

1 [Park Code - Various Fees]

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3 **Ordinance amending the Park Code by updating the berthing fees for the East and**
4 **West Harbor; reauthorizing the non-resident entrance fee to the Botanical Garden;**
5 **establishing a facility rental fee for the Lake Merced Boathouse; and repealing obsolete**
6 **fee provisions; and making environmental findings.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are *strike-through italics Times New Roman*.
9 Board amendment additions are double-underlined;
10 Board amendment deletions are ~~strikethrough-normal~~.

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

12 Section 1. The Planning Department has determined that the actions contemplated in
13 this ordinance comply with the California Environmental Quality Act (California Public
14 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the
15 Board of Supervisors in File No. 130548 and is incorporated herein by reference.

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17 Section 2. The San Francisco Park Code is hereby amended by amending
18 subsections (a) and (c) of Section 12.11, Section 12.21, and subsection (d) of Section 12.46
19 to read as follows:

20 **SEC. 12.11. MARINA FEES.**

21 The following fees shall be charged for goods and services at the San Francisco
22 Marina Small Craft Harbor:

23 (a) **Berthing License Fees.** The following monthly charges shall be based on the
24 length of the berth.

25 ~~(1) West Harbor for Fiscal Year 2011-2012:~~

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<i>Berth Length</i>	<i>Fee Per Foot/Per Month</i>
<i>25'</i>	<i>\$8.32</i>
<i>30'</i>	<i>8.44</i>
<i>35'</i>	<i>8.44</i>
<i>40'</i>	<i>10.24</i>
<i>45'</i>	<i>10.24</i>
<i>50'</i>	<i>10.47</i>
<i>60'</i>	<i>10.47</i>
<i>70'</i>	<i>10.68</i>
<i>80'</i>	<i>10.68</i>
<i>90'</i>	<i>10.68</i>

(12) East Harbor for Fiscal Year ~~2011-2012~~ 2013-2014:

Berth Length	Fee Per Foot/Per Month
20'	\$8.45 8.64
25'	8.75 8.64
30'	8.88 8.76
35'	8.88 8.76

(23) West Harbor for Fiscal Year 2012-2013, or upon completion of the West Harbor renovation as certified in writing by the General Manager, whichever occurs later:

Berth Length	Fee Per Foot/Per Month
25'	\$11.61
30'	11.77
35'	11.77
40'	14.28
45'	14.28
50'	14.60
60'	14.60
70'	14.91
80'	14.91
90'	14.91

(b) **Surcharge for Electricity.** The Recreation and Park Department may meter the use of electricity and may charge the berth holder the utility provider's standard rates for usage over 264KW per month.

(c) **Deposits, refundable if there is no loss, damage or need to clean the item.**

(1) Berth	One Month's Rent <i>Monthly Berthing License Fee</i>
(2) Electrical Adapter	\$125.00
(3) Hazardous Material or Removal Fee	150.00
(4) Key for Visiting Boaters, per key	50.00

* * * *

1 **SEC. 12.21. CLUBHOUSES; LAKE MERCED BOATHOUSE.**

2 (a) The following fees shall be charged for use of clubhouses:

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	Hourly Rate*
Stern Grove (Trocadero)	
Monday – Thursday	\$120.00
Friday – Sunday	\$140.00
Legal Holidays	\$140.00
*Six hour minimum rental	
	\$70.00
Class AAA Clubhouses	\$70.00
Class A Recreation Center	\$45.00
Class B Large Clubhouse	\$35.00
Class C Small Clubhouse	\$25.00
*Two hour minimum rental plus staff time at prevailing rate.	

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16 (b) The following fees shall be charged for use of gymnasiums:

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	Hourly Rate*
Class AA Gyms	\$125.00
Class A Gyms	\$100.00
Class B Gyms	\$75.00
Class C Gyms	\$50.00
*Two hour minimum, plus staff time at prevailing rate.	

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1 (c) Lake Merced Boathouse. The following fees shall be charged for rental of a room in the
 2 Lake Merced Boathouse. For purposes of this subsection (c), "Nonprofit" shall mean any entity that
 3 qualifies for tax-exempt status under 26 U.S.C. § 501(c)(3) and seeks to rent the Boathouse for
 4 community or social activities in which there are no monetary transactions (i.e., admission charge,
 5 donation, ticket sales, or product sales) during or in connection with the rental, and "Private" shall
 6 mean all other users who do not meet this definition of "Nonprofit." For purposes of this subsection
 7 (c), "Event" shall mean a gathering where food and/or drink is served, and "Meeting" shall mean a
 8 gathering where neither food nor drink is served.

	<u>Hourly Rate*</u>
<u>Non-profit Meeting Monday-Thursday</u>	<u>\$40.00</u>
<u>Non-profit Meeting Friday-Sunday</u>	<u>\$100.00</u>
<u>Non-profit Event Monday-Thursday</u>	<u>\$75.00</u>
<u>Non-profit Event Friday-Sunday</u>	<u>\$100.00</u>
<u>Private Meeting or Event Monday-Thursday</u>	<u>\$125.00</u>
<u>Private Meeting or Event Friday-Sunday</u>	<u>\$200.00</u>
<u>*A booking from 8 am to 4 pm or from 5 pm to midnight shall be charged a maximum of 6 hours.</u>	

19 **SEC. 12.46. COUNTY FAIR BUILDING AND BOTANICAL GARDEN FACILITY RENTAL**
 20 **FEES.**

21 * * * *

22 (d) The Department shall charge the following fees for entrance to the Botanical
 23 Garden:

Age/Category	Non-San Francisco Residents
Adults	\$7.00
Youth 12-17 and Seniors 65 and over	\$5.00
Children 5-11	\$2.00
Children 4 and under	No charge
Families (2 adults and all children <i>under</i> 17 years <i>and</i> <i>under</i> residing in the same household)	\$15.00

The Department shall provide annual reports to the Budget and Finance Committee on the collection of the non-resident fee for entrance to the Botanical Gardens, such reports shall include the following information: 1. Attendance figures for San Francisco residents, Members of San Francisco Botanical Garden Society, and Non-San Francisco residents; 2. Capital improvements and operating costs of the Botanical Gardens; 3. Capital improvements and operating costs incurred by the Department and the Botanical Garden Society associated with the collection of all fees; 4. Revenue from the new non-resident fee, separated into (a) point of sale gate tickets and (b) actual attendance from packaged sales with other Park sites, and revenue from all other fees; 5. The numbers of San Francisco Botanical Garden Society members; and 6. Gifts, donations and services-in-kind received by the Department and the Botanical Garden Society for the Botanical Garden.

The non-resident fee for the Botanical Gardens shall sunset on September 30, 2013.

Section 3. The San Francisco Park Code is hereby amended by repealing Sections 12.26 and 12.31 in their entirety, to read as follows:

~~SEC. 12.26. GOLDEN GATE PARK CONCOURSE PARKING.~~

The fee for parking on the Golden Gate Park Concourse every day of the week, any time of the day, shall be \$1.00 per hour.

1 **~~SEC. 12.31. FIELD TRIP REIMBURSEMENT.~~**

2 ~~From time to time, field trips and outings are offered as part of the Department's recreation~~
3 ~~programs. The Department shall collect a reimbursement fee from participants to cover all or a~~
4 ~~portion of the costs of transportation, food, admission charges and other associated expenses. If the full~~
5 ~~reimbursement required is \$10.00 per person, or less, the Department shall charge the full amount. If~~
6 ~~the reimbursement required is more than \$10.00 per person, the Department shall charge \$10.00 and~~
7 ~~an additional amount to cover at least 50% of expenses over \$10.00 per person. The Recreation and~~
8 ~~Park Commission shall adopt policies and procedures to offer reduced rates to low income families.~~

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10 Section 4. Severability. If any section, subsection, sentence, clause, phrase, or word
11 of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any
12 court of competent jurisdiction, such decision shall not affect the validity of the remaining
13 portions of the ordinance. The Board of Supervisors hereby declares that it would have
14 passed this ordinance and each and every section, subsection, sentence, clause, phrase, and
15 word not declared invalid or unconstitutional without regard to whether any other portion of
16 this ordinance would be subsequently declared invalid or unconstitutional.

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18 Section 5. Effective Date. This ordinance shall become effective 30 days from the
19 date of passage.

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21 Section 6. In enacting this Ordinance, the Board intends to amend only those words,
22 phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams,
23 or any other constituent part of the Park Code that are explicitly shown in this legislation as
24 additions, deletions, Board amendment additions, and Board amendment deletions in
25 accordance with the "Note" that appears under the official title of the legislation.

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

By: 
FRANCESCA GESSNER
Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

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

File Number: 130548

Date Passed: July 23, 2013

Ordinance amending the Park Code by updating the berthing fees for the East and West Harbor; reauthorizing the non-resident entrance fee to the Botanical Garden; establishing a facility rental fee for the Lake Merced Boathouse; and repealing obsolete fee provisions; and making environmental findings.

June 21, 2013 Budget and Finance Committee - RECOMMENDED

June 20, 2013 Budget and Finance Committee - CONTINUED

July 16, 2013 Board of Supervisors - PASSED ON FIRST READING


Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Noes: 3 - Avalos, Campos and Mar

July 23, 2013 Board of Supervisors - FINALLY PASSED

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee
Noes: 3 - Avalos, Campos and Mar

File No. 130548

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
7/23/2013 by the Board of Supervisors of the
City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved