

1 [Administrative Code Revisions, Chapters 2A & 16]  
2 AMENDING CHAPTERS 2A AND 16 OF PART 1 OF THE SAN FRANCISCO MUNICIPAL  
3 CODE (ADMINISTRATIVE CODE), BY ADDING A NEW ARTICLE XIII TO CHAPTER 2A,  
4 AND BY RE-NUMBERING SECTIONS 16.3-3, 16.3-5, 16.3-6, 16.3-7, AND 16.3-7.5  
5 (RELATING TO THE PUBLIC GUARDIAN AND THE DEPARTMENT OF CONSUMER  
6 ASSURANCE, REGULATORY COMPLIANCE, AND AGRICULTURAL STANDARDS) AS  
7 SECTIONS 2A.210, 2A.211, 2A.212, 2A.221, AND 2A.220, RESPECTIVELY, AND  
8 AMENDING THEM TO CORRECT STATUTORY REFERENCES; BY RENUMBERING  
9 SECTION 16.9-15 (RELATING TO THE MAYOR'S ROSTER OF OFFICERS AND  
10 EMPLOYEES SERVING BOARDS, COMMISSIONS OR COMMITTEES) AS NEW SECTION  
11 2A.40; AND BY ADDING A NEW ARTICLE XIV TO CHAPTER 2A, AND BY RE-NUMBERING  
12 SECTIONS 16.951 AND 16.952 AS SECTIONS 2A.230 AND 2A.231, RESPECTIVELY, AND  
13 BY REPEALING SECTION 16.953 (ALL RELATING TO THE CITY ATTORNEY'S  
14 SUBPOENA POWER).

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Note: Additions are underlined; deletions are in ((double parentheses)).

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

Section 1. The San Francisco Administrative Code is hereby amended by adding a new Article XIII to Chapter 2A, and by re-numbering Sections 16.3-3, 16.3-5, 16.3-6, 16.3-7, and 16.3-7.5 as Sections 2A.210, 2A.211, 2A.212, 2A.221, and 2A.220, respectively, and amending them to read as follows:

1                   **ART. XIII: PUBLIC GUARDIAN; CONSUMER ASSURANCE, REGULATORY**  
2                                           **COMPLIANCE, AND AGRICULTURAL STANDARDS**

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4           **SEC. 2A.210. ((16.3-3.)) PUBLIC GUARDIAN DESIGNATED - QUALIFICATION FOR**  
5           **SERVICES.**

6                   (a) Pursuant to the provisions of Section 27432 ((5176)) of the Government ((Welfare  
7                   and Institutions)) Code of the State of California, the Public Administrator is hereby  
8                   designated ex officio Public Guardian.

9                   (b) Neither the amount of funds, nor value of an estate, of any person who qualifies for  
10                   the services of the Public Guardian under Section 2900 ((8006)) of the Probate ((Welfare and  
11                   Institutions)) Code of the State of California may serve as the basis for determining whether  
12                   the Public Guardian will make application for appointment as guardian of such person  
13                   pursuant to said section.

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15           **SEC. 2A.221. ((16.3-5.)) ATTORNEY FOR PUBLIC GUARDIAN.**

16                   The attorney for the Public Administrator ((, appointed pursuant to Section 3.510 of the  
17                   Charter,)) shall be the attorney for the ex officio Public Guardian.

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19           **SEC. 2A.212. ((16.3-6.)) ADMINISTRATIVE OFFICER FOR VETERANS' INTERMENT**  
20           **DESIGNATED.**

21                   The Coroner is hereby designated as Administrative Officer to arrange for the decent  
22                   interment of veterans and veterans' widows pursuant to the provisions of Division 4, Chapter  
23                   5, Article 2 (beginning with Section 940) of the Military and Veterans Code of the State of  
24                   California.

1 **SEC. 2A.220. ((16.3-7.5.)) DEPARTMENT OF CONSUMER ASSURANCE, REGULATORY**  
2 **COMPLIANCE AND AGRICULTURAL STANDARDS.**

3 There shall exist within the Department of Administrative Services a Department of  
4 Consumer Assurance, Regulatory Compliance and Agricultural Standards. The Director of  
5 said department shall be appointed by the Director of Administrative Services and shall  
6 succeed to all of the duties of the County Agricultural Commissioner and Sealer of Weights  
7 and Measures.

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9 **SEC. 2A.221. ((16.3-7.)) CONSOLIDATION OF DUTIES OF THE COUNTY**  
10 **AGRICULTURAL COMMISSIONER AND THE SEALER OF WEIGHTS AND MEASURES.**

11 The duties of the County Agricultural Commissioner and the Sealer of Weights and  
12 Measures are hereby consolidated and the County Agricultural Commissioner in addition to  
13 his own duties shall succeed to the duties of the Sealer of Weights and Measures.

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15 Section 2. The San Francisco Administrative Code is hereby amended by renumbering  
16 Section 16.9-15 as new Section 2A.40, to read as follows:

17 **SEC. 2A.40. ((16.9-15.)) ROSTER OF OFFICERS AND EMPLOYEES SERVING ON ANY**  
18 **BOARD, COMMISSION OR COMMITTEE.**

19 The Mayor shall prepare and maintain on a current basis a roster of officers and  
20 employees of the City and County appointed, elected or designated to serve on any board,  
21 commission or committee pursuant to Federal or State law or ordinance, resolution, joint  
22 exercise of powers agreement or any other agreement entered into by or on behalf of the City  
23 and County. The appointing authority shall, with respect to any officer or employee heretofore  
24 or hereafter appointed, elected or designated to serve on any such board, commission or  
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1 committee, forthwith transmit written notification to the Mayor of such appointment, election or  
2 designation.

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4 Section 3. The San Francisco Administrative Code is hereby amended by adding a  
5 new Article XIV to Chapter 2A, and by re-numbering Sections 16.951 and 16.952 as Sections  
6 2A.230 and 2A.231, respectively, and by repealing Section 16.953, to read as follows:

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8 **ART. XIV: CITY ATTORNEY**

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10 **SEC. 2A.230. ((16.951.)) ENFORCEMENT OF LOCAL LAWS.**

11 In investigating any matter where the San Francisco Charter or any ordinance of the  
12 City and County grants to the City Attorney the duty or power to seek enforcement of any  
13 provision of the Charter or any ordinance, the City Attorney shall have the power to inspect,  
14 upon reasonable notice, all documents required to be maintained under Government Code  
15 Sections 84100 et seq., Government Code Sections 86100 et seq., San Francisco  
16 Administrative Code Sections 16.501 et seq., and San Francisco Administrative Code  
17 Sections 16.520 et seq. The City Attorney shall also have the power to subpoena witnesses,  
18 compel their attendance and testimony, administer oaths and affirmations, take evidence and  
19 require by subpoena the production of any books, papers, records or other items relevant to  
20 the performance of the City Attorney's enforcement duties or powers.

21 The City Attorney shall also have these powers in investigating any matter where the  
22 San Francisco Charter or any ordinance of the City and County of San Francisco grants to the  
23 City Attorney the duty or power to act as the civil prosecutor with respect to any provision of  
24 the Charter or any ordinance or to institute a civil action for violation of any such provision.  
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1 The City Attorney may exercise these inspection and subpoena powers prior to the filing of  
2 any civil or administrative action.

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4 **SEC. 2A.231. ((16.952.)) ENFORCEMENT OF STATE LAW.**

5 Unless otherwise prohibited by State law, in investigating any matter where State law  
6 grants to the City Attorney the duty or power to seek enforcement of any provision of State  
7 law, the City Attorney shall have the power to inspect, upon reasonable notice, all documents  
8 required to be maintained under Government Code Sections 84100 et seq., Government  
9 Code Sections 86100 et seq., San Francisco Administrative Code Sections 16.501 et seq.,  
10 and San Francisco Administrative Code Sections 16.520 et seq. The City Attorney shall also  
11 have the power to subpoena witnesses, compel their attendance and testimony, administer  
12 oaths and affirmations, take evidence and require by subpoena the production of any books,  
13 papers, records or other items relevant to the performance of the City Attorney's enforcement  
14 duties or powers.

15 The City Attorney shall also have these powers in investigating any matter where State  
16 law grants to the City Attorney the duty or power to act as the civil prosecutor with respect to  
17 any provision of the State law or to institute a civil action for violation of any State law. The  
18 City Attorney may exercise these inspection and subpoena powers prior to the filing of any  
19 civil or administrative action.

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21 **((SEC. 16.953. SEVERABILITY.**

22 If any section, subsection, subdivision, sentence, clause, phrase or portion of this  
23 Article, or the application thereof to any person, is for any reason held to be invalid or  
24 unconstitutional by the decision of any court of competent jurisdiction, such decision shall not  
25 affect the validity of the remaining portions of this Article or its application to other persons.

1 The Board of Supervisors hereby declares that it would have adopted this Article, and each  
2 section, subsection, subdivision, sentence, clause, phrase or portion thereof, irrespective of  
3 the fact that any one or more sections, subsections, subdivisions, sentences, clauses,  
4 phrases or portions, or the application thereof to any person, to be declared invalid or  
5 unconstitutional.))

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

10  
11  
12 By:   
13 THOMAS J. OWEN  
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:** 000357

**Date Passed:**

Ordinance amending Chapters 2A and 16 of the Administrative Code by adding a new Article XIII to Chapter 2A, and by re-numbering Sections 16.3-3, 16.3-5, 16.3-6, 16.3-7, and 16.3-7.5 (relating to the Public Guardian and the Department of Consumer Assurance, Regulatory Compliance, and Agricultural Standards) as Sections 2A.210, 2A.211, 2A.212, 2A.221, and 2A.220, respectively, and amending them to correct statutory references; by renumbering Section 16.9-15 (relating to the Mayor's roster of officers and employees serving boards, commissions or committees) as new Section 2A.40; and by adding a new Article XIV to Chapter 2A, and by re-numbering Sections 16.951 and 16.952 as Sections 2A.230 and 2A.231, respectively, and by repealing Section 16.953 (all relating to the City Attorney's subpoena power).

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April 10, 2000 Board of Supervisors — PASSED, ON FIRST READING

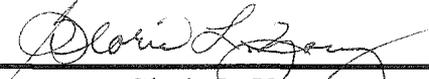
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

April 17, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Ammiano, Becerril, Brown, Kaufman, Leno, Newsom, Yaki, Yee  
Absent: 3 - Bierman, Katz, Teng

File No. 000357

I hereby certify that the foregoing Ordinance  
was FINALLY PASSED on April 17, 2000 by  
the Board of Supervisors of the City and  
County of San Francisco.



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Gloria L. Young  
Clerk of the Board

APR 28 2000

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Date Approved



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Mayor Willie L. Brown Jr.