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

Section 1. The San Francisco Municipal Code Business and Tax Regulations Code is hereby amended by amending Sections 35, 120, 248 and 249.1, to read as follows:

SEC. 35. FEE FOR INSPECTION BY THE HEALTH DEPARTMENT.

(A) Unless otherwise specifically provided, all fixed fees for inspection or permits which involve the Health Department shall be payable in advance annually. A filing fee of (271) $195 payable in advance to the Health Department for each inspection of a premises or thing if such inspection is requested or required as a condition of the issuance of a first permit or of a first license, except applications for permits for ambulances, refuse trucks, swill trucks, fumigation site surveillance, soft-serve ice cream machines and hazardous material storage.

(B) When two or more food product and marketing establishments or food preparation and service establishments, or any combination thereof, subject to inspection are located on the same premises, are not contiguous to each other, and are conducted by one owner whether person, firm or corporation, a permit shall be required for each such establishment.

(C) When the owner or lessee of premises where said class or classes of business are located or conducted does not directly or indirectly conduct the same, the owner or lessee of...
said premises shall not be required to obtain a permit for said premises or pay any fee imposed by this Section.

(D) A fee of $50 shall accompany any application for a special event referred to in Section 452(b) of the San Francisco Health Code.

(E) Exemptions. The following establishments are exempt, as set forth in Section 249.1 of this Code, from paying fees:

1. Food preparation and service establishments used exclusively by day care facilities for children.

2. Food preparation and service establishments funded through the San Francisco Commission on Aging for nutrition projects for older individuals.

(f) When the Health Department provides inspection services, whether in response to a permit or license application or by request, a fee of ($89) $110 per hour will be charged. When these services are provided during nonregular working hours, a fee of ($110) $123 per hour will be charged. "Inspection services" includes but is not limited to reviewing plans and blueprints, providing consultations and making site inspections. A bill for these services will be issued to the person making the application or request and must be paid prior to the Department providing the service. If the time expended exceeds what the Department anticipated, the Department shall bill the applicant or person making the request for the additional time expended and such person shall be responsible for paying that amount.

Notwithstanding any other provision of this Section 35, all fees for routine, nonenforcement related inspection services provided for solid waste transfer station permit issuance and compliance review will be included in the license fee required by Section 249.15 of this Article.

(Ord. 270-85, App. 5/30/85; amended by Ord. 443-86, App. 11/13/86; Ord. 341-88, App. 7/28/88; Ord. 244-91, App. 6/24/91; Ord. 207-93, App 6/25/93; Ord. 131-97, App. 4/18/97)
SEC. 120. LAUNDRIES AND CLEANING AND DYEING WORKS.

(A) Every owner, manager or lessee of a hand laundry will pay the following license fee annually in advance to the Tax Collector ($51) $57.

(B) Every owner, manager, or lessee of a wash laundry will pay the following license fee annually in advance to the Tax Collector ($110) $123.

(C) Every owner, manager or lessee of a cleaning, dyeing or cleaning and dyeing works will pay the following fee annually in advance: $15.

(D) Every owner, manager or lessee of an automatic laundry (mechanical, pay-to-operate, washing or dyeing machine) will pay the following license fee annually in advance to the Tax Collector: ($17) $19 plus ($6.00) $7.00 per machine.

(E) Every owner, manager or lessee of a laundry delivery service will pay the following license fee annually in advance to the Tax Collector ($17) $17 per delivery vehicle per year.

The license fees prescribed by this Section are due and payable the first day of January of each year. Fees for new licenses issued prior to January 1 shall be prorated to the end of such calendar year on a monthly basis. (Amended by Ord. 53-82, App. 2/11/82; Ord. 369-88, App. 8/5/88; Ord 207-93, App. 6/25/93, Ord. 131-97, App. 4/18/97.

SEC. 248. FOOD PRODUCT AND MARKETING ESTABLISHMENTS.

The following fee for licenses is established for persons, firms or corporations engaged in the conduct for operation of the handling, manufacture or sale of foodstuffs, annually payable in advance to the Tax Collector.

<table>
<thead>
<tr>
<th>CLASS</th>
<th>FEE</th>
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<tbody>
<tr>
<td>Class A. Food product and marketing establishments without food preparation with a total square footage of:</td>
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<tr>
<td>Less than 5,001 square feet</td>
<td>($345) $173</td>
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1. 5,001 square feet to 10,000 square feet
2. 10,001 square feet to 20,000 square feet
3. Greater than 20,000 square feet

Class B. Food product and marketing establishments with food preparation with a total square footage of:

4. Less than 5,001 square feet
5. 5,001 square feet to 10,000 square feet
6. 10,001 square feet to 20,000 square feet
7. Greater than 20,000 square feet

Class C. Retail bakeries with total square footage of:

8. Less than 2,001 square feet
9. Greater than 2,000 square feet

Class D. Produce stand

Class E. Certified farmers market

Class F. Wholesale food markets

Class G. Food manufacturing or processing

Class H. Food Product and marketing establishments with an inventory of food at cost in stock as of the first day of April:

10. Less than $1,000
11. Greater than $1,000

Class I. Food product and marketing establishments in stadiums, arenas or auditoriums with a seating capacity of 25,000 or more.

The license fees prescribed in this Section are due and payable annually in advance on the first day of September of each year.
Fees for new licenses issued prior to, or after September 1, shall be prorated on a monthly basis. (Amended by Ord. 95-84, App. 3/8/84; Ord. 369-88, App. 8/5/88; Ord. 244-09, App. 6/24/91: Ord. 207-93, App. 6/25/93; Ord. 131-97, App. 4/18/97).

SEC. 249.1. FOOD PREPARATION AND SERVICE ESTABLISHMENTS.

Every person, from or corporation engaged in the business of operating food preparation and service establishments, as defined in Section 451 of the San Francisco Health Code, that require permits from the Health Department shall pay an annual license fee to the Tax Collector as follows:

(a) Class Fee

Class A. Food preparation and service establishments with a total square footage of:

1. Less than 1,000 square feet $510
2. 1,000 square feet to 2,000 square feet $563
3. Greater than 2,000 square feet $605

Class B. Bar or tavern $611

Class C. Take-out establishment $693

Class D. Fast food establishment $773

Class E. Catering facility $563

Class F. Temporary facility $595

Class G. Food demonstration $580

Class H. Commissary $580

Class I. Pushcart on private property $483

Class J. Stadium concession $410

Class K. Vending machines $116

Class L. Bed and breakfast establishment $655

Class M. Boarding house $158
Class N. Private school cafeteria

Class O. Hospital kitchen

The license fees prescribed in this Section are due and payable on an annual basis commencing April 1, 1984. Fees for new licenses issued prior to, or after April 1, shall be prorated on a monthly basis.

(b) Exemptions. The following establishments are exempt from paying the fees required by this Section:

(I) Food preparation and service establishments used exclusively by day care facilities for children are exempt from paying the fees required by this Section.

For the purpose of this subsection, a “day care facility for children” shall mean a “community care facility” licensed pursuant to the provisions of Chapter 3, Division 2 of the California Health and Safety Code (commencing at Section 1500) which provides nonmedical care to children in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis, or a “family day care home for children” licensed pursuant to the provisions of Chapter 3.6, Division 2 of the California Health and Safety Code (commencing at Section 1597.50).

(2) Food preparation and service establishments funded through the San Francisco Commission on Aging for nutrition projects for older individuals.

(c) Application and permit fees as provided for in Sections 248 through 249.2 for fiscal years subsequent to 2000-01 shall be adjusted each year from those charged the previous fiscal year based on cost of living allowances (COLA). Each year, the Controller shall review the fees which would be charged in the next fiscal year and shall file a report with the Board of Supervisors no later than May 15 along with a proposed ordinance readjusting the fee rates as necessary to ensure that (A) the fees produce sufficient revenue to support the costs of providing the services for which each fee is assessed.
and (B) the fees do not produce revenue which is significantly more than the costs of providing the
services for which each fee is assessed.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By

ALEANNA M. VAN RUNKLE
Deputy City Attorney

RECOMMENDED:

MITCHELL KATZ, M.D.
Director of Health

APPROVED:

Health Commission

Department of Public Health
BOARD OF SUPERVISORS
Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248 and 249.1, relating to fees for licenses or permits for inspections by the Department of Public Health.

April 30, 2001 Board of Supervisors — PASSED ON FIRST READING
Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, McGoldrick, Peskin
Noes: 5 - Daly, Hall, Newsom, Sandoval, Yee

May 7, 2001 Board of Supervisors — CONTINUED ON FINAL PASSAGE
Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Newsom, Yee

May 21, 2001 Board of Supervisors — FINALLY PASSED
Ayes: 6 - Ammiano, Gonzalez, Leno, Maxwell, McGoldrick, Peskin
Noes: 5 - Daly, Hall, Newsom, Sandoval, Yee
File No. 010515

I hereby certify that the foregoing Ordinance was FINALLY PASSED on May 21, 2001 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JUN 01 2001
Date Approved

Mayor Willie L. Brown Jr.