

1 [Banners on Market Street]

2 AMENDING PART II, CHAPTER X OF THE SAN FRANCISCO MUNICIPAL CODE (PUBLIC
3 WORKS CODE) BY AMENDING ARTICLE 5.7, SECTION 184.78 TO RECOGNIZE THAT
4 BANNERS MAY BE POSTED, SUBJECT TO SPECIFIED CONDITIONS, ON THE HISTORIC
5 LAMP POSTS LINING MARKET STREET, AN AREA KNOWN AS THE "PATH OF GOLD."

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

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

8 Section 1. Part II, Chapter X of the San Francisco Municipal Code (Public Works Code)
9 is hereby amended by amending Article 5.7, Section 184.78, to read as follows:

10 SEC. 184.78. BANNERS.

11 (a) Subject to the conditions and limitations imposed by this Section, the
12 Department is authorized to adopt rules and regulations governing the posting of banners
13 consistent with the terms of this Article. In enacting such rules and regulations, the
14 Department shall consider the need to protect the safety of pedestrians, vehicles and other
15 property and the need to promote aesthetics on the City's streets and sidewalks. If the
16 Department enacts rules and regulations that are based upon the content of the message in
17 the banner, the Department must show that the rule or regulation is necessary to serve a
18 compelling governmental interest; is narrowly tailored to achieve that end; and is the least
19 restrictive means to further the articulated interest. If the Department enacts rules and
20 regulations that are not based on the content of the message in the banner, the Department
21 must show that the rule or regulation is narrowly tailored to serve a significant government
22 interest and leaves open ample alternative channels of communication.

23 (b) No banner shall be affixed to more than one structure so that it spans the
24 area between two or more structures or spans a street unless and until the party responsible
25 for the posting of such banner first obtains a permit from the Department for the purpose of

1 enabling that Department to ensure that the banner is posted in a safe manner and that the
2 party has obtained adequate insurance coverage for any risk posed by such posting,
3 according to guidelines established by the Director; and provided that, if any part of the
4 banner is to be attached to non-City property, upon filing the permit application, the party shall
5 be notified that the consent of the private owner should be obtained before posting the
6 banner.

7 (c) Notwithstanding anything in this Code that may be to the contrary, the
8 Director is authorized to permit the posting of banners on the historic lamp posts lining Market
9 Street, an area known as the "Path of Gold," and more fully described in Section 184.58,
10 subject to the following conditions:


11 (1) The Director may issue a permit only for an event: (A) that results in
12 the closure of all or a portion of Market Street's Path of Gold and (B) for which the
13 event sponsor has already obtained the necessary City approvals for such closure; and

14 (2) Banners shall not be posted for longer than 30 days prior to the
15 event, nor remain posted for longer than 10 days after the event.

16
17 APPROVED AS TO FORM:

18 LOUISE H. RENNE, City Attorney

19
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21 By:


22 JOHN D. MALAMUT
23 Deputy City Attorney
24
25

SUPERVISOR KATZ
BOARD OF SUPERVISORS

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City and County of San Francisco

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

Tails

Ordinance

File Number: 000532

Date Passed:

Ordinance amending Part II, Chapter X of the San Francisco Municipal Code (Public Works Code) by amending Article 5.7, Section 184.78 to recognize that banners may be posted, subject to specified conditions, on the historic lamp posts lining Market Street, an area known as the "Path of Gold."

April 17, 2000 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Yaki, Yee

Absent: 1 - Teng

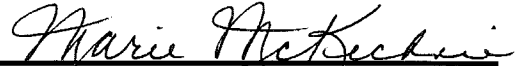
April 24, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

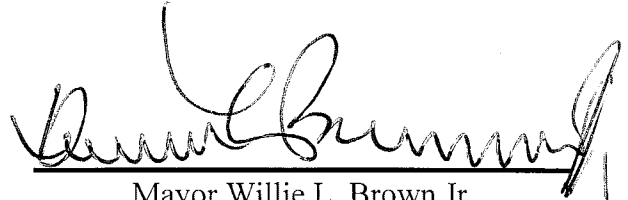
File No. 000532

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 24, 2000 by
the Board of Supervisors of the City and
County of San Francisco.


for Gloria L. Young
Clerk of the Board

MAY - 5 2000

Date Approved


Mayor Willie L. Brown Jr.