

1 [Park Code - Parking Fees and Fines, Park Patrol Enforcement]

2
3 Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking
4 rates at the Kezar Stadium Parking Lot; and Golden Gate Park Underground Parking
5 Facility, and Marina Small Craft Harbor in accordance with Park Code provisions that
6 authorize SFMTA rate-setting on park property; and subject to Board of Supervisors
7 approval, and making conforming edits to the Park Code; increasing parking rates for
8 berth-holders at the Marina Small Craft Harbor; clarifying that the fines for certain
9 violations of the Transportation Code apply to similar violations occurring on park
10 property; clarifying the authority of Park Patrol to enforce the Park Code and issue
11 parking citations; and affirming the Planning Department’s determination under the
12 California Environmental Quality Act.

13 NOTE: Unchanged Code text and uncodified text are in plain Arial font.
14 Additions to Codes are in *single-underline italics Times New Roman font*.
15 Deletions to Codes are in *strikethrough italics Times New Roman font*.
16 Board amendment additions are in double-underlined Arial font.
17 Board amendment deletions are in ~~Arial font~~.
18 Asterisks (* * * *) indicate the omission of unchanged Code
19 subsections or parts of tables.

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

20 Section 1. Environmental Findings.

21 The Planning Department has determined that the actions contemplated in this
22 ordinance comply with the California Environmental Quality Act (California Public Resources
23 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
24 Supervisors in File No. 211022 and is incorporated herein by reference. The Board affirms
25 this determination.

1
2 Section 2. Authority and Role of Municipal Transportation Agency Regarding Paid
3 Parking at the Kezar Stadium Parking Lot, and the Golden Gate Park Underground Parking
4 Facility, ~~and the Marina Small Craft Harbor.~~

5 (a) Park Code Section 6.14 authorizes the Municipal Transportation Agency to identify
6 locations suitable for the establishment of paid parking areas or zones on property under the
7 jurisdiction of the Recreation and Park Commission, and to set rates for paid parking in such
8 areas that are closely comparable to the rates set for similarly situated paid parking, provided,
9 among other things, that the Board of Supervisors approves the location of the paid parking
10 areas and the parking restrictions.

11 (b) In accordance with Park Code Section 6.14, the Board of Supervisors tentatively
12 approves the implementation of paid parking with rates set by the Municipal Transportation
13 Agency and subject to approval by the Recreation and Commission at the Kezar Stadium
14 Parking Lot, and the Golden Gate Park Underground Parking Facility, ~~and the Marina Small~~
15 ~~Craft Harbor.~~ The Kezar Parking Lot is located at 825 Stanyan Street. The Golden Gate Park
16 Underground Parking Facility is located under the Music Concourse area of Golden Gate
17 Park. ~~The Marina Small Craft Harbor is located at 3950 Scott Street and encompasses those~~
18 ~~certain areas in the vicinity of and including the Marina Green.~~ The current parking rates at
19 these facilities are adjusted for inflation but are otherwise fixed. The rates set by the
20 Municipal Transportation Agency at those sites shall be comparable to the rates set for
21 similarly situated parking, may increase or decrease in response to customer demand at
22 particular times or on particular days or dates, and shall be intended to support recreation by
23 encouraging the use of these facilities by recreational users, and by helping the Recreation
24 and Park Department meet operating expenses, purchase or lease supplies, equipment and
25 materials for the parks, and raise funds for future capital projects necessary to maintain

1 existing levels of service. The Board of Supervisors requests that the Municipal
2 Transportation Agency and Recreation and Park Department provide further information
3 regarding how the rates would be set. The rate-setting shall be finally approved and may
4 commence after the Board of Supervisors has reviewed this information and adopted a
5 resolution finding that the proposed rates comply with the requirements of Section 6.14.

6 (b) In accordance with Park Code Section 6.14, the Board of Supervisors approves
7 that the parking restrictions set forth in the Park Code, as amended by this ordinance and as
8 they may be amended in the future from time to time, shall apply to any such system of paid
9 parking. Nothing in this ordinance may be deemed to modify or supersede the Lease dated
10 December 24, 2004, as amended, between the Music Concourse Community Partnership and
11 the City and County of San Francisco and the Golden Gate Park Concourse Authority, relating
12 to the Golden Gate Park Underground Parking Facility and the debt secured by the parking
13 facility.

14
15 Section 3. The Park Code is hereby amended by revising Sections 6.01, 6.02, 6.10,
16 10.01, 12.08, 12.11, and 12.35, to read as follows:

17 **SEC. 6.01. OPERATION AND PARKING OF VEHICLES.**

18 * * * *

19 (i) No person shall, in any park, allow any automobile or other vehicle to remain
20 parked in any parking ~~lot~~space which is open for public use and for which a fee is charged for
21 parking, ~~including, but not limited to Kezar Parking Lot,~~ for a period of more than 24 hours after
22 the expiration of the period for which a fee is charged, unless otherwise allowed by permit.

23 * * * *

24 (k) No person shall, in any park, allow any automobile or any other vehicle that is
25 disabled to remain parked in any parking ~~lot~~space which is open for public use and for which a

1 fee is charged for parking, ~~including but not limited to Kezar Parking Lot,~~ unless otherwise
2 allowed by permit.

3 (l) No person shall, in any park, commit any of the offenses listed in Sections 302 and
4 303 of Division II of the Transportation Code, as they may be amended from time to time.

5
6 **SEC. 6.02. TOWING OF VEHICLES.**

7 (a) Whenever any member/officer of the San Francisco Police Department, employee of
8 the San Francisco Municipal Transportation Agency (SFMTA), or employee or lessee authorized
9 by the Recreation and Park Department or Commission finds any vehicle parked in violation
10 of Sections 6.01(d), (e), (f), (g), (h), (i), (j), or (k) of this Code, such officer, employee, or
11 lessee may provide for the removal of such vehicle, so long as signs have been posted to
12 inform the public that vehicles so parked are subject to removal and, with respect to Section
13 6.01(i), so long as there is an attendant on duty or other facilities permitting the patron to pay
14 or remit the parking charges at the time the vehicle is first parked.

15 (b) The procedure for removal and impounding of vehicles shall be as is provided for
16 in applicable provisions of the San Francisco Transportation Traffic Code and Sections 22850 to
17 22855 of the California Vehicle Code.

18 (c) ~~Moreover, a~~ Any vehicle stopped, parked, or left standing in such a manner as to
19 violate Sections 6.01(d), (e), (f), (g), (h), (i), (j), or (k) of this Code is an obstruction to the free
20 use of property and a nuisance within the meaning of Part III of the Civil Code of California
21 relating to nuisances and the abatement thereof.

22
23 **SEC. 6.10. PENALTIES.**

24 (a) A person who commits an offense listed in Sections 302 or 303 of Division II of the
25 Transportation Code shall be required to pay the fines specified in those Sections. Otherwise,

1 a A-person who violates Section 6.01(c), (d), (e), (f), or (g) of this Code shall be guilty of an
2 infraction and upon conviction thereof shall be punished for the first offense by a fine not to
3 exceed \$50; for the second offense committed within a one-year period by a fine not to
4 exceed \$100; for a third and each additional offense committed within a one-year^s period by a
5 fine not to exceed \$250.

6 (b) This Section 6.10 shall not be deemed to contradict Section 6.02 of this Code
7 concerning the towing of vehicles in violation of Section 6.01(d), (f), or (g). ~~Nor shall this~~
8 ~~Section 6.10 contradict or limit the ability of SFMTA to establish and impose fines and~~
9 ~~penalties pursuant to the Transportation Code for parking violations on park property, subject~~
10 ~~to the approval of the Recreation and Park Commission.~~

11
12 **SEC. 10.01. PENALTIES; ENFORCEMENT.**

13 * * * *

14 (e) The Park Patrol shall have the authority to issue citations and to enforce any
15 provision of this Code, pursuant to this subdivision (e) and pursuant to California Penal Code
16 section 836.5.

17
18 **SEC. 12.08. PARKING FEES ON RECREATION AND PARK PROPERTY.**

19 (a) The following fees shall be charged for parking at the Kezar Parking Lot. The rates for
20 parking at the Kezar Stadium Parking Lot may be set by the San Francisco Municipal Transportation
21 Agency (SFMTA) in accordance with Section 6.14. Until such time as the SFMTA has set rates with
22 approval of the Recreation and Park Commission and the Board of Supervisors, the rates, which are
23 subject to annual adjustment under Section 12.20, shall continue to apply:

24 (1) Hourly Parking Rates.

25 0—1 hour \$2.50

1	1—2 hours	\$5.00
2	2—3 hours	\$7.00
3	3—4 hours	\$10.00
4	4—5 hours	\$12.00
5	5—6 hours	\$14.00
6	6—7 hours	\$16.00
7	7—24 hours	\$18.00
8	Special Event Parking	\$10.00
9	Validation	\$1.25

10 (2) Monthly Parking Rates.

11	Resident	\$160.00
12	Seniors	\$60.00
13	Commercial (Monday—Friday)	\$185.00

14 (3) Other Rates.

15	Lost Ticket Fee	\$18.00
16	Validated Ticket Books (100 stickers)	\$150.00

17 ~~(b) Candlestick Parking Lots.~~

18 ~~—(1) The daily fee for vehicles and trailers parking in the television compound during~~
 19 ~~football season and for televised soccer events shall be \$1,000.00 per day.~~

20 ~~—(2) The fee for automobile and tire manufacturer and/or dealer shows shall be \$2,500.00~~
 21 ~~per day for set up and breakdown and \$5,000.00 per day for the show.~~

22 ~~—(3) The fee for car clubs shall be \$2,500.00 per day plus an additional \$1,250.00 for use of~~
 23 ~~the entire lot which includes the RV section.~~

24 ~~—(4) The fee for photography shoots shall be \$2,500.00 per day for use of the parking lot,~~
 25 ~~and \$4,000.00 per day for use of the stadium.~~

1 ~~(b)(e)~~ Other Recreation and Park Property. The daily fee for parking on other
 2 Recreation and Park property, except for garages and specifically designated parking lots
 3 subject to separate fee-setting procedures, shall be from \$0.50 ~~(fifty cents)~~ to \$1.00 per hour,
 4 the amount to be determined by the Recreation and Park Commission after considering the
 5 costs of parking in the areas adjacent to the park property.

6
 7 **SEC. 12.11. MARINA FEES.**

8 The following fees shall be charged for goods and services at the *San Francisco* Marina
 9 Small Craft Harbor:

10 * * * *

11 **(e) Parking.**

12 (1) Berth Parking, for Owners and Partners Only:	
13 Two permits (per berthing license) stickers	Free
14 Each additional permit sticker, annually	\$600 120.00
15 (2) Daily Parking, Allows Permit Holder to Park in Marina Spaces if Available:	
16 —Crew, per day	7.50
17 —Non-Owner, per day	7.50
18 (3) Special Event Parking, per day	
19 (4) Trailer/Dingy Parking, for Regatta etc., per day	
20 (2) All Other Rates Set by SFMTA pursuant to Park Code Section 6.14	
21 (2) Daily Parking, Allows Permit Holder to Park in Marina Spaces if Available:	
22 Crew, per day	7.50
23 Non-Owner, per day	7.50
24 (3) Special Event Parking, per day	7.50
25 (4) Trailer/Dingy Parking, for Regatta etc., per day	7.50

26 * * * *

27 **SEC. 12.35. GOLDEN GATE PARK CONCOURSE UNDERGROUND PARKING**
 28 **FACILITY.**

1 (a) The rates *to be charged* for parking in the Golden Gate Park Underground
 2 Parking Facility *may be set by the SFMTA in accordance with Section 6.14. Until such time as the*
 3 *SFMTA has set rates with approval of the Recreation and Park Commission and the Board of*
 4 *Supervisors, the rates, which are subject to annual adjustment under Section 12.20, shall continue to*
 5 *apply*~~be as follows~~:

	Each hour	Maximum
Weekdays	\$4.50	\$25.00
Weekends	\$5.00	\$28.00
Flat Rate After 6:00 p.m.		\$15.00
Monthly Rate (daytime)		\$200.00

12 * * * *

13
 14 Section 4. Effective Date. This ordinance shall become effective 30 days after
 15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
 16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
 17 of Supervisors overrides the Mayor's veto of the ordinance.

18
 19 Section 5. Future Updates to Park Code Sections 12.08 and 12.35. Park Code
 20 Sections 12.08(a) and 12.35(a) contain rates previously approved by the Board of Supervisors
 21 for parking at the Kezar Stadium Parking Lot and Golden Gate Park Concourse Underground
 22 Parking Facility. This ordinance approves of the San Francisco Municipal Transportation
 23 Agency (SFMTA) setting new parking rates at those facilities with the approval of the
 24 Recreation and Park Commission and the Board of Supervisors, but the rate-setting and
 25 approvals have not yet occurred, so the existing rates in the Park Code, adjusted in

1 accordance with Park Code Section 12.20, shall continue to apply in the interim. The
2 Recreation and Park Department is directed to notify the City Attorney's Office in writing once
3 SFMTA has commenced setting rates at those facilities with approval of the Recreation and
4 Park Commission and the Board of Supervisors. Upon receiving such notice, the City
5 Attorney's Office shall cause Sections 12.08 and 12.35 to be revised accordingly.
6

7 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
8 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
9 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
10 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
11 additions, and Board amendment deletions in accordance with the "Note" that appears under
12 the official title of the ordinance.
13

14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By: /s/
17 MANU PRADHAN
18 Deputy City Attorney
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20
21
22
23
24
25



City and County of San Francisco

Tails Ordinance

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

File Number: 211022

Date Passed: November 30, 2021

Ordinance authorizing the Municipal Transportation Agency (SFMTA) to set parking rates at the Kezar Stadium Parking Lot, and Golden Gate Park Underground Parking Facility in accordance with Park Code provisions that authorize SFMTA rate-setting on park property and subject to Board of Supervisors approval, and making conforming edits to the Park Code; increasing parking rates for berth-holders at the Marina Small Craft Harbor; clarifying that the fines for certain violations of the Transportation Code apply to similar violations occurring on park property; clarifying the authority of Park Patrol to enforce the Park Code and issue parking citations; and affirming the Planning Department's determination under the California Environmental Quality Act.

September 22, 2021 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

September 22, 2021 Budget and Finance Committee - CONTINUED TO CALL OF THE CHAIR AS AMENDED

November 03, 2021 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

November 03, 2021 Budget and Finance Committee - CONTINUED AS AMENDED

November 10, 2021 Budget and Finance Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

November 10, 2021 Budget and Finance Committee - RECOMMENDED AS AMENDED..

November 16, 2021 Board of Supervisors - PASSED ON FIRST READING

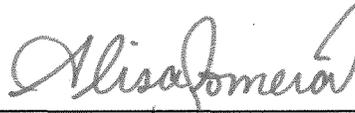
Ayes: 10 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Safai, Stefani and Walton
Excused: 1 - Ronen

November 30, 2021 Board of Supervisors - FINALLY PASSED

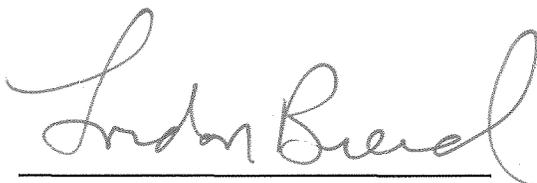
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 211022

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/30/2021 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board



London N. Breed
Mayor

12/10/21

Date Approved