

1 [Creating Exemption for Administrative Fee for Provision of Additional Police Services
2 Pursuant to Administrative Code Section 10B.2.]

3 **Ordinance amending San Francisco Police Code Section 10B.2 to create an exception**
4 **for payment of an administrative fee for contracting for additional police services.**

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

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

10 Section 1. The San Francisco Police Code is hereby amended by amending Section
11 10B.2, to read as follows:

12 SEC. 10B.2. PAYMENT FOR SERVICES.

13 (a) The person, corporation, firm or organization desiring such services shall pay to
14 the police department such sums of money as may be necessary to pay for the additional
15 services. The payment shall be computed based upon the rate paid or payable to those
16 uniformed officers of the Police Department actually performing services at the time they are
17 to perform such additional duties, and the cost of additional equipment and materials
18 expended, together with an administrative overhead charge to cover the proportionate
19 percentage of the Department's administrative costs that are attributable in the Department's
20 reasonable discretion to the work performed pursuant to the request.

21 No person, corporation, firm or organization that contracts with the Police Department for
22 additional services that are: 1) of the type normally provided by police officers on patrol in the
23 designated area; and 2) to be provided at least four days per week, each week, for a period in excess of
24 one year, shall be required to pay an administrative overhead charge, unless such additional services
25 are provided in conjunction with a City permit or license, or are otherwise necessary to mitigate a

1 negative impact created by the activity of the person, corporation, firm or organization contracting for
2 the additional services.

3 (b) The Police Department shall provide an estimate of the payment for such
4 services to the person, corporation, firm or organization desiring the service within a
5 reasonable time prior to the date service is to be rendered. The person, corporation, firm or
6 organization shall deposit the amount of estimated funds with the Police Department prior to
7 the time that the Police Department renders the requested service. The Police Department
8 may waive the deposit requirement if services are requested for 30 days or more, or if
9 Department reasonably believes that a waiver is justified.

10 (c) Within a reasonable time after the services are rendered, the Chief of
11 Police shall determine the amount of payment due. If the deposit pursuant to Subsection (b)
12 hereof is insufficient to cover the cost of services, the Chief of Police shall notify the person,
13 corporation, firm or organization that requested the services by United States mail to the
14 address listed on the request for such services and that party shall have ten days to pay the
15 balance. If the amount deposited exceeds the actual costs, the Chief of Police shall authorize
16 a refund of the excess to the applicant at the address shown on the application.

17 (d) The Police Department shall deposit with the Treasurer such sums as
18 received in a special account designated public facilities overtime account; provided, however,
19 that the amount representing administrative overhead shall be deposited to the general fund
20 unappropriated balance of funds.

21 (e) The person, corporation, firm or organization shall indemnify, hold
22 harmless and defend said City and County of San Francisco, the San Francisco Police
23 Department, and all the officers, agents and employees of either, from and against all liability,
24 judgments or claims for personal or bodily injuries, false arrest and false imprisonment caused
25 by or purportedly caused by such personnel in the rendering of such services.

1 (f) The City shall not waive payment for additional police services pursuant
2 to this Chapter except by ordinance of the Board of Supervisors.

3 APPROVED AS TO FORM:
4 DENNIS J. HERRERA, City Attorney

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6 By:


Margaret W. Baumgartner
Deputy City Attorney

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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: 031466

Date Passed:

Ordinance amending San Francisco Police Code Section 10B.2 to create an exception for payment of an administrative fee for contracting for additional police services.

November 25, 2003 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom,
Peskin, Sandoval
Excused: 1 - Daly

December 9, 2003 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval
Excused: 1 - Newsom

File No. 031466

I hereby certify that the foregoing Ordinance was FINALLY PASSED on December 9, 2003 by the Board of Supervisors of the City and County of San Francisco.

DEC 12 2003

Date Approved

Kay Gallegos

for Gloria L. Young
Clerk of the Board

Willie L. Brown Jr.

Mayor Willie L. Brown Jr.