

1 [Repeal arcane provisions of San Francisco Police Code.]

2

3 Ordinance amending the San Francisco Police Code to repeal the following provisions  
4 thereof: Sections 6, 7, 12, 51.1, 51.2, 92, 93, 94, 115, 141, 142, 147, 152, 168, 169, 170,  
5 171, 176, 177, 182, 183, 193, 194, 199, 205, 210, 215, 231, 241, 242, 243, 244, 245, 246,  
6 247, 248, 265, 266, 270, 271, 272, 299, 300, 305, 310, 315, 320, 748, 764, 765 and 776.

7

Note: Additions are single-underline italics Times New Roman;  
8 deletions are ~~strikethrough italics Times New Roman~~.  
Board amendment additions are double underlined.  
9 Board amendment deletions are ~~strikethrough normal~~.

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9

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

11

12 Section 1. The San Francisco Police Code is hereby amended by repealing Section 6  
13 thereof in its entirety, as follows:

14 ~~SEC. 6. BANANA PEELS, ETC., DEPOSIT ON SIDEWALK PROHIBITED.~~

15 It shall be unlawful for any person to ~~throw any banana peel or orange peel or~~  
16 ~~other rubbish on any sidewalk, or on the floor of any public building, street railway car or other~~  
17 ~~public conveyance.~~

18

19 Section 2. The San Francisco Police Code is hereby amended by repealing Section 7  
20 thereof in its entirety, as follows:

21 ~~SEC. 7. PUBLIC TO BE NOTIFIED, ETC.~~

22 ~~Officials in charge and control of public buildings, street railway cars and other~~  
23 ~~public conveyances shall keep posted a sufficient number of notices prohibiting the throwing~~  
24 ~~of banana or orange peel or other rubbish upon the floor thereof; and the janitors of such~~  
25 ~~buildings and the conductors of cars and other public conveyances shall call the attention of~~

1 ~~violators of Section 6 of this Article to such notices, and if any person shall thereafter persist in~~  
2 ~~such violation, said janitors and conductors are hereby directed to take the name of the~~  
3 ~~offender, in order that legal proceedings may be instituted against him.~~

4  
5 Section 3. The San Francisco Police Code is hereby amended by repealing  
6 Section 12 thereof in its entirety, as follows:

7 ~~SEC. 12. CARPETS, RUGS, BEATING ON SIDEWALK PROHIBITED.~~

8 ~~It shall be unlawful for any person to beat, sweep or clean any carpet or rug~~  
9 ~~upon any sidewalk or street except between the hours of 12:00 midnight, and 8:00 a.m.~~

10  
11 Section 4. The San Francisco Police Code is hereby amended by repealing Section  
12 51.1 thereof in its entirety, as follows:

13 ~~SEC. 51.1. SMOKING IN JITNEY BUSES.~~

14 ~~It shall be unlawful for any person to smoke or carry a lighted cigar, cigarette or~~  
15 ~~pipe in that portion of a jitney bus, as defined in Section 1076 of this Code, which is forward of~~  
16 ~~the rear one-third of the passenger seats, while the said jitney bus is carrying one or more~~  
17 ~~fare-paying passengers.~~

18 ~~Each jitney bus shall be clearly marked to designate that portion of such bus in~~  
19 ~~which the prohibition of this Section applies.~~

20  
21 Section 5. The San Francisco Police Code is hereby amended by repealing Section  
22 51.2 thereof in its entirety, as follows:

23 ~~SEC. 51.2. RESPONSIBILITY OF DRIVER.~~

24 ~~It shall be unlawful for the driver of any jitney bus to knowingly permit a violation~~  
25 ~~of the provisions of Section 51.1 of this Article.~~

1  
2 Section 6. The San Francisco Police Code is hereby amended by repealing Section 92  
3 thereof in its entirety, as follows:

4 ~~SEC. 92. EXPECTORATING ON STREET CAR FLOORS.~~

5 ~~No person shall expectorate on the floor of any street railway car in the City and~~  
6 ~~County of San Francisco.~~

7  
8 Section 7. The San Francisco Police Code is hereby amended by repealing Section 93  
9 thereof in its entirety, as follows:

10 ~~SEC. 93. NOTICE TO BE POSTED.~~

11 ~~All street railway companies shall keep posted in a conspicuous place in their~~  
12 ~~cars a sufficient number of notices calling attention to the provisions of this Section and~~  
13 ~~Section 92 of this Article.~~

14  
15 Section 8. The San Francisco Police Code is hereby amended by repealing Section 94  
16 thereof in its entirety, as follows:

17 ~~SEC. 94. PENALTY.~~

18 ~~Any person who shall violate the provisions of Sections 92 and 93 of this Article~~  
19 ~~shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum~~  
20 ~~not exceeding \$25, or by imprisonment for a term not exceeding 10 days, or by both such fine~~  
21 ~~and imprisonment.~~

22  
23 Section 9. The San Francisco Police Code is hereby amended by repealing Section  
24 115 thereof in its entirety, as follows:

1           ~~SEC. 115. BATHING IN BAY OF SAN FRANCISCO REGULATED.~~

2           ~~No person shall bathe in the waters of the Bay of San Francisco, within the limits~~  
3 ~~of the City and County of San Francisco, without wearing a suitable bathing dress.~~

4  
5           Section 10. The San Francisco Police Code is hereby amended by repealing Section  
6 141 thereof in its entirety, as follows:

7           ~~SEC. 141. CONFETTI, ETC., GATHERING, SALE AND POSSESSION OF USED,~~  
8 ~~PROHIBITED.~~

9           ~~It shall be unlawful for any person to gather or pick up from any public street,~~  
10 ~~sidewalk, place or from the floor of any building (except for the purpose of cleaning such~~  
11 ~~public street, sidewalk, place or floor of such building) the substance known and designated~~  
12 ~~as "confetti" or "serpentine," or to have in his possession, or to sell or offer for sale confetti or~~  
13 ~~serpentine that has been gathered or picked up from any public street, sidewalk, place or from~~  
14 ~~the floor of any building, or to throw or cause to be thrown confetti or serpentine so gathered~~  
15 ~~or picked up, or confetti in mixed colors, upon the person or apparel of any individual.~~

16  
17           Section 11. The San Francisco Police Code is hereby amended by repealing Section  
18 142 thereof in its entirety, as follows:

19           ~~SEC. 142. PENALTY.~~

20           ~~Any person violating any of the provisions of Section 141 of this Article shall be~~  
21 ~~deemed guilty of a misdemeanor, and, upon conviction thereof shall be punished by a fine of~~  
22 ~~not more than \$25, or by imprisonment in the County Jail not exceeding 30 days, or by both~~  
23 ~~such fine and imprisonment.~~

24           Section 12. The San Francisco Police Code is hereby amended by repealing Section  
25 147 thereof in its entirety, as follows:

1           ~~SEC. 147. DISTURBANCE OF PEACE, USE OF PROFANE LANGUAGE, ETC.,~~  
2 ~~PROHIBITED.~~

3           ~~No person shall make in any place, or suffer to be made upon his premises, or~~  
4 ~~premises within his control, any noise, disorder or tumult, to the disturbance of the public~~  
5 ~~peace.~~

6           ~~Utter within the hearing of two or more persons, any bawdy, lewd, obscene or~~  
7 ~~profane language, words or epithets;~~

8           ~~Address to another, or utter in the presence of another any words, language or~~  
9 ~~expression having a tendency to create a breach of the peace.~~

10           ~~Utter, in any public place, or utter in the presence or hearing of 10 or more~~  
11 ~~persons, any slanderous or vile or indecent words or epithets of or concerning any person,~~  
12 ~~present or absent, unless (the burden of proving which shall devolve on the defendant) such~~  
13 ~~slanderous, vile or indecent words or epithets were true and were uttered with good motives~~  
14 ~~and for justifiable ends.~~

15  
16           Section 13. The San Francisco Police Code is hereby amended by repealing Section  
17 152 thereof in its entirety, as follows:

18           ~~SEC. 152. DRUNKENNESS IN PUBLIC PLACES PROHIBITED.~~

19           ~~It shall be unlawful for any person to be drunk or intoxicated on any public~~  
20 ~~highway or in any public place or in any place open to public view, or to be in any private~~  
21 ~~premises or in any private house in a drunken or intoxicated condition to the annoyance of~~  
22 ~~any other person.~~

23  
24           Section 14. The San Francisco Police Code is hereby amended by repealing Section  
25 168 thereof in its entirety, as follows:

1           ~~SEC. 168. MECHANICAL CONTRIVANCES TO REPRODUCE OBSCENE~~  
2 ~~LANGUAGE, ETC., PROHIBITED.~~

3           ~~It shall be unlawful for any person, by the means of any device, or composition~~  
4 ~~of matter, or machine, or mechanical contrivance, to reproduce, utter, or repeat, or cause to~~  
5 ~~be reproduced, or re-uttered or repeated, obscene or indecent, or vulgar language, or words~~  
6 ~~or sounds.~~

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8           Section 15. The San Francisco Police Code is hereby amended by repealing Section  
9 169 thereof in its entirety, as follows:

10           ~~SEC. 169. EXHIBITION OF INDECENT PICTURES, FIGURES, ETC., PROHIBITED.~~

11           ~~It shall be unlawful for any person, by the means of any picture or pictures,~~  
12 ~~representation, machine, or mechanical contrivance or device of any kind to exhibit, expose,~~  
13 ~~or cause to be exhibited or exposed, to the view of any person, any figure, picture or object~~  
14 ~~that is obscene, indecent, vulgar or lewd.~~

15  
16           Section 16. The San Francisco Police Code is hereby amended by repealing Section  
17 170 thereof in its entirety, as follows:

18           ~~SEC. 170. POSSESSION, CONTROL, ETC., OF INSTRUMENTS, ETC.,~~  
19 ~~PROHIBITED.~~

20           ~~It shall be unlawful for any person to own, have in his possession, under his~~  
21 ~~control, operate, manufacture or to assist in the manufacture of, or barter, or exchange, or~~  
22 ~~give away or sell, or offer for sale, or otherwise dispose of any instrument, picture,~~  
23 ~~representation, machine, device or mechanical device or contrivance used or designed to be~~  
24 ~~used for any of the purposes prohibited in the two preceding sections or to be a witness to any~~  
25 ~~such exhibition, representation, reproduction or repetition.~~

1  
2 Section 17. The San Francisco Police Code is hereby amended by repealing Section  
3 171 thereof in its entirety, as follows:

4 ~~SEC. 171. PENALTY.~~

5 Any person violating any of the provisions of Sections 168 to 170, inclusive, of  
6 this Article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be  
7 punished by a fine of not less than \$50 nor more than \$200, or by imprisonment in the County  
8 Jail for not less than 50 days nor more than 200 days.

9  
10 Section 18. The San Francisco Police Code is hereby amended by repealing Section  
11 176 thereof in its entirety, as follows:

12 ~~SEC. 176. OBSCENE, LEWD, INDECENT EXHIBITIONS, ETC., PROHIBITED.~~

13 It shall be unlawful for any person, firm, corporation, partnership, or association,  
14 either as owner, manager, producer, director, actor or agent, or who acts in any other  
15 capacity, to give, direct, present, or participate in any obscene, indecent, immoral or impure  
16 drama, play, exhibition, show or entertainment, or any obscene, indecent, immoral, impure  
17 scene, tableau, incident, part or portion of any drama, play, exhibition, show or entertainment,  
18 which tends to corrupt the morals of youth or others; or to give, direct, present, or participate  
19 in any drama, play, exhibition, show, entertainment, scene, or tableau, depicting or dealing  
20 with the subject or theme of sex degeneracy or sex perversion or sex inversion.

21  
22 Section 19. The San Francisco Police Code is hereby amended by repealing Section  
23 177 thereof in its entirety, as follows:

24 ~~SEC. 177. LEWD PLAYS, PERFORMANCES — REPRESENTATION PROHIBITED.~~

1           ~~It shall be unlawful for any person to exhibit, or perform, or participate in the~~  
2 ~~presentation or performance of any obscene, indecent, or lewd play or representation.~~

3  
4           Section 20. The San Francisco Police Code is hereby amended by repealing Section  
5 182 thereof in its entirety, as follows:

6           ~~SEC. 182. LEWD AND INDECENT ADVERTISING PROHIBITED.~~

7           ~~No person shall expose to public view, or distribute any circular, bill, paper,~~  
8 ~~certificate, card, notice or advertisement purporting to treat or cure diseases of the sexual~~  
9 ~~organs, or representing the sexual organs of any animals, or indicating any lewd or indecent~~  
10 ~~or immoral act, or representation of any kind, character or description or purporting to, or~~  
11 ~~suggesting the performance or practice of abortion, and proof of the fact that such circulars,~~  
12 ~~bills, papers, cards, certificates or advertisement have been issued or distributed, or caused to~~  
13 ~~be issued or distributed, shall be prima facie evidence of the violation of the provisions of~~  
14 ~~Sections 182 and 183 of this Article by the person, firm or corporation whose name appears~~  
15 ~~thereon.~~

16  
17           Section 21. The San Francisco Police Code is hereby amended by repealing Section  
18 183 thereof in its entirety, as follows:

19           ~~SEC. 183. LEWD POSTERS PROHIBITED.~~

20           ~~No person shall post, place, stick, stamp, paint or otherwise affix any bill, poster,~~  
21 ~~notice or advertisement purporting to treat or cure diseases of the sexual organs, or~~  
22 ~~representing the sexual organs of any animal, or indicating any lewd or indecent or immoral~~  
23 ~~act or representation of any kind, character or description, to or upon, or maintain or suffer to~~  
24 ~~remain on or upon, any house or part thereof, wall, fence, gatepost sidewalk, trees or boxes~~  
25 ~~around trees, or upon any lot or premises.~~



1  
2 Section 22. The San Francisco Police Code is hereby amended by repealing Section  
3 193 thereof in its entirety, as follows:

4 ~~SEC. 193. INDECENT POSTERS PROHIBITED.~~

5 ~~No person, firm, or corporation shall post, print, paste, nail, maintain or display~~  
6 ~~upon any billboard, fence, building frame or structure, and in any manner expose to public~~  
7 ~~view, as an advertisement of any show, play or performance, any indecent print, or any~~  
8 ~~picture, or cut, tending to represent the doing of a criminal act, or representing indecently the~~  
9 ~~limbs or any part of a human body, or the position of persons in relation to each other, tending~~  
10 ~~to deprave the morals of individuals, or shocking to the sense of decency, or tending to incite~~  
11 ~~the minds to acts of immorality or crime, or to familiarize and accustom the minds of young~~  
12 ~~persons with the same.~~

13  
14 Section 23. The San Francisco Police Code is hereby amended by repealing Section  
15 194 thereof in its entirety, as follows:

16 ~~SEC. 194. PENALTY.~~

17 ~~Any person, firm or corporation violating any of the provisions of Section 193 of~~  
18 ~~this Article shall be punished by a fine of not less than \$10 nor more than \$100, or by~~  
19 ~~imprisonment not exceeding 10 days; each day such violation shall be willfully maintained or~~  
20 ~~continued shall be deemed to constitute a separate offense and render the offender liable to~~  
21 ~~additional arrest and prosecution.~~

22  
23 Section 24. The San Francisco Police Code is hereby amended by repealing Section  
24 199 thereof in its entirety, as follows:

25 ~~SEC. 199. DISPLAY OF REPRESENTATIONS OF SEXUAL ORGANS PROHIBITED.~~

1           ~~It shall be unlawful for any person, company, association or corporation to~~  
2 ~~exhibit or display or cause to be exhibited or displayed, at any point or place within the City~~  
3 ~~and County of San Francisco, for the purpose of advertising any profession, business, trade~~  
4 ~~or thing, any figure or model or cast of wax or of any other composition, or for such purpose to~~  
5 ~~exhibit or display, or cause to be exhibited or displayed, any picture, etching, print, cut or other~~  
6 ~~pictorial representation of or purporting to be a representation or facsimile of the sexual~~  
7 ~~organs of a human being.~~

8  
9           Section 25. The San Francisco Police Code is hereby amended by repealing Section  
10 205 thereof in its entirety, as follows:

11           ~~SEC. 205. OBSCENE LANGUAGE IN PUBLIC PLACES PROHIBITED.~~

12           ~~It shall be unlawful for any person to utter, within the hearing of two or more~~  
13 ~~persons, any bawdy, lewd, obscene or profane language, words, or epithets, in a public place~~  
14 ~~or highway.~~

15  
16           Section 26. The San Francisco Police Code is hereby amended by repealing Section  
17 210 thereof in its entirety, as follows:

18           ~~SEC. 210. OBSCENE LANGUAGE IN TELEPHONE CONVERSATIONS~~  
19 ~~PROHIBITED.~~

20           ~~It shall be unlawful for any person engaged in telephonic conversation with any~~  
21 ~~telephone operator, supervisor or chief operator or with any other person, to use or permit~~  
22 ~~another so engaged in telephonic conversation on his premises or premises controlled by him,~~  
23 ~~to use any abusive, profane, bawdy, lewd or obscene language.~~

1 Section 27. The San Francisco Police Code is hereby amended by repealing Section  
2 215 thereof in its entirety, as follows:

3 ~~SEC. 215. LEWD AND INDECENT ACTS PROHIBITED.~~

4 ~~It shall be unlawful for any person to engage in or be a party to or to solicit or~~  
5 ~~invite any other person to engage in or be a party to any lewd, indecent or obscene act or~~  
6 ~~conduct.~~

7  
8 Section 28. The San Francisco Police Code is hereby amended by repealing Section  
9 231 thereof in its entirety, as follows:

10 ~~SEC. 231. ENGAGING IN BUSINESS IN HOUSE OF PROSTITUTION PROHIBITED.~~

11 ~~It shall be unlawful for any person, firm or corporation, club or association to~~  
12 ~~carry on any business or to pursue any trade or vocation within the limits of the City and~~  
13 ~~County of San Francisco in any house, room or building connected by any door, window,~~  
14 ~~stairs, steps, hall, passageway, court or alley (not a public street), or by any door and court or~~  
15 ~~alley (not a public street) with any house, room or building which is used or resorted to for~~  
16 ~~purposes of prostitution.~~

17  
18 Section 29. The San Francisco Police Code is hereby amended by repealing Section  
19 265 thereof in its entirety, as follows:

20 ~~SEC. 241. PROHIBITING PERSONS OF LEWD OR IMMORAL CHARACTER, OR~~  
21 ~~CONVICTED PERSONS, FROM LOITERING IN PLACES OF BUSINESS.~~

22 ~~It shall be unlawful for the owner, manager or person having supervision, charge~~  
23 ~~or control of any place of business within the limits of the City and County of San Francisco to~~  
24 ~~permit or allow persons of known lewd, immoral or dissolute character, sexual perverts of any~~  
25 ~~type or convicted persons to loiter in, habitually frequent or remain in such place of business.~~

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Section 30. The San Francisco Police Code is hereby amended by repealing Section 242 thereof in its entirety, as follows:

~~SEC. 242. DEFINITIONS.~~

~~For the purposes hereof the words "convicted persons" are defined as follows:~~

~~Any person who has been since January 3, 1939, or who hereafter is convicted of a crime in the State of California under the provisions of Section 647, subdivision 5 of the Penal Code of the State of California, or Section 215, Part II, Chapter VIII (Police Code) of the San Francisco Municipal Code, or who has been since January 3, 1939, or hereafter is convicted in any place other than the State of California or the City and County of San Francisco, of any offense which, if committed in this state or this city and county, would have been punishable under either of said sections respectively.~~

~~For the purposes hereof the words "sexual pervert" shall include the following:~~

~~Any person performing any of the acts prohibited by either Section 286 or Section 288a of the Penal Code of the State of California.~~

Section 31. The San Francisco Police Code is hereby amended by repealing Section 243 thereof in its entirety, as follows:

~~SEC. 243. FIVE DAYS' NOTICE REQUIRED PRIOR TO PROSECUTION.~~

~~No prosecution under the provisions hereof shall be commenced except for violation thereof committed after a peace officer shall have given five days' written notice to the owner, manager or a person having supervision or charge of such business, that a violation of the provisions hereof may be committed by permitting or allowing certain persons to loiter in, habitually frequent or remain in such places of business, stating the name and~~

1 ~~general description of the person or persons; and that the said person or persons are either~~  
2 ~~known lewd, immoral or dissolute characters or known sexual perverts of any type, or are~~  
3 ~~convicted persons, as defined herein above. Such notice may be served by service upon the~~  
4 ~~owner, manager, managers, agent or any other person having supervision or charge of such~~  
5 ~~place of business.~~

6  
7 Section 32. The San Francisco Police Code is hereby amended by repealing Section  
8 244 thereof in its entirety, as follows:

9 ~~SEC. 244. ADDITIONAL NOTICE TO ABATE NOT REQUIRED AFTER FIVE DAYS'~~  
10 ~~NOTICE.~~

11 ~~Any violation of the provisions hereof occurring within one year after the~~  
12 ~~expiration of five days from the service of such notice may be prosecuted without service of~~  
13 ~~other or additional notice to abate.~~

14  
15 Section 33. The San Francisco Police Code is hereby amended by repealing Section  
16 245 thereof in its entirety, as follows:

17 ~~SEC. 245. UNLAWFUL TO LOITER, ETC., AFTER NOTICE BY MANAGER OF~~  
18 ~~PLACE OF BUSINESS.~~

19 ~~It shall be unlawful for persons of known lewd, immoral or dissolute character,~~  
20 ~~sexual perverts of any type, or convicted persons as herein above defined, to loiter in,~~  
21 ~~habitually frequent or remain in any place of business after notice by the owner, manager or~~  
22 ~~person having supervision or charge of such business not so to do.~~

23  
24 Section 34. The San Francisco Police Code is hereby amended by repealing Section  
25 246 thereof in its entirety, as follows:

1           ~~SEC. 246. UNLAWFUL TO LOITER WITHOUT ANY LAWFUL BUSINESS TO~~  
2 ~~PERFORM.~~

3           ~~It shall be unlawful for any convicted person, as hereinabove defined, to loiter~~  
4 ~~about any place of business without any lawful business there to perform.~~

5  
6           Section 35. The San Francisco Police Code is hereby amended by repealing Section  
7 247 thereof in its entirety, as follows:

8           ~~SEC. 247. STATE CIVIL CODE PROVISIONS.~~

9           ~~The provisions hereof shall not be construed to authorize or require violation of~~  
10 ~~Sections 51 to 54, inclusive, of the Civil Code of the State of California.~~

11  
12           Section 36. The San Francisco Police Code is hereby amended by repealing Section  
13 248 thereof in its entirety, as follows:

14           ~~SEC. 248. PENALTY.~~

15           ~~Any person violating any of the provisions of Sections 241 to 247, inclusive, of~~  
16 ~~this Article, shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under~~  
17 ~~the provisions of Sections 241 to 247, inclusive, of this Article, shall be punishable by a fine of~~  
18 ~~not more than \$500 or by imprisonment in the County Jail for a period of not more than six~~  
19 ~~months or by both such fine and imprisonment.~~

20  
21           Section 37. The San Francisco Police Code is hereby amended by repealing Section  
22 265 thereof in its entirety, as follows:

23           ~~SEC. 265. AUTOMATIC QUOTATION EXHIBITORS PROHIBITED.~~

24           ~~It shall be unlawful for any person to open, conduct, deal, play or carry on in any~~  
25 ~~public or private place whatever, in the City and County of San Francisco, any automatic~~

1 ~~quotation exhibitor or any similar contrivance, or any imitation thereof, whether operated by~~  
2 ~~means of a clock or by any other device, or any system whereby goods in name only and that~~  
3 ~~do not exist are bought and sold on commission, or whereby the rise and fall in prices of~~  
4 ~~goods are dependent upon any automatic apparatus, the results of which are by chance or~~  
5 ~~otherwise, or whether called "An Automatic Quotation Exhibitor," or any "Grain and Stock~~  
6 ~~Exchange," or a "Clock Game," or any other name whatever, for money, check, chips, credit~~  
7 ~~or any representative of value.~~

8  
9 Section 38. The San Francisco Police Code is hereby amended by repealing Section  
10 266 thereof in its entirety, as follows:

11 ~~SEC. 266. PLAYING UPON ANY SUCH CONTRIVANCE, ETC., PROHIBITED.~~

12 ~~It shall be unlawful for any person owning or having the control of any room,~~  
13 ~~place or premises in said City and County to suffer or permit any contrivance as defined in~~  
14 ~~Section 265 of this Article to be operated or conducted or carried on therein; or for any person~~  
15 ~~whatever to visit or frequent or play against or bet upon any such prohibited contrivance, or for~~  
16 ~~any person whatever to sell or purchase or produce chips, checks, or cards for use at any~~  
17 ~~such contrivance.~~

18  
19 Section 39. The San Francisco Police Code is hereby amended by repealing Section  
20 270 thereof in its entirety, as follows:

21 ~~SEC. 270. DEFINITIONS IN CONNECTION WITH BUCKET SHOPS.~~

22 ~~The following words and phrases used in Sections 271 and 272, Article 3,~~  
23 ~~Chapter VIII, Part II of the San Francisco Municipal Code shall, unless a different meaning is~~  
24 ~~plainly required by the context, have the following meanings:~~

1           ~~“Person” shall mean an individual, corporation, partnership or association,~~  
2 ~~whether acting in his, its or their own right or as the officer, agent, servant, employee,~~  
3 ~~correspondent or representative of another.~~

4           ~~“Contract” shall mean any agreement, trade, contract or transaction.~~

5           ~~“Securities” shall mean all evidences of debt or property and options for the~~  
6 ~~purchase or sale thereof, shares in any corporation or association, bonds, coupons, scrip,~~  
7 ~~rights, choses in action, and other evidences of debt or property and options for the purchase~~  
8 ~~or sale thereof.~~

9           ~~“Commodities” shall mean anything movable that is bought and sold.~~

10          ~~“Bucket Shop” shall mean any room, office, store, building or other place where~~  
11 ~~any contract is made or offered to be made.~~

12          ~~“Keeper” shall mean any person owning, keeping, managing, operating or~~  
13 ~~promoting a bucket shop, or assisting to keep, manage, operate or promote a bucket shop.~~

14          ~~“Bucketing” or “Bucket Shopping” shall mean (a) The making of or offering to~~  
15 ~~make any contract respecting the purchase or sale of any securities or commodities, wherein~~  
16 ~~both parties thereto intend, or such keeper intends, that such contract shall, be, or may be,~~  
17 ~~terminated, closed or settled according to or upon the basis of the public market quotations of~~  
18 ~~prices made on any board of trade or exchange upon which said securities or commodities~~  
19 ~~are dealt in and without a bona fide purchase or sale of the same; or~~

20                 ~~(b) The making of or offering to make any contract respecting the purchase~~  
21 ~~or sale of any securities or commodities, wherein both parties thereto intend, or such keeper~~  
22 ~~intends, that such contract shall be, or may be, deemed terminated, closed or settled when~~  
23 ~~such public market quotations of prices for the securities or commodities named in such~~  
24 ~~contract shall reach a certain figure without a bona fide purchase or sale of the same; or~~



1           ~~(c) The making of or offering to make any contract respecting the purchase~~  
2 ~~or sale of any securities or commodities, wherein both parties thereto do not intend, or such~~  
3 ~~keeper does not intend, the actual or bona fide receipt or delivery of such securities or~~  
4 ~~commodities, but do intend, or such keeper does intend, a settlement of such contract based~~  
5 ~~upon the differences in such public market quotations of prices at which said securities or~~  
6 ~~commodities are or are asserted to be bought and sold.~~

7  
8           Section 40. The San Francisco Police Code is hereby amended by repealing Section  
9 271 thereof in its entirety, as follows:

10       ~~SEC. 271. VISITING BUCKET SHOPS, ETC., PROHIBITED — PENALTY.~~

11           ~~Any person who shall, within the City and County of San Francisco, enter or visit~~  
12 ~~or be or remain in any room or premises or place used in whole or in part as a place for~~  
13 ~~conducting or carrying on a bucket shop or bucketing or bucket shopping, shall be guilty of a~~  
14 ~~misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than \$100,~~  
15 ~~nor more than \$500, or by imprisonment in the County Jail for not less than 30 days nor more~~  
16 ~~than six months.~~

17  
18           Section 41. The San Francisco Police Code is hereby amended by repealing Section  
19 272 thereof in its entirety, as follows:

20       ~~SEC. 272. USE OF PREMISES, ETC., FOR BUCKET SHOPS PROHIBITED —~~  
21 ~~PENALTY.~~

22           ~~Any person who shall, within the City and County of San Francisco, knowingly~~  
23 ~~permit any house, room, apartment, premises or place owned by him or under his charge or~~  
24 ~~control, to be used in whole or in part as a place for conducting or carrying on a bucket shop~~  
25 ~~or bucketing or bucket shopping, shall be guilty of a misdemeanor, and, upon conviction~~

1 ~~thereof, shall be punished by a fine of not less than \$100 nor more than \$500, or by~~  
2 ~~imprisonment in the County Jail for not less than 30 days nor more than six months.~~

3  
4 Section 42. The San Francisco Police Code is hereby amended by repealing Section  
5 299 thereof in its entirety, as follows:

6 ~~SEC. 299. GAMBLING ON OCEAN BEACH PROHIBITED.~~

7 ~~It shall be unlawful for any person to open, conduct, play or carry on, or assist in~~  
8 ~~carrying on, any game or scheme of chance, gambling scheme or device in that part of the~~  
9 ~~City and County of San Francisco known and designated as the Ocean Beach between high~~  
10 ~~and low water mark, and between the northerly line of Wawona Street extended westerly to~~  
11 ~~the Pacific Ocean and low water mark, and the northerly line of Anza Street extended westerly~~  
12 ~~to the Pacific Ocean and low water mark.~~

13  
14 Section 43. The San Francisco Police Code is hereby amended by repealing Section  
15 300 thereof in its entirety, as follows:

16 ~~SEC. 300. ERECTION OF TENTS, ETC., PROHIBITED.~~

17 ~~It shall be unlawful for any person to erect or maintain, or cause to be erected or~~  
18 ~~maintained, any structure, tent, table or other contrivance on said Ocean Beach~~  
19 ~~wherein or whereon any game of chance, gambling scheme or device is maintained,~~  
20 ~~opened, played or carried on.~~

21  
22 Section 44. The San Francisco Police Code is hereby amended by repealing Section  
23 305 thereof in its entirety, as follows:

24 ~~SEC. 305. POSSESSION OF LOTTERY TICKETS PROHIBITED.~~

1           ~~It shall be unlawful for any person to have in his possession any lottery ticket, or~~  
2 ~~any ticket, bill, paper, device, certificate or instrument purporting to be or to represent a ticket,~~  
3 ~~chance, share or interest in or depending upon the event of a lottery; or any tool, instrument,~~  
4 ~~stamp, die, cut or device used, or intended to be used, in or for contriving, setting up,~~  
5 ~~preparing, printing, stamping, writing or getting ready for sale or distribution any lottery ticket,~~  
6 ~~or lottery tickets, or used or intended to be used in or for contriving, setting up, preparing,~~  
7 ~~proposing or drawing a lottery; or any tool, instrument, stamp, die, cut or device for stamping~~  
8 ~~or marking lottery scrolls, or for stamping or marking any statement, declaration,~~  
9 ~~memorandum, copy or list of lottery tickets that have been sold, or for marking, or for~~  
10 ~~stamping any paper, statement, certificate, or instrument representing or purporting to be a~~  
11 ~~statement, scroll, copy, or list of numbers, characters or figures chosen, selected, designated~~  
12 ~~or marked as played, or as having been played at, or in, or against a lottery, or lottery~~  
13 ~~drawing; or any tool, punch, instrument, die, cut or device used, or intended to be used, in or~~  
14 ~~for contriving, or preparing, or setting up, or lottery drawings, or papers, bills, handbills, cards,~~  
15 ~~writings, prints, instruments or devices setting forth or containing, or purporting to set forth or~~  
16 ~~contain, memoranda statements, copies or lists of the lucky or winning numbers, characters or~~  
17 ~~figures in or of a lottery or lottery drawing.~~

18  
19           Section 45. The San Francisco Police Code is hereby amended by repealing Section  
20 310 thereof in its entirety, as follows:

21           ~~SEC. 310. POSSESSION AND DISTRIBUTION OF LOTTERY SCROLLS~~  
22 ~~PROHIBITED.~~

23           ~~It shall be unlawful for any person to have in his possession, or make, or write,~~  
24 ~~or print, or deliver to another, or transfer to another, or circulate, or distribute any lottery~~  
25 ~~scrolls, or any print, bill, paper, device, memorandum or instrument purporting to be or to~~

1 ~~represent a statement, declaration, scroll, memorandum or list of lottery tickets that have been~~  
2 ~~sold or purporting to be, or to represent a statement, declaration, scroll, memorandum or list~~  
3 ~~of numbers, characters, or figures chosen, selected, designated or marked as played, or as~~  
4 ~~having been played at, in or against a lottery, or lottery company, or lottery drawing.~~

5  
6 Section 46. The San Francisco Police Code is hereby amended by repealing Section  
7 315 thereof in its entirety, as follows:

8 ~~SEC. 315. CIRCULATION OF LOTTERY DRAWINGS PROHIBITED.~~

9 ~~It shall be unlawful for any person to publish, print, pass, give or deliver to~~  
10 ~~another or circulate or distribute any newspaper, magazine, writings, prints, bills, handbills,~~  
11 ~~cards, instruments or devices which purport to be, or represent to be, or which contain copies,~~  
12 ~~statements or memoranda of a lottery drawing, or which purport to be, or represent to be or~~  
13 ~~contain statements, declarations, copies or memoranda, or marking, or for stamping any~~  
14 ~~paper, statement, certificate, or instrument representing or purporting to be a statement,~~  
15 ~~scroll, copy or list of numbers, characters or figures chosen, selected, designated or marked~~  
16 ~~as played, or as having been played at, or in, or against a lottery, or lottery drawing; or any~~  
17 ~~tool, punch, instrument, die, cut or device used, or intended to be used, in or for contriving, or~~  
18 ~~preparing, or setting up, or printing or stamping or writing or getting ready for distribution or~~  
19 ~~circulation, lottery drawings, or papers, bills, handbills, cards, writings, prints, instruments or~~  
20 ~~devices setting forth or containing, or purporting to set forth or contain, memoranda,~~  
21 ~~statements, copies or lists of the lucky or winning numbers, characters or figures in or of a~~  
22 ~~lottery or lottery drawing.~~

23  
24 Section 47. The San Francisco Police Code is hereby amended by repealing Section  
25 320 thereof in its entirety, as follows:

1           ~~SEC. 320. VISITING LOTTERY PLACES PROHIBITED.~~

2           ~~It shall be unlawful for any person within the limits of the City and County of San~~  
3 ~~Francisco to become an inmate of or visit for the purpose of participation in any lottery, or in~~  
4 ~~any manner contribute to the support of any office, room or place where any lottery is or is~~  
5 ~~about to be contrived, prepared, set up, proposed or drawn; or in any office, room or place for~~  
6 ~~the sale of or registering the number of any ticket in any lottery.~~

7  
8           Section 48. The San Francisco Police Code is hereby amended by repealing Section  
9 748 thereof in its entirety, as follows:

10           ~~SEC. 748. CERTAIN ACTS IN CONNECTION WITH PLAYING, ETC., "THE STAR-~~  
11 ~~SPANGLED BANNER" PROHIBITED.~~

12           ~~It shall be unlawful for any person, firm or corporation, acting either as~~  
13 ~~proprietor, manager or employee of any theater, exhibition, moving picture hall, restaurant,~~  
14 ~~cafe or other place in the City and County of San Francisco, where the public gathers, to~~  
15 ~~permit or allow anyone playing, singing or performing therein, to play, sing or render the~~  
16 ~~musical composition, "The Star Spangled Banner," except as an entire and separate~~  
17 ~~composition or number, without the addition of national or other melodies; to permit said~~  
18 ~~musical composition "The Star Spangled Banner," to be played as part of a medley, or for~~  
19 ~~dancing or as an exit march, and whenever practicable, the musicians, performers and~~  
20 ~~audience shall stand during the playing or singing of said musical composition.~~

21  
22           Section 49. The San Francisco Police Code is hereby amended by repealing Section  
23 764 thereof in its entirety, as follows:

24           ~~SEC. 764. WEARING HATS IN THEATERS DURING PROGRAM PROHIBITED.~~

1           ~~No person shall wear any hat or bonnet or other head covering within any~~  
2 ~~licensed theater, nickelodeon, moving picture show or any public hall in this City and County~~  
3 ~~during the rendition of any program or the exhibition of any pictures on the stage or platform of~~  
4 ~~said theater, nickelodeon, moving picture show or public hall, but every such bonnet, hat or~~  
5 ~~other head covering shall be removed from the head of the person wearing the same during~~  
6 ~~the time of the performance in said theater or during the rendition of the program or the~~  
7 ~~exhibition of pictures on the stage or platform thereof; provided, however, that the above~~  
8 ~~inhibition shall not be held to include skull caps, lace covering or other small or closely fitting~~  
9 ~~headdress or covering which does not interfere with or obstruct the view.~~

10  
11           Section 50. The San Francisco Police Code is hereby amended by repealing Section  
12 765 thereof in its entirety, as follows:

13           ~~SEC. 765. REQUIRING NOTICE TO PUBLIC.~~

14           ~~No person, firm or corporation having the lease, management or control of any~~  
15 ~~licensed theater shall permit any person, during the time of performance in such theater or~~  
16 ~~during the rendition of any program on the stage or platform of said theater, to wear any hat,~~  
17 ~~bonnet or covering for the head contrary to the provisions of Section 764 of this Article; and~~  
18 ~~every person, firm or corporation having the lease, management or control of any licensed~~  
19 ~~theater shall give notice of the provisions of Section 764 and 765 of this Article by distributing~~  
20 ~~or causing to be distributed, at or before the commencement of such performance or the~~  
21 ~~rendition of such program, generally, among those present thereat, notices of Sections 764~~  
22 ~~and 765 of this Article, printed or otherwise published on cards, handbills or other devices, or~~  
23 ~~in a conspicuous portion of the program.~~

1 Section 51. The San Francisco Police Code is hereby amended by repealing Section  
2 776 thereof in its entirety, as follows:

3 ~~SEC. 776. MINORS PROHIBITED.~~

4 ~~Minors under the age of 18 years, except those accompanied by a parent or~~  
5 ~~guardian, shall not be allowed upon the premises of any miniature golf course after 10:00 p.m.~~

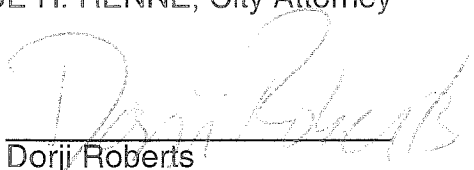
6 //

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9 APPROVED AS TO FORM:  
10 LOUISE H. RENNE, City Attorney

11 By:

12   
13 Dorji Roberts  
14 Deputy City Attorney



# City and County of San Francisco

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

## Tails Ordinance

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**File Number:** 011845

**Date Passed:**

Ordinance amending the San Francisco Police Code to repeal the following provisions thereof:  
Sections 6, 7, 12, 51.1, 51.2, 92, 93, 94, 115, 141, 142, 147, 152, 168, 169, 170, 171, 176, 177, 182,  
183, 193, 194, 199, 205, 210, 215, 231, 241, 242, 243, 244, 245, 246, 247, 248, 265, 266, 270, 271,  
272, 299, 300, 305, 310, 315, 320, 748, 764, 765 and 776.

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January 22, 2002 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,  
Newsom, Peskin, Sandoval, Yee

January 28, 2002 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin,  
Sandoval, Yee

Absent: 1 - Newsom

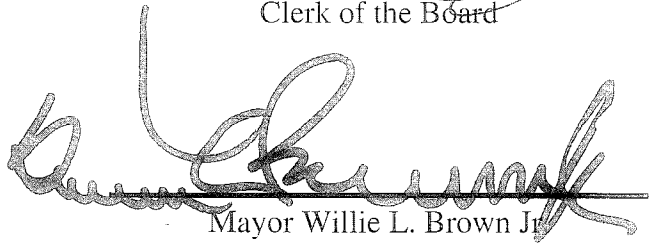


File No. 011845

I hereby certify that the foregoing Ordinance  
was FINALLY PASSED on January 28, 2002  
by the Board of Supervisors of the City and  
County of San Francisco.



Gloria L. Young  
Clerk of the Board



Mayor Willie L. Brown Jr.

FEB 01 2002

Date Approved