

BOARD of SUPERVISORS



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## MEMORANDUM

TO: William Scott, Police Chief, Police Department  
Phil Ginsburg, General Manager, Recreation and Parks Department  
Ed Reiskin, Executive Director, Municipal Transportation Agency  
Joaquin Torres, Director, Office of Economic and Workforce Development  
Jeanine Nicholson, Chief, Fire Department  
Jose Cisneros, Treasurer, Office of the Treasurer and Tax Collector  
Ben Rosenfield, City Controller, Office of the Controller

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: June 12, 2019

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Mandelman on June 4, 2019:

**File No. 190659**

**Ordinance amending Division I of the Transportation Code to waive all fees other than Municipal Transportation Agency fees for Sunday Streets events.**

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: [erica.major@sfgov.org](mailto:erica.major@sfgov.org).

c: Rowena Carr, Police Department  
Asja Steeves, Police Department  
Deirdre Hussy, Police Department  
Sergeant Rachael Kilshaw, Police Department  
Sarah Madland, Recreation and Parks Department  
Kate Breen, Municipal Transportation Agency  
Janet Martinsen, Municipal Transportation Agency  
Joel Ramos, Municipal Transportation Agency  
J'Wel Vaughn, Office of Economic and Workforce Development  
Ken Rich, Office of Economic and Workforce Development  
Lisa Pagan, Office of Economic and Workforce Development  
Theresa Ludwig, Fire Department  
Amanda Kahn Fried, Office of the Treasurer and Tax Collector  
Todd Rydstrom, Office of the Controller  
Peg Stevenson, Office of the Controller

1 [Transportation Code - Fee Waiver for Sunday Streets]

2  
3 **Ordinance amending Division I of the Transportation Code to waive all fees other than**  
4 **Municipal Transportation Agency fees for Sunday Streets events.**

5 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
6 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
7 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.  
8 **Board amendment additions** are in double-underlined Arial font.  
9 **Board amendment deletions** are in ~~Arial font~~.  
10 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
11 subsections or parts of tables.

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

13 Section 1. Findings.

14 (a) Sunday Streets is a recurring event that temporarily closes public streets in  
15 particular neighborhood on particular Sundays, to transform those streets into car-free  
16 community spaces for strolling, play, exercise, meeting, and exchange. The event is  
17 celebrating its eleventh year in San Francisco, having grown from two waterfront events in  
18 2008 to ten annual events in neighborhoods all across the City. The events are organized  
19 and presented by Livable City, a San Francisco-based nonprofit organization, in partnership  
20 with various City agencies including the San Francisco Municipal Transportation Agency,  
21 Department of Public Health, Department of Public Works, Office of Economic and Workforce  
22 Development, and Recreation and Park Department.

23 (b) Sunday Streets events promote happiness for local residents and visitors. They  
24 also promote general well-being, advancing health equity by focusing in Areas of Vulnerability  
25 identified by the Department of Public Health. Researchers at San Francisco State University  
have found that these events foster increased physical activity in the communities they serve,

1 including communities burdened with higher rates of chronic disease. Sunday Streets also  
2 partners with local merchants, community organizations, business associations, and the  
3 Office of Economic and Workforce Development to promote local economic vitality in the  
4 commercial corridors it serves, which include several of the City's Invest in Neighborhoods  
5 corridors. The events create durable partnerships with merchants and merchant groups,  
6 produce community guides, limit outside vending, and invest in local hiring and training and  
7 local vendors. Sunday Streets also promotes civic participation by engaging and training 200  
8 to 300 volunteers each year.

9 (c) Sunday Streets is partially funded by City budget allocations and grants,  
10 matched by grants, sponsorships, and exhibitor fees secured by Livable City.

11  
12 Section 2. Article 6 of Division I of the Transportation Code is hereby amended by  
13 revising Section 6.6, to read as follows:

14 **SEC. 6.6. TEMPORARY USE OF STREETS FOR STREET FAIRS.**

15 \* \* \* \*

16 (f) **Fee.** No later than 60 days prior to the proposed date of the street fair and in  
17 consultation with other City departments, ISCOTT shall determine the fee to be charged for  
18 the permit according to the schedule below. No other fee for conducting a street fair shall be  
19 required or assessed. All fees paid by the sponsors for street fair permits shall be deposited in  
20 the City Treasury and allocated by the Controller to the appropriate City departments. The fee  
21 shall be based on the actual costs to the City of temporarily closing the street for the street  
22 fair, pursuant to the following fee schedule:

- 23 (1) **Fire Department:**
- 24 (A) Application fee ~~\$330.00~~

1 (B) Inspection fee for vendors using propane, butane, charcoal briquettes  
2 or open flame:

3 (i) First Day of Street Fair:

4 1 to 10 food vendors \$468.00

5 11 to 20 food vendors \$936.00

6 21 to 30 food vendors \$1,404.00

7 31 food vendors and over \$1,872.00

8 (ii) Each Consecutive Day of Street Fair:

9 1 to 20 food vendors \$468.00

10 21 food vendors and over \$936.00

11 (C) Other activities at a street fair that are regulated by the Fire  
12 Department will require operational permits from the Department. Examples of regulated  
13 activities include but are not limited to: ~~the~~ *The* erection of tents, the use or storage of  
14 hazardous materials, professional fireworks displays, and carnivals. Additional inspection fees  
15 may also be required depending on the activity.

16 (2) ~~Department of Public Health~~ **Department of Public Health**: Application and  
17 permit fees payable to the Department of Public Health under this Section 6.6 shall be the  
18 same as those charged for temporary food permits for special events as governed by Section  
19 249.11 of the Business and Tax Regulations Code.

20 (3) ~~Municipal Railway fee~~ **San Francisco Municipal Transportation Agency**  
21 **(including Municipal Railway)**: Fee to be established by the Municipal Transportation Agency.

22 (4) **Police Department**:

23 (A) Street fairs where alcoholic beverages are served:

24 \_\_\_\_\_100 ~~percent~~ % of the projected Police Department costs incurred by reason of the  
25 street fair, subject to the following caps:

0 to 100,000 patrons	\$5,494.07
100,001 to 250,000 patrons	\$10,988.14
More than 250,000 patrons	\$21,976.28

The Police Department, working with the sponsor, shall provide an estimate of attendance for the event for purposes of determining the applicable cap.

(B) Street fairs where alcoholic beverages are not served:

~~Police Department: 40 percent%~~ of the projected Police Department costs incurred by reason of the street fair; provided, that this fee shall not exceed \$2,793.49. ISCOTT shall waive all or part of this fee upon a showing that the sponsors of the event are unable to pay the full fee.

If the Director of Transportation grants the application for a permit, he or she shall transmit to the sponsor an invoice for the fee. The sponsor of the street fair shall make full payment of the fee no later than 10 days prior to the date of the event.

\* \* \* \*


(o) Waiver of Fees. With the exception of the SFMTA fees listed in subsection (f)(3), all fees for the Sunday Streets events are hereby waived, notwithstanding any other provision of law, including without limitation subsections (f)(1), (f)(2), and (f)(4) of this Section 6.6, Article 12 of the Park Code, Chapter 90 of the Administrative Code, Article 15.1 of the Police Code, and Article 15 of the Public Works Code.

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
2 of Supervisors overrides the Mayor's veto of the ordinance.

3  
4 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
8 additions, and Board amendment deletions in accordance with the "Note" that appears under  
9 the official title of the ordinance.

10  
11 APPROVED AS TO FORM:  
12 DENNIS J. HERRERA, City Attorney

13 By:   
14 MANU PRADHAN  
15 Deputy City Attorney

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**LEGISLATIVE DIGEST**

[Transportation Code - Fee Waiver for Sunday Streets]

**Ordinance amending Division I of the Transportation Code to waive all fees other than Municipal Transportation Agency fees for Sunday Streets events.**

Existing Law

The Sunday Streets events are subject to a variety of fees, which are paid to various City departments including the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), the San Francisco Municipal Transportation Agency (SFMTA), the Entertainment Commission, Public Works, the Department of Public Health, the Fire Department, and the Recreation and Park Department.

Amendments to Current Law

The ordinance would waive all fees for Sunday Streets except for the SFMTA fees.

Background Information

Sunday Streets is a recurring event that temporarily closes public streets in particular neighborhood on particular Sundays, to transform those streets into car-free community spaces for strolling, play, exercise, meeting, and exchange. The event is celebrating its eleventh year in San Francisco, having grown from two waterfront events in 2008 to ten annual events in neighborhoods across the City. The events are organized and presented by Livable City, a local nonprofit organization, in partnership with various City departments including the ones listed above. The permit fees are intended to reimburse the departments for their costs to permit the events. The events are partially funded by City budget allocations and grants, matched by grants, sponsorships, and exhibitor fees secured by Livable City.

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