



February 18, 2016

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

RE: OPPOSE File #150464, Health Code Amendment; Service Station Bathrooms

Dear Supervisor Breed,

The San Francisco Chamber of Commerce, representing 2,500 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. This legislation is expected to be heard in the Public Safety Committee on February 25, 2016.

As was set forth in my letter of June 11, 2015, Health Code Section 725 was enacted during the administration of Mayor Feinstein, for whom I oversaw legislative activities. Thirty years ago service stations was 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 9:00 or 10:00 at night. Today, many stations are operated 24 hours a day, though it may be a single staff member managing the station overnight 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 Sec. 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. And while it appears that the ordinance does require restroom access for motorists any time the station is open, from a safety point of view, this is often not possible in an era of 24 hour stations.

It is my understanding that this issue arose out of concerns over public urination in South-of-Market neighborhoods and that service station restrooms, if made available to the general public all night,

would help solve this problem. In fact, if the city required 24 hour stations to provide restrooms at all times, the result will be reduced hours of operation and a much less safe environment in these neighborhoods. Both public safety and employee safety will require stations to be closed overnight if the city were to insist that this one industry be required to provide restrooms 24 hours a day, 7 days a week.

Please be assured that South-of-Market service stations have taken steps to make the environment around their stations safe and clean. For example, locked dumpsters, new LED lighting, neighborhood clean-up events and additional security patrols have been implemented at various service 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,

A handwritten signature in black ink, appearing to read "Jim Lazarus", with a long horizontal flourish extending to the right.

Jim Lazarus
Senior Vice President of Public Policy

cc: Clerk of the Board of Supervisors, to be distributed to all Supervisors