

BOARD of SUPERVISORS



City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

# MEMORANDUM

TO: Katy Tang, Director, Office of Small Business  
Kerry Birnbach, Kerry Birnbach, Senior Policy Analyst/Commission  
Secretary  
**Small Business Commission, City Hall, Room 448**

FROM: Victor Young, Assistant Clerk *Victor Young*  
Rules Committee

DATE: August 4, 2022

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Rules Committee

The Board of Supervisors' Rules Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

**File No. 220877**

**Ordinance amending the Administrative Code to remove the requirement to charge a Legacy Business Registry administrative fee.**

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

\*\*\*\*\*

**RESPONSE FROM SMALL BUSINESS COMMISSION - Date:** \_\_\_\_\_

\_\_\_\_\_ **No Comment**

\_\_\_\_\_ **Recommendation Attached**

\_\_\_\_\_  
**Chairperson, Small Business Commission**



# City and County of San Francisco

## Master Report

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

**File Number:** 220877      **File Type:** Ordinance      **Status:** 30 Day Rule

**Enacted:** \_\_\_\_\_ **Effective:** \_\_\_\_\_

**Version:** 1      **In Control:** Rules Committee

**File Name:** Administrative Code - Repeal of Legacy Business Registry Fee      **Date Introduced:** 07/26/2022

**Requester:** \_\_\_\_\_ **Cost:** \_\_\_\_\_ **Final Action:** \_\_\_\_\_

**Comment:** \_\_\_\_\_ **Title:** Ordinance amending the Administrative Code to remove the requirement to charge a Legacy Business Registry administrative fee.

**Sponsors:** Peskin; Ronen

### History of Legislative File 220877

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	07/26/2022	ASSIGNED UNDER 30 DAY RULE	Rules Committee	08/25/2022	

1 [Administrative Code - Repeal of Legacy Business Registry Fee]

2

3 **Ordinance amending the Administrative Code to remove the requirement to charge a**  
 4 **Legacy Business Registry administrative fee.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
 6 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
 7 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
 8 **Board amendment additions** are in double-underlined Arial font.  
 9 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
 Asterisks (\* \* \* \*) indicate the omission of unchanged Code  
 subsections or parts of tables.

9

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

11

12 Section 1. Chapter 2A, Article XVI of the Administrative Code is hereby amended by  
 13 revising Section 2A.242, to read as follows:

14 **SEC. 2A.242. LEGACY BUSINESS REGISTRY.**

15 \* \* \* \*

16 ~~(d) The Executive Director of the Office of Small Business, in consultation with the Controller,~~  
 17 ~~shall establish a one-time non-refundable administrative fee, to offset the costs of administering the~~  
 18 ~~program, which shall not exceed \$50, to be paid by businesses that are nominated for inclusion in the~~  
 19 ~~Registry and that wish to be included in the Registry.~~

20 (ed) The Small Business Commission may, after a noticed hearing, adopt such rules,  
 21 regulations, and forms necessary to implement this Section 2A.242. Any rules and regulations  
 22 adopted under this authority shall be subject to disapproval of the Board of Supervisors by  
 23 ordinance. The Small Business Commission shall provide written notice to the Clerk of the  
 24 Board of Supervisors of its adoption of any rule or regulation under this subsection (ed), along  
 25 with a copy of said rule or regulation. If a Member of the Board of Supervisors does not

1 introduce an ordinance to disapprove the rule or regulation within 30 days of the date of  
2 delivery of such notice to the Clerk of the Board of Supervisors, or if such an ordinance is  
3 introduced within the 30-day period but the ordinance is not enacted by the Board of  
4 Supervisors within 90 days of the date of the Commission's delivery of notice to the Clerk of  
5 the Board of Supervisors, the rule or regulation shall go into effect.

6 (*fe*) The Small Business Commission shall survey San Francisco's Legacy  
7 Businesses and, no later than September 30, 2015, make substantive recommendations to  
8 the Board of Supervisors for programs for Legacy Businesses. Such programs may include  
9 business and technical assistance, lease renewal and acquisition assistance, public education  
10 and commendation initiatives to recognize and honor the contributions of Legacy Businesses  
11 to San Francisco, financial incentives to encourage the stability of Legacy Businesses, and  
12 additional business stabilization and neighborhood continuity initiatives.

13  
14 Section 2. 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 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
20 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
21 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
22 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
23 additions, and Board amendment deletions in accordance with the "Note" that appears under  
24 the official title of the ordinance.

1 APPROVED AS TO FORM:  
2 DAVID CHIU, City Attorney

3 By: /s/ Christina Fletes-Romo \_\_\_\_\_  
4 CHRISTINA FLETES-ROMO  
5 Deputy City Attorney

6 n:\legana\as2022\2300022\01617326.docx

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## **LEGISLATIVE DIGEST**

[Administrative Code - Repeal of Legacy Business Registry Fee]

**Ordinance amending the Administrative Code to remove the requirement to charge a Legacy Business Registry administrative fee.**

### **Existing Law**

The Legacy Business Registry recognizes longstanding, community-serving businesses, most of which have operated in San Francisco for more than 30 years, have contributed to the history or identity of a particular neighborhood or community, and are committed to maintaining the physical features or traditions that define the business. Under existing law, the Executive Director of the Office of Small Business must establish a one-time non-refundable administrative fee, not to exceed \$50, to be paid by businesses that are nominated for and interested in inclusion in the Registry. The purpose of the fee is to offset the costs of administering the program.

### **Amendments to Current Law**

This proposed ordinance eliminates the Legacy Business Registry fee. The Office of Small Business Executive Director would no longer be required to, nor have discretion to, establish a Legacy Business Registry fee.

n:\legana\as2022\2300022\01617533.docx

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only

**From:** [Fletes, Christina \(CAT\)](#)  
**To:** [Angulo, Sunny \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Cc:** [Peskin, Aaron \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Herrera, Ana \(BOS\)](#); [Tang, Katy \(ECN\)](#)  
**Subject:** RE: PESKIN - Ordinance - Repeal of the Legacy Business Registry Fee  
**Date:** Tuesday, July 26, 2022 2:51:15 PM

---

Confirming my electronic signature reflects that I have approved the ordinance as to form.

**Christina Fletes-Romo**

(she/her/ella)  
Deputy City Attorney  
Office of City Attorney David Chiu  
(415) 554-4637 Direct (e-mail preferred)  
[www.sfcityattorney.org](http://www.sfcityattorney.org)  
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

---

**From:** Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>  
**Sent:** Tuesday, July 26, 2022 2:47 PM  
**To:** BOS Legislation, (BOS) <bos.legislation@sfgov.org>  
**Cc:** Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Herrera, Ana (BOS) <ana.herrera@sfgov.org>; Fletes, Christina (CAT) <Christina.Fletes@sfcityatty.org>; Tang, Katy (ECN) <katy.tang@sfgov.org>  
**Subject:** PESKIN - Ordinance - Repeal of the Legacy Business Registry Fee

Good afternoon,

Attached please find Supervisor Peskin's Legacy Business Registry Fee Repeal ordinance for introduction, as well as the legislative digest and introduction form.

Copying DCA Fletes to confirm that her electronic signature reflects this Ordinance has been approved as to form.

Please let me know if you have any questions or concerns.

Happy Tuesday,  
Sunny

Sunny Angulo  
Supervisor Aaron Peskin, *Chief of Staff*  
[Sunny.Angulo@sfgov.org](mailto:Sunny.Angulo@sfgov.org)  
415.554.7451 DIRECT  
415.554.7450 VOICE  
415.430.7091 CELL

[District 3 Website](#)

Sign up for our newsletter [here!](#)

1 [Administrative Code - Repeal of Legacy Business Registry Fee]

2

3 **Ordinance amending the Administrative Code to remove the requirement to charge a**  
 4 **Legacy Business Registry administrative fee.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
 6 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
 7 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
 8 **Board amendment additions** are in double-underlined Arial font.  
 9 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
 Asterisks (\* \* \* \*) indicate the omission of unchanged Code  
 subsections or parts of tables.

9

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

11

12 Section 1. Chapter 2A, Article XVI of the Administrative Code is hereby amended by  
 13 revising Section 2A.242, to read as follows:

14 **SEC. 2A.242. LEGACY BUSINESS REGISTRY.**

15 \* \* \* \*

16 ~~(d) The Executive Director of the Office of Small Business, in consultation with the Controller,~~  
 17 ~~shall establish a one-time non-refundable administrative fee, to offset the costs of administering the~~  
 18 ~~program, which shall not exceed \$50, to be paid by businesses that are nominated for inclusion in the~~  
 19 ~~Registry and that wish to be included in the Registry.~~

20 (ed) The Small Business Commission may, after a noticed hearing, adopt such rules,  
 21 regulations, and forms necessary to implement this Section 2A.242. Any rules and regulations  
 22 adopted under this authority shall be subject to disapproval of the Board of Supervisors by  
 23 ordinance. The Small Business Commission shall provide written notice to the Clerk of the  
 24 Board of Supervisors of its adoption of any rule or regulation under this subsection (ed), along  
 25 with a copy of said rule or regulation. If a Member of the Board of Supervisors does not

1 introduce an ordinance to disapprove the rule or regulation within 30 days of the date of  
2 delivery of such notice to the Clerk of the Board of Supervisors, or if such an ordinance is  
3 introduced within the 30-day period but the ordinance is not enacted by the Board of  
4 Supervisors within 90 days of the date of the Commission's delivery of notice to the Clerk of  
5 the Board of Supervisors, the rule or regulation shall go into effect.

6 (fe) The Small Business Commission shall survey San Francisco's Legacy  
7 Businesses and, no later than September 30, 2015, make substantive recommendations to  
8 the Board of Supervisors for programs for Legacy Businesses. Such programs may include  
9 business and technical assistance, lease renewal and acquisition assistance, public education  
10 and commendation initiatives to recognize and honor the contributions of Legacy Businesses  
11 to San Francisco, financial incentives to encourage the stability of Legacy Businesses, and  
12 additional business stabilization and neighborhood continuity initiatives.

13  
14 Section 2. 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 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
20 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
21 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
22 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
23 additions, and Board amendment deletions in accordance with the "Note" that appears under  
24 the official title of the ordinance.

1 APPROVED AS TO FORM:  
2 DAVID CHIU, City Attorney

3 By: /s/ Christina Fletes-Romo \_\_\_\_\_  
4 CHRISTINA FLETES-ROMO  
5 Deputy City Attorney

6 n:\legana\as2022\2300022\01617326.docx

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25