**

4 To Park a vehicle in any Parking Space equipped with a Parking Meter in any  
5 orientation other than with the front of the vehicle closest to the Parking Meter, unless the  
6 space is expressly designated for "back in only" Parking. (32.13)

7 **SEC. 10.2.8. BLOCKING ENTRANCES TO RESIDENCES.**

8 To Park a vehicle upon any street in such a manner that the vehicle blocks any  
9 entrance to any residence, where the residence is located adjacent to a street with no  
10 sidewalk in between the street and the residence. (32.21)

11 **SEC. 10.2.9. TRUCK LOADING ZONE**

12 To Park a vehicle in any Truck Loading Zone other than a Truck, except as expressly  
13 authorized by applicable signage. (33.3)

14 **SEC. 10.2.10. STREET CLEANING PARKING RESTRICTIONS**

15 To Park any vehicle on any street on the days, and between the hours posted with  
16 signs giving notice of the days and hours that Parking is prohibited on that side of the street in  
17 order to allow street sweeping; provided that such prohibition shall not apply to a vehicle  
18 which is Parked during the days and hours that Parking is prohibited after the street sweeper  
19 has already passed the place where the vehicle is Parked. (37(c))

20 **SEC. 10.2.11. CURB PARKING-RED ZONES.**

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1 To Park a vehicle in a red zone indicated by red paint on the curb at any time, except  
2 that a vehicle may stop at a Stand with a red curb if that class of vehicle is expressly  
3 authorized to stop at that Stand. (38.A)

4 **SEC. 10.2.12. CURB PARKING–YELLOW ZONES.**

5 To Park in a yellow zone indicated by yellow paint on the curb, except for the purpose  
6 of loading or unloading passengers or freight, during any time in which Parking is restricted or  
7 prohibited at that yellow zone. Non-commercial vehicles shall not be Parked in a yellow zone  
8 under any circumstances during times when Parking is allowed at a yellow zone except while  
9 the operator is in attendance. (38.B, 38.B.1)

10 **SEC. 10.2.13. CURB PARKING–WHITE ZONES.**

11 To Park a vehicle, except to load or unload passengers, in a white zone indicated by  
12 white paint on the curb during any time in which Parking is restricted or prohibited at that white  
13 zone. Vehicles shall not be stopped in white zones under any circumstances during the times  
14 that Parking is restricted or prohibited, except while the operator is in attendance; provided  
15 that the operator is not required to be in attendance when the vehicle is Parked: (a) at a  
16 hospital, (b) at a school when the vehicle displays a Special License Plate or Placard, and (c)  
17 at a child care center, as defined by California Code of Regulations, Section 101152(c)(7).  
18 (38.C)

19 **SEC. 10.2.14. CURB PARKING–GREEN ZONES.**

20 To Park a vehicle in a green zone indicated by green paint on the curb during any time  
21 in which Parking is restricted or prohibited at that green zone. (38.D)

22 **SEC. 10.2.15. PARKING IN STANDS.**

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1 To Park a vehicle at any Stand at any time, except a vehicle belonging to the class of  
2 vehicles that are authorized to use that Stand. (39)

3 **SEC. 10.2.16. DOUBLE PARKING.**

4 To Park any vehicle such that any portion of the vehicle is Parked on the roadway side  
5 of a Parked vehicle in violation of Vehicle Code § 22500(h). (53)

6 **SEC. 10.2.17. PARKING ADJACENT TO OR ON MEDIAN DIVIDERS OR TRAFFIC**  
7 **ISLANDS.**

8 To Park a vehicle on or next to any traffic island, lines painted or structures constructed  
9 in the public right of way for the purpose of separating opposing traffic or guiding traffic flows  
10 except as otherwise posted. (56)

11 **SEC. 10.2.18. PARKING ON GRADES.**

12 To Park a vehicle upon any grade or slope exceeding three percent without effectively  
13 setting the brakes and blocking the wheels of the vehicle by turning them against the curb or  
14 by other means. For the purpose of the issuance of a notice of violation of this Section, proof  
15 that an unattended vehicle Parked on a grade exceeding three percent was involved in a  
16 collision shall establish a presumption that such unattended vehicle was Parked in violation of  
17 this Section. (58(a))

18 **SEC. 10.2.19. DIVERTING OF TRAFFIC AND TEMPORARY PARKING**  
19 **RESTRICTIONS.**

20 To Park a vehicle in violation of a temporary Parking prohibition or restriction posted on  
21 any street or area to accommodate parades, public assemblages, film or video production,  
22 collapse of a building, conflagration, obstruction on or damages to any street, or when  
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1 otherwise necessary for protection of the public health and safety, or to disobey the lawful  
2 order of any Police Officer or Parking Control Officer directing the removal or diversion of a  
3 vehicle from said street or area. (33(c))

4 **SEC. 10.2.20. VEHICULAR OR PEDESTRIAN TRAFFIC AND PARKING**  
5 **PROHIBITED OR RESTRICTED IN CERTAIN CASES.**

6 To violate any temporary Parking or traffic restriction in any area that is subject to a  
7 temporary Parking Permit issued by the SFMTA for any public or private construction work.  
8 (33.1)

9 **SEC. 10.2.21. IDLING PRIVATELY OWNED MOTOR COACH ENGINE WHILE**  
10 **PARKED.**

11 To cause or permit the engine of a privately owned motor coach to idle while Parked  
12 upon any public right of way within the City for more than five minutes; provided, however,  
13 that if such motor coach is temporarily stopped for the sole purpose of loading or unloading  
14 passengers, it may idle no longer than is reasonably necessary to load or unload passengers.  
15 (60.5)

16 **SEC. 10.2.22. PARKING OVERSIZED VEHICLES WITHIN 100 FEET OF AN**  
17 **INTERSECTION.**

18 To Park a vehicle six feet or more in height (including any load thereon) within 100 feet  
19 of an intersection on those streets or portions of streets, during all or those certain hours of  
20 the day, as are designated by signs giving notice of such prohibition effective for that  
21 intersection. (61)

22 **SEC. 10.2.23. TOUR BUS LOADING ZONES.**

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1 To solicit tour bus business from any Stand. "Tour bus" as used in this Section shall  
 2 mean any motor vehicle designed, used or maintained by or for a charter-party carrier of  
 3 passengers, a passenger stage corporation, or any highway carrier of passengers required to  
 4 register with the California Public Utilities Commission. (66)

5 **SEC. 10.2. 24. OBSTRUCTING TRAFFIC.**

6 To obstruct traffic without a Special Traffic Permit, to fail to comply with an order to  
 7 remove an obstruction to traffic upon the demand of a Police Officer, Parking Control Officer  
 8 or other authorized City employee, or to obstruct traffic in violation of the terms of a Special  
 9 Traffic Permit. Each hour or portion thereof during which the obstruction continues shall  
 10 constitute a separate offense. (193, 194.3)

11 **SEC. 10.2.25. REMOVAL OF CHALK MARKS.**

12 Removing, erasing, rubbing out, or otherwise removing or concealing, any chalk or  
 13 other mark from the tires of a vehicle placed by a Parking Control Officer for the purpose of  
 14 enforcing Parking regulations. (21)

15 **SEC. 10.2.26. OVERTIME PARKING.**

16 For the operator of any vehicle Parked on the street or in a Municipal Parking Facility:

17 (a) To Park a vehicle for longer than applicable time restrictions; (32(c), 32.12) or

18 (b) To permit any vehicle to remain Parked at a Parking Meter beyond the  
 19 maximum time permitted for Parking at that Parking Meter, or during any time when the  
 20 Parking Meter indicates that the time period for which payment was made has expired;  
 21 (32.10) or

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1 (c) Each hour or portion thereof that a vehicle is Parked in violation of this Section  
 2 shall be a separate and distinct offense (210), except that in a yellow zone indicated by yellow  
 3 paint on the curb, any non-commercial vehicle may be issued no more than one citation per  
 4 one-half hour for violations of time restrictions, and no vehicle may be issued more than two  
 5 citations within a 12-hour period. (38.G)

**SEC. 10.2.27. PAYMENT OF PARKING METER.**

6 To Park a vehicle in any Parking Space controlled by a Parking Meter without  
 7 immediately making advance payment for Parking by depositing lawful money of the United  
 8 States into the Parking Meter assigned to the Parking Space, by prepaid parking card or by  
 9 other authorized payment method; (32.10, 202, 202.1)  
 10

**SEC. 10.2.28. PARKING RESTRICTIONS.**

11 To Park on any street, alley or portion of a street or alley that is subject to a Parking  
 12 restriction described in Division II. (32, 32(a), 32(a)(1), 32(b))  
 13

**SEC. 10.2.29. PARKING ON PUBLIC PROPERTY.**

14 (a) Except as provided in Subsections (b) (c), and (d), to Park any vehicle on Public  
 15 Property:  
 16

17 (1) Within the property lines of the parking lot commonly known as 970 Bryant  
 18 Street (Block 3758) and located between the easterly side of the entrance to Interstate 80 at  
 19 8th Street and the Hall of Justice Service Station at 950 Bryant Street; (32.6.5)

20 (2) Within the off-street parking area of the Fire Department property commonly  
 21 known as 260 Golden Gate Avenue (Lot 7, Block 345) and located on the north side of  
 22 Golden Gate Avenue approximately 83 feet east of Hyde Street; (32.6.6)  
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1           (3)    Except in parking stalls expressly designated for use by the public while  
2 conducting business at the police facilities, within the property lines of the off-street parking  
3 area of the Police Department property commonly known as 1125 Fillmore Street (Lot 13,  
4 Block 755) and located on the south side of Turk Street approximately 412.5 feet for the entire  
5 block between Fillmore and Steiner Streets and approximately 137.5 feet on the easterly side  
6 of Steiner Street and approximately 137.5 feet in the westerly side of Fillmore Street and  
7 approximately 67.5 feet on the northerly side of Golden Gate Avenue commencing  
8 approximately 70 feet from the easterly line of Steiner Street and the northerly line of Golden  
9 Gate Avenue; (32.6.11)

10           (4)    Within the property lines of the area upon which the San Francisco Hall of  
11 Justice is situated, bounded by the northwesterly side of Bryant Street, the southwesterly side  
12 of Harriet Street, and southeasterly side of the right-of-way of the James Lick Freeway, and  
13 the northeasterly side of Seventh Street; (32.6.28)

14           (5)    Within the property lines of the block upon which the San Francisco City Hall is  
15 situated, bounded by the westerly line of Polk Street, the northerly line of Grove Street, the  
16 easterly line of Van Ness Avenue and the southerly line of McAllister Street; (32.1)

17           (6)    Within the property lines of the block upon which the San Francisco Main Library  
18 is situated, bounded by Larkin, Grove, Hyde, and Fulton Streets; (32.1.1)

19           (7)    Within the property lines of the Eureka Valley Branch Library, 3555 16th Street,  
20 and Western Addition Branch Library, 1550 Scott Street: (32.1.2)

21           (i)     When said branches are closed to the public

22           (ii)    Except for one hour at all times when the branches are open to the public;

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1           (8)     Within the property lines of the Department of Social Services building, 150 Otis  
 2 Street (Lot 7, Block 3513), and the vacant area situated at the gore corner of Mission and Otis  
 3 Streets and Duboce Avenue (portion of Lot 6A, Block 3512); (32.1.3)

4           (9)     Within the property lines of the following listed San Francisco Housing Authority  
 5 property: CAL 1-1 (Holly Courts), CAL 1-2 (Potrero Terrace), CAL 1-3 (Sunnydale), CAL 1-4  
 6 (Valencia Gardens), CAL 1-5 (Bernal Dwellings), CAL 1-8 (Westside Courts), CAL 1-9 (Harbor  
 7 Slope), CAL 1-10 (Potrero Annex), CAL 1-11 (North Beach), CAL 1-15 (Ping Yuen), CAL 1-16  
 8 (Alemany), CAL 1-17 (A) [Hunters Point (A)], CAL 1-17 (B) [Hunters Point (B)], CAL 1-18(1)  
 9 (J.F. Kennedy Towers), CAL 1-18(2) (Yerba Buena Plaza), CAL 1-18(3) (Hunters View), CAL  
 10 1-18(4) (Alice Griffith), CAL 1-18(5) (Yerba Buena Annex), CAL 1-18(6) (Ping Yuen North),  
 11 CAL 1-18(7) (Hayes Valley), CAL 1-18(10) (Woodside Gardens), CAL 1-19-1(1) (990 Pacific  
 12 Avenue), CAL 1-20 (3850 18th Street), CAL 1-21 (320-330 Clementina), CAL 1-23 (350 Ellis  
 13 Street), CAL 1-28 (666 Ellis Street), CAL 1-30 (345 Hermann Street, 77 Coleridge Street, 105  
 14 Lundy's Lane), CAL 1-31 (25 Sanchez Street), CAL 1-32 (1760 Bush Street), CAL 1-33 (275  
 15 Thrift Street), CAL 1-34 (4101 Noriega Street, 220 Randolph Street, 363 Noe Street); (32.1.4)

16           (10)    Within the property lines of Block 815 upon which the San Francisco Unified  
 17 School District building is situated, and on the parking lot located on the westerly portion of  
 18 Block 762; (32.1.7)

19           (11)    Within the property lines of any facility under the jurisdiction and control of the  
 20 San Francisco Public Utilities Commission and its departments and bureaus, except for any  
 21 person conducting business with the City when such business must be conducted within any  
 22 such Public Utilities Commission facility; (32.1.9)

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1           (12) Within the property lines of San Francisco General Hospital, including the block  
2 bounded by 22nd Street, Vermont Street, 23rd Street, and Potrero Avenue and the area  
3 bounded on three sides by San Bruno Avenue, 22nd Street, and Potrero Avenue and  
4 extending northward approximately 816 feet from 22nd Street, said area being occupied in  
5 part by the Maternity and Psychiatric buildings of San Francisco General Hospital, and also  
6 including the north side of 22nd Street from Potrero Avenue to San Bruno Avenue, the south  
7 side of 22nd Street from Potrero Avenue to Vermont Street, the west side of San Bruno  
8 Avenue north of 22nd Street, and both sides of Vermont Street between San Bruno Avenue  
9 and 23rd Street, said area being adjacent to and servicing San Francisco General Hospital;  
10 (32.2)

11           (13) Within the property lines of the area upon which the Eureka-Noe District Health  
12 Center No. 1 is situated on 17th Street between Pond and Prosper Streets (Lot 49, Block  
13 3564); (32.2.1)

14           (14) Within the property lines of the area upon which the Sunset-Richmond District  
15 Health Center No. 5 is situated at 1351 Twenty-Fourth Avenue (Lot 7, Block 1779); (32.2.2)

16           (15) Within the property lines of the area upon which the North East District Health  
17 Center No. 4 is situated on Mason Street at Broadway; (32.2.3)

18           (16) Within the property lines of Laguna Honda Hospital, including the area bordered  
19 by Woodside Avenue, Laguna Honda Boulevard, the Water Department property at northwest  
20 Clarendon Avenue, Midtown Residential Development, and the Youth Guidance Center;  
21 (32.3)

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1 (17) Within the property lines of the San Francisco Department of Health, 101 Grove  
2 Street Garage; (32.3.1)

3 (18) In the parking lot of Candlestick Park in a manner that causes said vehicle to  
4 rest on any line or other marking which designates a Parking Space, or in such a position that  
5 said vehicle is not entirely within the area designated as one Parking Space, unless such  
6 person has paid for the use of the Parking Spaces totally or partially occupied by said vehicle  
7 or except as directed by a parking lot attendant; (32.4.2(b))

8 (19) Within the property lines of the Youth Guidance Center, including the area  
9 bounded on the north by Assessor's Block 2836, on the northeast by Panorama Drive, on the  
10 east by Assessor's Block 2821, on the southeast by Portola Drive, on the south by Woodside  
11 Avenue and on the west by the property lines of Laguna Honda Hospital; (32.5)

12 (b) The restrictions listed in subparagraph (a) shall not apply to vehicles under the  
13 jurisdiction of or authorized to park in such locations for the purpose of conducting City  
14 business by:

15 (1) The Chief of Police, with respect to subparagraphs (1), (3), and (4);

16 (2) The Chief Administrative Officer, with respect to subparagraphs (4) and (5);

17 (3) The Fire Chief, with respect to subparagraph (2);(4) The City Librarian, with  
18 respect to subparagraphs (6) and (7)(ii);

19 (5) The General Manager of the Department of Social Services, with respect to  
20 subparagraph (8);

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1 (6) The Executive Director of the San Francisco Housing Authority, with respect to  
2 subparagraph (9), and the restrictions shall not apply to vehicles driven by officers of the City  
3 or employees of the San Francisco Housing Authority on official business;

4 (7) The Superintendent of Schools, with respect to subparagraph (10);

5 (8) The General Manager of Public Utilities, with respect to subparagraph (11);

6 (9) The Executive Administrator of San Francisco General Hospital, with respect to  
7 subparagraph (12);

8 (10) The Director of Public Health or District Health Officer, with respect to  
9 subparagraphs (13), (14), and (15);

10 (11) The Superintendent of Laguna Honda Hospital, with respect to subparagraph  
11 (16);

12 (12) The Department of Public Health, with respect to subparagraph (17);

13 (13) The Chief Probation Officer, with respect to subparagraph (19);

14 (c) The restrictions listed in Subsection (a), subparagraphs (2), (4), (8), (9), (10),  
15 (11), (12), (13), (14), (15), (16), and (19) shall not apply to any person engaged in the loading  
16 and unloading of passengers upon or from vehicles.

17 (d) The restrictions listed in Subsection (a), subparagraphs (5), (6), (7), (8), (9),  
18 (10), (11), (12), (13), (14), (15), (16), (17), and (19) shall not apply to any person engaged in  
19 the loading and unloading of freight upon or from vehicles. (32)

20 **SEC. 10.2.30. PARKING CONTROL–CANDLESTICK PARK ACCESS ROAD.**

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1 To Park a vehicle on any portion of the Candlestick Park access road system  
 2 designated in Division II during the days and the hours in which temporary Parking restrictions  
 3 are posted due to an event scheduled for Candlestick Park. (32.4, 32.4.1)

4 **SEC. 10.2.31. PARKING IN TRANSIT-ONLY AREAS.**

5 To Park any vehicle such that any portion of the vehicle is within any street or portion of  
 6 a street designated as a transit-only area in Division II. (53(a))

7 **SEC. 10.2.32. PAYMENT OF PARKING FACILITY CHARGES; PROOF OF**  
 8 **PAYMENT.**

9 For the operator of any vehicle Parked in a Municipal Parking Facility, to fail, neglect or  
 10 refuse to pay the Parking charges established for the Municipal Parking Facility; or where the  
 11 Municipal Parking Facility requires the display of a Parking ticket or receipt as proof of  
 12 payment, to fail, neglect or refuse to display such Parking ticket or receipt in the manner  
 13 specified on the said ticket or receipt. (32.11)

14 **SEC. 10.2.33. USE OF ENTRANCE AND EXIT OF MUNICIPAL PARKING**  
 15 **FACILITY.**

16 To enter any Municipal Parking Facility with a vehicle by any means of ingress that is  
 17 not marked with the word "Entrance" or otherwise indicated by arrows, signs, or words to  
 18 entry of such Municipal Parking Facility; or to remove any vehicle from any Municipal Parking  
 19 Facility by any means of egress that is not marked with the word "Exit" or otherwise indicated  
 20 by arrows, signs, or words to be an exit of such Municipal Parking Facility. (32.15)

21 **SEC. 10.2.34. SPEED OF VEHICLES.**

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1 For any person to operate a vehicle within a Municipal Parking Facility at a speed  
2 exceeding 10 miles per hour. (32.16)

3 **SEC. 10.2.35. BLOCKING AN ELECTRIC CHARGING BAY.**

4 To Park any vehicle other than an electric vehicle, in a Parking Space in a Municipal  
5 Parking Facility that is equipped with an electric vehicle charging bay in a manner that blocks  
6 or occupies the electric vehicle charging bay. (32.21A(a))

7 **SEC. 10.2.36. WEIGHT RESTRICTED STREETS.**

8 To operate on any street, alley or portion of a street or alley, a vehicle with a gross  
9 weight in excess of the authorized weight limit established for that street or alley in Division II.  
10 (28.1 through 28.1.70)

11 **SEC. 10.2.37. ONE-WAY TRAFFIC STREETS REGULATED.**

12 To operate a vehicle upon any street in any direction other than in the direction  
13 indicated by appropriate signs erected thereon when any such street has been designated as  
14 a "one-way" street. (30)

15 **SEC. 10.2.38. DRIVING IN TRANSIT-ONLY AREA.**

16 To Park or operate a vehicle or any portion of a vehicle within the area of any street  
17 designated in Division II as a transit-only area, except that public transit vehicles and taxicabs,  
18 vehicles preparing to make a turn, and vehicles entering into or exiting from a stopped  
19 position at the curb may be driven within a transit-only area. (31)

20 **SEC. 10.2.39. PROHIBITED TURNS.**

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1 For the operator of any vehicle, other than expressly exempted classes of vehicles, to  
2 make any turn, including left turns, right turns and U-turns, at an intersection where such turn  
3 is prohibited by sign(s) giving such notice of the prohibition. (34, 34.2, 34.3)

4 **SEC. 10.2.40. DRIVING THROUGH PARADES.**

5 For the operator of any vehicle to drive between the vehicles comprising an authorized  
6 parade, provided the character of such vehicles is reasonably discernible. (103)

7 **SEC. 10.2.41. STREETCAR RIGHT-OF-WAY-VEHICLES PROHIBITED.**

8 For any person to drive a vehicle over, upon or across any streetcar right-of-way which  
9 has been raised three inches or more above the level of the adjacent roadway, except as  
10 necessary for the purpose of entering or exiting from a garage or driveway or for the purpose  
11 of overtaking and passing a disabled vehicle upon the adjacent roadway. (121)

12 **SEC. 10.2.42. PASSING SAFETY ZONES.**

13 To drive any vehicle other than a public transit vehicle to the left of any safety zone  
14 established at a regular streetcar stop between the hours and at the locations specified in  
15 Division II. (122)

16 **SEC. 10.2.43. DRIVER OF TOW CARS NOT TO INTERFERE WITH POLICE**  
17 **INVESTIGATION OF COLLISIONS.**

18 For a tow car operator to remove or attempt to remove any vehicle that has been  
19 involved in a collision, where the police have been summoned for the purpose of conducting  
20 an investigation; or to interfere with a police investigation by changing the position of any  
21 vehicle involved in a collision, except upon the authorization or direction of and in the  
22 presence of a Police Officer, or when necessary to release a person trapped within or under a  
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1 vehicle, except that removal to the side of the roadway is authorized in collisions that do not  
2 involve personal injury when necessary to allow for the passage of public transit vehicles. (24)

3 **SEC. 10.2.44. REMOVAL OF VEHICLES INVOLVED IN A COLLISION.**

4 For the owner or operator of any vehicle involved in any collision resulting in property  
5 damage or a collision which does not involve serious bodily injury, to refuse to permit the  
6 removal of a vehicle to the side of the roadway when necessary to allow for the passage of  
7 public transit vehicles when so directed by a Police Officer or an employee of the Municipal  
8 Transportation Agency. (25)

9 **SEC. 10.2.45. VEHICLES FOR HIRE; PARKING PROHIBITED IN CERTAIN USE**  
10 **DISTRICTS.**

11 For the operator of any vehicle for hire that is registered or required to be registered  
12 with the California Public Utilities Commission to leave any such vehicle unattended in any  
13 street in a RH-1(D), RH-1, RH-2, RH-3, RH-4, RM-1, RM-2, RM-3, RM-4 or P Use District.  
14 (63.2)

15 **SEC. 10.2.46. PARKING OF VEHICLES FOR COMMERCIAL ADVERTISING**  
16 **PURPOSES.**

17 (a) To Park any motor vehicle that is carrying, towing or otherwise displaying a  
18 commercial advertising sign on any public street or in any public or private parking lot in the  
19 City for the primary purpose of displaying a commercial advertising sign, including any display  
20 that does no more than propose a commercial transaction. This prohibition shall not apply to a  
21 passenger vehicle with maximum occupancy of six passengers, or to vehicles Parked for a  
22 primary purpose other than displaying a commercial advertising sign, including:  
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- 1 (1) Vehicles Parked while loading or unloading passengers or goods;
- 2 (2) Vehicles Parked while engaged in the delivery of services; and
- 3 (3) Passenger vehicles Parked within 600 feet of the residence of the registered
- 4 owner of the vehicle.

5 (b) Findings and Purpose.

6 The Board of Supervisors finds that there is a growing practice of Parking large  
 7 vehicles such as trucks and vans in the City's public streets and parking lots for the purpose  
 8 of displaying commercial advertising. The Board of Supervisors finds that this practice: (i)  
 9 creates aesthetic blight; (ii) contributes to the critical shortage of parking spaces; (iii) causes  
 10 traffic safety hazards by distracting members of the public who use public thoroughfares,  
 11 including drivers, bicyclists and pedestrians. The purpose of this Section is to counteract  
 12 these negative effects and protect and promote public safety and quality of life in the City.  
 13 This Section is not intended to regulate non-commercial speech, including non-commercial  
 14 advertising and signage. (63.3)

15 **SEC. 10.2.47. SELLING FROM A VEHICLE RESTRICTED.**

16 For any person to Park any vehicle upon any street in any business district and offer  
17 merchandise for sale from the vehicle. (68)

18 **SEC. 10.2.48. COMMERCIAL VEHICLE PARKING IN CERTAIN DISTRICTS.**

19 To Park any motor truck, truck tractor, road tractor, van, trailer, delivery wagon, or any  
 20 vehicle used for commercial purposes in excess of limitations on manufacturer's gross vehicle  
 21 weight rating or a gross combination weight rating specified in Division II, for a period in  
 22 excess of one hour on any street with weight limits designated in Division II except while in the  
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1 course of delivery or removal of goods, merchandise or other personal property for residents  
 2 on such street, or except when such vehicle is used by a recreational equipment vendor as  
 3 defined in Section 1050 of the Police Code in the course of business and all the requirements  
 4 of Police Code Sections 1051 through 1055 are met. Any excepted vehicle shall be subject to  
 5 all parking limitations applicable thereto as otherwise provided by law. (63, 63A, 63.1)

6 **SEC. 10.2.49. FARE EVASION REGULATIONS.**

7 (a) For any passenger or other person in or about any public transit station  
 8 (including an outdoor high-level boarding platform or station operated by the Bay Area Rapid  
 9 Transit District), streetcar, cable car, motor coach, trolley coach or other public transit vehicle  
 10 to evade any fare collection system or Proof of Payment Program instituted by the Municipal  
 11 Transportation Agency.

12 (b) For any person to board or ride a streetcar, motor coach, trolley coach without  
 13 prior or concurrent payment of fare.

14 (c) For any person to board a streetcar, motor coach, trolley coach through the rear  
 15 exit except: (i) when a representative of the transit system is present at such exit for the  
 16 collection of fares or transfers or the inspection for proof of payment; (ii) when the streetcar,  
 17 motor coach, trolley coach or other transit vehicle is operating at a station or boarding platform  
 18 where fares are collected prior to boarding the transit vehicle; (iii) when necessary for access  
 19 by persons with disabilities on wayside boarding platforms; or (iv) when the streetcar, motor  
 20 coach, or trolley coach is operating on a transit line or in a Proof of Payment Zone.

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1 (d) To fail to display a valid fare receipt or transit pass at the request of any  
2 authorized representative of the transit system or duly authorized peace officer while on a  
3 transit vehicle or in a Proof of Payment Zone.

4 (e) To misuse any transfer, pass, ticket, or token with the intent to evade the  
5 payment of any fare.

6 (f) To knowingly use or attempt to use any illegally printed, duplicated, or otherwise  
7 reproduced token, card, transfer or other item for entry onto any transit vehicle or into any  
8 transit station with the intent of evading payment of a fare.

9 (g) For any unauthorized person to use a discount ticket or fail to present, upon  
10 request from a system fare inspector, acceptable proof of eligibility to use a discount ticket.  
11 (127)

12 **SEC. 10.2.50. PASSENGER CONDUCT REGULATIONS.**

13 For any passenger or other person in or about any public transit station (including an  
14 outdoor high-level boarding platform or station operated by the Bay Area Rapid Transit  
15 District), streetcar, cable car, motor coach, trolley coach or other public transit vehicle to  
16 commit any of the acts described below:

17 (a) Playing sound equipment on or in a system facility or vehicle;

18 (b) Smoking, eating, or drinking in or on a system facility or vehicle in those areas  
19 where those activities are prohibited by that system;

20 (c) Expectoating upon a system facility or vehicle;

21 (d) Willfully disturbing others on or in a system facility or vehicle by engaging in  
22 boisterous or unruly behavior;

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1 (e) Carrying an explosive or acid, flammable liquid, or toxic or hazardous material in  
2 a system facility or vehicle;

3 (f) Urinating or defecating in a system facility or vehicle, except in a lavatory.  
4 However, this paragraph shall not apply to a person who cannot comply with this paragraph  
5 as a result of a disability, age, or a medical condition;

6 (g) Willfully blocking the free movement of another person in a system facility or  
7 vehicle.

8 (h) Skateboarding, roller skating, bicycle riding, or roller blading in a system facility,  
9 vehicle, or parking structure. This restriction does not apply to an activity that is necessary for  
10 utilization of the transit facility by a bicyclist, including, but not limited to, an activity that is  
11 necessary for parking a bicycle or transporting a bicycle aboard a transit vehicle as permitted  
12 by the Municipal Transportation Agency. (128)

13 **SEC. 10.2.51. CONVERSING WITH OPERATING PERSONNEL PROHIBITED.**

14 For any person to engage any operator of any streetcar, cable car, bus or trolley coach  
15 in conversation, except for the purpose of procuring necessary information. (128.5)

16 **SEC. 10.2.52. UNAUTHORIZED CURB PAINTING.**

17 To paint any curb without the prior written authorization of the Municipal Transportation  
18 Agency. (38.l)

19 **SEC. 10.2.53. CONSTRUCTION OR REPAIRING OF VEHICLES.**

20 For any person to construct or cause to be constructed or repair or cause to be  
21 repaired any vehicle or any part of any vehicle upon any public street except such repairs as  
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1 may be necessary in case of an accident or breakdown to enable the removal of the vehicle  
2 from the street. (65)

3 **SEC. 10.2.54. ATTEMPT TO CANCEL A CITATION.**

4 To cancel, attempt to cancel or solicit the cancellation of any citation issued pursuant to  
5 this Code or the Vehicle Code, in any manner other than as authorized by law. (157)

6 **SEC. 10.2.55. PARKING OR DRIVING OF VEHICLES IN PORT AREA.**

7 (1) To Park any vehicle or leave standing any animal, whether attended or  
8 unattended, or upon any property under the control and jurisdiction of the Port Commission or  
9 upon any thoroughfare located on such property in violation of Port Regulations. (220)

10 (2) To drive any vehicle or animal upon any wharf, bulkhead wharf, pier, quay, or  
11 storage area, within the control of the Port Commission, except that signs indicating  
12 restrictions on such driving must be posted and clearly visible at the entrance from any  
13 thoroughfare or street to such wharf, bulkhead wharf, pier, quay, or storage area. (220)

14 **SEC. 10.3. MISDEMEANORS**

15 Except as may be authorized in Division II of this Code, the following actions are  
16 prohibited, and each and every violation of the prohibitions listed in this subparagraph (2) shall  
17 be a misdemeanor; provided however, that upon sentencing, the change may, in discretion of  
18 the Court, be reduced to an infraction:

19 **SEC. 10.3.1. OTHER FARE EVASION AND PASSENGER CONDUCT**  
20 **REGULATIONS.**

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1 For any passenger or other person in or about any public transit station (including an  
2 outdoor high-level boarding platform or station operated by the Bay Area Rapid Transit  
3 District), or public transit vehicle to commit any of the acts described below:

4 (a) Knowingly providing false identification to a peace officer, fare inspector or other  
5 representative of the transit system when engaged in the enforcement of City or state laws  
6 regarding fare collection, fare evasion, passenger conduct or proof of payment of fare;

7 (b) Interfering with the turnstile or fare register;

8 (c) Meddling with the trolley pole or rope attached thereto;

9 (d) Meddling with tracks, switches, turnouts, or any other transit system structures  
10 or facilities;

11 (e) Entering upon the roadbed, tracks, structures or other portions of transit system  
12 property or facilities not open to passengers or the public;

13 (f) Obstructing any person or persons in charge of any transit station or facility or  
14 public transit vehicle in the performance of that person's duties, or otherwise interfering with  
15 the operation of the public transit vehicle;

16 (g) Sounding any bell, alarm or other warning device, without authorization;

17 (h) Printing, duplicating or otherwise reproducing any token, card, transfer or other  
18 item used for entry onto any transit vehicle or into a transit station without the express  
19 permission of the Municipal Transportation Agency. (128.2)

20 **SEC. 10.3.2. FRAUDULENT PAYMENT PROHIBITED.**

21 To deposit or cause to be deposited in any Parking Meter any slug, device, or  
22 substitute for lawful money of the United States or any other authorized payment device, or to  
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1 otherwise fraudulently attempt to obtain time on a Parking Meter or otherwise avoid making  
2 the required payment. (207)

3 **SEC. 10.3.3. OBSTRUCTING TRAFFIC.**

4 To obstruct traffic four or more times within one year without a Special Traffic Permit, or  
5 in violation of the terms of a Special Traffic Permit. Each hour or portion thereof during which  
6 the obstruction continues shall constitute a separate offense. (194.3)

7 **SEC. 10.3.4. WILLFUL DAMAGE TO PARKING METERS PROHIBITED.**

8 For any unauthorized person to deface, injure, tamper with, open or willfully break,  
9 destroy or impair the usefulness of any Parking Meter. (208)

10 **SEC. 10.3.5. DISPLAYING REVOKED PARKING PERMIT.**

11 Failure, when requested, to surrender a Parking Permit revoked by the Municipal  
12 Transportation Agency. A Police Officer or Parking Control Officer is authorized to confiscate  
13 a Parking Permit from a vehicle if the Parking Permit is determined to have been revoked.  
14 (316, 413, 713)

15 **SEC. 10.3.6. VIOLATING TERMS OF PARKING PERMIT.**

16 For a person to Park a vehicle in violation of the terms of any Parking Permit issued by  
17 the Municipal Transportation Agency. (315(a), 412(a), 712(a))

18 **SEC. 10.3.7. FALSE APPLICATION FOR PARKING PERMIT.**

19 For a person to falsely represent themselves as eligible for a Parking Permit or to  
20 furnish false information in an application submitted to any agency that certifies eligibility to  
21 participate in a program or as a member of a class to which the SFMTA issues Parking  
22 Permits. (315(b), 412(b), 712(b))

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1           **SEC. 10.3.8. DISPLAYING OR AUTHORIZING DISPLAY OF PERMIT ON OTHER**  
2 **VEHICLES.**

3           For a person holding a valid Parking Permit to allow the use or display of such Parking  
4 Permit on a vehicle other than the vehicle for which the permit is issued, and for a person to  
5 so use or display the Parking Permit on a vehicle other than the vehicle for which it is issued.  
6 (315(c), 412(c), 712(c))

7           **SEC. 10.3.9. DISPLAYING FRAUDULENT PARKING PERMIT.**

8           For a person to copy, produce or otherwise create a facsimile or counterfeit Parking  
9 Permit without written authorization from the Municipal Transportation Agency, or for a person  
10 to knowingly use or display a facsimile or counterfeit Parking Permit in order to evade  
11 applicable Parking restrictions or payment requirements. (315(d), 412(d), 712(d))

12                           **ARTICLE 11: AUTHORITY TO REMOVE VEHICLES**

13           **SEC. 11. CIRCUMSTANCES PERMITTING REMOVAL.**

14           (a)   When any legally required signage is posted giving notice, any Police Officer or  
15 Parking Control Officer is authorized, in accordance with all applicable requirements of this  
16 Code and the Vehicle Code, to remove or cause to have removed any vehicle that is:

- 17           (1)   Parked in violation of Vehicle Code Section 22500; (70) or
- 18           (2)   Parked, disabled or abandoned in a manner as to obstruct the normal
- 19 movement of traffic, or in a condition to create a hazard to other traffic in violation of Vehicle
- 20 Code Sections 22651(b) or 22654(c); (70, 70(b), 159) or
- 21           (3)   Not a motorcycle and is Parked in an area designated as motorcycle parking
- 22 only; (219) or

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1 (4) Interfering with road work in violation of signs posted at least 24 hours before  
2 the work is conducted, in accordance with Vehicle Code § 22654(d); (193, 194.3) or

3 (5) Parked at a Stand when such vehicle is not within the class of vehicles  
4 authorized to use such Stand; (33.5A) or

5 (6) Parked in such a manner that it blocks any entrance to any residence or blocks  
6 access to electric charging bays; (32.21, 32.21A, 32.22) or

7 (7) Parked in violation of any restriction or prohibition in Division II for which Division  
8 II authorizes removal of vehicles in accordance with Vehicle Code Section 22651(n); (32.4.1,  
9 32.4.3) or

10 (8) Parked in violation of a Parking restriction or prohibition posted at a curb painted  
11 white, yellow green or red; (38.C) or

12 (9) Parked on a street for 72 or more consecutive hours, except that no vehicle may  
13 be removed pursuant to this Section unless there has been a conspicuous notice posted on  
14 the vehicle in accordance with all requirements of Division II. (37(a), 159, 159.10) or

15 (10) Parked in any Municipal Parking Facility in any manner which violates this Code,  
16 or which is left in a Municipal Parking Facility for more than 24 hours after the expiration of the  
17 period for which the parking fee was paid for that vehicle; (32.14, 32.19) or

18 (11) A bicycle left unattended in any manner that violates any restriction or  
19 prohibition in Division II. (219.2)

20 (b) Any peace officer or other employee authorized to enforce Port Regulations who  
21 finds any vehicle or animal unattended and standing or Parked in violation of Port Regulations

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1 may remove the vehicle or cause it to be removed to the nearest garage or such animal to the  
2 nearest place of safety. (220)

3 Section 3. This ordinance shall be effective on the calendar day following the date on  
4 which the Municipal Transportation Agency Board of Directors adopts Division II of the  
5 Transportation Code.

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8 APPROVED AS TO FORM:  
9 DENNIS J. HERRERA, City Attorney

10 By: CHRISTIANE JEAN HAYASHI  
11 Deputy City Attorney

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