Ordinance amending the Police Code to require the Director of Cultural Affairs, or his or her designee, to waive Street Artist Certificate fees for honorably discharged veterans and to grant refunds to honorably discharged veterans who file a refund claim on or before July 1, 2015, for any fees collected between January 1, 2009, and July 1, 2014.

NOTE:  Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in single-underline italics Times New Roman font. Deletions to Codes are in strikethrough italics Times New Roman font. Board amendment additions are in double-underline Arial font. Board amendment deletions are in strikethrough Arial font. Asterisks (* * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Police Code is hereby amended by adding Section 2404.3, to read as follows:

**SEC. 2404.3. STREET ARTIST CERTIFICATE FEE WAIVERS AND REFUNDS FOR HONORABLY DISCHARGED VETERANS.**

(a) Certificate Fee Waivers. Notwithstanding Sections 2404.1 and 2404.1.1, the Director of Cultural Affairs, or his or her designee, shall waive all Street Artist Certificate fees, including any application/examination fees, for any individual who is honorably discharged or honorably relieved from the military, naval, or air service of the United States and who is a resident of California ("Honorably Discharged Veteran") upon receipt of the Honorably Discharged Veteran’s Certificate of Release DD Form 214 (Certificate of Release or Discharge from Active Duty) or other equivalent U.S. government document reflecting honorable discharge. The Street Artists Program Director shall keep such documentation on file to help expedite future renewals.
(b) Certificate Fee Refunds.

(1) Honorably Discharged Veterans who paid Street Artist Certificate fees between January 1, 2009 and July 1, 2014 may file a claim with the Arts Commission’s Street Artists Program to receive a refund of all such fees, including any application/examination fees, paid during that period. Honorably Discharged Veterans shall have until no later than June 30, 2015 to file a refund claim and must provide a DD Form 214 or other equivalent U.S. government document demonstrating that the claimant was an Honorably Discharged Veteran at the time he or she paid the Street Artist Certificate fee. The Director of Cultural Affairs, or his or her designee shall have the authority to process Street Artist Certificate fee refund claims and grant Street Artist Certificate fee refunds to Honorably Discharged Veterans.

(2) This subsection (b) shall expire by operation of law on July 1, 2015 and the City Attorney’s Office is authorized thereafter to take the necessary steps to remove subsection (b) from the Police Code; to remove the words “and Refunds” from the heading of Section 2404.3; and to remove the subheading “(a) Certificate Fee Waivers” from Section 2404.3.

Section 2. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor’s veto of the ordinance.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, phrase, and
word not declared invalid or unconstitutional without regard to whether any other portion of
this ordinance would be subsequently declared invalid or unconstitutional.

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

By:  
ADINE K. VARAH  
Deputy City Attorney

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Ordinance amending the Police Code to require the Director of Cultural Affairs, or his or her designee, to waive Street Artist Certificate fees for honorably discharged veterans and to grant refunds to honorably discharged veterans who file a refund claim on or before July 1, 2015, for any fees collected between January 1, 2009, and July 1, 2014.

July 23, 2014 Budget and Finance Sub-Committee - RECOMMENDED

July 29, 2014 Board of Supervisors - PASSED, ON FIRST READING
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

September 02, 2014 Board of Supervisors - FINALLY PASSED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 9/2/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved