

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

3 **Reenactment of emergency ordinance (Ord. No. 84-20, reenacted and amended by Ord.**
4 **No. 161-20) to establish protections for occupants of residential hotels (“SRO**
5 **Residents”) during the COVID-19 pandemic by, among other things: making it City**
6 **policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation**
7 **or quarantine established by the County Health Officer, and requiring the Department**
8 **of Public Health to: develop a protocol to assist health care providers to identify SRO**
9 **Residents who may require protection against or treatment for COVID-19; notify the**
10 **operator of a residential hotel when an SRO Resident has tested positive for COVID-19,**
11 **to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone**
12 **hotline for SRO Residents, to respond to questions about accessing COVID-19 health**
13 **screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents**
14 **and workers in residential hotels; and provide daily aggregate data concerning the**
15 **incidence of COVID-19 among SRO Residents, access to quarantine rooms by such**
16 **residents, and the number of such residents who have died due to complications from**
17 **COVID-19.**

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

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

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 established 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. On September 11, 2020, Ord. No. 84-20 was
11 reenacted by another emergency ordinance, Ord. No. 161-20, and amended to address the
12 City’s duty to post information in residential hotels concerning the rights of residents to access
13 services related to COVID-19. Ord. No. 161-20 will terminate automatically on November 11,
14 2020, unless reenacted.

15 (c) The Board of Supervisors hereby finds that the findings declared in Section 1 of
16 Ordinance No. 84-20 and reaffirmed in Section 1 of Ord. No. 161-20 remain valid and
17 compelling, and declares further that an actual emergency continues to exist that requires the
18 reenactment of Ordinance No. 84-20, as amended by Ord. No. 161-20, to reduce the spread
19 of COVID-19. COVID-19 continues to present an extremely dangerous public health risk to
20 the residents of residential hotels and to individuals who work in residential hotels.

21
22 Section 2. Reenactment of Emergency Ordinance. Consistent with Charter Section
23 2.107, this emergency ordinance reenacts for an additional 60 days the emergency ordinance
24 providing temporary protections to occupants of residential hotels (Ordinance No. 84-20), as
25 amended by Ord. No. 161-20, and amends Section 3 of said emergency ordinance to read as

1 follows. Even though Ordinance No. 84-20, Ordinance No. 161-20, and this reenacted
2 emergency ordinance are uncodified, for purposes of clarity the respective fonts for additions
3 and deletions to the Municipal Code as stated in the “Note” that appears at the beginning of
4 this ordinance are used to show the amendments to Section 3 of Ordinance No. 84-20, as
5 amended by Ordinance No. 161-20:

6

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

9

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

13

* * * *

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

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23 Section 3. Effective Date; ~~Retroactivity~~; Expiration.

24 This reenacted emergency ordinance shall become effective immediately upon
25 enactment, ~~shall have operative effect retroactively to the date that Ord. 161-20 expired, and~~

1 shall expire on the 61st day following the ~~date that Ord. 161-20 expired~~effective date, unless
2 reenacted as provided by Charter Section 2.107. Enactment occurs when the Mayor signs
3 the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance
4 within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the
5 ordinance.
6

7 Section 4. Directions to Clerk. The Clerk of the Board of Supervisors is hereby directed
8 to place a copy of this reenacted emergency ordinance in File No. 200456 for Ordinance No.
9 84-20 and File No. 200762 for Ord. No. 161-20, and to make a notation cross-referencing this
10 emergency ordinance where Ordinance Nos. 84-20 and 161-20 appear on the Board of
11 Supervisors website as legislation passed.
12

13 Section 5. Supermajority Vote Required. In accordance with Charter Section 2.107,
14 passage of this reenacted emergency ordinance by the Board of Supervisors requires an
15 affirmative vote of two-thirds of the Board of Supervisors.
16

17 APPROVED AS TO FORM:
18 DENNIS J. HERRERA, City Attorney

19 By: /s/
20 ANNE PEARSON
21 Deputy City Attorney

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