

FILE NO. 031643

ORDINANCE NO. 278-03

1 [License Agreement with Broadcast Music Incorporated.]

2

3 **Ordinance authorizing the City Administrator to enter into the Local Government**

4 **Licensing Agreement negotiated between the International Municipal Lawyer's**

5 **Association and Broadcast Music Incorporated to license music uses by the City under**

6 **a license subject to automatic annual renewal for an annual Base License Fee plus 1%**

7 **of revenue from events in which gross revenue exceeds \$25,000, providing that prior to**

8 **the issuance by any City department or agency of any lease or permit to conduct an**

9 **event on property owned or operated by the City and County of San Francisco at which**

10 **music will be used, the leasee or permittee shall obtain an appropriate license from**

11 **Broadcast Music Incorporated for the use of music at the event, and requiring that if an**

12 **appropriate license for the use of music at the event is not obtained by the leasee or**

13 **permittee, the City department or agency issuing the lease or permit shall provide**

14 **funds to the City Administrator sufficient to cover any fees incurred pursuant to the**

15 **City's Local Government Licensing Agreement with Broadcast Music Incorporated.**

16 Note: Additions are *single-underline italics Times New Roman*;

17 deletions are *strikethrough italics Times New Roman*.

18 Board amendment additions are double underlined.

19 Board amendment deletions are ~~strikethrough normal~~.

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

21 Section 1. The City Administrator is hereby authorized to enter into the Local

22 Government Licensing Agreement negotiated between the International Municipal Lawyers'

23 Association and Broadcast Music Incorporated, on file with the Board of Supervisors, File No.

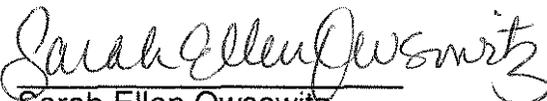
24 031643, which is hereby declared to be a part of the ordinance as if set forth fully

25 herein, to license music uses by the City under a license subject to automatic renewal for an

1 annual Base License Fee plus 1% of revenue from events in which gross revenue exceeds
2 \$25,000.

3 Section 2. Prior to the issuance by any City department or agency of any lease or
4 permit to conduct an event on property owned or operated by the City and County of San
5 Francisco at which music will be used, the leasee or permittee shall obtain an appropriate
6 license from Broadcast Music Incorporated for the use of music at the event. If a lease or
7 permit to conduct an event on property owned or operated by the City and County of San
8 Francisco at which music will be used is issued without the leasee or permittee first obtaining
9 an appropriate license from Broadcast Music Incorporated, the City department or agency that
10 issued the lease or permit shall provide funds to the City Administrator sufficient to cover any
11 fees incurred by the City's receipt of gross revenues of \$25,000 or more for an event at which
12 music will be used, pursuant to the City's Local Government Licensing Agreement with
13 Broadcast Music Incorporated.

14 APPROVED AS TO FORM:
15 DENNIS J. HERRERA, City Attorney

16 By: 
17 Sarah Ellen Owsowitz
18 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: 031643

Date Passed:

Ordinance authorizing the City Administrator to enter into the Local Government Licensing Agreement negotiated between the International Municipal Lawyer's Association and Broadcast Music Incorporated to license music uses by the City under a license subject to automatic annual renewal for an annual Base License Fee plus 1% of revenue from events in which gross revenue exceeds \$25,000, providing that prior to the issuance by any City Department or agency of any lease or permit to conduct an event on property owned or operated by the City and County of San Francisco at which music will be used, the leasee or permittee shall obtain an appropriate license from Broadcast Music Incorporated for the use of music at the event, and requiring that if an appropriate license for the use of music at the event is not obtained by the leasee or permittee, the City department or agency issuing the lease or permit shall provide funds to the City Administrator sufficient to cover any fees incurred pursuant to the City's Local Government Licensing Agreement with Broadcast Music Incorporated.

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. 031643

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 Lullberger

for Gloria L. Young
Clerk of the Board

Willie L. Brown Jr.

Mayor Willie L. Brown Jr.