

1 [License Fees.]

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3 Ordinance amending the San Francisco Municipal Code Business and Tax Regulations  
4 Code by amending Sections 35, 120, 248 and 249.1, relating to fees for licenses or  
5 permits for inspections by the Department of Public Health.

6 Note: Additions are single-underline italics Times New Roman;  
7 deletions are ~~strikethrough italics Times New Roman~~.  
8 Board amendment additions are double underlined.  
9 Board amendment deletions are ~~strikethrough normal~~.

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

10 Section 1. The San Francisco Municipal Code Business and Tax Regulations Code is  
11 hereby amended by amending Sections 35, 120, 248 and 249.1, to read as follows:

12 **SEC. 35. FEE FOR INSPECTION BY THE HEALTH DEPARTMENT.**

13 (A) Unless otherwise specifically provided, all fixed fees for inspection or permits which  
14 involve the Health Department shall be payable in advance annually. A filing fee of ~~(\$174)~~  
15 \$195 payable in advance to the Health Department for each inspection of a premises or thing  
16 if such inspection is requested or required as a condition of the issuance of a first permit or of  
17 a first license, except applications for permits for ambulances, refuse trucks, swill trucks,  
18 fumigation site surveillance, soft-serve ice cream machines and hazardous material storage.

19 (B) When two or more food product and marketing establishments or food preparation  
20 and service establishments, or any combination thereof, subject to inspection are located on  
21 the same premises, are not contiguous to each other, and are conducted by one owner  
22 whether person, firm or corporation, a permit shall be required for each such establishment.

23 (C) When the owner or lessee of premises where said class or classes of business are  
24 located or conducted does not directly or indirectly conduct the same, the owner or lessee of  
25

Supervisor Gonzalez  
Department of Public Health  
BOARD OF SUPERVISORS

1 said premises shall not be required to obtain a permit for said premises or pay any fee  
2 imposed by this Section.

3 (D) A fee of \$50 shall accompany any application for a special event referred to in  
4 Section 452(b) of the San Francisco Health Code.

5 (E) Exemptions. The following establishments are exempt, as set forth in Section  
6 249.1 of this Code, from paying fees:

7 (1) Food preparation and service establishments used exclusively by day care  
8 facilities for children.

9 (2) Food preparation and service establishments funded through the San Francisco  
10 Commission on Aging for nutrition projects for older individuals.

11 (f) When the Health Department provides inspection services, whether in response to  
12 a permit or license application or by request, a fee of ~~(\$89)~~ \$110 per hour will be charged.  
13 When these services are provided during nonregular working hours, a fee of ~~(\$110)~~ \$123 per  
14 hour will be charged. "Inspection services" includes but is not limited to reviewing plans and  
15 blueprints, providing consultations and making site inspections. A bill for these services will  
16 be issued to the person making the application or request and must be paid prior to the  
17 Department providing the service. If the time expended exceeds what the Department  
18 anticipated, the Department shall bill the applicant or person making the request for the  
19 additional time expended and such person shall be responsible for paying that amount.  
20 Notwithstanding any other provision of this Section 35, all fees for routine, nonenforcement  
21 related inspection services provided for solid waste transfer station permit issuance and  
22 compliance review will be included in the license fee required by Section 249.15 of this Article.  
23 (Ord. 270-85, App. 5/30/85; amended by Ord. 443-86, App. 11/13/86; Ord. 341-88, App.  
24 7/28/88; Ord. 244-91, App. 6/24/91; Ord. 207-93, App 6/25/93; Ord. 131-97, App. 4/18/97)

1           **SEC. 120. LAUNDRIES AND CLEANING AND DYEING WORKS.**

2           (A)           Every owner, manager or lessee of a hand laundry will pay the following  
3 license fee annually in the advance to the Tax Collector ~~(\$51)~~ \$57.

4           (B)           Every owner, manager, or less of a wash laundry will pay the following  
5 license fee annually in advance to the Tax Collector ~~(\$110)~~ \$123.

6           (C)           Every owner, manager or lessee of a cleaning, dyeing or cleaning and  
7 dyeing works will pay the following fee annually in advance: \$15.

8           (D)           Every owner, manager or lessee of an automatic laundry (mechanical, pay-  
9 to-operate, washing or dyeing machine) will pay the following license fee annually in advance  
10 to the Tax Collector: ~~(\$17)~~ \$19 plus ~~(\$6.00)~~ \$7.00 per machine.

11          (E)           Every owner, manager or lessee of a laundry delivery service will pay the  
12 following license fee annually in advance to the Tax Collector ~~(\$15)~~ \$17 per delivery vehicle  
13 per year.

14           The license fees prescribed by this Section are due and payable the first day of  
15 January of each year. Fees for new licenses issued prior to January 1 shall be prorated to the  
16 end of such calendar year on a monthly basis. (Amended by Ord. 53-82, App. 2/11/82; Ord.  
17 369-88, App. 8/5/88; Ord 207-93, App. 6/25/93, Ord. 131-97, App. 4/18/97.

18           **SEC. 248. FOOD PRODUCT AND MARKETING ESTABLISHMENTS.**

19           The following fee for licenses is established for persons, firms or corporations engaged in the  
20 conduct for operation of the handling, manufacture or sale of foodstuffs, annually payable in advance to  
21 the Tax Collector.

22           CLASS	FEE
23           Class A. Food product and marketing establishments without food preparation with a	
24           total square footage of:	
25           Less than 5,001 square feet	<del>(\$348)</del> <u>\$373</u>

1	5,001 square feet to 10,000 square feet	<del>((355))</del>	<u>490</u>
2	10,001 square feet to 20,000 square feet	<del>((362))</del>	<u>612</u>
3	Greater than 20,000 square feet	<del>((369))</del>	<u>744</u>
4	Class B. Food product and marketing establishments with food preparation with a total		
5	square footage of:		
6	Less than 5,001 square feet	<del>((355))</del>	<u>400</u>
7	5,001 square feet to <del>((20,000))</del> <u>10,000</u> square feet	<del>((375))</del>	<u>520</u>
8	<u>10,001 square feet to 20,000 square feet</u>		<u>635</u>
9	Greater than 20,000 square feet	<del>((382))</del>	<u>757</u>
10	Class C. Retail bakeries with total square footage of:		
11	Less than 2,001 square feet	<del>((354))</del>	<u>410</u>
12	Greater than 2,000 square feet	<del>((361))</del>	<u>423</u>
13	Class D. Produce stand	<del>((358))</del>	<u>412</u>
14	Class E. Certified farmers market	<del>((358))</del>	<u>416</u>
15	Class F. Wholesale food markets	<del>((358))</del>	<u>400</u>
16	Class G. Food manufacturing or processing	<del>((358))</del>	<u>412</u>
17	Class H. Food Product and marketing establishments with an inventory of food at cost		
18	in stock as of the first day of April:		
19	Less than \$1,000	<del>((50))</del>	<u>69</u>
20	Greater than \$1,000	<del>((358))</del>	<u>491</u>
21	Class I. Food product and marketing establishments in stadiums, arenas or		
22	auditoriums with a seating capacity of 25,000 or more 391.		

23 The license fees prescribed in this Section are due and payable annually in advance on  
24 the first day of September of each year.

25

1 Fees for new licenses issued prior to, or after September 1, shall be prorated on a  
 2 monthly basis. (Amended by Ord. 95-84, App. 3/8/84; Ord. 369-88, App. 8/5/88; Ord. 244-09,  
 3 App. 6/24/91; Ord. 207-93, App. 6/25/93; Ord. 131-97, App. 4/18/97).

4 **SEC. 249.1. FOOD PREPARATION AND SERVICE ESTABLISHMENTS.**

5 Every person, firm or corporation engaged in the business of operating food  
 6 preparation and service establishments, as defined in Section 451 of the San Francisco  
 7 Health Code, that require permits from the Health Department shall pay an annual license fee  
 8 to the Tax Collector as follows:

(a) Class	Fee
Class A. Food preparation and service establishments with a total square footage of:	
Less than 1,000 square feet	\$510
1,000 square feet to 2,000 square feet	<del>(( 555 ))</del> <u>674</u>
Greater than 2,000 square feet	<del>(( 563 ))</del> <u>773</u>
Class B. Bar or tavern	<del>(( 535 ))</del> <u>605</u>
Class C. Take-out establishment	<del>(( 535 ))</del> <u>611</u>
Class D. Fast food establishment	<del>(( 580 ))</del> <u>693</u>
Class E. Catering facility	<del>(( 535 ))</del> <u>595</u>
Class F. Temporary facility	<del>(( \$ 85 ))</del> <u>95</u>
Class G. Food demonstration	85
Class H. Commissary	<del>(( 535 ))</del> <u>580</u>
Class I. Pushcart on private property	<del>(( 406 ))</del> <u>483</u>
Class J. Stadium concession	<del>(( 391 ))</del> <u>410</u>
Class K. Vending machines	<del>(( 66 ))</del> <u>116</u>
Class L. Bed and breakfast establishment	<del>(( 535 ))</del> <u>655</u>
Class M. Boarding house	<del>(( 129 ))</del> <u>158</u>

1 Class N. Private school cafeteria ~~((175))~~ 193

2 Class O. Hospital kitchen ~~((580))~~ 616

3 The license fees prescribed in this Section are due and payable on an annual basis  
4 commencing April 1, 1984. Fees for new licenses issued prior to, or after April 1, shall be  
5 prorated on a monthly basis.

6 (b) Exemptions. The following establishments are exempt from paying the fees  
7 required by this Section:

8 (1) Food preparation and service establishments used exclusively by day care facilities  
9 for children are exempt from paying the fees required by this Section.

10 For the purpose of this subsection, a "day care facility for children" shall mean a  
11 "community care facility" licensed pursuant to the provisions of Chapter 3, Division 2 of the  
12 California Health and Safety Code (commencing at Section 1500) which provides nonmedical  
13 care to children in need of personal services, supervision, or assistance essential for  
14 sustaining the activities of daily living or for the protection of the individual on less than a 24-  
15 hour basis, or a "family day care home for children" licensed pursuant to the provisions of  
16 Chapter 3.6, Division 2 of the California Health and Safety Code (commencing at Section  
17 1597.50).

18 (2) Food preparation and service establishments funded through the San Francisco  
19 Commission on Aging for nutrition projects for older individuals.

20 (c) Application and permit fees as provided for in Sections 248 through 249.2 for fiscal years  
21 subsequent to 2000-01 shall be adjusted each year from those charged the previous fiscal year based  
22 on cost of living allowances (COLA). Each year, the Controller shall review the fees which would be  
23 charged in the next fiscal year and shall file a report with the Board of Supervisors no later than May  
24 15 along with a proposed ordinance readjusting the fee rates as necessary to ensure that (A) the fees  
25 produce sufficient revenue to support the costs of providing the services for which each fee is assessed.


1 and (B) the fees do not produce revenue which is significantly more than the costs of providing the  
2 services for which each fee is assessed.


3  
4 APPROVED AS TO FORM:

RECOMMENDED:

5 LOUISE H. RENNE  
6 City Attorney

7 By

8   
ALEETA M. VAN RUNKLE  
9 Deputy City Attorney

  
MITCHELL KATZ, M.D.  
Director of Health

10 APPROVED:

11   
12 Health Commission



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Ordinance

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**File Number:** 010515

**Date Passed:**

Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248 and 249.1, relating to fees for licenses or permits for inspections by the Department of Public Health.

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April 30, 2001 Board of Supervisors — PASSED ON FIRST READING

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, McGoldrick, Peskin

Noes: 5 - Daly, Hall, Newsom, Sandoval, Yee

May 7, 2001 Board of Supervisors — CONTINUED ON FINAL PASSAGE

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin,  
Sandoval

Absent: 2 - Newsom, Yee

May 21, 2001 Board of Supervisors — FINALLY PASSED

Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, McGoldrick, Peskin

Noes: 5 - Daly, Hall, Newsom, Sandoval, Yee



File No. 010515

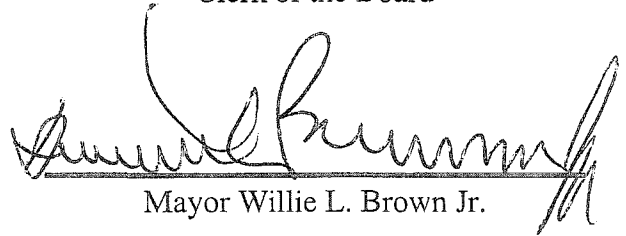
I hereby certify that the foregoing Ordinance  
was FINALLY PASSED on May 21, 2001 by  
the Board of Supervisors of the City and  
County of San Francisco.



Gloria L. Young  
Clerk of the Board

JUN 0 1 2001

Date Approved



Mayor Willie L. Brown Jr.