

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Carla Short, Interim Director, Public Works

FROM: Brent Jalipa, Assistant Clerk
Budget and Finance Committee

DATE: October 26, 2021

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Budget and Finance Committee has received the following proposed legislation, introduced by Supervisor Catherine Stefani:

File No. 211098

Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for temporary street space occupancy permits on certain designated City streets on Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December 12, 2021, to promote sidewalk sales of merchandise during the holiday season.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: brent.jalipa@sfgov.org.

c: David Steinberg, Public Works
Jeremy Spitz, Public Works
Lena Liu, Public Works

1 [Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk
2 Sales During the Holiday Season]

3 **Ordinance waiving the fee required by Public Works Code, Section 724.1(b), for**
4 **temporary street space occupancy permits on certain designated City streets on**
5 **Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021,**
6 **and Sunday, December 12, 2021, to promote sidewalk sales of merchandise during the**
7 **holiday season.**

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

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

16 Section 1. To promote sidewalk sales of merchandise during the holiday season, the
17 fee set in Public Works Code, Article 15, Section 724.1(b) for temporary street space
18 occupancy, is hereby waived between the hours of 7 a.m. and 9 p.m. on Saturday, December
19 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December
20 12, 2021, for the following areas:

21 3rd Street between Armstrong Avenue and Jerrold Avenue;
22 9th Avenue between Lincoln Way and Kirkham Street;
23 14th Street between Church Street and Landers Street;
24 18th Street between Eureka Street and Douglass Street;
25 18th Street between Noe Street and Diamond Street;
Arguello Boulevard between Clement Street and Euclid Avenue;

- 1 Balboa Street between 2nd Avenue and 8th Avenue;
- 2 Balboa Street between 32nd Avenue and 39th Avenue;
- 3 Bosworth Street between Diamond Street and Brompton Avenue;
- 4 Bush Street between Webster Street and Steiner Street;
- 5 California Street between Fillmore Street and Steiner Street;
- 6 Castro Street between Market Street and 19th Street;
- 7 Chenery Street between Brompton Avenue and Natick Street;
- 8 Church Street between Market Street and 15th Street;
- 9 Clement Street between Arguello Boulevard and 6th Avenue;
- 10 Cole Street between Frederick Street and Grattan Street;
- 11 Cortland Avenue between Bonview Street and Folsom Street;
- 12 Diamond Street between Monterey Boulevard and Surrey Street;
- 13 Divisadero Street between Golden Gate Avenue and Page Street;
- 14 Fillmore Street between Eddy Street and Jackson Street;
- 15 Fillmore Street between Green Street and Filbert Street;
- 16 Geary Boulevard between Masonic Avenue and 28th Avenue;
- 17 Gough Street between Green Street and Filbert Street;
- 18 Haight Street between Central Avenue and Stanyan Street;
- 19 Haight Street between Webster Street and Steiner Street;
- 20 Irving Street between 5th Avenue and Funston Avenue;
- 21 Irving Street between 14th Avenue and 18th Avenue;
- 22 Laguna Street between Green Street and Filbert Street;
- 23 Market Street between Castro Street and Church Street;
- 24 Mission Street between Cesar Chavez Street and Randall Street;
- 25 Noe Street between Market Street and Beaver Street;

1 Ocean Avenue between Howth Street and Victoria Avenue;
2 Ocean Avenue between Junipero Serra Boulevard and 19th Avenue;
3 Octavia Street between Green Street and Filbert Street;
4 O'Farrell Street between Fillmore Street and Steiner Street;
5 Polk Street between Geary Boulevard and Golden Gate Avenue;
6 Sacramento Street between Spruce Street and Broderick Street;
7 Sacramento Street between Webster Street and Steiner Street;
8 San Bruno Avenue between Hale Street and Olmstead Street;
9 Steiner Street between Green Street and Filbert Street;
10 Taraval Street between 19th Avenue and Forest Side Avenue;
11 Ulloa Street between Claremont Boulevard and Wawona Street;
12 Union Street between Gough Street and Steiner Street;
13 Valencia Street between Market Street and Cesar Chavez Street;
14 Vicente Street between Claremont Boulevard and Wawona Street;
15 West Portal Avenue between Ulloa Street and 15th Avenue; and
16 Wilder Street between Diamond Street and Carrie Street.

17
18 Section 2. All other provisions of Public Works Code Section 724.1 et seq. shall
19 remain in full effect.

20
21 Section 3. Effective Date; Retroactivity.

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

1 (b) If this ordinance becomes effective after December 4, 2021, the ordinance shall be
2 retroactive to December 4, 2021. If, prior to the effective date of this ordinance, any fees are
3 charged for a temporary street space occupancy that is to be waived under Section 1 of this
4 ordinance, said fees shall be reimbursable upon the effective date of the ordinance.

5
6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By: */s/ Christina Fletes-Romo*
9 CHRISTINA FLETES-ROMO
Deputy City Attorney

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LEGISLATIVE DIGEST

[Public Works Code - Waiver of Temporary Street Space Occupancy Permit Fee - Sidewalk Sales During the Holiday Season]

Ordinance waiving the fee required by Public Works Code, Section 724.1(b) for temporary street space occupancy permits on certain designated City streets on Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December 12, 2021, to promote sidewalk sales of merchandise during the holiday season.

Existing Law

Section 724.1(b) of the Public Works Code requires that a fee of \$57.62 per day be charged “[f]or temporary street space occupancy for any purpose other than a building construction operation.”

Amendments to Current Law

This uncodified ordinance would temporarily waive the fee required by Section 724.1(b) of the Public Works Code, in certain parts of the City, in connection with the sidewalk sales of merchandise during the holiday season. The fee would be waived between 7 a.m. and 9 p.m. on Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December 12, 2021. If the ordinance were to become effective after December 4, 2021, the ordinance would be retroactive to that date.

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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