

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

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

- Date:** Monday, October 15, 2018
- Time:** 1:30 p.m.
- Location:** Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
- Subject:** **File No. 180757.** Ordinance amending the Health Code to comprehensively revise the regulation of massage practitioners, massage establishments, massage outcall services, and sole practitioner massage establishments by, among other things: 1) authorizing the Director of Health ("Director") to access local, state, and federal criminal history information of permit applicants and permit holders; 2) eliminating temporary massage practitioner permits; 3) clarifying the administrative process by which permit applicants and permit holders may appeal a decision to deny, suspend, or revoke a permit; 4) authorizing the Director to deny a massage establishment permit to an applicant who has been convicted of any offense related to prostitution or solicitation of prostitution; 5) adding or revising massage establishment operating standards relating to vermin, employee areas, locked doors, residential use, and advertising; 6) prohibiting a massage business from operating a massage school on the same premises as a massage establishment; 7) establishing a massage establishment reinspection fee of \$191 per hour; 8) updating administrative and permit penalties; 9) authorizing the imposition of a lien on a property that has contributed to a violation of Article 29 of the Health Code ("Article 29") to collect unpaid administrative penalties, enforcement costs, fines, interest, and attorneys' fees; 10) authorizing the City Attorney to institute civil proceedings for injunctive and monetary relief for violations of Article 29; 11) declaring violations of select provisions of Article 29 to be public nuisances; and 12) discontinuing the acceptance of applications for massage practitioner permits effective January 1, 2019.

If this legislation passes, Health Code, Section 29.41, will be amended by adding a new reinspection fee. If an inspection discloses a violation of any provision of the Code or any State law for which the Department of Public Health (Department) is responsible for enforcement, the Department shall determine a period of time that is reasonable to correct the violation and shall thereafter reinspect the property to verify such correction. Reinspection refers to any inspection by the Department to verify whether an owner has corrected a violation. The massage business shall pay a fee in the amount of \$191 the first hour, or any fraction thereof, for each reinspection by an inspector to compensate the Department for costs in performing the reinspection. Reinspections that require more than one hour to complete shall be subject to an additional fee at the rate of \$96 for each half-hour, or part thereof, beyond the first 60 minutes. If more than one reinspection is necessary to secure correction of a violation, the Massage Business shall pay a fee of \$96 for each half-hour, or part thereof, beyond the first 60 minutes.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made as part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, October 12, 2018.


for Angela Calvillo
Clerk of the Board

DATED/POSTED: October 5, 2018

PUBLISHED: October 5 and October 11, 2018

835 MARKET ST, SAN FRANCISCO, CA 94103
Telephone (415) 314-1835 / Fax (510) 743-4178

ERICA MAJOR
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA - 94102

EXM#: 3180960

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of SAN FRANCISCO) ss

Notice Type: GPN - GOVT PUBLIC NOTICE

Ad Description:

EDM 10.15.2018 LUT - 180757 Fee Ad

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN FRANCISCO EXAMINER, a newspaper published in the English language in the city of SAN FRANCISCO, county of SAN FRANCISCO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN FRANCISCO, State of California, under date 10/18/1951, Case No. 410667. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

10/05/2018, 10/11/2018

Executed on: 10/11/2018
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

NOTICE OF PUBLIC HEARING BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE
MONDAY, OCTOBER 15, 2018 - 1:30 PM CITY HALL, LEGISLATIVE CHAMBER, ROOM 250 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA

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injunctive and monetary relief for violations of Article 29; 11) declaring violations of select provisions of Article 29 to be public nuisances; and 12) discontinuing the acceptance of applications for massage practitioner permits effective January 1, 2019. If this legislation passes, Health Code, Section 29.41, will be amended by adding a new reinspection fee. If an inspection discloses a violation of any State law for which the Department of Public Health (Department) is responsible for enforcement, the Department shall determine a period of time that is reasonable to correct the violation and shall thereafter reinspect the property to verify such correction. Reinspection refers to any inspection by the Department to verify whether an owner has corrected a violation. The massage business shall pay a fee in the amount of \$191 the first hour, or any fraction thereof, for each reinspection by an inspector to compensate the Department for costs in performing the reinspection. Reinspections that require more than one hour to complete shall be subject to an additional fee at the rate of \$96 for each half-hour, or part thereof, beyond the first 60 minutes. If more than one reinspection is necessary to secure correction of a violation, the Massage Business shall pay a fee of \$96 for each half-hour, or part thereof, beyond the first 60 minutes. In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, October 12, 2018. - Angela Calvillo



Email

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