

BOARD of SUPERVISORS



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

## MEMORANDUM

TO: Greg Suhr, Chief, Police Department

FROM: Andrea Ausberry, Assistant Clerk  
Land Use and Transportation Committee

DATE: April 13, 2016

SUBJECT: LEGISLATION INTRODUCED

---

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by the Arts Commission on April 5, 2016.

**File No. 160273**

Resolution approving designation of four selling spaces on the north side of Market Street, Drumm to Spear Streets, for use by street artists certified by the Arts Commission of the City and County of San Francisco; and exempting said spaces from the regulations of Police Code, Section 2405, relating to street artist display size, distance from entrances, distance from crosswalks, and distance between artists' displays.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: [andrea.ausberry@sfgov.org](mailto:andrea.ausberry@sfgov.org)

c: Christine Fountain, Office Manager  
Sergeant Rachael Kilshaw

1 [Street Artist Spaces - Market Street, Drumm to Spear Streets]

2

3 **Resolution approving designation of four selling spaces on the north side of Market**  
4 **Street, Drumm to Spear Streets, for use by street artists certified by the Arts**  
5 **Commission of the City and County of San Francisco; and exempting said spaces from**  
6 **the regulations of Police Code, Section 2405, relating to street artist display size,**  
7 **distance from entrances, distance from crosswalks, and distance between artists'**  
8 **displays.**

9

10 WHEREAS, The Street Artists Ordinance adopted by the voters of San Francisco as  
11 Proposition "L" at the election held on November 4, 1975, authorizes the Board of  
12 Supervisors, by resolution, to designate sales areas where any street artist or craftsperson  
13 previously certified may sell art or craft items; and

14 WHEREAS, The Arts Commission on December 7, 2015, unanimously voted to  
15 request the Board of Supervisors for designation of four (4) spaces on the north side of  
16 Market Street, Drumm to Steuart streets, for street artists; now, therefore, be it

17 RESOLVED, That the following selling spaces are hereby designated for street artists  
18 certified by the Arts Commission:

19 Spaces:

20 4 – Market Street, north side, Drumm to Spear streets; and, be it

21 FURTHER RESOLVED, That the four (4) spaces hereby designated on Market Street,  
22 north side, Drumm to Spear streets, are exempt from the provisions of Police Code, Sections  
23 2405(c)(1), (c)(2), (c)(3), and (c)(4), which prohibit street artists from selling, offering for sale  
24 or soliciting offers to purchase on any sidewalk in an area more than four and one-half (4 ½)

25

1 feet from the curb line of any sidewalk, more than five (5) feet above any sidewalk, and more  
2 than four (4) feet long; and, be it

3 FURTHER RESOLVED, That the displays of street artists selling, offering for sale or  
4 soliciting offers to purchase in the four (4) spaces on Market Street, north side, Drumm to  
5 Spear streets, shall be not more than twenty-nine (29) feet from the curb line of the sidewalk,  
6 not within nineteen (19) feet of the curb line of the sidewalk, not more than seven (7) feet  
7 above the sidewalk, and not more than ten (10) feet long; and, be it

8 FURTHER RESOLVED, That one (1) of the four (4) spaces on Market Street, north  
9 side, Drumm to Spear streets, is hereby exempt from the provision of Police Code, Section  
10 2405(c)(6), which prohibits street artists from selling within ten (10) feet of the outer edge of  
11 any entrance to any building, but not limited to doors, driveways, emergency exits, measured  
12 in each direction parallel to the building line and thence at a 90-degree angle to the curb; and,  
13 be it

14 FURTHER RESOLVED, That two (2) of the four (4) spaces on Market Street, north  
15 side, Drumm to Spear streets, are hereby exempt from the provision of Police Code, Section  
16 2405(c)(9), which prohibits street artists from selling within five (5) feet of any crosswalk; and,  
17 be it

18 FURTHER RESOLVED, That said spaces are hereby exempt from the provision of  
19 Police Code, Section 2405(c)(11), which prohibits a street artist from selling within five (5) feet  
20 of the display of any other artist.  
21  
22  
23  
24  
25