

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: Mohammed Nuru, Director, Public Works
Barbara A. Garcia, Director, Department of Public Health

FROM: John Carroll, Assistant Clerk, Public Safety and Neighborhood Services
Committee, Board of Supervisors

DATE: December 20, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation, introduced by Supervisor Yee on December 12, 2017:

File No. 171318

Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits, and to increase fees for Nighttime Work permits.

If you have any 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.

c: Jennifer Blot, Public Works
David Steinberg, Public Works
Naveena Bobba, Department of Public Health
Sneha Patil, Department of Public Health

1 [Public Works Code - Fees for Autonomous Delivery Device Testing and Nighttime Work
2 Permits]

3 **Ordinance amending the Public Works Code to establish fees for Autonomous Delivery**
4 **Device Testing permits and appeals of Public Works Director's decisions regarding**
5 **such permits, and to increase fees for Nighttime Work permits.**

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 ~~*strikethrough italics Times New Roman font*~~.
9 **Board amendment additions** are in double-underlined Arial font.
10 **Board amendment deletions** are in ~~strikethrough Arial font~~.
11 **Asterisks (* * * *)** indicate the omission of unchanged Code
12 subsections or parts of tables.

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

12 Section 1. The Public Works Code is hereby amended by revising Section 2.1.1, to
13 read as follows:

14 **SEC. 2.1.1. FEES.**

15 Notwithstanding the permit fee provisions listed elsewhere in this Code, the permit fee
16 and assessment schedule for the permit categories and uses specifically listed below shall be:

17 * * * *

18 (p) Nighttime work permit fee: ~~\$115.45~~ \$123; ~~and~~

19 (q) Preapplication meeting or staff consultation fee: \$404.76 for the first two hours or
20 portion thereof and \$202.38 for each additional hour or portion thereof; ~~and~~

21 (r) Autonomous Delivery Device Testing fees pursuant to Section 794

22 (i) Application fee: for one device - \$860; for two devices - \$1,540; and for three
23 devices - \$1,995;

24 (ii) Permit extension fee: for one device - \$555; for two devices - \$1010; and for three
25 devices - \$1,465; and

1 (iii) Referrals to Department of Public Health: The Department of Public Health may
2 charge up to \$191 per hour for referrals sent by Public Works pursuant to Section 794.

3
4 Section 2. The Public Works Code is hereby amended by revising Section 794, to read
5 as follows:

6 **SEC. 794. AUTONOMOUS DELIVERY DEVICES ON SIDEWALKS – PERMIT**
7 **REQUIRED.**

8 * * * *

9 **(g) Public Hearings.**

10 * * * *

11 **(2) Appeal to Board of Supervisors.** The Public Works Director's approval or
12 disapproval of an Autonomous Delivery Device permit application, or the Public Works
13 Director's modification, suspension or revocation of an Autonomous Delivery Device permit,
14 may be appealed to the Board of Supervisors. During the appeal, the permittee may not
15 operate any Autonomous Delivery Device. The Board of Supervisors shall hold a public
16 hearing on an appeal of the Public Works Director's decision, and may approve, disapprove,
17 or modify the Public Works' prior determination. The Board of Supervisors' decision on such
18 an appeal is final.

19 (A) Any such appeal shall be filed in writing with the Clerk of the Board of
20 Supervisors within 10 days of the Public Works Director's decision, and shall be accompanied
21 by payment of a fee of \$300, payable to the Office of the Clerk of the Board, and payment of a
22 fee of \$225, payable to the San Francisco Department of Public Works. The Clerk of the Board may
23 establish a policy to waive the appeal fee for neighborhood organizations or those whose
24 income is not enough to pay for the fee without affecting his, her or their abilities to pay for the
25 necessities of life.

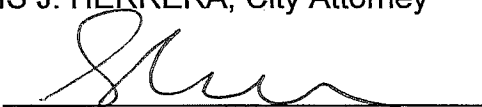
1 * * * *

2
3 Section 3. Effective Date. This ordinance shall become effective 30 days after
4 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
5 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
6 of Supervisors overrides the Mayor's veto of the ordinance.

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

14
15 APPROVED AS TO FORM:
16 DENNIS J. HERRERA, City Attorney

17 By:


18 ANDREW SHEN
Deputy City Attorney

19 n:\leganas2017\1700514\01237454.docx
20
21
22
23
24
25

LEGISLATIVE DIGEST

[Public Works Code - Fees for Autonomous Delivery Device Testing and Nighttime Work Permits]

Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits, and to increase fees for Nighttime Work permits.

Existing Law

The Public Works Code does not yet establish any fees for Autonomous Delivery Device Testing permits, or for appeals of Public Works Director's decision regarding such permits.

Public Works Code Section 2.1.1(p) establishes a fee of \$115.45 for nighttime work permits.

Amendments to Current Law

The proposed legislation would establish the following fees for Autonomous Delivery Device Testing permits:

- Application fees: for one device - \$860; for two devices - \$1,540; and for three devices - \$1,995;
- Permit extension fees: for one device - \$555; for two devices - \$1010; and for three devices - \$1,465; and
- For Referrals to Department of Public Health: The Department of Public Health may charge up to \$191 per hour for referrals sent by Public Works.

The proposed legislation would also increase the fees for nighttime work permits from \$115.45 to \$123.

Background Information

As of December 12, 2017, an ordinance establishing a permitting scheme for Autonomous Delivery Device Testing was pending before the Board of Supervisors (see Board File No. 170599).

n:\legana\as2017\1700514\01239670.docx

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
 BOARD OF SUPERVISORS
 2017 DEC 12 PM 1:06
 Time stamp
 or meeting date *BZ*

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 [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. 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 the Imperative Form.

Sponsor(s):

Yee

Subject:

Ordinance amending the Public Works Code to establish fees for Autonomous Delivery Device Testing permits and appeals of Public Works Director's decisions regarding such permits.

The text is listed:

[]

Signature of Sponsoring Supervisor: []

Norman Yee

For Clerk's Use Only