Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to: (a) adjust the surcharges on permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on tobacco retailer's permits issued by the Department of Public Health pursuant to San Francisco Health Code Section 1009.53 from $56 to $26, (ii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Police Department from $17 to $10, (iii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Entertainment Commission from $10 to $3, (iv) reducing the surcharge on permits specified in Police Code Section 2.26.1 issued by the Taxi Commission from $9 to $3, (v) increasing the surcharge on permits issued by the Department of Building Inspection pursuant to Building Code Section 110, Tables 1-A, 1-F, Item 3, 1-H, 1-K, Item 8, or 1-Q, Item 5, from $11 to $13 and (vi) increasing the surcharge on permits issued by the Department of City Planning pursuant to Planning Code Sections 351(h), 352(a), (except for fees imposed for hearings on Conditional Uses under Section 303 or Planned Unit Developments under Section 304), 353(a), 353(b), 353(c), or 355, from $11 to $13; (b) adjust the surcharges on annual renewals of permits or licenses associated with permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27 issued by the Police Department from $17 to $10, (ii) reducing the surcharge on annual licenses specified in Police Code Section 2.27 issued by the Entertainment Commission from $10 to $3, and (iii) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27.1 issued by the Taxi Commission from $9 to $3; (c) imposing a Board of Appeals surcharge of $26 on renewal of annual licenses for tobacco retailers under San Francisco Health Code Section 1009.53.
Francisco Health Code Section 1009.54 and Business and Tax Regulations Code
Section 249.16; and (d) imposing a Board of Appeals surcharge of $109.00 for medical
cannabis dispensary permits issued by the Department of Public Health pursuant to
Health Code Section 3007, and for annual license renewals associated with such
permits pursuant to Health Code Section 3318 and Business and Tax Regulations Code
Section 249.20; and (2) making findings pursuant to the California Environmental
Quality Act, Public Resources Code Section 21080(b)(8)(A), that the surcharges
imposed by this ordinance and the adjustments to existing surcharges made by this
ordinance are not "projects" and that all such surcharges are imposed for the purpose
of meeting operating expenses of the Board of Appeals, including employee wage
rates, fringe benefits and other direct and indirect overhead charges attributable to
administrative appeals to the Board of Appeals relating to the aforementioned permits
and licenses pursuant to Charter Section 4.106 and other applicable laws.

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. The San Francisco Administrative Code is hereby amended by amending
Section 10G.1, to read as follows:

SEC. 10G.1. SURCHARGE IMPOSED; CATEGORIES OF PERMITS AND FEES.
In order to recover the cost to the City and County for the Board of Appeals permit
review functions, at the time a fee for permit application, issuance, or review is collected, *and*
at the time an annual fee for renewal of the permit or license associated with the permit is collected, a surcharge in the amount specified shall be charged and collected for the following categories of permits and fees.

(a) For fees imposed by the Department of City Planning pursuant to San Francisco Planning Code Sections 351(h), 352(a), (except for fees imposed for hearings on Conditional Uses under Section 303 or Planned Unit Developments under Section 304, 353(a), 353(b), 353(c), or 355 for review of permits that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of $11.00 - $13.00;

(b) For permits issued pursuant to San Francisco Building Code Section 110: Tables 1-A, 1-F, Item 3, 1-H, 1-K, Item 8, or 1-Q, Item 5 that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of $11.00 - $13.00;

(c) For permits issued pursuant to the San Francisco Public Works Code that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of $1.00;

(d) For permits issued pursuant to specified in San Francisco Police Code Section 2.26 that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of $17.00 - $10.00 for such permits issued by the Police Department, and a surcharge of $10.00 - $3.00 for such permits issued by the Entertainment Commission;

(e) For permits issued pursuant to specified in San Francisco Police Code Section 2.26.1 that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of $9.00 - $3.00;

(f) For permits renewals issued pursuant to annual license fees specified in San Francisco Police Code Section 2.27 for permits that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of $17.00 - $10.00 for such permits issued by the Police Department.
Department and a surcharge of $10.00 $3.00 for such permits issued by the Entertainment Commission;

(g) For permits renewals issued pursuant to annual license fees specified in San Francisco Police Code Section 2.27.1 for permits that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, a surcharge of $9.00 $3.00;

(h) For permits issued pursuant to San Francisco Health Code Section 1009.53 that may be appealed to the Board of Appeals pursuant to Charter Section 4.106, and annual permit fees pursuant to San Francisco Health Code Section 1009.54 and Business and Tax Regulations Code Section 249.16, a surcharge of $56.00 $26.00.

(i) For permits issued pursuant to San Francisco Health Code Section 3307 that may be appealed to the Board of Appeals pursuant to Charter Section 4.106 and San Francisco Health Code Section 3317, and annual license fees pursuant to San Francisco Health Code Section 3318 and Business and Tax Regulations Code Section 249.20, a surcharge of $109.00.

Section 2. CEQA Findings.

The Board of Supervisors finds that the surcharges set forth in this ordinance relating to the Board of Appeals for the following permits, the issuance, suspension or revocation of which, and the issuance of administrative citations related to such permits, may be appealed to the Board of Appeals, and annual licenses associated with such permits, are not "projects" as defined by the California Environmental Quality Act pursuant to Public Resources Code Section 21080(b)(8)(A):

(i) tobacco retailer's permits issued by the Department of Public Health, and annual licenses associated therewith, under Health Code Sections 1009.53 and 1009.54, and Business and Tax Regulations Code Section 249.16;
(ii) medical cannabis dispensary permits issued by the Department of Public Health, and annual licenses associated therewith, under Health Code Sections 3307 and 3318, and Business and Tax Regulations Code Section 249.20;

(iii) permits issued by the Police Department specified in Police Code Sections 2.26, and annual licenses associated therewith specified in Police Code Sections 2.27;

(iv) permits issued by the Entertainment Commission specified in Police Code Sections 2.26, and annual licenses associated therewith specified in Police Code Sections 2.27;

(v) permits issued by the Taxi Commission specified in Police Code Section 2.26.1, and annual licenses associated therewith specified in Police Code Section 2.27.1;

(vi) permits issued by the Department of City Planning under Planning Code Sections 351(h), 352(a), (except for fees imposed for hearings on Conditional Uses under Section 303 or Planned Unit Developments under Section 304, 353(a), 353(b), 353(c), or 355; and,

(vii) permits issued by the Department of Building Inspection pursuant to San Francisco Building Code Section 110: Tables 1-A, 1-F, Item 3, 1-H, 1-K, Item 8, or 1-Q, Item 5.

The Board finds that the surcharges authorized by Section 10G.1 of the San Francisco Administrative Code, as amended by this ordinance, are for the purpose of meeting operating expenses, including employee wage rates and fringe benefits, attributable to administrative appeals to the Board of Appeals relating to such permits and annual licenses.

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

By: Dorji Roberts
Deputy City Attorney

Mayor Newsom
File Number: 060628  Date Passed: 

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to: (a) adjust the surcharges on permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on tobacco retailer's permits issued by the Department of Public Health pursuant to San Francisco Health Code Section 1009.53 from $56 to $26, (ii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Police Department from $17 to $10, (iii) reducing the surcharge on permits specified in Police Code Section 2.26 issued by the Entertainment Commission from $10 to $3, (iv) reducing the surcharge on permits specified in Police Code Section 2.26.1 issued by the Taxi Commission from $9 to $3, (v) increasing the surcharge on permits issued by the Department of Building Inspection pursuant to Building Code Section 110, Tables 1-A, 1-F, Item 3, 1-H, 1-K, Item 8, or 1-Q, Item 5, from $11 to $13 and (vi) increasing the surcharge on permits issued by the Department of City Planning pursuant to Planning Code Sections 351(h), 352(a), (except for fees imposed for hearings on Conditional Uses under Section 303 or Planned Unit Developments under Section 304), 353(a), 353(b), 353(c), or 355, from $11 to $13; (b) adjust the surcharges on annual renewals of permits or licenses associated with permits that may be appealed to the Board of Appeals by: (i) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27 issued by the Police Department from $17 to $10, (ii) reducing the surcharge on annual licenses specified in Police Code Section 2.27 issued by the Entertainment Commission from $10 to $3, and (iii) reducing the surcharge on renewal of annual licenses specified in Police Code Section 2.27.1 issued by the Taxi Commission from $9 to $3; (c) imposing a Board of Appeals surcharge of $26 on renewal of annual licenses for tobacco retailers under San Francisco Health Code Section 1009.54 and Business and Tax Regulations Code Section 249.16; and (d) imposing a Board of Appeals surcharge of $109.00 for medical cannabis dispensary permits issued by the Department of Public Health pursuant to Health Code Section 3007 and for annual license renewals associated with such permits pursuant to Health Code Section 3318 and Business and Tax Regulations Code Section 249.20; and (2) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21060(b)(8)(A), that the surcharges imposed by this ordinance and the adjustments to existing surcharges made by this ordinance are not "projects" and that all such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals relating to the aforementioned permits and licenses pursuant to Charter Section 4.108 and other applicable laws.

June 6, 2006  Board of Supervisors — PASSED ON FIRST READING
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

June 13, 2006  Board of Supervisors — FINALLY PASSED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ma
I hereby certify that the foregoing Ordinance was FINALLY PASSED on June 13, 2006 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom