

LEGISLATIVE DIGEST

[Police Code - Limited Live Performance Permits - Union Street Neighborhood Commercial District]

Ordinance amending the Police Code to allow the Director of the Entertainment Commission to extend from 10:00 p.m. until 11:00 p.m. the hours during which Live Performances may be presented at Limited Live Performance Locales in the Union Street Neighborhood Commercial District; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

The Entertainment Commission regulates the operation of Limited Live Performance ("LLP") Locales in the City through the issuance of LLP Permits under Article 15.1 of the Police Code. A LLP Locale has the following features: (1) the presentation of Live Performances is a secondary purpose of the locale rather than its primary purpose, (2) the locale is indoors or outdoors, with an area in which Live Performances are presented that is no greater than 200 square feet, (3) Live Performances conclude by 10 p.m., subject to exceptions discussed below, (4) the locale is not a private residence, and (5) patrons or members are admitted to the locale, which serves food and/or beverages. (Police Code § 1060(r).)

Notwithstanding the general requirement that Live Performances at LLPs conclude by 10 p.m., the Police Code allows the Director of the Entertainment Commission, upon request from the Permittee, to extend the hours during which Live Performances may be presented at a LLP Locale until 11:00 p.m. once one year has elapsed since the Entertainment Commission's granting of the LLP Permit. The Director may grant such an extension on the basis that there have been no significant public safety or public nuisance concerns at or near the establishment attributed to the operation of the LLP Permit. (Police Code § 1060.38.1(a).) However, the Director may not grant such an extension for LLP Permits in the following areas: (1) the North Beach Neighborhood Commercial District; (2) the Polk Street Neighborhood Commercial District; (3) the Union Street Neighborhood Commercial District; (3) the north and south sides of Chestnut Street between the east side of Fillmore Street and the west side of Divisadero Street, and (4) the north side of Lombard Street, between Fillmore Street and Divisadero Street. (*Id.* at § 1060.38.1(b).)

Amendments to Current Law

The proposed ordinance would amend Article 15.1 of the Police Code to authorize the Director of the Entertainment Commission, upon request from the Permittee, to extend from 10:00 p.m. until 11:00 p.m. the hours during which Live Performances may be presented at Limited Live Performance Locales in the Union Street Neighborhood Commercial District.

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