[Fees for regulation of mobile storage containers on the public right-of-way.]

Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.

Note: Additions are single-underline italics Times New Roman; deletions are strikethrough italics Times New Roman. Board amendment additions are double underlined. Board amendment deletions are strikethrough normal.

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

Section 1. Section 726 of the San Francisco Public Works Code is hereby amended to read as follows:

Sec. 726. MOBILE STORAGE CONTAINERS ON PUBLIC RIGHT-OF-WAY -- PERMITS REQUIRED.

(a) Mobile Storage Container Permits. An annual and an individual location permit will be required to occupy any part of the street or sidewalk with a mobile storage container. For purposes of this Section, mobile storage container shall mean a moveable container that is temporarily placed on the public right-of-way and used by property owners or tenants for short-term storage of items, including, but not limited to, clothing, equipment, goods, household or office fixtures or furnishings, materials, and merchandise. Said containers shall be used only for the purpose of loading and transporting the items specified above or as set forth in the orders and regulations of the Department.

(b) Annual Permit. Each company or individual that operates a mobile storage container business and plans to locate said containers on the public right-of-way in San Francisco shall obtain an annual permit from the Department of Public Works. Said permit will entitle the permit holder to place mobile storage containers on the public right-of-way subject to the provisions of this Section.
(1) An applicant for an annual permit shall submit to the Department a written request for a permit no sooner than 15 days prior to initiation of the first occupation of the public right-of-way with a mobile storage container. The application shall contain the name of the company or individual seeking the annual permit, local contact information, an annual permit fee of $500.00, the deposit set forth in Section 726.3 and any other information specified in Departmental orders or regulations.

(2) The Director, in his or her discretion, may approve, conditionally approve, or disapprove an annual mobile storage container permit.

(3) The Director's decision on a permit shall be appealable to the Board of Appeals.

(c) Individual Location Permit. An individual location permit shall be obtained for each mobile storage container that will be placed on the right-of-way.

(1) Only annual permit holders may apply for an individual location permit. Said permit holders shall submit a written request to the Department no later than three days prior to occupation of the public right-of-way with a mobile storage container at a particular location. The application shall contain the name of the annual permit holder, local contact information for the permit holder, the proposed location of the mobile storage container(s), name and contact information for the property owner or tenant who will use the container, and any other information specified in Departmental orders or regulations.

(2) An individual location permit shall be $50.00 for one day, where the permit is to be issued for a period not to exceed 24 hours, or $100.00 for the first three days of occupancy on the right-of-way. The location without regard to the number of containers or whether the occupation is for a single day. Thereafter, the fee amount shall be $50.00 per container per day of occupancy on the right-of-way location. Said fee or fees may be paid...
(3) No individual location permit shall be issued for a period that exceeds seven days.

(4) The Director, in his or her discretion, may approve, conditionally approve, or disapprove an individual location permit for the mobile storage container.

(5) The Director’s decision on a permit shall be appealable to the Board of Appeals.

(d) All mobile storage container permits, whether annual or individual location, are revocable at the will of the Director. In addition, when, in the judgement of the Director, the public interest or convenience will be served by removal or relocation of a mobile storage container from the public right-of-way, the Director shall modify, condition, or revoke the permit accordingly.

(e) The fees set forth above shall be reviewed and modified, as applicable, pursuant to Section 724(e).

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

By: 

CHERYL ADAMS
Deputy City Attorney
Ordinance amending Section 726 of the Public Works Code to adjust fees for regulation of placement of mobile storage containers on the public right-of-way.

February 24, 2004  Board of Supervisors — PASSED ON FIRST READING
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - McGoldrick

March 9, 2004  Board of Supervisors — FINALLY PASSED
Ayes: 9 - Alioto-Pier, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Ammiano, Dufty
I hereby certify that the foregoing Ordinance was FINALLY PASSED on March 9, 2004 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom