

1 [Park Code - Non-Resident Fees at Certain Specialty Attractions]

2

3 **Ordinance amending the Park Code to permit the Recreation and Park Department**  
4 **General Manager to set non-resident adult admission fees for the Japanese Tea**  
5 **Garden, the Coit Tower Elevator, the Conservatory Of Flowers, and the San Francisco**  
6 **Botanical Garden by flexible pricing based on certain factors and at certain times; and**  
7 **affirming the Planning Department’s determination under the California Environmental**  
8 **Quality Act.**

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

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

17

18 Section 1.

19 The Planning Department has determined that the actions contemplated in this  
20 ordinance comply with the California Environmental Quality Act (California Public Resources  
21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
22 Supervisors in File No. 190629, and is incorporated herein by reference. The Board affirms  
23 this determination.

24

25 Section 2. Article 12 of the Park Code is hereby amended by revising Sections 12.05,  
12.06, 12.34, and 12.46, to read as follows:

**SEC. 12.05. JAPANESE TEA GARDEN.**

(a) The following fees shall be charged for admission to the Japanese Tea Garden:

Age/Category	S.F. Residents	Non-Residents
Adult	\$5.00	\$7.00
Senior (65+)	\$3.00	\$5.00
Youth (12—17 years)	\$3.00	\$5.00
Child (5—11 years)	\$1.50	\$2.00
Child (4 years and under)	\$0.00	\$0.00

With respect to the non-resident Adult fees, the Department General Manager or the General Manager’s designee may once per year approve a temporary increase of up to 50%, applicable during the months of March through October only, and/or may approve decreases of up to 25% to the non-resident Adult fees from time to time, based on one or more of the following factors: fluctuations in customer demand at particular times or on particular days or dates, rates at comparable facilities, adverse weather conditions, and facility conditions.

\* \* \* \*

**SEC. 12.06. COIT TOWER.**

(a) The following fees shall be charged for admission to the Coit Tower elevator:

Age Category	Admission Fee <u>SF. Residents</u>	Elevator Fee <u>Non-San Francisco Residents</u>
Adult	\$5.00	\$7.00
Senior (65+)	\$3.00	\$5.00
Youth (12—17 years)	\$3.00	\$5.00
Child (5—11 years)	\$1.50	\$2.00
Child (4 years and under)	\$0.00	\$0.00

1 With respect to the non-resident Adult fees, the ~~The~~ Department General Manager or the  
 2 General Manager's designee may once per year approve a temporary increases of up to 50%,  
 3 applicable during the hours of 11am to 4pm only, and/or may approve decreases of up to 25%  
 4 ~~to the non-resident Adult fees from time to~~ at any time, based on one or more of the following  
 5 factors: fluctuations in customer demand at particular times or on particular days or dates, rates at  
 6 comparable facilities, adverse weather conditions, and facility conditions.

7 (b) Audio tours: Upon development, and approval by the Commission, of an audio  
 8 tour for Coit Tower, the elevator entrance-fee for the facility shall be increased by \$1.00 to  
 9 cover the cost of rental of the tour. The rental fee for the audio tour without admission to the  
 10 elevator ~~rest of the facility~~ will be \$3.00.

11  
 12 **SEC. 12.34. CONSERVATORY OF FLOWERS FEES.**

13 (a) **Admission Fees.** The following fees shall be charged for admission to the  
 14 Conservatory of Flowers:

<b>Age/Category</b>	<b>S.F.Residents</b>	<b>Non-Residents</b>
Adults	\$5.00	\$7.00
Youth 12-17 and Seniors 65 and over	\$3.00	\$5.00
Children 5-11	\$1.50	\$2.00
Children 4 and under	No fee	No fee
San Francisco school groups K-12 with prior scheduling	No fee	<i>No fee</i>

22 With respect to the non-resident Adult fees, the ~~The~~ Department General Manager or the  
 23 General Manager's designee may once a year approve a temporary increases of up to 50%,  
 24 applicable on Fridays, Saturdays and Sundays only, and/or may approve decreases of up to  
 25 25% to the non-resident Adult fees from time to at any time, based on one or more of the following

1 factors: fluctuations in customer demand at particular times or on particular days or dates, rates at  
2 comparable facilities, adverse weather conditions, and facility conditions.

3 \* \* \* \*

4  
5 **SEC. 12.46. COUNTY FAIR BUILDING AND BOTANICAL GARDEN ~~FACILITY~~**

6 **~~RENTAL FEES.~~**

7 \* \* \* \*

8 (d) The Department shall charge the following fees for entrance to the Botanical  
9 Garden:

<b>Age/Category</b>	<b>Non-San Francisco Residents</b>
Adults	\$7.00
Youth 12-17 and Seniors 65 and over	\$5.00
Children 5-11	\$2.00
Children 4 and under	No charge
Families (2 adults and all children 17 years and under residing in the same household)	\$15.00

17 With respect to the non-resident Adult fees, the ~~The~~ Department General Manager or the  
18 General Manager's designee may once a year approve a temporary increase~~s~~ of up to 50%,  
19 applicable on Saturdays and Sundays only, and/or may approve decreases of up to 25% to the  
20 non-resident Adult fees from time to at any time, based on one or more of the following factors:  
21 fluctuations in customer demand at particular times or on particular days or dates, rates at comparable  
22 facilities, adverse weather conditions, and facility conditions.

23 The Department shall provide annual reports to the Budget and Finance Committee on  
24 the collection of the non-resident fee for entrance to the Botanical Gardens, such reports shall  
25 include the following information: 1. Attendance figures for San Francisco residents, Members

1 of San Francisco Botanical Garden Society, and Non-San Francisco residents; 2. Capital  
2 improvements and operating costs of the Botanical Gardens; 3. Capital improvements and  
3 operating costs incurred by the Department and the Botanical Garden Society associated with  
4 the collection of all fees; 4. Revenue from the new non-resident fee, separated into (a) point of  
5 sale gate tickets and (b) actual attendance from packaged sales with other Park sites, and  
6 revenue from all other fees; 5. The numbers of San Francisco Botanical Garden Society  
7 members; and 6. Gifts, donations and services-in-kind received by the Department and the  
8 Botanical Garden Society for the Botanical Garden.

9  
10 **SEC. 12.50. SUNSET PROVISIONS.**

11 Unless extended by ordinance, the paragraphs in Sections 12.05(a), 12.06(a),  
12 12.34(a), and 12.46(a) that authorize temporary increases and decreases of non-resident  
13 Adult fees at certain specialty attractions, adopted via Ordinance No. \_\_\_\_\_, and any such  
14 increases or decreases that the Department General Manager may have approved pursuant  
15 to those paragraphs, shall expire by operation of law on June 30, 2021. Upon expiration of  
16 those paragraphs, the City Attorney shall cause those paragraphs and this Section 12.50 to  
17 be removed from the Park Code.

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19 Section 3. Effective and Operative Dates.

20 (a) This ordinance shall become effective 30 days after enactment. Enactment  
21 occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or  
22 does not sign the ordinance within ten days of receiving it, or the Board of Supervisors  
23 overrides the Mayor's veto of the ordinance.

24 (b) This ordinance shall become operative on September 1, 2019.

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

7  
8 Section 5. Annual Reporting. The Recreation and Park Department shall annually  
9 report to the Board of Supervisors on rate changes in the prior fiscal year submit a report to  
10 the Mayor and Board of Supervisors no later than March 2, 2021 that reviews the impact of  
11 the fee changes on both attendance and fee revenue at the facilities covered by this  
12 ordinance.

13  
14 APPROVED AS TO FORM:  
15 DENNIS J. HERRERA, City Attorney

16  
17 By: \_\_\_\_\_  
18 MANU PRADHAN  
19 Deputy City Attorney

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