

FILE NO. 000633

ORDINANCE NO. 148-00

1 [Permits for United Nations and Hallidie Plaza]
 2 AMENDING CHAPTER 1 OF PART I OF THE SAN FRANCISCO MUNICIPAL CODE
 3 (ADMINISTRATIVE CODE) BY ADDING SECTION 1.58, GOVERNING PERMITS FOR THE
 4 USE OF UNITED NATIONS PLAZA AND HALLIDIE PLAZA, AND AMENDING CHAPTERS
 5 8B AND 8C OF PART II, CHAPTER VI OF THE SAN FRANCISCO MUNICIPAL CODE
 6 (PARK CODE), BY AMENDING SECTIONS 8B.01 AND 8C.01, TO CORRECT CROSS-
 7 REFERENCES.

8
 9 Note: Additions are indicated by underlining;
 10 deletions are indicated by ((double parentheses)).

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

13
 14 Section 1. Chapter 1 of the San Francisco Administrative Code is hereby amended by
 15 adding Section 1.58, to read as follows:

16 **SEC. 1.58. PERMITS FOR UNITED NATIONS AND HALLIDIE PLAZAS.**

17 **(a) Definitions.** For purposes of this Section:

18 "United Nations Plaza" shall mean the area comprised of Fulton Street between Hyde
 19 and Market streets and Leavenworth Street between McAllister and Fulton streets, previously
 20 closed to vehicular traffic by the Board of Supervisors.

21 "Hallidie Plaza" shall mean the area bounded by the northwesterly line of Market
 22 Street, the southerly line of Eddy Street and the westerly line of Lot 13, Assessor's Block 341.

23 **(b) Permitting Authorities.** Permits for the use of United Nations Plaza and Hallidie
 24 Plaza shall be issued by the Recreation and Park Department or the Recreation and Park
 25 Commission according to the procedures and standards established for the issuance of

1 permits for the use of property under the jurisdiction of the Recreation and Park Commission;
2 provided, however, that the Recreation and Park Department and the Recreation and Park
3 Commission shall only issue permits for activities that are recreational in nature or that are
4 engaged in primarily for the purpose of espousing or advocating causes or ideas, which
5 activities are generally recognized as protected by the First Amendment to the U. S.
6 Constitution. Permits to engage in any other type of activity in United Nations or Hallidie
7 Plaza shall be issued by the Board of Supervisors.

8 (c) **Appeals.** An appeal from the denial of a permit application by the Recreation and
9 Park Department or the Recreation and Park Commission for the use of United Nations Plaza
10 or Hallidie Plaza shall be made to the Board of Supervisors. An appropriate committee of the
11 Board of Supervisors shall consider the appeal before it goes to the full Board, unless there is
12 insufficient time before the date of the proposed event for committee review. If a quorum of
13 the full Board cannot be convened in time to consider the appeal before the date of the
14 proposed event, the procedure to be followed shall be that established in the Park Code or by
15 Commission resolution for the appeal of the denial of a permit application by the Recreation
16 and Park Department when a quorum of the Recreation and Park Commission cannot be
17 convened in a timely manner to consider the appeal. In the event that neither the Code nor a
18 Commission resolution contains such a procedure, the decision of the Recreation and Park
19 Department shall be final.

20 (d) **Procedures; Restitution.** All procedures and standards, other than procedures
21 for appeal from the denial of a permit application, shall be the same for permits issued by the
22 Recreation and Park Department for the use of United Nations Plaza and Hallidie Plaza as
23 they are for permits issued for the use of park property. If a permittee uses United Nations
24 Plaza or Hallidie Plaza and damages it, or fails to clean up after the permitted event, or
25 otherwise leaves the property in a manner that requires the expenditure of labor or money to

1 restore the Plaza, the City and County of San Francisco may bill the permittee and otherwise
2 seek any remedy normally sought when the property involved is property under the jurisdiction
3 of the Recreation and Park Commission.

4 (e) **No Transfer of Jurisdiction.** Nothing in this action shall be construed as
5 evidence of an intent to render United Nations Plaza or Hallidie Plaza “park land” or “park
6 property” as those terms are used in the Charter or to place United Nations Plaza or Hallidie
7 Plaza under the jurisdiction of the Recreation and Park Commission.

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9 Section 2. Chapter 8B of the San Francisco Park Code is hereby amended by
10 amending Section 8B.01, to read as follows:

11 **SEC. 8B.01. AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF PUBLIC**
12 **WORKS.**

13 With respect to United Nations Plaza, the Director of the Department of Public Works,
14 or his or her designee, shall have the authority to manage the Plaza and to perform all
15 functions with respect to United Nations Plaza that would otherwise be performed by the
16 Recreation and Park Department, the Recreation and Park Commission, the General
17 Manager of the Recreation and Park Department, the Superintendent of Parks or the
18 employees of the Recreation and Park Department under Sections 3.03, 3.07, 3.16, 4.01,
19 4.12 and 4.13 of this Code. The Recreation and Park Department or Commission and the
20 Board of Supervisors shall issue all permits and other authorizations required by Articles 3, 4,
21 and 7 of this Code pursuant to Section 1.58 ((2.74)) of the San Francisco Administrative
22 Code.

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24 / / /
25 / / /

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

1 Section 3. Chapter 8C of the San Francisco Park Code is hereby amended by
2 amending Section 8C.01, to read as follows:

3 **SEC. 8C.01. AUTHORITY OF THE DIRECTOR OF PROPERTY.**

4 With respect to Hallidie Plaza, the Director of Property, or his or her designee, shall
5 have the authority to manage the Plaza and to perform all functions with respect to Hallidie
6 Plaza that would otherwise be performed by the Recreation and Park Department, the
7 Recreation and Park Commission, the General Manager of the Recreation and Park
8 Department, the Superintendent of Parks, or the employees of the Recreation and Park
9 Department under Sections 3.03, 3.07, 3.16, 4.11, 4.12 and 4.13 of this Code. The Recreation
10 and Park Department or Commission and the Board of Supervisors shall issue all other
11 permits and authorizations required by Articles 3, 4 and 7 of this Code pursuant to Section
12 1.58 ((2.74)) of the San Francisco Administrative Code.

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14
15 APPROVED AS TO FORM:

16 LOUISE H. RENNE, City Attorney

17
18
19 By:



THOMAS J. OWEN
Deputy City Attorney



City and County of San Francisco

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

Tails

Ordinance

File Number: 000633

Date Passed:

Ordinance amending Chapter I of Part I of the San Francisco Municipal Code (Administrative Code) by adding Section 1.58, governing permits for the use of United Nations Plaza and Hallidie Plaza, and amending Chapters 8B and 8C of Part II, Chapter VI of the San Francisco Municipal Code (Park Code), by amending Sections 8B.01, and 8C.01, to correct cross-references.

May 1, 2000 Board of Supervisors — SUBSTITUTED

June 12, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 8 - Ammiano, Becerril, Kaufman, Leno, Newsom, Teng, Yaki, Yee

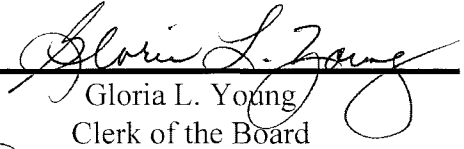
Absent: 3 - Bierman, Brown, Katz

June 19, 2000 Board of Supervisors — FINALLY PASSED

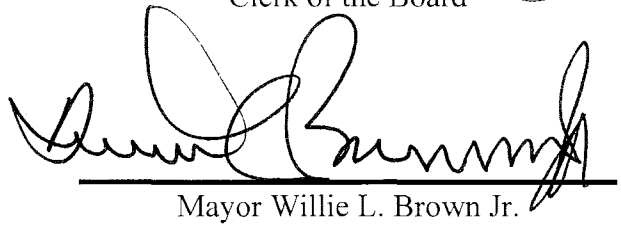
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

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I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on June 19, 2000 by
the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

JUN 30 2000
Date Approved


Mayor Willie L. Brown Jr.