

1 [Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19
2 Pandemic]

3 **Reenactment of emergency ordinance (Ord. No. 84-20) to establish protections for**
4 **occupants of residential hotels (“SRO Residents”) during the COVID-19 pandemic by,**
5 **among other things: making it City policy to place in solitary hotel rooms SRO**
6 **residents who meet the criteria for isolation or quarantine established by the County**
7 **Health Officer, and requiring the Department of Public Health to: develop a protocol to**
8 **assist health care providers to identify SRO Residents who may require protection**
9 **against or treatment for COVID-19; notify the operator of a residential hotel when an**
10 **SRO Resident has tested positive for COVID-19, to facilitate contact tracing, testing for**
11 **COVID-19, and cleaning; establish a telephone hotline for SRO Residents, to respond**
12 **to questions about accessing COVID-19 health screenings, testing, and solitary hotel**
13 **rooms; provide face coverings to SRO Residents and workers in residential hotels; and**
14 **provide daily aggregate data concerning the incidence of COVID-19 among SRO**
15 **Residents, access to quarantine rooms by such residents, and the number of such**
16 **residents who have died due to complications from COVID-19.**

17 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
18 **Additions to Codes** are in *single-underline italics Times New Roman font*.
19 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
20 **Board amendment additions** are in double-underlined Arial font.
21 **Board amendment deletions** are in ~~strikethrough Arial font~~.
22 **Asterisks (* * * *)** indicate the omission of unchanged Code
23 subsections or parts of tables.

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

25 Section 1. Declaration of Emergency Pursuant to Charter Section 2.107.

1 (a) Section 2.107 of the Charter authorizes passage of an emergency ordinance in
2 cases of public emergency affecting life, health, or property, or for the uninterrupted operation
3 of any City or County department or office required to comply with time limitations established
4 by law. An emergency ordinance enacted under Charter Section 2.107 automatically
5 terminates on the 61st day after passage, but may be reenacted upon the same terms and
6 conditions applicable to its initial enactment.

7 (b) Pursuant to Charter Section 2.107, the City enacted Ordinance No. 84-20, an
8 emergency ordinance, which temporarily establishes protections for occupants of residential
9 hotels (“SRO Residents”) during the COVID-19 pandemic. The emergency ordinance became
10 effective when enacted, on May 29, 2020, and will terminate automatically on July 28, 2020,
11 unless reenacted.

12 (c) The Board of Supervisors hereby finds that the findings declared in Section 1 of
13 Ordinance No. 84-20 remain valid and compelling, and declares further that an actual
14 emergency continues to exist that requires the reenactment of Ordinance No. 84-20 to reduce
15 the spread of COVID-19. COVID-19 continues to present an extremely dangerous public
16 health risk to the residents of residential hotels and to individuals who work in residential
17 hotels.

18
19 Section 2. Reenactment of Emergency Ordinance. Consistent with Charter Section
20 2.107, this emergency ordinance reenacts for an additional 60 days the emergency ordinance
21 providing temporary protections to occupants of residential hotels (Ordinance No. 84-20); and
22 amends Section 3 of such emergency ordinance to read as follows. Even though both
23 Ordinance No. 84-20 and this reenacted emergency ordinance are uncodified, for purposes of
24 clarity the respective fonts for additions and deletions to the Municipal Code as stated in the
25

1 “Note” that appears at the beginning of this ordinance are used to show the amendments to
2 Section 3 of Ordinance No. 84-20:

3 “Section 3. Policies and Protocols to Protect Occupants of Residential Hotels During
4 the COVID-19 Emergency.

5 * * * *

6 (g) Upon confirming that an SRO Resident has tested positive for COVID-19, DPH
7 shall, to the extent consistent with state and federal laws governing the confidentiality of
8 medical information:

9 * * * *

10 (4) As soon as feasible but not more than 12 hours after receiving such
11 confirmation, provide or cause to be provided by the SRO response team at the Emergency
12 Operations Center necessary face coverings to all SRO Residents who occupy or access
13 parts of the Residential Hotel that have been occupied or accessed by people who may have
14 had exposure to COVID-19 within the prior 14 days, and to all workers who access the same
15 areas to provide services on-site;

16 (5) As soon as feasible but not more than 12 hours after receiving such
17 confirmation, prominently post in common areas of the Residential Hotel where fire safety
18 information is required to be posted a notice to advise SRO Residents of their rights under this
19 emergency ordinance to access I/Q Hotel Rooms, COVID-19 testing, and face coverings.
20 Such notice shall include, but not be limited to, the number of the language-accessible
21 COVID-19 telephone hotline for SRO Residents that residents may call to access these
22 resources.

23 * * * *

1 (l) To the extent consistent with state and federal laws governing the confidentiality
2 of medical information, DPH shall produce the following data on a daily basis for inclusion in
3 the City's Data Tracker:

4 (1) The total number of residential hotels citywide with confirmed COVID-19
5 cases; and

6 (2) The total number of confirmed positive COVID-19 cases in San Francisco
7 Residential Hotels, and the rate of cases by population size in San Francisco organized by zip
8 code;

9 (3) The total number of SRO Residents who have completed an isolation or
10 quarantine stay in one of the City's I/Q Hotel Rooms; and

11 (4) The total number of SRO Residents who have died due to complications
12 from the COVID-19 virus.”

13
14 Section 3. Effective Date; Expiration.

15 (a) If enacted prior to the expiration of Ordinance No. 84-20, this reenacted emergency
16 ordinance shall become effective immediately upon the date of expiration of Ordinance No.
17 84-20, and shall itself expire on the 61st day following its effective date unless reenacted as
18 provided by Charter Section 2.107, or upon the termination of the Public Health Emergency,
19 whichever occurs first.

20 (b) If enacted after the expiration of Ordinance No. 84-20, this reenacted emergency
21 ordinance shall become effective immediately upon enactment, and shall expire on the 61st
22 day following its effective date unless reenacted as provided by Charter Section 2.107, or
23 upon the termination of the Public Health Emergency, whichever occurs first.

1 Section 4. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed
2 to place a copy of this reenacted emergency ordinance in File No. 200456 for Ordinance No.
3 84-20 and to make a notation cross-referencing this emergency ordinance where Ordinance
4 No. 84-20 appears on the Board of Supervisors website as legislation passed.

5
6 Section 5. Supermajority Vote Required. In accordance with Charter Section 2.107,
7 passage of this reenacted emergency ordinance by the Board of Supervisors requires an
8 affirmative vote of two-thirds of the Board of Supervisors.

9
10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By: /s/
13 ANNE PEARSON
14 Deputy City Attorney

15
16
17
18
19
20
21
22
23
24
25
n:\legana\as2020\2000486\01475248.docx