

1 [Revisions to Division I of the San Francisco Transportation Code.]

2

3 **Ordinance amending San Francisco Transportation Code, Division I, by amending**

4 **Sections 3.4, 6.7, 7.2.12, 7.2.26, 7.2.27, 7.2.28, 7.2.29, 7.2.71, 7.2.80, 7.2.101, 7.3.3 and 8.1**

5 **to change existing posting requirements for temporary parking restriction signs;**

6 **amend the requirements for street barricades for street fairs; provide that yellow or**

7 **white zones may be indicated by either yellow or white paint on the curb or signage;**

8 **provide a three minute time limit for noncommercial vehicles parked in yellow zones;**

9 **provide a three consecutive day on-street parking restriction instead of seven**

10 **consecutive days; provide that any violation of Division II, Section 903 is a violation of**

11 **Section 7.2.71; prohibit taxicab operators from leaving a vehicle unattended in certain**

12 **use districts; provide that persons are prohibited from boarding a Municipal Railway**

13 **vehicle in revenue service through the rear exit while the vehicle is operating on a**

14 **transit line unless on a line, route or location designated by the SFMTA; provide that**

15 **four or more violations of Section 7.2.71 within one year constitute a misdemeanor;**

16 **repeal noticing requirements for towing vehicles on public streets; and clarify**

17 **applicable restrictions and references to Division II; and repealing Section 7.2.44**

18 **prohibiting parking on designated streets near Candlestick Park.**

19 NOTE: Additions are *single-underline italics Times New Roman*;

20 deletions are ~~*strike-through italics Times New Roman*~~.

21 Board amendment additions are double-underlined;

22 Board amendment deletions are ~~strike-through normal~~.

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

24 Section 1. Division I of the San Francisco Transportation Code is hereby amended by
25 amending Section 3.4, to read as follows:

Sec. 3.4. DIVERTING OF TRAFFIC AND TEMPORARY PARKING RESTRICTIONS.

1 (a) Temporary traffic diversion and parking restrictions for planned activities shall be posted
2 as described in sub-section (b), (c), and (d) except in the case of threats to public health or safety or
3 emergency requiring immediate response. A Police Officer or Parking Control Officer may divert
4 traffic from any street or area, and/or may temporarily prohibit or restrict Parking on any street
5 when made necessary or advisable by any parade, public assemblage, film production, traffic
6 congestion, conflagration, building collapse, obstruction on or damage to any street,
7 residential move, or the need to protect public health and safety.

8 (b) Building Construction, Maintenance or Repair. ~~Except in the case of threats to public~~
9 ~~health or safety or emergency requiring immediate response, a~~Any temporary Parking restriction or
10 prohibition ~~except those governed by paragraph (c) of this Section~~related to building construction,
11 maintenance, or repair in the public right-of-way shall be posted in compliance with Article 15,
12 Section 724.3 of the Public Works Code. ~~with appropriate signs displaying a contact person and~~
13 ~~telephone number for information regarding the reasons for the restrictions. The contact person shall~~
14 ~~be available to respond to inquiries during business hours. Such signs shall be posted every 20 linear~~
15 ~~feet, and at each end of the zone in which Parking will be restricted or prohibited, at least 72 hours in~~
16 ~~advance of the prohibition or restriction; provided, however, that posting a notice of a temporary~~
17 ~~Parking restriction or prohibition at any Parking Space with a meter, or by the Film Commission, may~~
18 ~~be posted no less than 24 hours in advance of the prohibitions or restrictions.~~

19 (c) Special Events, Parades, Public Assemblages, Film Production, and Street Obstructions for
20 Public Works. ~~Except in the case of threats to public health or safety or emergency requiring~~
21 ~~immediate response, a~~Any temporary Parking restriction or prohibition for any special event,
22 parade, public assemblage, film production, traffic congestion, conflagration, building collapse,
23 or obstruction on, or repair work to, any street shall be posted with appropriate signs
24 displaying a contact person and telephone number for information regarding the reasons for
25 the restrictions. The contact person shall be available to respond to inquiries during business

1 hours. Such signs shall be posted at least every 100 linear feet, and at each end of the zone
2 in which Parking will be restricted or prohibited, at least 72 hours in advance of the prohibition
3 or restriction; provided, however, that posting a notice of a temporary Parking restriction or
4 prohibition at any Parking Space with a meter, or by the Film Commission, may be posted no
5 less than 24 hours in advance of the prohibitions or restrictions. Parking limitations shall
6 apply for 100 linear feet on either side of each posted sign.

7 (d) Residential or Commercial Moves. Any temporary Parking restriction or prohibition to
8 accommodate a residential or commercial moving vehicle shall be posted with appropriate signs
9 displaying a contact person and telephone number for information regarding the reasons for the
10 restrictions. The contact person shall be available to respond to inquiries during business hours. Such
11 signs shall be posted at a maximum spacing not to exceed 50 linear feet, and at each end of the zone in
12 which Parking will be restricted or prohibited, at least 72 hours in advance of the prohibition or
13 restriction; provided, however, that such signs posted at any Parking Space with a meter, or by the
14 Police Department, may be posted no less than 24 hours in advance of the prohibition or restriction.
15 Parking limitations shall apply for 50 linear feet on either side of each posted sign.

16 Section 2. Division I of the San Francisco Transportation Code is hereby amended by
17 amending Section 6.7, to read as follows:

18 **SEC. 6.7. CONDITIONS.**

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

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

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 street
9 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 washable
12 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 or the department's
19 designee; shall be maintained in said locations at all times during the period of such use or
20 occupancy by the permittee; and shall be collected by the Police Department or the
21 department's designee upon termination of the period of said use or occupancy.

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

23 (k) All streets and sidewalks within the area for which such permission is granted shall
24 be kept clean and free from dirt and debris at all times during the period of such temporary
25 use or occupancy, and all materials and equipment used in connection with said temporary

1 use and occupancy shall be removed from the area within 24 hours of the termination of the
2 period of such use or occupancy. The Director of Public Works shall report any violations of
3 this subsection to the Board of Supervisors.

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

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

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

16 (B) If any vehicles will be operated by the applicant in connection with street fair
17 activities under the permit, Automobile Liability Insurance with limits not less than \$500,000
18 each occurrence Combined Single Limit Bodily Injury and Property Damage, including owned,
19 nonowned and hired auto coverages, as applicable; and

20 (C) If the applicant has employees, Workers' Compensation with Employers' Liability
21 limits not less than \$500,000 each accident.

22 (2) General Liability and Automobile Liability Insurance policies shall be endorsed to
23 provide the following:

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

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

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

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

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

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

19 Section 3. Division I of the San Francisco Transportation Code is hereby amended by
20 amending Section 7.2.12, to read as follows:

21 **SEC. 7.2.12. BICYCLE RIDING RESTRICTED.**

22 To ride a bicycle upon any sidewalk in violation of any restriction on riding bicycles on
23 sidewalks *except as authorized set forth* in Section 1007 of Division II. (96)

24 Section 4. Division I of the San Francisco Transportation Code is hereby amended by
25 amending Section 7.2.26, to read as follows:

1 **SEC. 7.2.26. CURB PARKING--YELLOW ZONES.**

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

8 Section 5. Division I of the San Francisco Transportation Code is hereby amended by
9 amending Section 7.2.27, to read as follows:

10 **SEC. 7.2.27. 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 or signage for more than five minutes during any time in which Parking
13 is restricted or prohibited at that white zone; or to Park any commercial vehicle in a white zone
14 at any time., Vehicles shall not be stopped in white zones under any circumstances during the
15 times that Parking is restricted or prohibited, except while the operator is in attendance;
16 provided that the operator is not required to be in attendance when the vehicle is Parked: (a)
17 at a hospital, (b) at a school when the vehicle displays a Special License Plate or Placard, and
18 (c) at a child care center, as defined by California Code of Regulations, Section 101152(c)(7),
19 (38.C)

20 Section 6. Division I of the San Francisco Transportation Code is hereby amended by
21 amending Section 7.2.28, to read as follows:

22 **SEC. 7.2.28. CURB PARKING--GREEN ZONES.**

23 ~~To Park a vehicle in a green zone indicated by green paint on the curb during any time in which~~
24 ~~Parking is restricted or prohibited at that green zone.~~Unless exempt, to Park a vehicle in a green zone
25 indicated by green paint on the curb beyond the specified time limits. (38.D)

1 Section 7. Division I of the San Francisco Transportation Code is hereby amended by
2 amending Section 7.2.29, to read as follows:

3 **SEC. 7.2.29. PARKING PROHIBITED FOR MORE THAN 72 HOURS~~SEVEN DAYS~~.**

4 No person shall park or leave standing any vehicle on any public street or highway for
5 more than 72 consecutive hours~~168 consecutive hours (7 days)~~ provided, however, that vehicles that
6 are lawfully Parked pursuant to this Section shall remain subject to all other Parking restrictions,
7 including but not limited to temporary Parking restrictions.

8 Section 8. Division I of the San Francisco Transportation Code is hereby amended by
9 deleting Section 7.2.44, in its entirety:

10 ~~SEC. 7.2.44. PARKING CONTROL CANDLESTICK PARK ACCESS ROAD.~~

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

14 Section 9. Division I of the San Francisco Transportation Code is hereby amended by
15 amending Section 7.2.71, to read as follows:

16 **SEC. 7.2.71. OBSTRUCTING TRAFFIC – WITHOUT PERMIT; VIOLATION OF**
17 **TERMS OF PERMIT; VIOLATION OF DIVISION II, SECTION 903.**

18 To obstruct traffic without a Special Traffic Permit, ~~or to~~ obstruct traffic in violation of the
19 terms of a Special Traffic Permit, or violate the regulations set forth in Division II, Section 903.

20 Each hour ~~or portion thereof~~ during which the obstruction continues shall constitute a separate
21 offense. The first, and each subsequent offense within a one year period, shall result in a penalty set
22 forth in Division II, Section 302.

23 Section 10. Division I of the San Francisco Transportation Code is hereby amended by
24 amending Section 7.2.80, to read as follows:

1 **SEC. 7.2.80. VEHICLES FOR HIRE AND TAXIS; PARKING PROHIBITED IN**
2 **CERTAIN USE DISTRICTS.**

3 For the operator of any vehicle for hire that is registered or required to be registered
4 with the California Public Utilities Commission to leave any such vehicle unattended in any
5 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, or
6 for any Taxi to remain parked in such districts for a period in excess of four (4) hours. (63.2)

7 Section 11. Division I of the San Francisco Transportation Code is hereby amended by
8 amending Section 7.2.101, to read as follows:

9 **SEC. 7.2.101. FARE EVASION REGULATIONS.**

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

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

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

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

4 (e) To misuse any transfer, pass, ticket, or token with the intent to evade the payment
5 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 Section 12. Division I of the San Francisco Transportation Code is hereby amended by
13 amending Section 7.3.3, to read as follows:

14 **SEC. 7.3.3. OBSTRUCTING TRAFFIC.**

15 To obstruct traffic four or more times within one year without a Special Traffic Permit, or
16 ~~in violation of~~violate the terms of a Special Traffic Permit or the regulations set forth in Division II,
17 Section 903. Each hour ~~or portion thereof~~ during which the obstruction continues shall
18 constitute a separate offense. Any person and/or business entity violating this section may be
19 deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of at least
20 \$1,000, or imprisonment in the county jail not exceeding six months, or both. (194.3)

21 Section 13. Division I of the San Francisco Transportation Code is hereby amended by
22 amending Section 8.1, to read as follows:

23 **SEC. 8.1. CIRCUMSTANCES PERMITTING REMOVAL.**

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

4 (1) Parked in violation of Vehicle Code Section 22500, 22651 or 22652; (70, 70b) or

5 (2) Parked, disabled or abandoned in a manner as to obstruct the normal movement
6 of pedestrian or vehicular traffic, or in a condition to create a hazard to other traffic in violation
7 of Vehicle Code Sections 22651(b) or 22654(c); (70, 70(b), 71b, 159) or

8 (3) Not a motorcycle and is Parked in an area designated as motorcycle parking only;
9 (27, 219) or

10 (4) Interfering with the use of any Street for purposes other than the normal flow of
11 traffic in violation of signs posted at least 24 hours before such use is scheduled to begin, in
12 accordance with Vehicle Code § 22654(d) or 22651(m); (193, 193.4) or

13 (5) Parked at a Stand when such vehicle is not within the class of vehicles authorized
14 to use such Stand, or is Parked at a Stand outside of the hours that such vehicle is authorized
15 to use a Stand; (33.5A) or

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

18 (7) Parked in violation of any restriction or prohibition in Division II for which Division II
19 authorizes removal of vehicles in accordance with Vehicle Code Section 22651(n); (32.4.1,
20 32.4.3, 27) or

21 (8) Parked in violation of a Parking restriction or prohibition posted at a curb painted
22 white, yellow, green or red; (33.3, 38.B, 38.C) or

23 (9) Parked on a Street for ~~168~~72 or more consecutive hours (~~73~~7 days), except that no
24 vehicle may be removed pursuant to this Section except in compliance with all procedural
25 requirements of this Code; (37(a), 159, 159.10) or

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

4 (11) A bicycle left unattended in any manner that obstructs a sidewalk, street, alley,
5 transit access or other public place. (219.2) ~~or~~

6 ~~(12) Parked on any Street in violation of Section 7.2.299, provided that (a) such vehicle has~~
7 ~~been issued a notice of parking violation for violation of Section 7.2.299 within the past 30 days, (b)~~
8 ~~such previous notice of parking violation was accompanied by a warning that an additional violation~~
9 ~~may result in the impoundment of the vehicle, and (c) a subsequent notice of parking violation was~~
10 ~~issued at least 24 hours prior to impoundment of the vehicle.~~

11 (b) Any peace officer or other employee authorized to enforce Port Regulations who
12 finds any vehicle or animal unattended and standing or Parked in violation of Port Regulations
13 may remove the vehicle or cause it to be removed to the nearest garage or such animal to the
14 nearest place of safety. (220)

15 (c) Any peace officer who arrests the operator of a vehicle that is licensed as a
16 charter-party carrier of passengers by the CPUC for operating as a taxicab may impound the
17 vehicle in accordance with California Public Utilities Code §5411.5.

18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: _____
21 JOHN I. KENNEDY
22 Deputy City Attorney