

1 [Emergency Ordinance - Grocery Store, Drug Store, Restaurant, and On-Demand Delivery
2 Service Employee Protections]

3 **Reenactment of emergency ordinance (Ordinance No. 74-20) to temporarily require**
4 **grocery store, drug store, restaurant, and on-demand delivery service employers to**
5 **provide health and scheduling protections to employees during the public health**
6 **emergency related to COVID-19.**

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

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

13
14 Section 1. Declaration of Emergency Pursuant to Charter Section 2.107.

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

21 (b) Pursuant to Charter Section 2.107, the City enacted Ordinance No. 74-20, an
22 emergency ordinance to temporarily require grocery store, drug store, restaurant, and on-
23 demand delivery service employers to provide health and scheduling protections to
24 employees during the public health emergency related to COVID-19. The emergency
25 ordinance became effective when enacted, on May 1, 2020. On July 10, 2020, an emergency

1 ordinance (Ordinance No. 110-20) reenacted Ordinance No. 74-20, and on August 28, 2020,
2 another emergency ordinance (Ordinance No. 156-20) again reenacted Ordinance No. 74-20,
3 as reenacted by Ordinance No. 110-20. Ordinance No. 156-20 became effective upon the
4 expiration of Ordinance No. 110-20 and will terminate automatically on November 8, 2020,
5 unless reenacted.

6 (c) The Board of Supervisors hereby finds that the findings declared in Sections 1 and
7 2 of Ordinance No. 74-20 and reaffirmed in Ordinance No. 110-20 and Ordinance No. 156-20
8 remain valid and compelling, and declares further that an actual emergency continues to exist
9 that requires the reenactment of Ordinance No. 74-20 to reduce the likelihood of COVID-19
10 infection among employees of grocery stores, drug stores, restaurants, and on-demand
11 delivery services and the members of the public with whom they interact.

12

13 Section 2. Reenactment of Emergency Ordinance.

14 Consistent with Charter Section 2.107, this emergency ordinance reenacts for an
15 additional 60 days the emergency ordinance temporarily requiring grocery store, drug store,
16 restaurant, and on-demand delivery service employers to provide health and scheduling
17 protections to employees during the public health emergency related to COVID-19 (Ordinance
18 No. 74-20), as reenacted by Ordinance No. 110-20 and Ordinance No. 156-20.

19

20 Section 3. Effective Date; Expiration.

21 (a) If enacted prior to the expiration of Ordinance No. 156-20, which reenacted
22 Ordinance No. 74-20, this reenacted emergency ordinance shall become effective
23 immediately upon the date of expiration of Ordinance No. 156-20, and shall itself expire on the
24 61st day following its effective date unless reenacted as provided by Charter Section 2.107, or
25 upon the termination of the Public Health Emergency, whichever occurs first.

1 (b) If enacted after the expiration of Ordinance No. 156-20, this reenacted emergency
2 ordinance shall become effective immediately upon enactment, and shall expire on the 61st
3 day following its effective date unless reenacted as provided by Charter Section 2.107, or
4 upon the termination of the Public Health Emergency, whichever occurs first.

5
6 Section 4. Directions to Clerk.

7 The Clerk of the Board of Supervisors is hereby directed to place a copy of this
8 reenacted emergency ordinance in File No. 200360 for Ordinance No. 74-20, File No. 200609
9 for Ordinance No. 110-20, and File No. 200912 for Ordinance No. 156-20 and to make a
10 notation cross-referencing this emergency ordinance where Ordinance Nos. 74-20, 110-20,
11 and 156-20 appear on the Board of Supervisors website as legislation passed.

12
13 Section 5. Supermajority Vote Required.

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

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

20 By: /s/ _____
21 LISA POWELL
22 Deputy City Attorney

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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 201054

Date Passed: November 03, 2020

Reenactment of emergency ordinance (Ordinance No. 74-20) to temporarily require grocery store, drug store, restaurant, and on-demand delivery service employers to provide health and scheduling protections to employees during the public health emergency related to COVID-19.

October 29, 2020 Government Audit and Oversight Committee - RECOMMENDED AS COMMITTEE REPORT

November 03, 2020 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201054

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 11/3/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

Date Approved