

LEGISLATIVE DIGEST

[Police Code - Notice of Supermarket Closure]

Ordinance amending the Police Code to require large supermarkets to provide six months' notice to their customers and the City before permanently closing, and to explore ways to allow for the continued sale of groceries at the location.

Existing Law

Currently, there is no law requiring supermarkets to provide notice of their intent to close permanently to their customers, the public, or to the City.

Amendments to Current Law

This ordinance would require large supermarkets to provide six months' notice of their intent to close permanently to the Board of Supervisors, the Director of the Office of Economic and Workforce Development, their customers, and the public. For purposes of the notice requirement, a supermarket is defined to mean a food product and marketing establishment that sells a variety of food and is greater than 20,000 square feet in size.

A supermarket owner would be exempted from the notice requirement if the store closure is due to an emergency or circumstances that were not foreseeable at the time that notice would have been required, and where the owner is actively seeking financing to keep the store open, and believes that compliance with the notice requirement would compromise those efforts.

The ordinance would be enforceable by a private right of action. It would be a defense to an action brought under the ordinance that compliance would have required disclosure of proprietary information or trade secrets.

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