

File No. 131062

Committee Item No. 5
Board Item No. 13

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Neighborhood Services & Safety Date February 6, 2014

Board of Supervisors Meeting Date 3/4/14

Cmte Board

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- Resolution
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- Amended in Board - February 25, 2014
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Completed by: Derek Evans Date 1/31/14

Completed by: DEREK EVANS Date 2/18/14

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

81

1 [Police Code - Reporting Information About Employees of Privately Owned Parking Garages
2 and Parking Lots]

3 **Ordinance amending the Police Code to require applicants for commercial parking**
4 **permits to provide the residential zip code, gender, and duration of employment for**
5 **employees and other individuals working in privately owned parking lots or parking**
6 **garages.**

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

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

15 Section 1. The Police Code is hereby amended by revising Section 1215.1, to read as
16 follows:

17 **SEC. 1215.1. APPLICATION FOR PERMIT.**

18 (a) Application Requirements. An applicant for a commercial parking permit shall use
19 the application form the Chief of Police provides, and shall supply the following information:

20 (1) The applicant's business name and address, and the address of the parking
21 garage or parking lot for which the applicant seeks a commercial parking permit;

22 (2) The name, residence address, and business contact information of an
23 individual the applicant has authorized to serve as the point of contact for the application and
24 any commercial parking permit the Chief of Police issues;

25 (3) The names and residence addresses of every officer and partner of the
applicant and every person with 10 percent or larger ownership interest in the applicant;

1 (4) The name and residence address of the individual whom the applicant has
2 authorized to manage, direct, or control the operations of the parking garage or parking lot for
3 which the applicant seeks a commercial parking permit;

4 (5) For all individuals listed in subsections (2) through (4), a list of each conviction
5 of or plea of guilty or no contest to a covered crime in the ten years preceding the application,
6 including the nature of the offense and the place and date of the conviction or plea, provided
7 that the applicant shall not inquire about or acquire information in violation of Police Code
8 Article 49;

9 (6) If the applicant does not own the building, structure or space where the parking
10 garage or parking lot for which the applicant seeks a commercial parking permit operates or
11 will operate, the name, business address and contact information of the owner, and
12 documentation demonstrating the nature of the applicant's interest in the building, structure or
13 space;

14 (7) A copy of a current and valid business registration certificate that the Office of
15 the Treasurer and Tax Collector has issued to the applicant under Business and Tax
16 Regulations Code Section 853. The name on the business registration certificate must match
17 the name of the applicant on the application for the commercial parking permit;

18 (8) A copy of a current and valid certificate of authority for the parking garage or
19 parking lot for which the applicant seeks a commercial parking permit that the Office of the
20 Treasurer and Tax Collector has issued to the applicant under Business and Tax Regulations
21 Code Section 6.6-1, or documentation demonstrating that the applicant has applied to the
22 Office of the Treasurer and Tax Collector for a certificate of authority for the parking garage or
23 parking lot for which the applicant seeks a commercial parking permit and has obtained the
24 bond required for that certificate. The name on the certificate of authority or on the application
25

1 for a certificate of authority and bond must match the name of the applicant on the application
2 for the commercial parking permit;

3 (9) A copy of plans for the parking garage or parking lot for which the applicant
4 seeks a commercial parking permit. The plans must include the name and business address
5 of the applicant; the address of the parking garage or parking lot; the name and business
6 address of the owner of the building, structure or space where the garage or lot is located, if
7 the applicant is not the owner; all pedestrian and vehicular entrances and exits to the garage
8 or lot; the dimensions and types of construction of all structures, fences or other
9 improvements; and any features that may affect street traffic;

10 (10) The total motor vehicle capacity of the parking garage or parking lot for which
11 the applicant seeks a permit, including the number of designed spaces and the motor vehicle
12 capacity of all undesignated areas the applicant could use for overflow parking;

13 (11) Certificates of insurance and endorsements evidencing insurance in the
14 amounts and coverages the Chief of Police sets under Section 1215.4(b);

15 (12) A list of all employees or other individuals working at the parking garage or
16 parking lot, or whom the applicant proposes for employment or work at the parking garage or
17 parking lot including for each individual the hours and duties of employment and the how long the
18 individual has been employed by the applicant;

19 (13) and a A declaration signed by the applicant under penalty of perjury certifying
20 that the applicant has verified that in the preceding ten years, none of the employees or other
21 individuals has been convicted of or ~~plead~~ pled guilty or no contest to a covered crime,
22 provided that the applicant shall not inquire about or acquire information in violation of Police
23 Code Article 49; or for any employee or other individual who the applicant knows has been
24 convicted of or ~~plead~~ pled guilty or no contest to a covered crime in the preceding ten years,
25

1 written authorization from the Chief of Police under Section 1215.6(b) allowing the employee
2 or individual to work at the parking garage or parking lot;

3 (14) A list of the residential zip codes of all employees or other individuals working at the
4 parking garage or parking lot, or whom the applicant proposes for employment or work at the parking
5 garage or parking lot, along with the number of individuals that live in each zip code. This list shall
6 not identify which individuals reside in which zip codes. For purposes of this subsection, the term
7 "residential zip code" shall mean the zip code where the individual primarily resides;

8 (15) The total number of males and the total number of females working at the parking
9 garage or parking lot, or whom the applicant proposes for employment or work at the parking garage
10 or parking lot;

11 ~~(13-16)~~ The proposed design of the identification badge for employees or other
12 individuals working at the parking garage or parking lot for which the applicant seeks a permit;

13 ~~(14-17)~~ A security plan for the parking garage or parking lot. The security plan
14 must specify the hours of operation for the parking garage or parking lot and meet the
15 requirements set in Section 1215.2(c). The security plan shall include a certification from the
16 applicant that the applicant shall operate the parking garage or parking lot in compliance with
17 the security plan for the duration of any commercial parking permit issued by the Chief of
18 Police;

19 ~~(15-18)~~ The name and address of the person authorized to accept service of
20 process for the applicant; and

21 ~~(16-19)~~ Any other information that the Chief of Police finds reasonably necessary
22 to investigate the application.


23
24 Section 2. Effective Date. This ordinance shall become effective 30 days after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10
11
12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By:


15 JON GIVNER
16 Deputy City Attorney

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LEGISLATIVE DIGEST

[Police Code - Reporting Information About Employees of Privately Owned Parking Garages and Parking Lots]

Ordinance amending the Police Code to require applicants for commercial parking permits to provide the residential zip code, gender, and duration of employment for employees and other individuals working in privately owned parking lots and parking garages.

Existing Law

Existing law requires entities or individuals wishing to operate a commercial parking garage or commercial parking lot to apply annually to the Chief of Police. The application must include certain information such as a list of all people working at the parking garage or parking lot or whom the applicant proposes for employment or work at the parking garage or parking lot.

Amendments to Current Law

This Ordinance would require applicants for commercial parking garages and commercial parking lots to supply, as part of their annual application, the following additional information: (1) how long each employee has been employed by the applicant; (2) a list of the residential zip codes of all people working at the parking garage or parking lot, or whom the applicant proposes for employment at the parking garage or parking lot, along with the number of individuals that live in each zip code; and (3) the total number of males and the total number of females working at the parking garage or parking lot, or whom the applicant proposes for employment at the parking garage or parking lot.

The Ordinance would also clarify that applicants are not required to collect or report information about employees' criminal histories in violation of Article 49 of the Police Code.

Background Information

On February 25, 2014, the Board of Supervisors amended the Ordinance to clarify the application of Article 49 of the Police Code, sometimes referred to as the "Fair Chance Ordinance" adopted in February 2014 (Ord. No. 017-14).

Introduction Form

By a Member of the Board of Supervisors or the 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 [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [131062]
- 9. Request for Closed Session (attach written motion).
- 10. Board to Sit as A Committee of the Whole.
- 11. Question(s) 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 a Imperative

Sponsor(s):

Supervisor Wiener

Subject:

Police Code - Reporting Information About Employees of Privately-Owned Parking Garages and Parking Lots

The text is listed below or attached:

Ordinance amending the Police Code to require applicants for commercial parking permits to provide the residential zip code, gender, and duration of employment for employees and other individuals working in privately-owned parking lots or parking garages.

Signature of Sponsoring Supervisor: Scott Wiener

For Clerk's Use Only:

Evans, Derek

From: Christine.Fountain@sfgov.org
Sent: Wednesday, December 04, 2013 10:12 AM
To: Evans, Derek
Subject: Re: Referral: BOS File No. 131062

Derek,

The San Francisco Police Department has no concerns or issues regarding the proposed legislation.

Thank you.

Christine Fountain
San Francisco Police Department
Office of the Chief of Police
850 Bryant Street, Room 525
San Francisco CA 94103
Tel: (415) 734-3633
Fax: (415) 553-1554
Email: christine.fountain@sfgov.org

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-----"Evans, Derek" <derek.evans@sfgov.org> wrote: -----

To: "Suhr, Chief" <chiefsuhr@sfgov.org>, "Dick-Endrizzi, Regina" <regina.dick-endrizzi@sfgov.org>
From: "Evans, Derek" <derek.evans@sfgov.org>
Date: 11/13/2013 11:29AM
Cc: "Fountain, Christine" <christine.fountain@sfgov.org>, "Monroe, John" <john.monroe@sfgov.org>
Subject: Referral: BOS File No. 131062

Hello,

The Board of Supervisors Neighborhood Services and Safety Committee has received the following legislation, which is being referred to your department for informational purposes.

File No. 131062

Ordinance amending the Police Code to require applicants for commercial parking permits to provide the residential zip code, gender, and duration of employment for employees and other individuals working in parking lots or parking garages.

Please submit any comments or reports to the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Derek K. Evans

Assistant Committee Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102

Phone: (415) 554-7702 | Fax: (415) 554-5163

derek.evans@sfgov.org | www.sfbos.org

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.

<http://www.sfbos.org/index.aspx?page=104>

[attachment "131062_Police_SmallBiz - Parking Permits.pdf" removed by Christine Fountain/SFPD/SFGOV]