

1 [Mayor's ~~Budget Director~~ or Mayor's designee, may waive payment of part of the cost of
2 additional police services, ~~including the administrative overhead charge~~ subject to Board's power
3 to ~~deny~~ reject the waiver.]

4 **Ordinance permitting the Mayor's ~~Budget Director~~ or Mayor's designee, to waive, in writing,**
5 **part of the cost of additional police services, ~~including the administrative overhead charge~~**
6 **upon consideration of specified criteria and subject to rejection by the Board within thirty (30)**
7 **days of issuance.**

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

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

14 Section 1. The San Francisco Administrative Code is hereby amended by amending
15 Section 10B.2 to read as follows:

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

17 (a) Except as provided in subsection (f), below, ~~The~~ person, corporation, firm or organization
18 desiring such services shall pay to the police department such sums of money as may be
19 necessary to pay for the additional services. The payment shall be computed based upon the
20 rate paid or payable to those uniformed officers of the Police Department actually performing
21 services at the time they are to perform such additional duties, and the cost of additional
22 equipment and materials expended, together with an administrative overhead charge to cover
23 the proportionate percentage of the Department's administrative costs that are attributable in
24 the Department's reasonable discretion to the work performed pursuant to the request.
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1 No person, corporation, firm or organization that contracts with the Police Department for
2 additional services that are: 1) of the type normally provided by police officers on patrol in the
3 designated area; and 2) to be provided at least four days per week, each week, for a period in
4 excess of one year, shall be required to pay an administrative overhead charge, unless such
5 additional services are provided in conjunction with a City permit or license, or are otherwise
6 necessary to mitigate a negative impact created by the activity of the person, corporation, firm
7 or organization contracting for the additional services.

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

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17 (c) Within a reasonable time after the services are rendered, the Chief of Police shall
18 determine the amount of payment due. If the deposit pursuant to Subsection (b) hereof is
19 insufficient to cover the cost of services, the Chief of Police shall notify the person,
20 corporation, firm or organization that requested the services by United States mail to the
21 address listed on the request for such services and that party shall have ten days to pay the
22 balance. If the amount deposited exceeds the actual costs, the Chief of Police shall authorize
23 a refund of the excess to the applicant at the address shown on the application.
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1 (d) The Police Department shall deposit with the Treasurer such sums as received in a special
2 account designated public facilities overtime account; provided, however, that the amount
3 representing administrative overhead shall be deposited to the general fund unappropriated
4 balance of funds.

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

10 (f) The City shall not waive payment for additional police services pursuant to this Chapter
11 except by ordinance of the Board of Supervisors, provided, however, that the Mayor, 's Budget
12 Director or the Mayor's designee, may waive, in writing, payment of part of the cost of such services,
13 including but not limited to the administrative overhead charge. In making the determination of
14 whether to waive partial payment of costs, the Mayor, or the Mayor's designee, must consider the
15 following criteria:

- 16
- 17 1) Whether the event will be privately funded and will generate sales tax and/or hotel tax
18 revenue to the benefit of the City's General Fund;
 - 19 2) Whether the privately funded event will promote tourism in San Francisco to a broad
20 audience and will have a long term promotional value to San Francisco;
 - 21 3) Whether the event will be consistent with the City's policy of promoting a sustainable
22 environment and promotion of diversity and tolerance;
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1 4) Whether the event will be a safe activity, confined to a specified location or route, and will
2 not result in extraordinary security costs to the City, including excessive deployment of
3 police;

4 5) Whether the event be consistent with City policy against glamorizing use of alcohol or
5 tobacco products.

6 (g) The Mayor, or Mayor's designee, must transmit notice of a conditional issuance of waiver to the
7 Clerk of the Board within seventy-two (72) hours of issuance. The Board, by resolution, may reject the
8 waiver within thirty (30) days of the notice. If the Board votes to reject the waiver, the Mayor, or the
9 Mayor's designee, shall notify the permittee/event sponsor of such rejection. If the Board does not act
10 within thirty (30) days, the waiver will be considered approved.

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

14 By: 

15 ROSA M. SANCHEZ
16 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: 040322

Date Passed:

Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.

June 29, 2004 Board of Supervisors — SUBSTITUTED

August 10, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

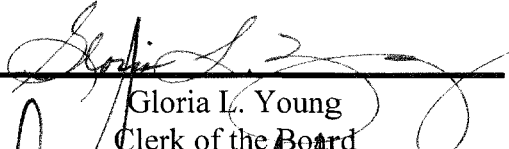
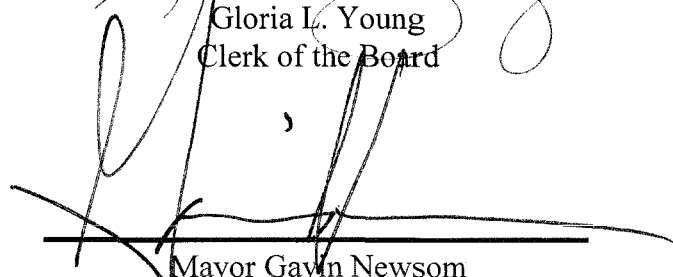
August 17, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

File No. 040322

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on August 17, 2004
by the Board of Supervisors of the City and
County of San Francisco.

8/17/04
Date Approved


Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom