

File No. 150464 Committee Item No. 2  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
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Committee: Public Safety and Neighborhood Services Date February 25, 2016

Board of Supervisors Meeting Date \_\_\_\_\_

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Completed by: Erica Major Date February 19, 2016  
Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Health Code - Enforcement of Service Station Bathroom Requirements and Fines]

2  
3 **Ordinance amending the Health Code to permit the imposition of administrative fines**  
4 **for violations of the duty to provide clean and sanitary washrooms for the use of**  
5 **gasoline station patrons.**

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

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

14 Section 1. The Health Code is hereby amended by revising Section 725 to read as  
15 follows:

16 **SEC. 725. GASOLINE STATIONS.**

17 (a) Any person or persons operating a service station for the sale and dispensing of  
18 gasoline, other motor fuels, or lubricating oil directly into motor vehicles or watercraft shall  
19 provide at all times during which the service station is open for business a clean and sanitary toilet  
20 and washroom for the use of the station's patrons.

21 (b) The Department of Public Health shall have responsibility for administration and  
22 enforcement, and the Director of Health may issue rules or regulations consistent with of this  
23 Section 725.

24 (c) Violations of this Section 725 or of any rule or regulation issued under this Section shall  
25 be punishable by administrative fines for which the Director of Health or his or her designee may issue  
administrative citations. Administrative Code Chapter 100 "Procedures Governing the Imposition of  
Administrative Fines," as amended from time to time, is hereby incorporated and shall govern the

1 imposition, enforcement, collection, and review of administrative citations issued to enforce this  
2 Section and any rule or regulation adopted pursuant to this Section, with the following qualifications  
3 and exceptions for purposes of this Section:

4 (1) The duties assigned to the Controller by Sections 100.1 – 100.15 of  
5 Administrative Code Chapter 100 shall be assumed and performed by the Director of Health or his or  
6 her designee;

7 (2) Each day a violation is committed or permitted to continue shall constitute a  
8 separate violation;

9 (3) Where the violation pertains to building, plumbing, electrical, or other similar  
10 structural issues that do not create an immediate danger to health or safety, the person or persons  
11 operating the service station shall have twenty-four hours, or such greater time as deemed reasonable  
12 under the circumstances by an employee designated by the Director of Health, to correct or otherwise  
13 remedy the violation prior to the imposition of administrative fines. Violations pertaining to building,  
14 plumbing, electrical or other similar structural issues that are corrected within the time deemed  
15 reasonable by the Director's designee shall not be considered for purposes of calculating the amount of  
16 a fine pursuant to Section 725(c)(5);

17 (4) The fine for any violation issued pursuant to this Section shall be paid to the  
18 Treasurer of the City and County of San Francisco and credited to the Public Health Environmental  
19 Health Code Compliance Fund, authorized by Administrative Code Section 10.100-193;

20 (5) The amount of the fine for violation of this Section 725 or of any rule or  
21 regulation issued under this Section shall be up to \$500 for a first violation; up to \$750 for a second  
22 violation within one year of the date of the first violation; and up to \$1,000 for each additional  
23 violation within one year of the date of a second or subsequent violation;

1                   (6) The Director of Health may recover any costs and fees, including but not limited  
2 to attorneys' fees, for enforcement initiated through this Section 725 and authorized under this Article  
3 12.

4           (d) At the request of the Fire Department, the Department of Public Health shall  
5 inspect a proposed service station and certify to the Fire Department that said station is in  
6 compliance with this Section 725.

7           Section 2. Effective Date. This ordinance shall become effective 30 days after  
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
10 of Supervisors overrides the Mayor's veto of the ordinance.

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

17  
18 APPROVED AS TO FORM:  
19 DENNIS J. HERRERA, City Attorney

20 By: \_\_\_\_\_

21 Anne Pearson  
22 Deputy City Attorney

23 n:\legana\as2015\1500438\01013238.doc

## LEGISLATIVE DIGEST

[Health Code - Enforcement of Service Station Bathroom Requirements and Fines]

### **Ordinance amending the Health Code to permit the imposition of administrative fines for violations of the duty to provide clean and sanitary washrooms for the use of gasoline station patrons**

#### Existing Law

Section 725 of the Health Code requires that gasoline service stations provide at all times a clean and sanitary toilet and washroom for the use of the station's patrons. Although current law authorizes the Department of Public Health to conduct investigations to ensure compliance with the law, it does not establish enforcement mechanisms.

#### Amendments to Current Law

The proposed ordinance would amend Section 725 to permit the imposition of administrative fines for violations of the duty to provide clean and sanitary washrooms for the use of gasoline station patrons. The ordinance would authorize the Director of Health, or his designee, to issue citations upon the finding of a violation. Fines would be set at \$500 for a first violation, up to \$750 for a second violation, and up to \$1,000 for each additional violation. Where a violation pertains to building, plumbing, electrical, or other similar structural issues that do not create an immediate danger to health or safety, the person or persons operating the service station will be given time to correct the violation prior to the imposition of administrative fines. The proposed ordinance would also clarify that the duty to make a bathroom available to patrons applies only during those hours when the service station is open for business.

#### Background Information

Although current law requires that gasoline service stations make clean and sanitary bathrooms available to their patrons, there have been complaints that some gasoline stations have refused to give patrons access to station bathrooms, particularly at night. The denial of access to bathrooms poses a threat to public health. To improve compliance, the proposed ordinance will give the Department of Public Health the authority to impose administrative fines for violations of Section 725.

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6/17/2015

mail - SUPPORT for Gas station restroom ordinance, proposed amendment

FILE NO. 150464

RECEIVED VIA EMAIL  
7/8/2015



Davi Lang [REDACTED]

## SUPPORT for Gas station restroom ordinance, proposed amendment

4 messages

Vivian Araullo <vivian@westbaycentersf.org>

Wed, Jun 17, 2015 at 3:48 PM

To: David.Campos@sfgov.org, Eric.L.Mar@sfgov.org, Julie.Christensen@sfgov.org

Cc: "Kim, Jane (BOS)" <Jane.Kim@sfgov.org>, Sunny Angulo <sunny.angulo@sfgov.org>, Davi Lang  
[REDACTED]

Dear Supervisors David Campos, Eric Mar and Julie Christensen,

Please find attached 21 letters of support for Supervisor Jane Kim's proposed amendment to an existing ordinance in re giving gas station patrons access to its restrooms.

These letters come from the children, youth and some parents of West Bay Pilipino. They expressed unanimous support for the very fundamental issues of fairness and humanity that Supervisor Kim's proposed amendment represents.

Even young children understand that if one supports an establishment as a paying customer, then one should be entitled to use its facilities.

Our children are out camping but took the time and effort to join the community by writing these letters of support. They know that the cleanliness and health of their neighborhood is at stake. As residents of the Youth and Family Zone, their opinion should carry much weight.

Thank you so much!

Warm regards,

Vivian Zalvidea Araullo  
Executive Director  
West Bay Pilipino Multi-Service Center  
175 Seventh Street  
San Francisco, CA 94103  
Office Phone (415) 431-6266  
Cell Phone (650) 219-9293

<http://westbaycenter.org/>

*"How comfortable we are and yet there is so much suffering in the world."*

*~ Dalai Lama*



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Hi My name is Maricar Mallan. And I am 12  
and we heard that we would go to the  
bathroom. And I wanted to go to the bathroom  
but I was not allowed. So I went the people  
who works in a job to tell the boss  
And now I want the people to use the bathroom  
this time and if you buy some thing you said go to  
the bathroom.

Dear Supervisor Kim,

Charles

Thank you for making possible accessible bathrooms throughout our neighborhood. Now, everyone that goes to the gas station may use a clean bathroom. This was a huge step towards our neighborhood and especially our residents here in the South of Market

From

—Charles Fermin (C)



Dear Supervisor Jane Kim,

Thank you for making public accessible  
bathrooms possible. This is a very smart  
and helpful idea for our community. These  
bathrooms should be open for everyone in  
the neighborhood. Everyone should be able to  
use these bathrooms not only customers. This will help  
our neighborhood cleaner and more sanitary. Thank  
you again.

MARICHE RUIZ  
15 years old  
from West Bay

My name is Jennifer. I am 8 yrs old.  
Thank you for the public bathrooms for the  
homeless people when homeless people stop  
at a gas station the manager says  
so they do it somewhere else. Thank  
you for the public bathroom god  
will bless you.



NATHANIEL

Age: ~~11~~ 11

We heard that super  
intendant. Jane Kim wants to

Make sure kids like me can  
use the bath<sup>room</sup> in the gas <sup>station</sup> ~~building~~

And thank you for making  
the bath room clean

Thank you for letting us to

use the bath room in <sup>the</sup> gas station

Dear Sup. Kim,

Thank you so very much for making accessible bathrooms. It helps district 6 a lot from people desecrating on sidewalk. It makes SF look cleaner & better. Thank You!

- Michael R

A handwritten signature in black ink, appearing to read "Michael R". The signature is stylized and somewhat cursive, with a long, sweeping underline that extends to the right.

Greetings from West Bay.

My name is Jobbylyn Marangco, in short call me Jobby. I am 16 years old. I am writing this letter due to the conflict that I am agreeing with. I am concerned about the gas station managers not letting children and customers use the restroom even though they've bought something. This is not right! We don't want to force people to use the streets as a bathroom. We want our community to be clean. We should have the right to use the restroom when we have bought something in the station. As the law is said, you should allow customers to use the restroom when needed if the person purchases an ~~item~~<sup>item</sup>. I am supporting Westbay and Ms. Jane Kim. I am proud. My name is Jobby. I am 16 years old, I am a senior at Mission Highschool, and I support Westbay.

Sincerely Jobbylyn M.

x ~~J Marangco~~

Hi my name is Antonio and I'm 11 years old.  
I heard that gas station owners don't let  
people use their public restroom. I think that's  
wrong and people should be able to use the  
restrooms. It's unfair to many people and if  
they don't use the restroom, they would use  
the sidewalks and street

Hi, my name is Marc and I am 13 years old. We heard that the gas station owners won't let kids and elders use their public bathroom. I think that it's not right that they don't let people use the public bathroom.

Greetings from Westbay,

Hi, my name is Marc De Ocampo and I am 14 years old. Westbay heard that there is a conflict between Gasoline station managers and customers that the Gasoline station managers won't let their customers use the restroom though they have purchased an item. This is wrong and rude because customers are supposed to be more deserving because they have the rights to use the bathroom or other services when they do purchase an item. If this continue customers <sup>will</sup> use the bathroom on the streets which will affect the environment by itself and how it smells. I support, on Westbay, which is all of us, Jane Kim that we as customers who have purchased an item, are well deserved to use the bathroom. Those who will not let us shall also be reported or shall be warned. In conclusion, we customers have the rights to use the bathroom and I support Jane Kim about that.

Sincerely,  
Marc De Ocampo



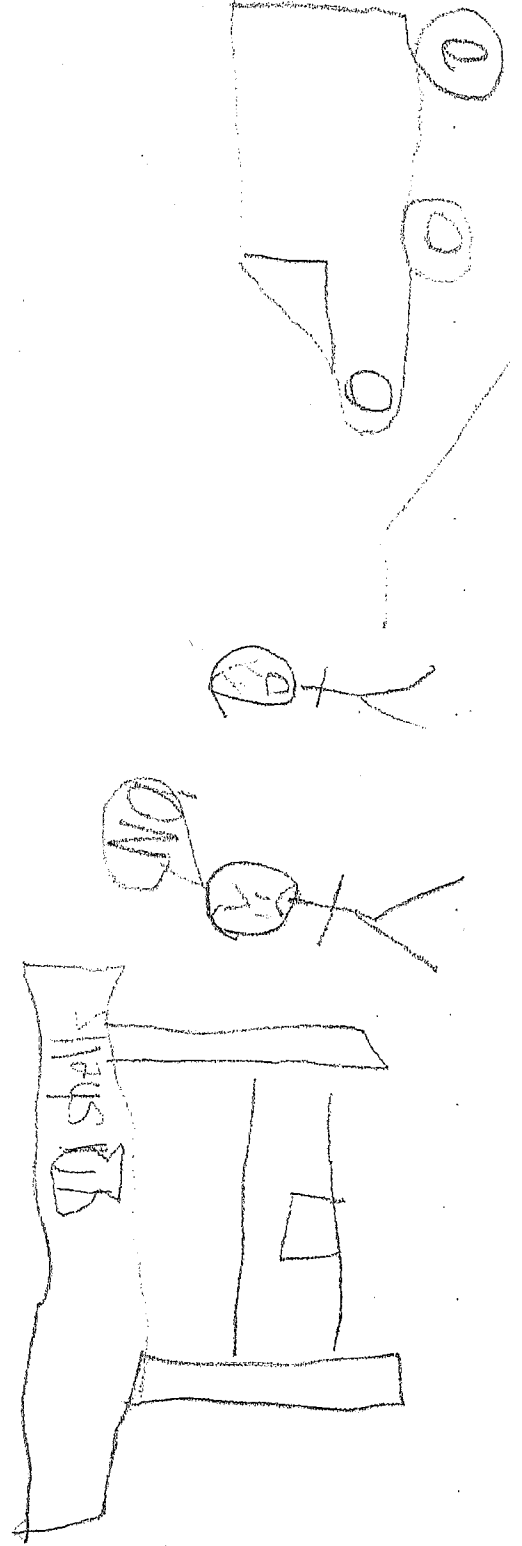
My name is: heremy

The Owner of The Gas station:

was mean, and they can't use

The restroom, if you get food you can

go to the restroom.



Dear Sup. Kim,

On behalf of West Bay Pilipino & Multi-Service Center & our After-School/Summer Program, we would like to thank you for opening up free & accessible restrooms for the public. In order to restore the South of Market community we must first transform its landscape to be one we can be proud of! With less mess on the streets we can embark on a journey together to making our neighborhood one we can truly represent with dignity & honor!

Many thanks,

John Dizon  
• After-School Program  
Coordinator  
• West Bay Center  
175 South St, SF

My Name is Andy and  
I'm 11. We were told that  
some gas station bosses would  
not let us use the bathroom if  
we bought something. And we  
want you know that we will  
fight with you. Bathrooms  
are important and we need  
them so people won't do it  
in the streets because that's  
disgusting.

My name is Juan  
Taraya III. I am 13 years  
old. We need to be  
able to use the restroom  
for free and easy  
access. I pledge to support  
you to opening up the  
restroom.

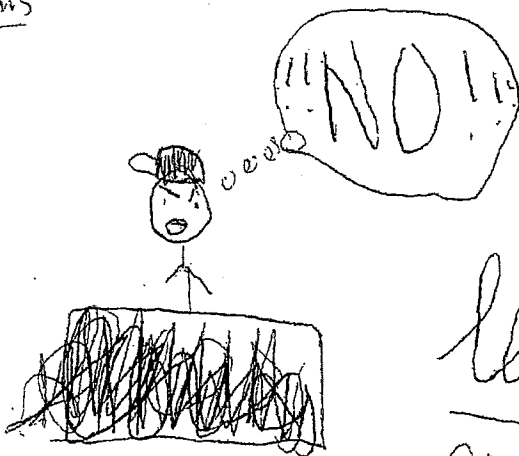
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Dear Supervisor,

My name is Darius and I am 10 years old. I think the gas station owners that do not let people use the restroom are mean. If you do not let people go to the restroom then they do their thing on the streets. Then it makes the area stinky. This is

Dear Jane Kim

Hi my name is cindy truong, I'm 9 years old. I met you once when we were talking about the free and clean for everyone bath room and I agree with you that every one should be allowed to use Bathrooms <sup>or restrooms</sup> anywhere any time because, if they don't are streets will be filthy. Also as ~~customers~~ <sup>customers</sup> we have the right to use the gas Station bathrooms <sup>or restrooms</sup>.



love,  
Cindy

Hello, my name is Jared and im 7 years old

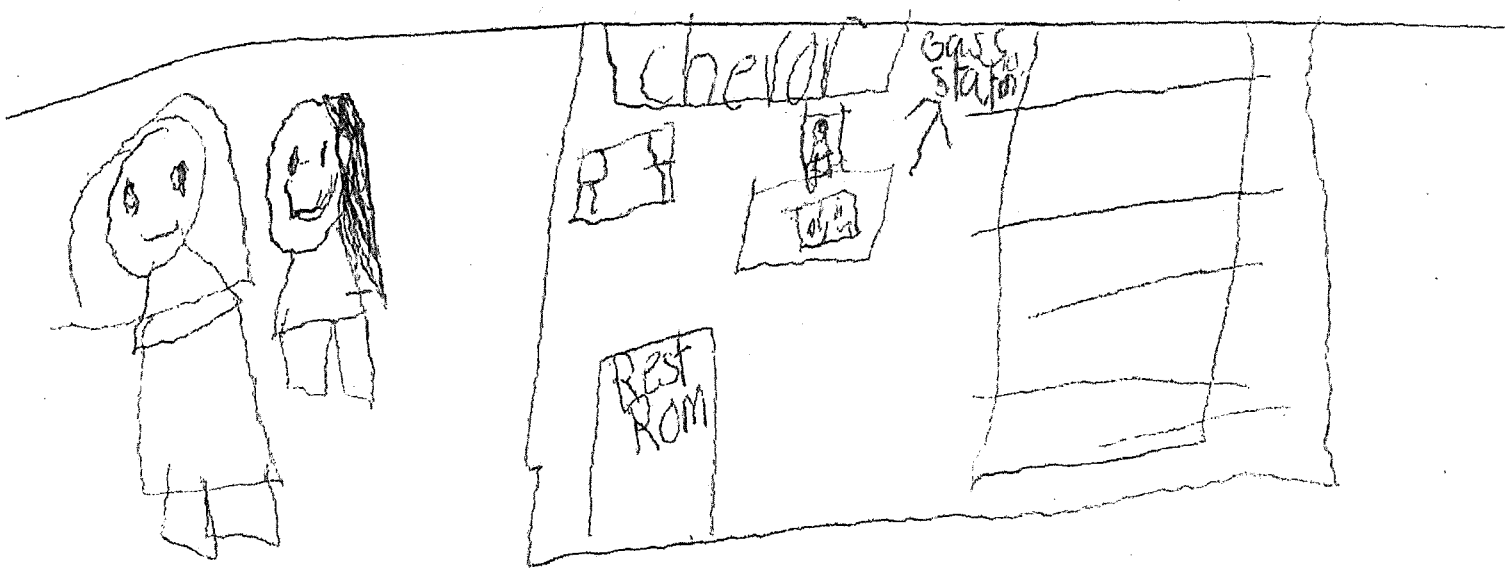
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Sometimes, we see human waste ~~on~~ on the streets so thats why when sometimes, the owner of the gas staion won't allow us use the restroom so thats why you should try and stop that from happening so thats why we see human waste.

thanks if you can do that!

My name is Mican. I am 1 years old  
Dear Jane Kim I want to help you ope

~~the~~ the Restrom. I support  
you to open the Restrom.  
~~the~~ Thank you for  
evrey thing you hav  
Dance





MY NAME IS MARISSA

I NOTICED THAT RESTROOM  
FROM THE GAS STATION ~~ARE~~  
ARE NOT ALLOWING CUSTOMER  
TO USE THEM BECAUSE IT  
THAT'S NOT GOOD.

THAT'S WHY THE COMMUNITY  
IS DIRTY.

MY NAME IS ROBERT ABAD

I AM 45 YRS. OLD RESIDING AT  
521 NATOMA ST. APT. A. WE ALL  
SUPPORT YOU ALL THE WAY TO OPEN  
UP THE RESTROOM AT THE GASOLINE  
STATION. THANK YOU AND GOD BLESS  
YOU ALL.

EST. JH.

My Name is Alyna. At the  
gas station when someone buys  
something sometimes we don't  
use the restroom. We need to  
do this! I pledge to support  
you to open up the restroom.  
The restroom is an important  
place to keep San Francisco

CLEAN!



SMALL BUSINESS COMMISSION  
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO  
EDWIN M. LEE, MAYOR

June 15, 2015

Ms. Angela Calvillo, Clerk of the Board  
Board of Supervisors  
City Hall Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File No. 150464 [Health Code - Enforcement of Service Station Bathroom Requirements and Fines]**

Small Business Commission Recommendation: **Disapproval as Written.**

Dear Ms. Calvillo,

On June 8, 2015, the Small Business Commission voted unanimously to recommend that the Board of Supervisors disapprove BOS File No.150464 [Health Code - Enforcement of Service Station Bathroom Requirements and Fines] as written.

The Commission recognizes the need for service stations to provide clean and sanitary washrooms, but believes the legislation, while well intentioned, is ill-advised in its current state. Currently, the BOS is reviewing several initiatives that are concerned with streamlining unnecessary fees, licenses and permits for businesses. This legislation, however, is adding a regulatory burden where there does not appear to be a demonstrable need for administrative fines.

Specifically, the Commission's concerns are:

1. The Commission was unable to ascertain if there was in fact an existing problem, and if so, what exactly it was. Section 725 of the Health Code has been in place since 1986, and when asked if there had been a noted increase in the number of complaints lodged by service station patrons to spur on this particular legislation, neither the legislative sponsor nor DPH was able to communicate any data that supported the need for the addition of administrative fines. The Commission was unable to determine what was triggering this legislation now, and is concerned the legislation is an attempt to have facilities accessible to non-patrons.
2. The Commission recommends outreach to the Service Station community. When questioned, the legislative sponsor conceded that no outreach had been made to service station owners and franchisees. The Commission recommends seeking their expertise and first-hand knowledge in defining exactly what the issues are, attempting to establish guidelines to resolve any issues before legislating administrative fines, and to discuss with owners and franchisees any potential unintended consequences of the legislation that may not have been previously considered.
3. With the current code, DPH is instructed to inspect a proposed service station only at the request of the Fire Department. The legislation does not address responding directly to patron complaints at all. When questioned about responding to complaints, DPH stated that they would respond to 311 or other complaints. As currently written, DPH shall conduct an inspection at the request of the Fire Department, and then certify to the Fire Department that said station is in compliance.

4. The Commission believes that the legislation as written is difficult to enforce. For example, there was no consensus among the legislative sponsor and DPH on the definition of a patron. Is a patron defined exclusively as a person that purchases gasoline, or is a person that purchases chips from a convenience store within a service station also considered a patron?

Since the legislation does not define what a patron is, as DPH stated, levied fines could lead to administrative appeals that would ultimately require a clarified definition of patron. The Commission felt that this was an opportunity to proactively address shortcomings of previous legislation and avoid any vague terminology that could potentially lead to further avoidable issues in the future.

5. In the original legislation enacted in 1986, service stations were defined as operating for the sale and dispensing of gasoline, other motor fuels, or lubricating oil directly into motor vehicles or watercraft, and stated that they should provide a clean and sanitary bathroom for the use of patrons. The proposed legislation amends this to add that facilities must be available when the service station is open for business.

The Commission believes that certain nuances should be taken into consideration. Now many service stations also contain convenience stores, with bathrooms located inside the store. For patron's safety, in certain neighborhoods often service stations may close the convenience store at night, therefore blocking bathroom access in the process, while continuing to sell gas. Forcing these facilities to remain open may result in increased liability for owners and franchisees, and unintended consequences.

Additionally, it does not seem equitable to require a service station with a convenience store to provide restroom facilities to the public, while a corner, neighborhood convenience store is not required to provide facilities.

6. The Commission was unable to determine the rationale of the fine structure. DPH stated that some discussion was involved in making the fines significant enough to be meaningful, and that is how the amounts of the fines were derived. But as was stated, no quantitative data exists that illustrates a demonstrable need for enforcement let alone to initiate these significant administrative fines.

Generally, fee structures need to justify costs associated with administering those fees, but no projection of costs to DPH exists. The Commission noted the fines appeared to be arbitrary and punitive in nature, with no rationale behind them. Additionally, if there is no demonstrated need, the codification of a solution looking for a problem may not be the best allocation of limited DPH resources for enforcement purposes.

In summary, due to an unquantified problem, lack of outreach to and input from the service station community, ambiguous wording, difficulty of enforcement, potential unintended consequences, liability issues, questions regarding who makes a complaint to DPH and their enforcement, and the appearance of a punitive nature of administrative fines, The Commission disapproves the legislation as currently written.

Thank you for considering the Small Business Commission's comments. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Regina Dick-Endrizzi". The signature is fluid and cursive, with the first name "Regina" being the most prominent.

Regina Dick-Endrizzi  
Director, Office of Small Business

cc: Nicole Elliot, Mayor's Office  
Derek Evans, Office of the Clerk of the Board  
Sunny Angulo, Office of Supervisor Jane Kim

## Evans, Derek

---

**From:** Poole, Brian (ECN)  
**Sent:** Tuesday, June 16, 2015 9:34 AM  
**To:** Calvillo, Angela (BOS)  
**Cc:** Evans, Derek; Wheaton, Nicole (MYR)  
**Subject:** 150464 - Health Code Enforcement Service Station Bathroom/SBC Response  
**Attachments:** 150464\_SBC\_legislative response - Enforcement of Service Station Bathroom Requirements.pdf

Hello Angela, Derek and Nicole,

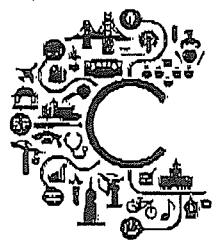
Attached please find SBC response to File No. 150464 Health Code Enforcement of Service Station Bathroom Requirements and Fines.

Please let us know if you have any questions.

Thank you,

Brian Poole  
Policy Analyst/Commission Secretary  
Office of Small Business  
Small Business Commission  
City Hall, Suite 110  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102  
Direct: 415-554-6408  
[brian.poole@sfgov.org](mailto:brian.poole@sfgov.org)  
[www.sfgov.org/osb](http://www.sfgov.org/osb)

Received Time Jun. 12. 2015 4:22PM No. 3203  
File 150464  
Bos-11, PSNS  
COB, Leg Dep.



**SAN FRANCISCO CHAMBER OF COMMERCE**

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2015 JUN 15 AM 8:24  
AK

June 12, 2015

The Honorable London Breed  
President, Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

RE: File No.150464, Health Code Amendment; Service Station Bathrooms

Dear Supervisor Breed:

The San Francisco Chamber of Commerce, representing over 1,500 local businesses, urges the Board of Supervisors to reject the proposed legislation by Supervisor Kim to impose administrative fines on service stations for violations of the Health Code restroom requirements.

Health Code Section 725 was enacted during the administration of Mayor Feinstein, for whom I oversaw legislative activities. Thirty years ago service stations were being converted from full service to self-service. Not only were air and water often unavailable to a motorist, so were the bathrooms. Section 725 was added, as I recall, not to provide a service to the general public, but to require gas stations to maintain restrooms for their motorist patrons.

In 1986 few if any gas stations had added the convenience stores that we see so often today, and few were open past nine or ten o'clock at night. Today, many stations are operated 24 hours a day, though it may be a single staff member managing the station from a secure booth or otherwise locked facility. I hope you would agree that public restrooms generally cannot be operated safely or maintained during the middle of the night with only a single staff member on property.

I do not believe Health Code Section 725 was drafted to require gasoline stations to provide restrooms for the general public or for a patron of a convenience store that may share the property. While it appears that the ordinance does require restroom access for motorists any time the station is open, from a safety point of view that is often not possible in this era of 24 hour stations.

The Chamber of Commerce urges the Board of Supervisors to reject this legislation and to revisit the current requirement that gas stations, as compared to every other business in San Francisco, must provide restrooms for motorists during all the hours the station is open.

Sincerely,

Jim Lazarus  
Vice President of Public Policy

cc. Each Member of the Board of Supervisors





Rec'd in Committee.  
File No. 150464  
6/18/15

June 8, 2015

**Subject: Ordinance amending the Health Code to permit the imposition of administrative fines for violations of the duty to provide clean and sanitary washrooms for the use of gasoline station patrons.**

Mr. Mark Dwight, President  
Small Business Commission  
City of San Francisco

Dear Mr. Dwight,

We appreciate the opportunity to provide comments on the proposed ordinance amendment. Chevron does not recommend the passing of the proposed amendment for the following reasons:

**Safety and Security**

Today our restrooms are located inside our convenience stores. To reduce safety risks, we close the stores from 10 PM to 6 AM each day. The proposed amendment raises questions about restroom access, including whether we will need to keep our convenience stores open 24-hours a day or close our fuel services concurrently with the closing of our convenience stores. Particularly in certain neighborhoods, keeping the stores open to the public presents a security concern for our workers and patrons during the late evening/early morning hours. Reducing the safety risks to our employees and customers has been and will continue to be a top priority for Chevron.

Should the ordinance pass, stations may be forced to close both the fuel area and the convenience store during these "graveyard" hours in order to address the potential safety concerns. The cost of increased security and other measures to reduce the risk during these hours may be too high to make economic sense and the increased safety risk to employees and patrons during these hours may be too great, forcing reduced hours of operation, even if the resulting lack of activity and lighting may have a negative effect on the overall safety of the surrounding neighborhood.

**Unfair Identification of a Business**

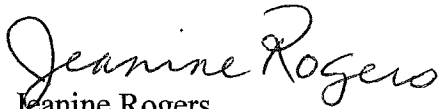
The cost of doing business in San Francisco continues to rise, pushing small and other businesses out of the city. Among other things, in an already challenging hiring environment, the proposed amendment will likely make it more difficult for businesses to hire good, long-term personnel given the increased safety concerns. This amendment would unfairly target service stations which provide a vital service to the city. We believe that, given the existing need for additional

service stations in San Francisco, this legislation should not be enacted because it will further reduce the options for those needing fuel during graveyard hours.

In closing, we urge the Small Business Commission to carefully review the broader implications of this proposed amendment and to reach out to other businesses throughout the city to better understand its impact. We believe the proposed amendment may gravely impact the daily fuel transportation needs of small businesses, commuters, and families as well as the city's tourism and hospitality industries by effectively limiting the hours of safe operation. We have been active partners of this city for decades and believe that passage of this proposed amendment will not be for the greater good of San Francisco. We are committed to continue that partnership and we look forward to working with you to enact alternatives to provide a safe solution to the inadequate bathroom problem of San Francisco.

Please feel free to get in touch with me anytime or with any of my public affairs colleagues: Brent Tippen (925-790-3938, [Brent.Tippen@chevron.com](mailto:Brent.Tippen@chevron.com)) or Marian Cathedral-King (925-790-6814, [CATM@chevron.com](mailto:CATM@chevron.com))

Thank you.



Jeanine Rogers  
Chevron District Sales Manager – COCO  
6001 Bollinger Canyon Road  
San Ramon, CA 94583

Office: 925-842-1811  
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Cc: San Francisco Board of Supervisors  
Small Business Commission Members  
Public Safety and Neighborhood Committee Services Members

BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Barbara A. Garcia, Department of Public Health  
Regina Dick-Endrizzi, Small Business Commission

FROM: Derek Evans, Assistant Clerk

DATE: May 14, 2015

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors Public Safety & Neighborhood Services Committee has received the following request for hearing, introduced by Supervisor Jane Kim, which is being referred to your department.

**File No. 150464**

**Ordinance amending the Health Code to permit the imposition of administrative fines for violations of the duty to provide clean and sanitary washrooms for the use of gasoline station patrons.**

If you wish to submit any comments or reports, please forward those to the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

cc: Greg Wagner, Department of Public Health  
Colleen Chawla, Department of Public Health  
Brian Poole, Small Business Commission

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

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2015 MAY -5 PM 2

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. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

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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 Form.**

**Sponsor(s):**

Supervisor Jane Kim

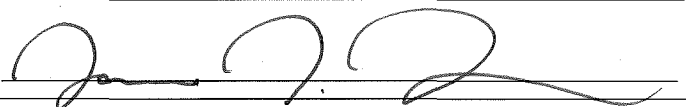
**Subject:**

[Health Code - Enforcement of Service Station Bathroom Requirements]

**The text is listed below or attached:**

Ordinance amending the Health Code to permit the imposition of administrative fines for violations of the duty to provide clean and sanitary washrooms for the use of gasoline station patrons.

Signature of Sponsoring Supervisor:



For Clerk's Use Only:

150464