

File No. 210492

Committee Item No. 3

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: June 10, 2021

Board of Supervisors Meeting:

Date: \_\_\_\_\_

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- Application
- Public Correspondence

#### OTHER

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Prepared by: John Carroll

Date: June 4, 2021

Prepared by: John Carroll

Date: \_\_\_\_\_

Prepared by: John Carroll

Date: \_\_\_\_\_

1 [Police Code - Third-Party Food Delivery Services]

2

3 **Ordinance amending the Police Code to remove the sunset clause from the article**  
4 **imposing a fee cap and other regulations on Third-Party Food Delivery Services.**

5

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

10

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

12

13 Section 1. Article 53 of the Police Code is hereby amended to remove Section 5312,  
14 as follows:

15

16 ~~**SEC. 5312. SUNSET DATE.**~~

17

18 ~~*This Article 53 shall expire by operation of law 60 days after the County Health Officer amends*~~  
19 ~~*or terminates the Stay Safer At Home Order or any subsequent order regulating restaurants so that*~~  
20 ~~*restaurants may allow the number of patrons present in the indoor space of the restaurant to resume at*~~  
21 ~~*100% of the restaurant's maximum occupancy, provided that no subsequent order is issued to restrict*~~  
22 ~~*restaurant occupancy below 100% capacity during that 60-day window. Upon expiration, the City*~~  
23 ~~*Attorney shall cause this Article to be removed from the Police Code.*~~

23

24 Section 2. Effective Date; Retroactivity.

25

25 (a) This ordinance shall become effective 30 days after enactment. Enactment  
occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or

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

3 (b) The Board of Supervisors intends that Sections 5300-5311 of Article 53 of the  
4 Police Code shall continue in full force and effect without interruption, notwithstanding the  
5 County Health Officer's amendment or termination of the Stay Safer At Home Order or any  
6 subsequent order regulating restaurants such that restaurants may allow the number of  
7 patrons present in the indoor space of the restaurant to resume at 100% of the restaurant's  
8 maximum capacity. Accordingly, the amendment made in this ordinance to remove Section  
9 5312 from the Police Code shall be retroactive to the sunset date specified therein, thus  
10 assuring that the other sections of Article 53 remain in effect, without interruption.

11

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

14 By: /s/ Sarah A. Crowley  
15 SARAH A. CROWLEY  
16 Deputy City Attorney

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# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only