

1 [Restricting Posting of Signs on City-Owned Lamp Posts or Utility Poles]

2
3 **Ordinance amending Article 5.6 of the San Francisco Public Works Code to increase**
4 **restrictions governing signs on City-owned lamp posts and utility posts located on**
5 **commercial streets.**

6 Note: Additions are single-underline italics Times New Roman;
7 deletions are ~~strikethrough italics Times New Roman~~.
8 Board amendment additions are double underlined.
9 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 Public Works Code is hereby amended by amending
11 Sections 184.56 through 184.68 to read as follows:

12
13 ARTICLE 5.6 POSTING OF SIGNS ON CITY-OWNED LAMP POSTS OR UTILITY POLES

14 SEC. 184.56. DEFINITIONS.

15 For the purposes of this Article:

16 (a) "Alley" means (1) a Street having a roadway not exceeding 25 feet in width
17 which is primarily used for access to the rear or side entrances of abutting property or (2) any
18 Street designated by ordinance or resolution of the Board of Supervisors as "alley."

19 (b) "Board" means the Board of Supervisors of the City.

20 (c) "City" means the City and County of San Francisco.

21 (d) "Commercial Street" means that portion of a Street and the adjacent sidewalk
22 within one block of which 50 percent or more of front footage of private property on the ground
23 floor of the Street is used for a Commercial purpose. One block shall be measured from
24 Street intersection to Street intersection, but shall not include any Alley intersection.

25 (e) "Department" means the Department of Public Works of the City.

1 (f) "Director" means the Director of the Department of Public Works of the City.
2 Director shall mean and include an officer or employee of the City designated to act on the
3 Director's behalf.

4 (g) "Emergency" means an unforeseen occurrence or combination of circumstances
5 which calls for an immediate action or remedy.

6 (h) "Lamp Post" means a post which supports or has attached to it an electric lamp
7 or lantern, but shall not include a post to which a traffic control sign or signal is attached.

8 (i) "Non-Commercial Street" means that portion of a Street and the adjacent
9 sidewalk within one block of which not more than 50 percent of front footage of private
10 property on the ground floor of the Street is used for a Commercial purpose. One block shall
11 be measured from Street intersection to Street intersection, but shall not include any Alley
12 intersection. Property owned or occupied by the City, the State of California, or the United
13 States Government and used for a government purpose shall be deemed Non-Commercial
14 property for the purpose of this Article only. Property located on the same side of the street
15 and adjacent to property under the jurisdiction of the Department of Recreation and Park shall
16 be deemed Non-Commercial property for the purpose of this Article only.

17 (j) "Person" means any individual person, firm, partnership, association,
18 corporation, company, organization, society, group or legal entity of any kind.

19 (k) "Posting Date" means the date on which a Person intends to post a Sign. In no
20 event shall the date be later than the date on which the Sign is actually posted.

21 (l) "Roadway" means that portion of a Street improved, designed or ordinarily used
22 for vehicular travel.

23 (m) "Sign" means any card, decoration, poster, campaign sign, poster or any object
24 containing or bearing writing, drawing, painting, figures, designs or symbols that is affixed,
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1 posted or fastened in any manner to any property that is permanently attached to the public
2 right-of-way. A Sign shall not include a Handbill, as that term is defined and regulated by
3 Sections 184.69 to 184.76, inclusive, of this Code. A Sign shall also not include a banner
4 which is regulated in Section 184.78 of this Code. A Sign shall also not include an A-board
5 which is regulated in Sections 63 and 64 of Part II, Chapter VIII of the San Francisco
6 Municipal Code (Police Code).

7 (n) "Street" means a way or place of whatever nature, publicly maintained and open
8 to the use of the public for purposes of vehicular travel, or property dedicated as a public
9 street by action of the Board of Supervisors.

10 (o) "Utility Pole" means a pole which carries or has attached to it a wire or wires
11 used in connection with the Municipal Railway or telephone or electric lines, but shall not
12 include any traffic control signal or sign.

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14 SEC. 184.57. SIGNS ON PUBLIC PROPERTY PROHIBITED; EXCEPTIONS.

15 (a) Findings. The Board hereby finds and declares: The City has a compelling need
16 to prohibit the posting of Signs on public property in order to prevent the visual pollution
17 caused by such Signs and the resulting contributions to urban blight. Moreover, the
18 placement of Signs on public property causes damage to such property and, when Signs are
19 placed on or near traffic or directional signs or similar objects, threatens the safety of vehicular
20 and pedestrian traffic. The rise in number, size and frequency of Signs on public property has
21 increased visual clutter, risks to the vehicular and pedestrian traffic and damage to public property.
22 This proliferation of Signs on public property also threatens the character and dignity of the City's
23 distinctive appearance, streetscapes, thoroughfares, skyline and architectural features for both
24 residents and visitors and also depletes limited public resources for street cleaning and maintenance.

1 However, the Board is mindful of the importance of providing a forum for communication
2 among citizens. While Lamp Posts and Utility Poles can provide such a forum, unrestricted
3 use of Signs would interfere with the clear view of traffic safety signs and signals by motorists
4 and with the unobstructed use of public streets and sidewalks. In addition, unrestricted use of
5 Lamp Posts and Utility Poles would permit the placement of numerous Signs of widely ranging
6 sizes and shapes which protrude beyond such poles, thereby creating an aesthetically
7 displeasing clutter of objects on and over public streets and sidewalks. A limitation on the
8 size, duration, and placement of Signs on Lamp Posts and Utility Poles will eliminate unsightly
9 clutter, ensure traffic safety, and provide an opportunity for a greater number of Persons to
10 communicate by this means.

11 (b) Prohibited Acts. Except as expressly provided in this Article, no Person, except
12 a duly authorized public officer or employee, or a contractor with the City, the State of
13 California, or the United States Government acting to promote the purposes of that contract,
14 shall erect, construct or maintain, paste, paint, print, nail, tack or otherwise fasten or affix any
15 Sign, or cause or suffer the same to be done, on any Lamp Post, Utility Pole, traffic control
16 sign or signal, curbstone, bench, hydrant, wall, span wire, sidewalk, bridge, tree, fence,
17 building or structure owned or controlled by the City.

18 (c) Exceptions for Non-Commercial Streets. Notwithstanding the provisions of
19 Subsection (b) of this Section, a Sign may be placed or maintained upon, or attached to, any
20 Lamp Post or Utility Pole on a Non-Commercial Street provided that the following regulations
21 are adhered to:

22 (1) No more than one copy of any Sign (i.e. no duplicates) may be placed on a
23 single Lamp Post or a single Utility Pole at any time;
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1 (2) The Sign shall be affixed to the Lamp Post or Utility Pole so that the shape of
2 the Sign conforms to the shape of the Lamp Post or Utility Pole to which it is attached, and no
3 part shall extend or be suspended beyond the face of the Lamp Post or Utility Pole;

4 (3) The Sign shall not be greater than 11 inches in height;

5 (4) The edge of the Sign which is farthest from the ground when posted shall be at
6 a height no greater than 12 feet from the ground;

7 (5) The Sign shall only be affixed with tape or non-adhesive materials, such as
8 string, twine or other non-metal banding material. The Sign shall not be affixed with staples,
9 nails, paste, glue, or any adhesive substance other than tape, nor affixed in a manner that
10 causes damage to the Lamp Post, Utility Pole, any structure, or any public property. The Sign
11 shall be posted in a fashion that ensures it is firmly secured to the Lamp Post or Utility Pole, is
12 not loose, and does not pose any hazard to pedestrians or vehicles;

13 (6) The Sign shall bear the Posting Date in the lower right-hand corner, legible and
14 visible after the Sign is posted.

15 (d) Exceptions for Commercial Streets. Notwithstanding the provisions of
16 Subsection (b) of this Section, a Sign may be placed or maintained upon, or attached to, any
17 Lamp Post or Utility Pole on a Commercial Street, provided that *the following regulations are*
18 *adhered to:*

19 ~~(1) A~~ a Sign which is 11 inches in height or less must be posted in accordance with
20 Section 184.57(c); ~~(2) A Sign which is greater than 11 inches in height shall be posted as~~
21 *follows:*

22 ~~(i) The Sign shall not be greater than 2 feet by 4 feet;~~

23 ~~(ii) The edge of the Sign which is closest to the ground when posted shall be at a height no~~
24 *less than 8 feet;*

1 ~~_____ (iii) The Sign shall not be affixed in a location that obstructs the view of any traffic control~~
2 ~~sign or signal or overhangs a Street or Alley;~~

3 ~~_____ (iv) The Sign shall only be affixed with non-adhesive materials, such as string, twine or~~
4 ~~other non-metal banding material. The Sign shall not be affixed with staples, nails, paste, glue, tape, or~~
5 ~~any other adhesive substance, nor affixed in a manner that causes damage to the Lamp Post, Utility~~
6 ~~Pole, any structure, or any public property. The Sign shall be posted in a fashion that ensures it is~~
7 ~~firmly secured to the Lamp Post or Utility Pole, is not loose, and does not pose any hazard to~~
8 ~~pedestrians or vehicles;~~

9 ~~_____ (v) The Sign shall bear the Posting Date in one-inch high figures in the lower right hand~~
10 ~~corner, legible and visible after the Sign is posted;~~

11 ~~_____ (vi) The Sign shall bear in the lower right hand corner, legible and visible after the Sign is~~
12 ~~posted, the registration number as provided in Section 184.59 of this Article of the Person who posted~~
13 ~~or caused the Sign to be posted and who shall be personally liable for the failure to remove the Sign if~~
14 ~~posted in violation of this Ordinance.~~

15 (e) Posting Period. Every Person who has posted any Sign on any Lamp Post or
16 Utility Pole, or who has caused such posting, as permitted by Subsections (c) and (d) of this
17 Section, shall remove such Sign and any material used to affix the Sign within 70 calendar
18 days of the Posting Date. Provided, however, in no event shall any Sign posted for an event
19 or an election remain posted more than 10 calendar days after the event or the election.

20 (f) Exclusions. The provisions of this Section shall not apply to:

21 (1) Signs placed or maintained by the United States Government, the State of
22 California, any department of the City, or Signs posted under the authority of the San
23 Francisco Department of Recreation and Park, the San Francisco Port Commission, or the
24 Department;

1 (2) Any object placed or maintained upon, or in front of, or attached to, or above any
2 building or premises, either wholly within the property lines or projecting beyond the property
3 line over the public sidewalk, regulated by the provisions of Part II, Chapter I of the San
4 Francisco Municipal Code (Building Code);

5 (3) Any object affixed pursuant to Part II, Chapter IV of the San Francisco Municipal
6 Code (Planning Code);

7 (4) Any object placed on a Street or sidewalk pursuant to Section 63 of Part II,
8 Chapter VIII of the San Francisco Municipal Code (Police Code) regulating the placement of
9 A-boards;

10 (5) Any object placed on a Lamp Post or Utility Pole pursuant to Section 184.78 of
11 this Code regulating the display of banners;

12 (6) Any object distributed pursuant to Sections 184.69 to 184.76, inclusive, of this
13 Code regulating the distribution of Handbills;

14 (7) The distribution of newspapers and other printed material from newsracks or
15 pedestal mounts on public sidewalks;

16 (8) Signs posted on kiosks or pedestal mounts designed and maintained for the
17 posting of Signs.

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19 SEC. 184.58. HISTORIC AND DECORATIVE LAMP POSTS.

20 (a) Findings. The Board finds and declares that several Lamp Posts throughout the
21 City are historic landmarks, are within historic districts, or are important aesthetic features of
22 the City. Because of the historic and aesthetic significance of these Lamp Posts, the interest
23 in maintaining a City which is attractive to its citizens and tourists, and promoting the health,
24 safety, and welfare of the City's citizens, these Lamp Posts must be preserved and protected
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1 from destruction. The use of these ornate poles for the purpose of posting Signs may either
2 threaten the preservation of these landmarks or destroy an important aesthetic feature of the
3 city.

4 Accordingly, the City has a compelling need to prohibit the posting of Signs on the
5 following Lamp Posts:

6 (1) "Market Street's Path of Gold" located from 1 Market Street to 2490 Market
7 Street. The pillars of these 33-foot high Lamp Posts were shaped to include historical
8 subjects as decoration, including Native Americans on horseback and ox-drawn covered
9 wagons pictured with a pioneer;

10 (2) "Mission Street Corridor" located on Mission Street between Sixteenth and
11 Twenty-Fourth Streets. These Lamp Posts are maroon-painted with acorn-shaped luminaries,
12 finial tops and twin lights at different heights;

13 (3) "Dragon Street Lanterns" located on Grant Street between Bush and Broadway
14 Streets. These red-painted Chinese-style lanterns sit atop pillars which are ornately
15 decorated with bronze dragons and painted aqua; the bases are painted red and white;

16 (4) Lamp Posts on the "Embarcadero" located between King and Jefferson Streets.
17 There are three styles of Lamp Posts on the Embarcadero having decorative bases, painted
18 green or slate blue, and with double tear-dropped-shaped lanterns and both double and single
19 acorn-shaped lanterns;

20 (5) Lamp Posts on Fisherman's Wharf located between Hyde and Powell Streets.
21 These Lamp Posts are painted slate blue, have decorative bases and single acorn-shaped
22 lanterns;

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1 (6) Lamp Posts adjacent to the Moscone Center on Howard Street between Third
2 and Fourth Streets. These 10 Lamp Posts are bronze cobra-shaped light fixtures designed by
3 JCDecaux Co., a French designer of street furniture and fixtures;

4 (7) Lamp Posts in Union Square Plaza, which is bounded by Geary Street to the
5 south, Stockton Street to the east, Post Street to the north, and Powell Street to the west.
6 These Lamp Posts are painted slate blue, have decorative bases and single acorn-shaped
7 lanterns;

8 (8) Lamp Posts located on Mason Street from Market to Sutter Streets, Sutter from
9 Mason to Kearny Streets, Kearny Street from Bush to Market Streets. These Lamp Posts are
10 painted gray, have gold trim, and ornately decorative bases and double acorn-shaped
11 lanterns.

12 (b) Posting Signs Prohibited. Notwithstanding any other provision of law, no
13 Person, except a duly authorized public officer or employee or contractor with the City, the
14 State of California, or the United States Government acting to promote the purposes of that
15 contract, shall erect, construct or maintain, paste, paint, print, nail, tack or otherwise fasten or
16 affix, any Sign, or cause or suffer the same to be done, on any of the following Lamp Posts:

17 (1) "Market Street's Path of Gold" located from 1 Market Street to 2490 Market
18 Street;

19 (2) "Mission Street Corridor" located on Mission Street between Sixteenth and
20 Twenty-Fourth Streets;

21 (3) "Dragon Street Lanterns" located on Grant Street between Bush and Broadway
22 Streets;

23 (4) Lamp Posts on the "Embarcadero" located between King and Jefferson Streets;

24 (5) Lamp Posts on Fisherman's Wharf located between Hyde and Powell Streets;

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1 (6) Lamp Posts adjacent to the Moscone Center on Howard Street between Third
2 and Fourth Streets;

3 (7) Lamp Posts in Union Square Plaza, which is bounded by Geary Street to the
4 south, Stockton Street to the east, Post Street to the north, and Powell Street to the west; and

5 (8) Lamp Posts located on Mason Street from Market to Sutter Streets, Sutter from
6 Mason to Kearny Streets, Kearny Streets from Bush to Market Streets.

7 (c) The Director shall maintain a complete and accurate list and map indicating the
8 historic Lamp Posts covered by this Section and shall provide a copy of each upon request.

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10 SEC. 184.59. PRIOR REGISTRATION REQUIRED.

11 (a) It shall be unlawful for any Person to post or cause to be posted any Sign which
12 is greater than 11 inches in height on any Lamp Post or Utility Pole on a Commercial Street in
13 the City ~~unless such Person has complied with the provisions of this Section.~~ Notwithstanding any
14 other provision of this Section, Signs in Commercial Streets that received registration numbers prior to
15 the effective date of this Ordinance under Section 184.59(b) –(g) of Ordinance No. 116-99 shall be
16 permitted for the Posting Period provided in Section 184.57(e).

17 (b) ~~Procedure to Obtain Registration Number. Any Person seeking to post or cause to be~~
18 ~~posted any Sign which is greater than 11 inches in height on a Lamp Post or Utility Pole on a~~
19 ~~Commercial Street in the City shall first apply to the Director for a registration number. The~~
20 ~~application may be made by electronic means, including, but not limited to, telephone, facsimile, and e-~~
21 ~~mail. In the application, the Person shall state: (1) the Person's name; (2) the Person's current street~~
22 ~~address and current telephone number; (3) the name of the Person who is responsible for the posting of~~
23 ~~the Signs and who shall be personally liable for any improper posting of the Signs; and (4) the~~
24 ~~responsible Person's current street address and current telephone number. Upon receipt of the~~

1 application and payment of the fees provided in Subsection (e) of this Section, the Director shall
2 forthwith issue a registration number to the registrant. The registration number shall expire one year
3 after the date of issuance. Upon application by the registrant providing the information required in
4 this Section, the Director shall renew the registration for one year periods.

5 ~~———— (c) ——— Exception for Emergencies. Any Person who seeks to post any Sign for which
6 registration pursuant to the terms of this Section is required and which is in response to an Emergency,
7 as that term is defined in Section 184.56(g), may post the Sign before registering with the Director so
8 long as the Person registers and pays any applicable security deposit as required by Subsection (f) of
9 this Section within 72 hours of posting the Sign.~~

10 ~~———— (d) ——— Registration Number. Each Person who registers pursuant to the terms of this Section
11 shall be given a registration number and the registrant shall not directly, or through his or her
12 servants, agents or employees, post or suffer to be posted any Sign unless the words "Registration No.
13 _____" (with the registration number designated by the Director inserted) are stamped in a legible
14 manner on each Sign.~~

15 ~~———— (e) ——— Registration Fees. The fee for obtaining a registration number pursuant to the
16 requirements of this Section shall be \$20.00. The fee for renewing a registration number pursuant to
17 the requirements of this Section shall be \$10.00. The Director shall waive these fees if the registrant
18 files with the Director an affidavit signed under penalty of perjury declaring that the registrant's
19 inability to pay the fee would prevent the registrant from posting the Sign(s).~~

20 ~~———— (f) ——— Security Deposit. Any person seeking to post or cause to be posted any Sign(s) greater
21 than 11 inches in height on a Lamp Post or Utility Pole on a Commercial Street in the City shall post a
22 security deposit with the Director prior to posting the Sign(s). The amount of the security deposit shall
23 be \$100 for posting 100 Signs or fewer, \$500 for posting more than 100 Signs but fewer than 500 Signs,
24 and \$1000 for posting 500 Signs or more. The Director shall waive this requirement if the Person files
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1 with the Director an affidavit signed under penalty of perjury declaring that the Person's inability to
2 pay the fee would prevent the Person from posting the Sign(s). If a security deposit was posted for any
3 Sign(s) and the Person responsible for posting the Sign(s) removes all of the Signs within the deadlines
4 provided in Subsection (e) of Section 184.57, then the Director shall return the entire security deposit
5 to the Person who posted the security deposit. If a security deposit was posted for any Sign(s) and the
6 Person responsible for posting the Sign(s) fails to remove all of the Signs within the deadlines provided
7 in Subsection (e) of Section 184.57, then the Director may withhold from the security deposit in order
8 to reimburse the City its costs in removing the Sign(s).

9 ~~As an alternative to the posting of a security deposit, a Person who posts Signs requiring~~
10 ~~registration pursuant to the terms of this Section on a regular basis may apply to the Director for~~
11 ~~permission to post a performance bond, for an amount and in a form to be determined by the Director,~~
12 ~~to secure performance by that Person of his or her obligations with respect to all purposes for which~~
13 ~~the security deposit is required. The Director shall determine the amount of the bond based on the~~
14 ~~Director's estimate of the amount of Signs the Person will post per year and shall set the amount so that~~
15 ~~it covers the foreseeable removal costs of postings made by the Person. Where the Director determines~~
16 ~~that the actual frequency and costs to the City of postings made by the Person posting the bond exceed~~
17 ~~the Director's original estimates, upon 30 calendar days written notice, the Director may notify the~~
18 ~~Person that authorization to post the bond shall be rescinded unless an increased bond is posted. Upon~~
19 ~~receiving advice from the City Risk Manager or for any other good reason, the Director may also~~
20 ~~direct that the form of the bond be changed. Authorization to post bonds pursuant to this Subsection~~
21 ~~may be terminated by the Director without cause upon 30 calendar days written notice.~~

22 ~~(g)(b)~~ Confidentiality. In order to protect the anonymity of speakers, the Director shall
23 protect the confidentiality of all information provided in any application for permission to post
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1 Signs pursuant to ~~this Section~~ Section 184.59(b) –(g) of Ordinance No. 116-99. The Director and
2 his or her staff may use that information only for the purpose of enforcing this Article.

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4 **SEC. 184.60. PROHIBITION ON DAMAGE.**

5 No Person shall deface, mar, disfigure, or damage any traffic control sign or signal,
6 curbstone, bench, hydrant, wall, span wire, sidewalk, bridge, fence, building or any other
7 structure belonging to the City or any tree located in any public property or place, by painting,
8 cutting, scratching or breaking the same, or attaching, posting, or in any way affixing anything
9 thereto.

10 **SEC. 184.61. PROHIBITED SIGNS A PUBLIC NUISANCE; REMOVAL OF SIGNS POSTED**
11 **IN COMPLIANCE WITH ARTICLE.**

12 Any Sign affixed to any property in violation of the provisions of this Article is hereby
13 declared to be and is a public nuisance. No Sign posted in compliance with this Article may
14 be removed by any Person except an officer or employee of the City duly authorized to do so
15 or the Person who posted or caused to be posted the Sign.

16 **SEC. 184.62. CRIMINAL PENALTY.**

17 Any Person who violates any of the provisions of this Article shall be guilty of an
18 infraction, and, upon conviction thereof, shall be punished by a fine of not less than \$50 or
19 more than \$500 or by community service in lieu of the fine.

20 **SEC. 184.63. CIVIL PENALTY.**

21 (a) Any Person in violation of any provision of this Article and of failing to pay the
22 amount billed such Person for such violation shall be liable for payment of a civil penalty in an
23 amount equal to (1) the costs incurred by the City occasioned by the failure to remove Signs
24 and by damaged property occasioned by their posting or removal, and (2) the costs to the City
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1 incurred in obtaining imposition of such civil penalties through litigation, including the cost of
2 paying City employees or other persons to engage in the litigation, and (3) an additional
3 amount equal to 50 percent of the total of (1) and (2) of this Subsection. As an alternative, the
4 civil penalty authorized by this Section may be assessed by an administrative citation issued
5 by Department of Public Works officials designated in Section 38 of the Police Code. Such
6 administrative penalties shall be assessed, enforced and collected in accordance with Section
7 39-1 of the Police Code., and shall include the costs to the City incurred in obtaining the
8 imposition of the penalty, including the cost of paying City employees to engage in the
9 administrative process.

10 (b) All monies received by the City in payment to civil penalties for violation of this
11 Article shall be deposited to the credit of the Bureau of Street Environmental Services of the
12 Department of Public Works in a special fund, to be entitled "Sign Removal Fund." Revenue
13 from such fund shall be used exclusively for the costs related to the removal of illegally posted
14 Signs and repair of City property damaged by such posting. Balances remaining in the fund
15 at the close of any fiscal year shall have been deemed to have been provided for a specific
16 purpose within the meaning of Section 9.113 of the Charter, and shall be carried forward and
17 accumulated in said fund for the purposes recited herein. The monies received into this fund
18 are hereby appropriated exclusively for the purposes set forth herein.

19 SEC. 184.64. DEPARTMENTAL AUTHORITY TO REMOVE; BILLING PROCEDURE.

20 (a) The Department has authority to remove any Sign if it violates any provision of
21 this Article. To the extent consistent with applicable federal and state law, the Department
22 may remove any Sign posted in violation of the applicable provisions of federal or state law
23 where the Sign is posted on a Lamp Post or Utility Pole on, immediately abutting, or
24 immediately adjacent to property which is under the jurisdiction of the United States
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1 Government or the State of California and is located within the City. The Department is
2 authorized to take all necessary steps, including entering into contracts with the United States
3 Government or the State of California, to remove Signs posted on a Lamp Post or Utility Pole
4 on, immediately abutting, or immediately adjacent to property which is under the jurisdiction of
5 the United States Government or the State of California and is located within the City. If the
6 City incurs any expense in removing a Sign because it was posted in violation of this Article,
7 the Person or Persons responsible for such posting as set forth in Section 184.65 of this
8 Article may be billed as provided in Subsection (b) of this Section. If such bill is not paid as
9 required by Subsection (b), the Person or Persons responsible for such posting are subject to
10 payment of a civil penalty as provided in Section 184.63 of this Article.

11 (b) Whenever an officer or employee of the City and County of San Francisco
12 removes any Sign posted in violation of this Article, the Director may send a bill to the Person
13 responsible for such posting for the cost of removal or for the repair of property damaged by
14 such posting. Such bill shall include all costs, both direct and indirect, involved in removing
15 Signs, in repairing property, and in administering the billing procedure. The amount to be
16 billed for placing objects into the surface of trees is set forth in the San Francisco Urban
17 Forestry Ordinance, which is codified as Part II, Chapter X, Article 16, Section 800 et seq. of
18 the San Francisco Municipal Code (Public Works). The bill shall describe the basis for the
19 amount billed by indicating the number of signs posted illegally, the time necessary for
20 removal, the hourly cost of removal, and other relevant information, including, but not limited
21 to, the general locations from which the signs were removed and the dates and times on
22 which the work was performed. The bill shall also specify a date by which the bill is to be
23 paid, which date shall be not fewer than 10 business days after the bill is mailed. The person
24 billed must pay the bill by the date specified. All payments received shall be deposited with

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1 the Treasurer to the credit of the "Sign Removal Fund" designated in Section 184.63 of this
2 Article.

3 SEC. 184.65. IDENTIFICATION OF PERSONS RESPONSIBLE FOR POSTING OF SIGNS.

4 In any civil action seeking recovery of a civil penalty and/or costs of removal of a Sign
5 for violation of any of the provisions of this Article proof that the Sign posted contains the
6 name of or in any other manner identifies a Person shall give rise to a rebuttable presumption
7 that the Person caused such Signs to be posted or to remain posted.

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9 SEC. 184.66. PUBLICATION OF NOTICE.

10 The Director shall publish a copy of this Article once in one or more newspapers of
11 general circulation, post a copy of the Article on a bulletin board in or adjacent to the City Hall
12 for a period of 90 calendar days after its passage, and prominently provide notice of this
13 Article in any material made available to the public regarding the City's regulations of Signs.
14 Further, the Director of Elections shall inform any Person who qualifies to be a candidate for a
15 local office of this Article and shall make information about this Ordinance available to all other
16 candidates and proponents of ballot measures.

17 The notice requirements of this Section are intended to enhance community awareness
18 of the City's regulations of Signs. However, the notice requirements shall be given only
19 directive effect. Accordingly, the failure of the Director or the Director of Elections to provide
20 the notice required by this Section shall not be a defense in any criminal proceeding or civil
21 action brought to enforce the provisions of this Article nor shall such failure relieve any Person
22 of criminal or civil liability for postings that violate this Article.

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24 SEC. 184.67. AUTHORITY TO MAKE RULES, ETC.


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1 The Director is empowered to adopt rules, regulations, and interpretations of this
2 Ordinance as he or she may deem necessary and proper to interpret and administer the
3 provisions of this Article provided that the rules, regulations, and interpretations shall not be
4 inconsistent with any of the provisions of this Article.

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6 SEC. 184.68. SEVERABILITY.

7 If any of the provisions of this Article or the application thereof to any Person or
8 circumstance is held invalid, the remainder of this Code, including the application of such part
9 or provisions to Persons or circumstances other than those to which it is held invalid, shall not
10 be affected thereby and shall continue in full force and effect. To this end, the provisions of
11 this Article are severable.

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

15 By: 
16 MARIAM MORLEY
17 Deputy City Attorney

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24
25



City and County of San Francisco

City Hall
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San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 060853

Date Passed:

Ordinance amending Article 5.6 of the San Francisco Public Works Code to increase restrictions governing signs on City-owned lamp posts and utility posts located on commercial streets.

August 1, 2006 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin

Absent: 1 - Daly

Excused: 1 - Sandoval

August 8, 2006 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval

Absent: 1 - Ma

File No. 060853

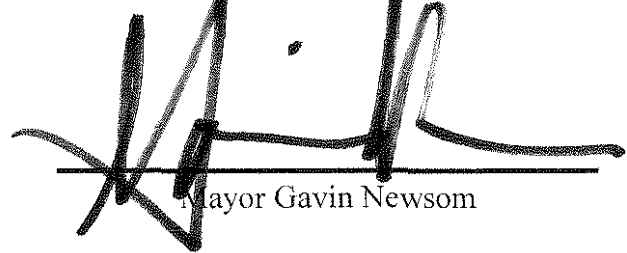
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on August 8, 2006
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board

8/11/06

Date Approved



Mayor Gavin Newsom