AMENDING PART I, CHAPTER 2, ARTICLE VIII, OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE CODE) BY REPEALING SECTIONS 2.70 THROUGH 2.76, AND AMENDING PART II, CHAPTER XI, OF THE SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING ARTICLE 21, SECTIONS 800 THROUGH 815, TO TRANSFER THE PROVISIONS GOVERNING THE TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS.

Note: Additions and substitutions are underlined; deletions are in ((double parentheses)).

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

Section 1. Chapter 2, Article VIII, of the San Francisco Administrative Code is hereby amended by repealing Chapter 2, Article VIII, Sections 2.70 through 2.76.

((SEC. 2.70. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND TRANSPORTATION (ISCOTT). There is hereby established a committee to be known as the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), consisting of the department heads or their designated representatives from the following departments and agencies: Parking and Traffic, Public Works, Police, Fire, Public Health, Municipal Railway, and City Planning. The Director of the Department of Parking and Traffic, or his or her designee shall serve as Chair of ISCOTT. The Director of Administrative Services or his or her designee shall review recycling plans and recommend with ISCOTT when the Committee considers for approval applications for the temporary use or occupancy of a public street, a street fair or an athletic event which include the dispensing of beverages or other use which}
generates large volumes of recyclable materials, pursuant to the provisions of Section 2.70-5.

In exercising its powers the Committee shall consult with any other City department or agency which could be affected by any temporary use or occupancy of a public street. The Committee shall have the authority to take all acts reasonably necessary for it to carry out any duties imposed upon it by ordinance. Before acting on any application for temporary use or occupancy of public streets, street fair or an athletic event, ISCOTT shall conduct a public hearing at publicly noticed times and at places to be determined by the Committee.)

((SEC. 2.70-1. REQUEST FOR PERMISSION FOR TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS; PROCEDURE. (a) Any person seeking permission for the temporary use or occupancy of a public street within the City and County shall file an application with, and on a form provided by, the Director of the Department of Parking and Traffic (hereafter, the “Director”), and shall pay a filing fee of $80; provided, however, that (a) if the application is filed fewer than 60 days prior to the date of the proposed temporary use or occupancy, then the applicant shall pay a filing fee of $140, (b) if the application is filed fewer than 30 days prior to the date of the proposed temporary use or occupancy, then the applicant shall pay a filing fee of $180, and (c) if the application is filed fewer than seven days prior to the date of the proposed temporary use or occupancy under the conditions set forth in the succeeding paragraph, then the applicant shall pay a filing fee of $250.

An application shall not be accepted or approved for a proposed temporary use or occupancy scheduled to occur fewer than seven calendar days after the application is submitted to the Director, except as follows in this paragraph: (a) An application for a proposed temporary use or occupancy scheduled to occur fewer than seven calendar days after the application date may be filed for emergency consideration. The Director shall consider the request if the applicant has demonstrated that an extraordinary emergency exists.

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
that requires the closing of a street, and provided that there is adequate time available for the
Director to conduct the required public hearing and post notice of the scheduled hearing at
least 24 hours in advance of the hearing. (b) The Mayor's Film and Video Arts Commission
(the "Film Commission"), or other successor commission or division of the Mayor's office, may
file with the Director an application on behalf of a film or other video production company
(which company shall be responsible for the payment of all applicable fees) for a proposed
temporary use or occupancy scheduled to occur fewer than seven calendar days after the
application date, provided that there is adequate time available for the Director to conduct the
required public hearing and post notice of the scheduled hearing at least 24 hours in advance
of the hearing. The Film Commission (or the film company on whose behalf the application
was made) shall (i) notify residents, merchants and other occupants of the public street(s) to
be closed of the dates proposed for street closure, and (ii) notify any and all affected City
departments, including the Chief of Police, the General Manager of the Municipal Railway and
the Director of the Department of Public Works.

The completed application shall include, when applicable, maps and/or drawings which
identify the streets that would be affected, describe the scope and design of the event,
including illustrations of the location of staging, food booths, seating, and a diagram of an
emergency access plan. In addition, the Director may request such additional information as
is necessary to allow ISCOTT to make an informed evaluation of the proposed temporary use
or street occupancy.

Applicants shall be responsible for posting notice of the public hearing at least seven
calendar days prior to the hearing at which the application will be reviewed by ISCOTT. Such
notice shall include a description of the streets that would be affected and shall be posted in
the area of the proposed temporary use or street occupancy according to rules and
regulations prescribed by the Director. A declaration under penalty of perjury shall be
submitted to the Director by the applicant attesting that the required public notices have been posted.

Upon receipt, the Director shall refer such a request to ISCOTT for its review and approval, or disapproval.

(b) **ISCOTT Review and Approval Process.** In reviewing an application, ISCOTT shall: Consider the impact of the temporary use or occupancy of public streets on the traffic, security, health, and safety of the public; determine the traffic, security, health, and safety requirements of the proposed temporary use or occupancy; and evaluate the measures proposed by the applicant to satisfy those requirements. It shall be the duty of ISCOTT to also consider the following:

1. Demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health, and welfare of the public.

2. Duration of the temporary use or street occupancy and the City's ability to accommodate such use or occupancy with the necessary resources.

3. Overextension of the City's resources because of previously approved temporary use or occupancy of public streets or other activities that could cause scheduling conflicts during the same period.

4. The availability of an appropriate emergency access plan.

5. The number of major events (as defined in Section 2.70-2 below) scheduled during the period for which the applicant seeks a permit, the nature and location of the major events, and the demand these major events will have on the City's resources, including its police, emergency and sanitation personnel. In considering the major events for which applications have been filed and/or approved, ISCOTT should give priority based on the chronological order in which the applications are received, and applicants denied permission on the basis that there are too many major events already approved or pending for approval.

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

Page 4
(5/6/99)
shall be offered alternative dates by ISCOTT. Notwithstanding this provision, ISCOTT may, in
its discretion, grant preference to recurring events traditionally or historically associated with a
particular day or dates, provided that applications, once approved, cannot be revoked
because of the subsequent filing of an application for a permit for an event traditionally or
historically associated with a particular day or dates.

6. If the application is related to a filming project to be conducted by the applicant,
the Director and ISCOTT shall notify the Film Commission (or other successor commission or
division of the Mayor's office) and shall consider such conditions and criteria as the Film
Commission shall attach to the application.

The ISCOTT committee may impose additional requirements or conditions it deems
necessary to protect the public interest by ensuring traffic management, security of property
and health and safety of citizens. At the time ISCOTT reviews the application, it shall also
determine the necessity of and the total estimated actual costs incurred by the Municipal
Railway to run motor coaches to accommodate the rerouting of electrically powered transit
vehicles because of restrictions which are imposed by the temporary street closing. The
applicant shall pay a fee to the Municipal Railway which is calculated at the rate of $6.00 per
electrically powered vehicle hour per line affected. For purposes of this provision, “vehicle
hour” shall mean the number of hours each coach on a line is in operation during the day of
the street closing. If the application is approved, the General Manager of the Municipal
Railway shall transmit to the applicant an invoice for the fee. The applicant shall make full
payment of the fee no later than five days prior to the date of the street closing, or in
accordance with a schedule agreed to by the General Manager of Municipal Railway. ISCOTT
shall not disapprove any application for a temporary use or occupancy of public streets
because of the applicant's political, religious, or cultural orientation.

Notice of ISCOTT's action of approval or disapproval shall be submitted to the Director;
the Chief of Police; the Chief of the Fire Department; the Director of Health; the General
Manager of the Municipal Railway; the Director of Public Works and the Director of City
Planning, and be maintained as a matter of record. The Director shall deem the application
approved by ISCOTT as submitted, if ISCOTT takes no action to approve or disapprove the
application within 30 days of receipt of the application.

(c) **Appeals Process.** Should the application be disapproved by ISCOTT, the
applicant may first appeal the decision to the Director if the application was filed at least 30
days prior to the date of the proposed temporary use or occupancy. Such appeal shall be
made by filing the appeal with the Director on a form provided by the Director within five
working days of disapproval. Upon receipt, the Director shall set a time and place for hearing
such appeal. In considering the appeal the Director shall conduct a public hearing for which
notice shall be posted at least 72 hours in advance of the hearing at the Department of
Parking and Traffic, at the main library, and at the Office of the Clerk of the Board of
Supervisors.

At the appeal hearing, the appellant and members of ISCOTT shall have an opportunity
to present oral testimony and written materials in support of their positions. The Director shall
conduct the hearing according to the same standards of review as set forth in Section 2.70-1(b) hereof. Upon hearing the appeal, and after any further investigation by the Director, the
Director may affirm, reverse, or modify the ISCOTT decision. Notice of the Director's action of
approval or disapproval shall be submitted to the Chief of Police, the Chief of the Fire
Department, the Director of Health, the General Manager of the Municipal Railway, the
Director of Public Works and the Director of City Planning and be maintained as a matter of
record.

If the Director denies the application after the appeal described in the preceding
paragraph, the applicant may then appeal the decision to the Board of Supervisors. Such
appeal shall be made by filing the appeal with the Clerk of the Board, on a form provided by
the Clerk, within five working days of the Director's disapproval. The Board may establish a
fee to be imposed upon the filing of any such appeal. Upon receipt, the Clerk shall set a time
and place for hearing such appeal by the Board of Supervisors, which hearing shall be at the
Board's next regular meeting, provided that all applicable public notice requirements are
satisfied. The Board shall conduct the hearing according to the same standards of review as
set forth in Section 2.70-1(b) hereof. Upon hearing the appeal, and after any further
investigation that the Board may request, the Board may affirm, reverse or modify the
Director's decision. The decision of the Board regarding the appeal shall be final.

Any permission for the temporary use of occupancy of a public street authorized
pursuant to these provisions shall be subject to the conditions set forth in San Francisco
Administrative Code Sections 2.71 and 2.72.

(d) Late Application. Should the applicant file an application for a proposed
temporary use or occupancy fewer than 30 days prior to the date of the proposed use or
occupancy, and not far enough in advance of the proposed use or occupancy to allow
ISCOTT to consider the application at a regularly scheduled meeting of ISCOTT, then the
Director shall have the responsibility and duty to consider and approve or disapprove the
application after consulting with the members of ISCOTT. The Director shall conduct a public
hearing for which notice shall be posted at least 24 hours in advance of the hearing at the
Department of Parking and Traffic, the main library, and at the Office of the Clerk of The
Board of Supervisors. At the hearing, the applicant and interested persons shall have an
opportunity to present oral testimony and written materials in support of their position. The
Director shall conduct the hearing according to the same standards of review as set forth in
Section 2.70-1(b) hereof. Notice of the Director's action of approval or disapproval shall be
submitted to the Chief of Police, the Chief of the Fire Department, the Director of Health, the

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
General Manager of the Municipal Railway, the Director of Public Works and the Director of City Planning, and shall be maintained as a matter of record. In the event the Director disapproves the application, the applicant shall have the right to appeal the Director's decision to the Board of Supervisors in accordance with the same terms and conditions as set forth in Subsection (c) of this Section above.]

((SEC. 2.70-2. MAJOR EVENTS DEFINED. "Major events" are those events, including athletic events, involving any of the following: The use or occupancy of more than five blocks, the expected attendance of more than 1,000 people at any one time, or the rerouting of more than three Municipal Railway transit lines. "Major events" shall also include any sports events at Candlestick Park with expected attendance of more than 50,000 people, or any parade governed by the provisions of Police Code Section 366 et seq.))

((SEC. 2.70-3. INSURANCE. Sponsors of major events shall be required to provide an insurance policy naming the City as an additional insured, in a form approved by the Office of Risk Management. Coverage shall be in an amount of $1,000,000 or more, as determined by the Office of Risk Management. This insurance requirement shall be waived by the Committee of the Board where the event constitutes the exercise of rights protected under the First Amendment to the United States Constitution, and the event sponsor submits a sworn statement of indigency.))

((SEC. 2.70-4. NOTICE. The Clerk of the Board of Supervisors shall transmit copies of any legislation approving a temporary street closing to the Director of Public Works, Chief of Police, the Chief of the Fire Department, the Superintendent of Emergency Hospital Service of the Department of Public Health and to the General Manager of the Municipal Railway.

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

Page 8
(5/6/99)
SEC. 2.70-5. RECYCLING, COLLECTION AND DISPOSITION. (a) Any applicant seeking permission for the temporary use or occupancy of a public street, a street fair or an athletic event within the City and County for an activity or special event that includes dispensing of beverages from glass, aluminum, or plastic containers, or which causes to be generated large amounts of other recyclable materials, shall be required to submit a plan demonstrating a good-faith effort to provide a method to separate glass, aluminum and plastic beverage containers or other materials for the purpose of recycling.

(b) Disposition of Recyclable Materials. Prior to the review by ISCOTT of such application, the applicant shall submit to the chair of ISCOTT the following information:

1. A plan which describes the number and location of source-separated recycling containers which are necessary to ensure convenient utilization and protect public health and safety; and

2. Documentation that collection services shall be performed by a private or nonprofit source.

(c) Collection of Recyclable Containers. At the time ISCOTT considers the application, it shall determine that all of the necessary information has been submitted and that the measures proposed by the applicant shall provide for the collection and disposition of source-separated materials. The applicant shall pay a deposit in the amount of $100, for each day of the event, to the Director of Public Works, at the time the application is filed, which shall be forfeited if applicant fails to collect recyclable materials and deposit said materials at a recycling facility. Such deposit shall be refunded in full to the permittee, by the Director of Public Works, upon receipt of documentation which verifies that the collected material was disposed at an appropriate recycling facility.

The Director of Public Works shall maintain records for a period of three years which
document the recycling performance of the applicant when a temporary use of a public street
is permitted. If an applicant for a temporary street closing, street fair or athletic event has been
granted approval in the past pursuant to a permit issued by the City and County of San
Francisco and failed to collect and dispose recyclable beverage containers, ISCOTT may
require the applicant to pay a deposit in an amount greater than that normally required, so
long as the increased amount is reasonably related to the anticipated costs of collecting and
disposing of recyclable materials. However, if an applicant who has failed to comply with a
recycling plan in the past has, since that occurrence, temporarily used a public street, or
sponsored a street fair or athletic event pursuant to a permit and has complied with a
recycling plan, the amount of the deposit normally required of applicants shall apply.

The Director of Administrative Services shall promulgate any rules and regulations
necessary or appropriate to carry out the purposes and requirements of this ordinance. Before
issuing or amending any rules or regulations, the Director of Administrative Services shall
provide a 30-day public comment period by providing published notice in an official
newspaper of general circulation in the City of the intent to issue or amend the regulations.}

((SEC. 2.70-6. TEMPORARY USE OF STREETS FOR STREET FAIRS.

(a) Definitions. For the purpose of this Section, the following definitions shall apply:

(1) "Director" means the Director of the Department of Parking and Traffic or his or
her designee.

(2) To "issue" a permit is to deliver to an applicant for a street fair permit written
permission to sponsor or hold a street fair at a specified date and location.

(3) "Sponsor" means that organization responsible for organizing a street fair and
authorized to represent the street fair before City agencies and officials.

(4) A "street fair" means a social or community event, not including an athletic event

or parade, in which any group of persons convene to celebrate their community or neighborhood on any street in the City and County of San Francisco which event obstructs or interferes with the normal flow of vehicular traffic.

(b) Applying for Temporary Use of Street for Street Fair. Notwithstanding any other provisions of the Administrative Code of the City and County of San Francisco, the regulation of street fairs, including the processes for obtaining permits from the City for conducting these street fairs and the payment of associated fees to the City, shall be governed by Section 2.70-6 of the Administrative Code. In order to provide for the safe, orderly and cost-effective conduct of street fairs, any organization seeking permission for the temporary use of a street for the purpose of conducting a street fair shall file an application with the Director no later than 90 days prior to the proposed date for the event. Applications shall be submitted on forms prepared by the Director after conferring with the appropriate representatives from the Police Department, Fire Department, Department of Public Health, the Municipal Railway, the Department of Public Works and the Department of Parking and Traffic. At the time of filing an application under this Section, the sponsoring organization shall also file a $80 application fee.

(c) Timeliness of Applications. No person submitting an application after the deadlines set forth in this ordinance shall be granted permission to conduct a street fair in the corresponding period unless the person demonstrates to the satisfaction of the Director that the failure to submit a timely application was justified by extraordinary circumstances; provided, however, that in no event shall an applicant be permitted to file an application less than 60 days prior to the proposed date for the event. A late fee of $80 shall be assessed for untimely filed applications.

(d) Review of Application.

(1) Upon receiving an application for permission for the temporary use of a street for
purposes of conducting a street fair, the Director shall review the application to determine whether the information required in the application has been provided. If the Director determines that the applicant has failed to provide the information required, the Director shall, within five business days of receiving the application, notify the applicant of what additional information is required. If the applicant fails to provide the additional information required within five business days of notification by the Director, the applicant’s application shall be deemed to be untimely filed; provided, however, that upon good cause shown the Director may extend this five-day period. Except as provided in Subsection (2) of this Section, the Director shall transmit the completed application to ISCOTT.

(2) If, upon reviewing the application, the Director determines that the proposed street fair will be contained within one block in such a manner that no intersections will be closed, and that the proposed street fair will not require the rerouting of Municipal Railway vehicles, the Director may grant the street fair permit without referring the application to ISCOTT, provided however that the Director shall transmit copies of the applications to the constituent members of ISCOTT for informational purposes. The Director will calculate the fee to be charged to the sponsor using the same schedule and in the same manner as prescribed in Subsection (f) of this Section. If such a street fair will include the sale of food or beverages, the appropriate permits shall be obtained from the Department of Public Health no later than 14 days prior to the date of the event. If such a street fair will include the use of propane or butane (liquefied petroleum gas), open flames, pyrotechnics and fireworks, or tent or membrane structure, the appropriate permits shall be obtained from the Fire Department no later than 10 days prior to the date of the event.

(e) Review by ISCOTT; Recommendation. Except as provided in Subsection (d)(2) of this Section, no later than 60 days prior to the proposed date of the street fair, ISCOTT shall review the application and shall recommend that the Director grant, deny, or
grant with conditions the application for a permit. The Director may accept or reject the
recommendation of ISCOTT, and may grant, deny or grant with conditions the application for
a permit. Upon granting permission to conduct a street fair, the Director shall cause all
necessary permits to be issued to the sponsor of the street fair. If the Director denies
permission to conduct the street fair, the Director shall state in writing his or her reasons for
the denial.

(f) Fee. No later than 60 days prior to the proposed date of the street fair and in
consultation with other City departments, ISCOTT shall determine the fee to be charged for
the permit pursuant to the schedule below. No other fee for conducting a street fair shall be
required or assessed. All fees paid by the sponsors for street fair permits shall be deposited in
the general fund. The fee shall be based on the actual costs to the City of temporarily closing
the street for the street fair, pursuant to the following fee schedule:

Fire Department:

Application fee: $129.00

Inspection fee — Food vendors using propane, butane, charcoal briquettes or open flame:

First Day of Street Fair:

1 to 10 food vendors: $163.28
11 to 20 food vendors: $326.56
21 to 30 food vendors: $489.84
31 food vendors and over: $652.92

Each Consecutive Day of Street Fair:

1 to 20 food vendors: $163.28
21 food vendors and over: $326.56
Tents or membrane structures

permit fee: $146.00

Fireworks or pyrotechnics

permit fee: $90.00

Whenever an LPG heater is used in a tent where a public assembly event is held, one inspector shall be on duty during the duration of the operation of the heater, pursuant to Section 2501.19.1 of the Municipal Fire Code.

Public Health:

Application fee: $50.00 application fee payable by sponsor or, where no sponsor, by individual vendor

Permit fee: $25.00 per booth selling food or beverages (first day)

$10.00 per booth selling food or beverages (each day after first day)

Municipal Railway fee: $6.00 per electrically powered vehicle hour per line affected, where "vehicle hour" means the number of hours each coach on a line is in operation during the day of the event.

Police Department: 40 percent of the projected Police Department costs incurred by reason of the street fair; provided, that this fee shall not exceed $2,500. ISCOTT shall waive all or part of this fee.
upon a showing that the sponsors of the event are unable to pay the full fee.

If the Director grants the application for a permit, he or she shall transmit to the sponsor an invoice for the fee. The sponsor of the street fair shall make full payment of the fee no later than 10 days prior to the date of the event.

(g) **Insurance.** Street fair sponsors shall be required to file with the Director proof of the insurance required by San Francisco Administrative Code Section 2.71(1) no later than the Thursday before the date of the street fair.

(h) **Conditions.** In addition to any other conditions imposed by the Director, any street fair conducted pursuant to this Article shall be subject to the conditions set forth in San Francisco Administrative Code Section 2.71.

(i) **Appeals.** Any appeal from the denial of the issuance of a permit to conduct a street fair, from the imposition of conditions on the issuance of a permit, or the determination or refund of fees shall be to the Board of Supervisors. Such appeal shall be made by filing with the Clerk of the Board, on a form provided by the Clerk of the Board, within 10 days of the Director's approval or disapproval or the determination or refund of fees. The Board may establish a fee to be imposed upon the filing of any such appeal. Upon receipt, the Clerk shall set a time and place for hearing such appeal by the Board of Supervisors, which shall be at its next regular meeting in conformance with public notice requirements.

At the appeal hearing, the appellant and Director shall have an opportunity to present oral testimony and written materials in support of their positions. Upon hearing the appeal, and after any further investigation which the Board may request, the Board may affirm, reverse, or modify the Director's decision on the issue appealed.

(j) **Notice.** The Director shall transmit copies of the granting of permission to
conduct a street fair to the Chief of Police, the Chief of the Fire Department, the General Manager of the Municipal Railway, the Director of Public Works, the Director of the Bureau of Environmental Health Services of the Department of Public Health and the Superintendent of Emergency Hospital Service of the Department of Public Health.

(k) Authorization to Sell Goods; Unauthorized Sales. The sponsor of a street fair shall determine which individuals or organizations may sell goods or merchandise on a street that has been closed for the purposes of conducting a street fair, provided, however, that such authorization shall not be withheld on the basis of the race, sex, religion, creed, national origin or sexual orientation of the person seeking such authorization. Individuals seeking to sell goods or merchandise in a street that has been closed for the purpose of a street fair without the authorization of a sponsor may be cited for violating San Francisco Police Code Section 869 (peddling without a permit). Nothing in this Section shall be construed to deprive the Department of Public Health of its authority to determine that foods or beverages may be sold.

(I) Refund of Fees. If for any reason a sponsor cancels a proposed street fair, the sponsor shall be entitled to a refund of that portion of the fees paid, other than application fees, representing the costs saved by City departments by reason of the cancellation of the street fair.

(m) Annual Reports. No later than December 1st of each year, the Chief of Police and the Director or their designees shall provide to the Board of Supervisors written reports setting forth in detail the Police Department and Parking and Traffic Department costs, respectively, associated with street fairs for that year.

(n) City Undertaking Limited to Promotion of General Welfare. In undertaking the adoption and enforcement of this Section, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers or employees, an obligation for breach of which the City is liable in money damages to any person who
(o) **Severability.** If any part of this Section, or the application thereof, is held to be invalid, the remainder of this ordinance shall not be affected thereby, and this ordinance shall otherwise continue in full force and effect. To this end, the provisions of this ordinance, and each of them, is severable.))

((SEC. 2.71. **CONDITIONS.** Any permission for the temporary use or occupancy of a public street authorized by the City and County of San Francisco shall be subject to the following conditions:

(a) The temporary use or occupancy of a public street shall not unnecessarily obstruct or bar public access onto said street. Sidewalks shall remain open at all times for pedestrian use unless closure of the sidewalk is provided for by resolution of the Board of Supervisors explaining the reason for such closure.

(b) No object of any nature shall be placed or maintained within 15 feet of any fire hydrant or within five feet of any fire alarm box or police call box.

(c) No object of any nature shall be placed or maintained within any intersection or pedestrian crosswalk nor shall any vehicle be permitted to be parked in such areas.

(d) A continuous passageway in the roadway at least 14 feet in width shall be maintained at all times during the period of such use or occupancy for the use of emergency vehicles.

(e) No object of any nature shall be fastened to or erected over the surface of the street or sidewalk, and no object shall be affixed to any pole or standard upon any street or sidewalk, without prior written consent of the Director of Public Works.

(f) Painting upon any street or sidewalk surface shall be permitted only if a washable paint is used.

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
(g) Adequate illumination of area shall be maintained at all times such illumination is appropriate.

(h) Official traffic-control devices and traffic signal controllers shall not be covered or blocked at any time during the period of such use or occupancy.

(i) Street barricades determined by the Police Department as being necessary to protect the public's safety shall be delivered by the Police Department; shall be maintained in said locations at all times during the period of such use or occupancy by the permittee; and shall be returned to the San Francisco Police Department by the Police Department upon termination of the period of said use or occupancy.

(j) All manhole covers and valve box covers shall be kept clear of any fixed object.

(k) All streets and sidewalks within the area for which such permission is granted shall be kept clean and free from dirt and debris at all times during the period of such temporary use or occupancy, and all materials and equipment used in connection with said temporary use and occupancy shall be removed therefrom within 24 hours of the termination of the period of such use or occupancy. The Director of Public Works shall report any violations of this subsection to the Board of Supervisors.

(l) Applications for permission to hold a street fair on a predominantly commercial street shall be accompanied by evidence of insurance coverage as hereinafter set forth. For purposes of this subsection, a "predominantly commercial street" shall mean a street block on which at least 50 percent of front footage of private property on the ground floor of the street is used for commercial purposes. A street block shall be measured from street intersection to street intersection, but shall not include any alley intersection.

Applicants shall maintain in force, during the full term of the permit, insurance as follows:

(1) General Liability Insurance with limits not less than $500,000 each occurrence.
Combined Single Limit Bodily Injury and Property Damage, including Contractual Liability,
Personal Injury, Broadform Property Damage, Products and Completed Operations
Coverages;

(2) If any vehicles will be operated by the applicant in connection with street fair
activities under the permit, Automobile Liability Insurance with limits not less than $500,000
each occurrence Combined Single Limit Bodily Injury and Property Damage, including owned,
nonowned and hired auto coverages, as applicable; and

(3) If the applicant has employees, Workers' Compensation with Employers' Liability
limits not less than $500,000 each accident. General Liability and Automobile Liability
Insurance policies shall be endorsed to provide the following:

1. Name as additional insureds the City and County of San Francisco, its officers,
agents and employees;

2. That such policies are primary insurance to any other insurance available to the
Additional Insureds with respect to any claims arising out of activities under the permit, and
that insurance applies separately to each insured against whom claim is made or suit is
brought.

Certificates of insurance, in format and with insurers satisfactory to the City evidencing
all applicable coverages shall be furnished to the City 10 days prior to the issuance of the
permit and before commencing any operations under the permit, with complete copies of
policies to be furnished to the City upon request.

The insurance requirement of this subsection shall be waived by the Board of
Supervisors if the applicant certifies in writing that (1) the purpose of the street fair is First
Amendment expression and that (2) the cost of obtaining insurance is so financially
burdensome that it would constitute an unreasonable prior restraint on the right of First
Amendment expression, or that it has been impossible for the applicant to obtain insurance

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
coverage.

(m) Signs shall be posted pursuant to San Francisco Health Code Sections 265 through 265.3 wherever alcohol is offered for sale.

(n) Such further conditions as may be imposed by the Department of Public Works after inspection of the area involved.}

(SEC. 2.72. EXCEPTIONS. The provisions of Sections 2.70 and 2.71 of this Article shall not be applicable to permits issued by the Director of Public Works pursuant to the provisions of Section 724 of the Public Works Code or to the temporary use or occupancy of a public street by a school where the school is using the street area for play purposes during specified hours of the school day.}

(SEC. 2.73. TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS BY THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT FOR DEBARKATION AND EMBARKATION OF STUDENTS: DUTIES. Notwithstanding the conditions set forth in Section 2.71 of this Article, any school of the San Francisco Unified School District receiving permission for the temporary use or occupancy of a public street within the City and County pursuant to Section 2.70 of this Article for the debarkation and embarkation of students from buses, shall be solely responsible for:

(a) The procurement and placement of all street barricades necessary for the establishment of the requested student debarkation and embarkation of bus zones;

(b) The placement on or near said barricades of clearly visible signs of a uniform type prohibiting the parking of vehicles adjacent to said barricades; and

(c) The handling of school buses at loading zones within areas enclosed by said barricades.)

SUPERVISOR KAUFMAN BOARD OF SUPERVISORS
((SEC. 2.74. PERMITS FOR USE OF UNITED NATIONS PLAZA FOR CERTAIN ACTIVITIES TO BE ISSUED BY THE RECREATION AND PARK DEPARTMENT. (a) The area of the City and County of San Francisco referred to in this section as the United Nations Plaza is comprised of Fulton Street between Hyde and Market streets and Leavenworth Street between McAllister and Fulton streets, previously closed to vehicular traffic by the Board of Supervisors.

(b) Notwithstanding Section 2.70, permits for the use of United Nations Plaza shall be issued by the Recreation and Park Department according to the procedures and standards established for the issuance of permits for the use of property under the jurisdiction of the Recreation and Park Commission; provided, however, that the Recreation and Park Department shall only issue permits for activities which are recreational in nature or which are engaged in primarily for the purpose of espousing or advocating causes or ideas which activities are generally recognized as protected by the First Amendment to the U. S. Constitution. Permits to engage in any other type of activity shall be issued by the Board of Supervisors.

(c) An appeal from the denial of a permit application by the Recreation and Park Department for the use of United Nations Plaza shall be made to the Board of Supervisors. An appropriate committee of the Board of Supervisors shall consider the appeal before it goes to the full Board, unless there is insufficient time before the date of the proposed event for committee review. If a quorum of the full Board cannot be convened in time to consider the appeal before the date of the proposed event, the procedure to be followed shall be that established in the Park Code or by Commission resolution for the appeal of the denial of a permit application by the Recreation and Park Department when a quorum of the Recreation and Park Commission cannot be convened in a timely manner to consider the appeal. In the
event that neither the Code nor a Commission resolution contains such a procedure, the
decision of the Recreation and Park Department shall be final.

(d) All procedures and standards, other than procedures for appeal of the denial of
a permit application, shall be the same for permits issued by the Recreation and Park
Department for the use of United Nations Plaza as they are for permits issued for the use of
park property. If a permittee uses United Nations Plaza and damages it, or fails to clean up
after the permitted event, or otherwise leaves the property in a manner that occasions the
expenditure of labor or money to restore the Plaza, the Recreation and Park Department may
bill the permittee pursuant to its usual procedures and otherwise seek any remedy normally
sought when the property involved is property under the jurisdiction of the Recreation and
Park Commission.

(e) Nothing in this action shall be construed as evidence of an intent to dedicate the
United Nations Plaza as a park or to place the United Nations Plaza under the jurisdiction of
the Recreation and Park Commission. Nor shall anything in this section be construed as
evidence of an intent that any of the provisions of the San Francisco Charter pertaining to
park property are to be applicable to the United Nations Plaza.))

((SEC. 2.75-1. ATHLETIC EVENTS. Notwithstanding any other provision of the
Administrative Code of the City and County of San Francisco, the regulation of athletic events
as defined herein, including the processes for obtaining permits from the City for conducting
these athletic events and the payment of associated fees to the City, shall be governed by
Sections 2.75-1 through 2.75-5 of the Administrative Code.

For the purposes of this Article, an “athletic event” is an event in which a group of
people collectively engage in a sport or form of physical exercise on any street in the City and
County of San Francisco, which event obstructs or interferes with the normal flow of vehicular

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
traffic. An “athletic event” includes, but is not limited to, jogging, bicycling, racewalking, roller
skating or running. Any event taking place entirely on property under the jurisdiction of the
Recreation and Parks Department of the City and County of San Francisco shall be exempt
from this ordinance.))

((SEC. 2.75-2. ATHLETIC EVENTS; DESIGNATION OF ROUTES. (a) The increasing
number of athletic events being held on City streets places a significant burden on the City
and its inhabitants. Athletic events provide entertainment and recreation for San Franciscans
and people throughout the Bay Area, as well as promoting and supporting tourism in the City.
But closing off several major streets at the same time to accommodate a race often causes
hardship in the daily lives of local residents, widespread disruption of public transit service,
increased litter on public streets and sidewalks, and potential interference with emergency
services. By adopting this ordinance, the Board of Supervisors intends to reconcile the City's
interest in promoting athletic events with the right of its citizens to the quiet enjoyment of their
own neighborhoods.

(b) Athletic events requiring temporary street closings shall be limited in location to
routes previously designated as appropriate by the Board of Supervisors. These routes shall
be drawn up by ISCOTT and approved by resolution of the Board of Supervisors. In
designating these routes, ISCOTT and the Board shall consider the effect of the designation
upon: Local traffic patterns; Municipal Railway routes; the ability of the Police Department and
the Department of Public Works to provide special services to the event; the safe and efficient
delivery of police, fire and emergency medical services to the affected neighborhoods; the
safety of participants in the event; and, the rights of participants, residents and local
businesses to the reasonable use and enjoyment of City streets.

(c) Any person seeking permission to conduct an athletic event as defined in
Section 2.75-1 shall file an application. The filing of an application and its processing shall be governed by the same processes, application fees, appellate procedures, Municipal Railway fees, and other requirements contained in Section 2.70-1 of the Administrative Code, which sets forth the procedures for requesting permission for temporary use or occupancy of public streets. A street closing for an athletic event shall be restricted to those routes designated pursuant to this section. The applicant may, as part of the application, request a waiver of this restriction. In considering a request for a waiver, the City may take into account the extent to which the event has been held along a particular route prior to the effective date of this ordinance if that same route has been in use continuously for a period of three or more years. An applicant's request for a waiver shall be granted to the extent that a change of route is required by the Police Department for reasons of public safety.)

(SEC. 2.75-3. ATHLETIC EVENTS; PUBLIC NOTICE. (a) ISCOTT shall mail a copy of any application for a temporary street closing for an athletic event to any community group or neighborhood association that has previously requested in writing to be notified of such applications.

(b) If the temporary street closing is approved, the applicant shall cause notices of the event to be conspicuously posted on both sides of the street along the entire route, at not more than 300 feet in distance apart on each street so posted, but not less than three notices on each street forming part of the route. The notices shall be posted not less than 72 hours prior to the scheduled start of the event. The applicant shall remove the notices within 48 hours after the completion of the event, or be liable for the costs of removal by the City pursuant to Article 10 of the San Francisco Police Code.

Each notice shall be headed "STREET CLOSED FOR ATHLETIC EVENT" in letters not less than one inch in height, and shall in legible characters (1) briefly describe the event to
(SEC. 2.75-4. ATHLETIC EVENTS; COST RECOVERY — POLICE. (a) An
application for a temporary street closing for an athletic event shall be deemed a request for
police department services within the meaning of Sections 10B.1 through 10B.5 of the San
Francisco Administrative Code. If the temporary street closing is approved, the Chief of Police
may detail such personnel to police the event in the number and for the period of time the
Chief determines to be necessary to perform the services. If the on-site services of two or
more police officers are required during the event, the applicant shall be liable for the cost of
police services, including field investigation needed to determine manpower requirements,
and shall be responsible for indemnifying and holding harmless the City and County of San
Francisco and the police personnel as required by Section 10B.2.

(b) Upon approval of a temporary street closure for an athletic event, a sum of
money which the Chief of Police estimates will be necessary to cover the costs of services
pursuant to Section 10B.2 of this Code shall be due. No temporary street closure shall be
deemed effective until such sum of money is deposited with the Chief of Police of the City and
County of San Francisco and the applicant presents to the Chief of Police proof of such
deposit. The sum of money required pursuant to this paragraph shall be deposited at least
one calendar week before the scheduled event. If the applicant does not deposit the sum
required within the time limit specified, the temporary street closing shall be deemed denied,
or, if the street closing already has been approved, revoked.

(c) Within a reasonable time after the event is over, the Chief of Police shall
determine the amount of money necessary to cover the cost of services provided by the
Police Department pursuant to Section 10B.2 of this Code. If the deposit pursuant to

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
Subsection (b) hereof is insufficient to cover the cost of police services, the Chief of Police shall notify the applicant by United States mail to the address listed on the application and they shall have ten days to pay the balance. If the amount deposited exceeds the actual costs, the Chief of Police shall authorize a refund of the excess to the applicant at the address shown on the application.

(d) If the applicant or sponsor cancels the event after personnel have been assigned to police it and such personnel have begun that duty, the applicant shall be liable for the time expended by police personnel pursuant to Section 10B.2 of the San Francisco Administrative Code, but in no case for less than two hours per employee. If the temporary street closure is revoked, the money deposited for the costs of police services pursuant to this ordinance shall be refunded.))

((SEC. 2.75-5. ATHLETIC EVENTS; COST RECOVERY — PUBLIC WORKS. (a) An application for a temporary street closing for an athletic event shall be deemed a request for Department of Public Works services within the meaning of Sections 10B.11 through 10B.15 of the San Francisco Administrative Code. If the temporary street closing is approved, the Director of Public Works may detail such personnel to provide street-cleaning and related services for the event in the number and for the period of time the Director determines to be necessary to perform the services. The applicant for the temporary street closing shall be liable for the cost of street-cleaning and related services, including field investigation needed to determine manpower requirements, and shall be responsible for indemnifying and holding harmless the City and County of San Francisco and the Department of Public Works personnel as required by Section 10B.12.

(b) Upon approval of a temporary street closing for an athletic event, a sum of money which the Director of Public Works estimates will be necessary to cover the costs of
services pursuant to Section 10B.12 of this Code shall be due. No approval shall be deemed
effective until such sum of money is deposited with the Director of Public Works. The sum of
money required pursuant to this paragraph shall be deposited at least one calendar week
before the scheduled event. If the applicant does not deposit the sum required within the time
limit specified, the application for a temporary street closing shall be deemed denied, or, if the
street closing has already been approved, revoked. The Director of Public Works may waive
the advance deposit requirement if the particular event has not required additional street-
cleaning or related services for the past three years. The applicant shall, however, remain
liable for the costs of any additional services actually required.

(c) Within a reasonable time after the event is over, the Director of Public Works
shall determine the amount of money necessary to cover the cost of services provided by the
Department of Public Works pursuant to Section 10B.12 of this Code. If the deposit pursuant
to Subsection (b) hereof is insufficient to cover the cost of street-cleaning and related
services, the Director of Public Works shall notify the applicant by United States mail to the
address listed on the application and he or she shall have ten days to pay the balance. If the
amount deposited exceeds the actual costs, the Director of Public Works shall authorize a
refund of the excess to the applicant at the address shown on the application.

(d) If the Board of Supervisors has approved a temporary street closing for an
athletic event and the applicant cancels the event after personnel have been assigned to
provide street-cleaning and related services to the event and such personnel have begun that
duty, the applicant shall be liable for the time expended by Department of Public Works
personnel pursuant to Section 10B.12 of the San Francisco Administrative Code. If a
temporary street closing is revoked, the money deposited for the costs of street-cleaning and
related services pursuant to this ordinance shall be refunded.))
((SEC. 2.76. MONITORED BICYCLE PARKING AT PUBLIC EVENTS.

The Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), or
other applicable permitting authority, is authorized and encouraged in its discretion to require,
and develop guidelines regarding, monitored bicycle parking at appropriate large permitted
public events. The sponsor of the public event may provide such monitoring service or ensure
that such monitored bicycle parking is available in local garages or other similar facilities. If
the sponsor provides monitored bicycle parking, the sponsor may charge a nominal fee for
such service. The amount of such fee shall be included as part of the sponsor's permit
application. If the sponsor is unable to ascertain the fee amount at the time of the permit
application, the sponsor may submit a fee schedule to ISCOTT, or other applicable permitting
authority, as soon as possible but no later than 10 days before the event.))
Section 2. Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) is hereby amended by adding Article 21, Sections 800 through 815, to read as follows:

ARTICLE 21: TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS

Sec. 800. Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT).
Sec. 801. Request for Permission for Temporary Use or Occupancy of Public Streets; Procedure.
Sec. 802. Major Events Defined.
Sec. 803. Insurance.
Sec. 804. Notice.
Sec. 805. Recycling, Collection and Disposition.
Sec. 806. Temporary Use of Streets for Street Fairs.
Sec. 807. Conditions.
Sec. 808. Exceptions.
Sec. 809. Temporary Use or Occupancy of Public Streets by the San Francisco Unified School District for Debarkation and Embarkation of Students: Duties.
Sec. 810. Athletic Events.
Sec. 811. Athletic Events; Designation of Routes.
Sec. 812. Athletic Events; Public Notice.
Sec. 813. Athletic Events; Cost Recovery—Police.
Sec. 814. Athletic Events; Cost Recovery—Public Works.
Sec. 815. Monitored Bicycle Parking at Public Events.

SEC. 800. INTERDEPARTMENTAL STAFF COMMITTEE ON TRAFFIC AND TRANSPORTATION (ISCOTT). There is hereby established a committee to be known as the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), consisting of the department heads or their designated representatives from the following departments and agencies: Parking and Traffic, Public Works, Police, Fire, Public Health, Municipal Railway, and City Planning. The Director of the Department of Parking and Traffic, or his or her designee shall serve as Chair of ISCOTT. The Director of Administrative Services or his or her designee shall review recycling plans and recommend with ISCOTT when the Committee considers for approval applications for the temporary use or occupancy of a public street, a street fair or an athletic event which include the dispensing of beverages or other use which generates large volumes of recyclable materials, pursuant to the provisions of Section 805. In

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
exercising its powers the Committee shall consult with any other City department or agency which could be affected by any temporary use or occupancy of a public street. The Committee shall have the authority to take all acts reasonably necessary for it to carry out any duties imposed upon it by ordinance. Before acting on any application for temporary use or occupancy of public streets, street fair or an athletic event, ISCOTT shall conduct a public hearing at publicly noticed times and at places to be determined by the Committee.

SEC. 801. REQUEST FOR PERMISSION FOR TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS; PROCEDURE. (a) Any person seeking permission for the temporary use or occupancy of a public street within the City and County shall file an application with, and on a form provided by, the Director of the Department of Parking and Traffic (hereafter, the “Director”), and shall pay a filing fee of $80; provided, however, that (a) if the application is filed fewer than 60 days prior to the date of the proposed temporary use or occupancy, then the applicant shall pay a filing fee of $140, (b) if the application is filed fewer than 30 days prior to the date of the proposed temporary use or occupancy, then the applicant shall pay a filing fee of $180, and (c) if the application is filed fewer than seven days prior to the date of the proposed temporary use or occupancy under the conditions set forth in the succeeding paragraph, then the applicant shall pay a filing fee of $250.

An application shall not be accepted or approved for a proposed temporary use or occupancy scheduled to occur fewer than seven calendar days after the application is submitted to the Director, except as follows in this paragraph: (a) An application for a proposed temporary use or occupancy scheduled to occur fewer than seven calendar days after the application date may be filed for emergency consideration. The Director shall consider the request if the applicant has demonstrated that an extraordinary emergency exists that requires the closing of a street, and provided that there is adequate time available for the

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
Director to conduct the required public hearing and post notice of the scheduled hearing at least 24 hours in advance of the hearing. (b) The Mayor's Film and Video Arts Commission (the "Film Commission"), or other successor commission or division of the Mayor's office, may file with the Director an application on behalf of a film or other video production company (which company shall be responsible for the payment of all applicable fees) for a proposed temporary use or occupancy scheduled to occur fewer than seven calendar days after the application date, provided that there is adequate time available for the Director to conduct the required public hearing and post notice of the scheduled hearing at least 24 hours in advance of the hearing. The Film Commission (or the film company on whose behalf the application was made) shall (i) notify residents, merchants and other occupants of the public street(s) to be closed of the dates proposed for street closure, and (ii) notify any and all affected City departments, including the Chief of Police, the General Manager of the Municipal Railway and the Director of the Department of Public Works.

The completed application shall include, when applicable, maps and/or drawings which identify the streets that would be affected, describe the scope and design of the event, including illustrations of the location of staging, food booths, seating, and a diagram of an emergency access plan. In addition, the Director may request such additional information as is necessary to allow ISCOTT to make an informed evaluation of the proposed temporary use or street occupancy.

Applicants shall be responsible for posting notice of the public hearing at least seven calendar days prior to the hearing at which the application will be reviewed by ISCOTT. Such notice shall include a description of the streets that would be affected and shall be posted in the area of the proposed temporary use or street occupancy according to rules and regulations prescribed by the Director. A declaration under penalty of perjury shall be submitted to the Director by the applicant attesting that the required public notices have been

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
posted.

Upon receipt, the Director shall refer such a request to ISCOTT for its review and approval, or disapproval.

(b) ISCOTT Review and Approval Process. In reviewing an application, ISCOTT shall: Consider the impact of the temporary use or occupancy of public streets on the traffic, security, health, and safety of the public; determine the traffic, security, health, and safety requirements of the proposed temporary use or occupancy; and evaluate the measures proposed by the applicant to satisfy those requirements. It shall be the duty of ISCOTT to also consider the following:

1. Demonstrated ability of the applicant to comply with requirements necessary to protect the safety, health, and welfare of the public.

2. Duration of the temporary use or street occupancy and the City's ability to accommodate such use or occupancy with the necessary resources.

3. Overextension of the City's resources because of previously approved temporary use or occupancy of public streets or other activities that could cause scheduling conflicts during the same period.

4. The availability of an appropriate emergency access plan.

5. The number of major events (as defined in Section 802 below) scheduled during the period for which the applicant seeks a permit, the nature and location of the major events, and the demand these major events will have on the City's resources, including its police, emergency and sanitation personnel. In considering the major events for which applications have been filed and/or approved, ISCOTT should give priority based on the chronological order in which the applications are received, and applicants denied permission on the basis that there are too many major events already approved or pending for approval shall be offered alternative dates by ISCOTT. Notwithstanding this provision, ISCOTT may, in its
discretion, grant preference to recurring events traditionally or historically associated with a
particular day or dates, provided that applications, once approved, cannot be revoked
because of the subsequent filing of an application for a permit for an event traditionally or
historically associated with a particular day or dates.

6. If the application is related to a filming project to be conducted by the applicant,
the Director and ISCOTT shall notify the Film Commission (or other successor commission or
division of the Mayor's office) and shall consider such conditions and criteria as the Film
Commission shall attach to the application.

The ISCOTT committee may impose additional requirements or conditions it deems
necessary to protect the public interest by ensuring traffic management, security of property
and health and safety of citizens. At the time ISCOTT reviews the application, it shall also
determine the necessity of and the total estimated actual costs incurred by the Municipal
Railway to run motor coaches to accommodate the rerouting of electrically powered transit
vehicles because of restrictions which are imposed by the temporary street closing. The
applicant shall pay a fee to the Municipal Railway which is calculated at the rate of $6.00 per
electrically powered vehicle hour per line affected. For purposes of this provision, "vehicle
hour" shall mean the number of hours each coach on a line is in operation during the day of
the street closing. If the application is approved, the General Manager of the Municipal
Railway shall transmit to the applicant an invoice for the fee. The applicant shall make full
payment of the fee no later than five days prior to the date of the street closing, or in
accordance with a schedule agreed to by the General Manager of Municipal Railway. ISCOTT
shall not disapprove any application for a temporary use or occupancy of public streets
because of the applicant's political, religious, or cultural orientation.

Notice of ISCOTT's action of approval or disapproval shall be submitted to the Director;
the Chief of Police; the Chief of the Fire Department; the Director of Health; the General
Manager of the Municipal Railway; the Director of Public Works and the Director of City Planning, and be maintained as a matter of record. The Director shall deem the application approved by ISCOTT as submitted, if ISCOTT takes no action to approve or disapprove the application within 30 days of receipt of the application.

(c) Appeals Process. Should the application be disapproved by ISCOTT, the applicant may first appeal the decision to the Director if the application was filed at least 30 days prior to the date of the proposed temporary use or occupancy. Such appeal shall be made by filing the appeal with the Director on a form provided by the Director within five working days of disapproval. Upon receipt, the Director shall set a time and place for hearing such appeal. In considering the appeal the Director shall conduct a public hearing for which notice shall be posted at least 72 hours in advance of the hearing at the Department of Parking and Traffic, at the main library, and at the Office of the Clerk of the Board of Supervisors.

At the appeal hearing, the appellant and members of ISCOTT shall have an opportunity to present oral testimony and written materials in support of their positions. The Director shall conduct the hearing according to the same standards of review as set forth in Section 801(b) hereof. Upon hearing the appeal, and after any further investigation by the Director, the Director may affirm, reverse, or modify the ISCOTT decision. Notice of the Director’s action of approval or disapproval shall be submitted to the Chief of Police, the Chief of the Fire Department, the Director of Health, the General Manager of the Municipal Railway, the Director of Public Works and the Director of City Planning and be maintained as a matter of record.

If the Director denies the application after the appeal described in the preceding paragraph, the applicant may then appeal the decision to the Board of Supervisors. Such appeal shall be made by filing the appeal with the Clerk of the Board, on a form provided by...
the Clerk, within five working days of the Director's disapproval. The Board may establish a 
fee to be imposed upon the filing of any such appeal. Upon receipt, the Clerk shall set a time 
and place for hearing such appeal by the Board of Supervisors, which hearing shall be at the 
Board's next regular meeting, provided that all applicable public notice requirements are 
satisfied. The Board shall conduct the hearing according to the same standards of review as 
set forth in Section 801(b) hereof. Upon hearing the appeal, and after any further investigation 
that the Board may request, the Board may affirm, reverse or modify the Director's decision. 
The decision of the Board regarding the appeal shall be final. 

Any permission for the temporary use of occupancy of a public street authorized 
pursuant to these provisions shall be subject to the conditions set forth in Sections 807 and 
808. 

(d) **Late Application.** Should the applicant file an application for a proposed 
temporary use or occupancy fewer than 30 days prior to the date of the proposed use or 
occupancy, and not far enough in advance of the proposed use or occupancy to allow 
ISCOTT to consider the application at a regularly scheduled meeting of ISCOTT, then the 
Director shall have the responsibility and duty to consider and approve or disapprove the 
application after consulting with the members of ISCOTT. The Director shall conduct a public 
hearing for which notice shall be posted at least 24 hours in advance of the hearing at the 
Department of Parking and Traffic, the main library, and at the Office of the Clerk of The 
Board of Supervisors. At the hearing, the applicant and interested persons shall have an 
opportunity to present oral testimony and written materials in support of their position. The 
Director shall conduct the hearing according to the same standards of review as set forth in 
Section 801(b) hereof. Notice of the Director's action of approval or disapproval shall be 
submitted to the Chief of Police, the Chief of the Fire Department, the Director of Health, the 
General Manager of the Municipal Railway, the Director of Public Works and the Director of
City Planning, and shall be maintained as a matter of record. In the event the Director
disapproves the application, the applicant shall have the right to appeal the Director's decision
to the Board of Supervisors in accordance with the same terms and conditions as set forth in
Subsection (c) of this Section above.

SEC. 802. MAJOR EVENTS DEFINED. "Major events" are those events, including
athletic events, involving any of the following: The use or occupancy of more than five blocks,
the expected attendance of more than 1,000 people at any one time, or the rerouting of more
than three Municipal Railway transit lines. "Major events" shall also include any sports events
at Candlestick Park with expected attendance of more than 50,000 people, or any parade
governed by the provisions of Police Code Section 366 et seq.

SEC. 803. INSURANCE. Sponsors of major events shall be required to provide an
insurance policy naming the City as an additional insured, in a form approved by the Office of
Risk Management. Coverage shall be in an amount of $1,000,000 or more, as determined by
the Office of Risk Management. This insurance requirement shall be waived by the Committee
of the Board where the event constitutes the exercise of rights protected under the First
Amendment to the United States Constitution, and the event sponsor submits a sworn
statement of indigency.

SEC. 804. NOTICE. The Clerk of the Board of Supervisors shall transmit copies of any
legislation approving a temporary street closing to the Director of Public Works, Chief of
Police, the Chief of the Fire Department, the Superintendent of Emergency Hospital Service of
the Department of Public Health and to the General Manager of the Municipal Railway.

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS

Page 36
(5/6/99)
SEC. 805. RECYCLING, COLLECTION AND DISPOSITION. (a) Any applicant seeking permission for the temporary use or occupancy of a public street, a street fair or an athletic event within the City and County for an activity or special event that includes dispensing of beverages from glass, aluminum, or plastic containers, or which causes to be generated large amounts of other recyclable materials, shall be required to submit a plan demonstrating a good-faith effort to provide a method to separate glass, aluminum and plastic beverage containers or other materials for the purpose of recycling.

(b) Disposition of Recyclable Materials. Prior to the review by ISCOTT of such application, the applicant shall submit to the chair of ISCOTT the following information:

(1) A plan which describes the number and location of source-separated recycling containers which are necessary to ensure convenient utilization and protect public health and safety; and

(2) Documentation that collection services shall be performed by a private or nonprofit source.

(c) Collection of Recyclable Containers. At the time ISCOTT considers the application, it shall determine that all of the necessary information has been submitted and that the measures proposed by the applicant shall provide for the collection and disposition of source-separated materials. The applicant shall pay a deposit in the amount of $100, for each day of the event, to the Director of Public Works, at the time the application is filed, which shall be forfeited if applicant fails to collect recyclable materials and deposit said materials at a recycling facility. Such deposit shall be refunded in full to the permittee, by the Director of Public Works, upon receipt of documentation which verifies that the collected material was disposed at an appropriate recycling facility.

The Director of Public Works shall maintain records for a period of three years which document the recycling performance of the applicant when a temporary use of a public street
is permitted. If an applicant for a temporary street closing, street fair or athletic event has been
granted approval in the past pursuant to a permit issued by the City and County of San
Francisco and failed to collect and dispose recyclable beverage containers, ISCOTT may
require the applicant to pay a deposit in an amount greater than that normally required, so
long as the increased amount is reasonably related to the anticipated costs of collecting and
disposing of recyclable materials. However, if an applicant who has failed to comply with a
recycling plan in the past has, since that occurrence, temporarily used a public street, or
sponsored a street fair or athletic event pursuant to a permit and has complied with a
recycling plan, the amount of the deposit normally required of applicants shall apply.

The Director of Administrative Services shall promulgate any rules and regulations
necessary or appropriate to carry out the purposes and requirements of this ordinance. Before
issuing or amending any rules or regulations, the Director of Administrative Services shall
provide a 30-day public comment period by providing published notice in an official
newspaper of general circulation in the City of the intent to issue or amend the regulations.

SEC. 806. TEMPORARY USE OF STREETS FOR STREET FAIRS.
(a) Definitions. For the purpose of this Section, the following definitions shall apply:

(1) "Director" means the Director of the Department of Parking and Traffic or his or
her designee.

(2) To "issue" a permit is to deliver to an applicant for a street fair permit written
permission to sponsor or hold a street fair at a specified date and location.

(3) "Sponsor" means that organization responsible for organizing a street fair and
authorized to represent the street fair before City agencies and officials.

(4) A "street fair" means a social or community event, not including an athletic event
or parade, in which any group of persons convene to celebrate their community or
neighborhood on any street in the City and County of San Francisco which event obstructs or interferes with the normal flow of vehicular traffic.

(b) **Applying for Temporary Use of Street for Street Fair.** Notwithstanding any other provisions of the Administrative Code of the City and County of San Francisco, the regulation of street fairs, including the processes for obtaining permits from the City for conducting these street fairs and the payment of associated fees to the City, shall be governed by Section 806. In order to provide for the safe, orderly and cost-effective conduct of street fairs, any organization seeking permission for the temporary use of a street for the purpose of conducting a street fair shall file an application with the Director no later than 90 days prior to the proposed date for the event. Applications shall be submitted on forms prepared by the Director after conferring with the appropriate representatives from the Police Department, Fire Department, Department of Public Health, the Municipal Railway, the Department of Public Works and the Department of Parking and Traffic. At the time of filing an application under this Section, the sponsoring organization shall also file a $80 application fee.

(c) **Timeliness of Applications.** No person submitting an application after the deadlines set forth in this ordinance shall be granted permission to conduct a street fair in the corresponding period unless the person demonstrates to the satisfaction of the Director that the failure to submit a timely application was justified by extraordinary circumstances; provided, however, that in no event shall an applicant be permitted to file an application less than 60 days prior to the proposed date for the event. A late fee of $80 shall be assessed for untimely filed applications.

(d) **Review of Application.**

(1) Upon receiving an application for permission for the temporary use of a street for purposes of conducting a street fair, the Director shall review the application to determine
whether the information required in the application has been provided. If the Director
determines that the applicant has failed to provide the information required, the Director shall,
within five business days of receiving the application, notify the applicant of what additional
information is required. If the applicant fails to provide the additional information required
within five business days of notification by the Director, the applicant's application shall be
deemed to be untimely filed; provided, however, that upon good cause shown the Director
may extend this five-day period. Except as provided in Subsection (2) of this Section, the
Director shall transmit the completed application to ISCOTT.

(2) If, upon reviewing the application, the Director determines that the proposed
street fair will be contained within one block in such a manner that no intersections will be
closed, and that the proposed street fair will not require the rerouting of Municipal Railway
vehicles, the Director may grant the street fair permit without referring the application to
ISCOTT, provided however that the Director shall transmit copies of the applications to the
constituent members of ISCOTT for informational purposes. The Director will calculate the fee
to be charged to the sponsor using the same schedule and in the same manner as prescribed
in Subsection (f) of this Section. If such a street fair will include the sale of food or beverages,
the appropriate permits shall be obtained from the Department of Public Health no later than
14 days prior to the date of the event. If such a street fair will include the use of propane or
butane (liquefied petroleum gas), open flames, pyrotechnics and fireworks, or tent or
membrane structure, the appropriate permits shall be obtained from the Fire Department no
later than 10 days prior to the date of the event.

(e) Review by ISCOTT; Recommendation. Except as provided in Subsection
(d)(2) of this Section, no later than 60 days prior to the proposed date of the street fair,
ISCOTT shall review the application and shall recommend that the Director grant, deny, or
grant with conditions the application for a permit. The Director may accept or reject the
recommendation of ISCOTT, and may grant, deny or grant with conditions the application for
a permit. Upon granting permission to conduct a street fair, the Director shall cause all
necessary permits to be issued to the sponsor of the street fair. If the Director denies
permission to conduct the street fair, the Director shall state in writing his or her reasons for
the denial.

(f) **Fee.** No later than 60 days prior to the proposed date of the street fair and in
consultation with other City departments, ISCOTT shall determine the fee to be charged for
the permit pursuant to the schedule below. No other fee for conducting a street fair shall be
required or assessed. All fees paid by the sponsors for street fair permits shall be deposited in
the general fund. The fee shall be based on the actual costs to the City of temporarily closing
the street for the street fair, pursuant to the following fee schedule:

**Fire Department:**

- **Application fee:** $129.00
- **Inspection fee** — Food vendors using propane, butane, charcoal briquettes or
  open flame:

  **First Day of Street Fair:**
  - 1 to 10 food vendors: $163.28
  - 11 to 20 food vendors: $326.56
  - 21 to 30 food vendors: $489.84
  - 31 food vendors and over: $652.92

  **Each Consecutive Day of Street Fair:**
  - 1 to 20 food vendors: $163.28
  - 21 food vendors and over: $326.56

  **LPG heaters:** $163.28 and $40.82 for each hour after four hours of service.
Whenever an LPG heater is used in a tent where a public assembly event is held, one inspector shall be on duty during the duration of the operation of the heater, pursuant to Section 2501.19.1 of the Municipal Fire Code.

Tents or membrane structures

permit fee: $146.00

Fireworks or pyrotechnics

permit fee: $90.00

Public Health:

Application fee: $50.00 application fee payable by sponsor or, where no sponsor, by individual vendor

Permit fee: $25.00 per booth selling food or beverages (first day)

$10.00 per booth selling food or beverages (each day after first day)

Municipal Railway fee: $6.00 per electrically powered vehicle hour per line affected, where “vehicle hour” means the number of hours each coach on a line is in operation during the day of the event.

Police Department: 40 percent of the projected Police Department costs incurred by reason of the street fair; provided, that this fee shall not exceed $2,500. ISCOTT shall waive all or part of this fee upon a showing that the sponsors of the event are unable to pay the full fee.
If the Director grants the application for a permit, he or she shall transmit to the sponsor an invoice for the fee. The sponsor of the street fair shall make full payment of the fee no later than 10 days prior to the date of the event.

(g) **Insurance.** Street fair sponsors shall be required to file with the Director proof of the insurance required by Section 807(1) no later than the Thursday before the date of the street fair.

(h) **Conditions.** In addition to any other conditions imposed by the Director, any street fair conducted pursuant to this Article shall be subject to the conditions set forth in Section 807.

(i) **Appeals.** Any appeal from the denial of the issuance of a permit to conduct a street fair, from the imposition of conditions on the issuance of a permit, or the determination or refund of fees shall be to the Board of Supervisors. Such appeal shall be made by filing with the Clerk of the Board, on a form provided by the Clerk of the Board, within 10 days of the Director's approval or disapproval or the determination or refund of fees. The Board may establish a fee to be imposed upon the filing of any such appeal. Upon receipt, the Clerk shall set a time and place for hearing such appeal by the Board of Supervisors, which shall be at its next regular meeting in conformance with public notice requirements.

At the appeal hearing, the appellant and Director shall have an opportunity to present oral testimony and written materials in support of their positions. Upon hearing the appeal, and after any further investigation which the Board may request, the Board may affirm, reverse, or modify the Director's decision on the issue appealed.

(j) **Notice.** The Director shall transmit copies of the granting of permission to conduct a street fair to the Chief of Police, the Chief of the Fire Department, the General Manager of the Municipal Railway, the Director of Public Works, the Director of the Bureau of

SUPervisor Kaufman
Board of Supervisors
Environmental Health Services of the Department of Public Health and the Superintendent of Emergency Hospital Service of the Department of Public Health.

(k) **Authorization to Sell Goods; Unauthorized Sales.** The sponsor of a street fair shall determine which individuals or organizations may sell goods or merchandise on a street that has been closed for the purposes of conducting a street fair, provided, however, that such authorization shall not be withheld on the basis of the race, sex, religion, creed, national origin or sexual orientation of the person seeking such authorization. Individuals seeking to sell goods or merchandise in a street that has been closed for the purpose of a street fair without the authorization of a sponsor may be cited for violating San Francisco Police Code Section 869 (peddling without a permit). Nothing in this Section shall be construed to deprive the Department of Public Health of its authority to determine that foods or beverages may be sold.

(l) **Refund of Fees.** If for any reason a sponsor cancels a proposed street fair, the sponsor shall be entitled to a refund of that portion of the fees paid, other than application fees, representing the costs saved by City departments by reason of the cancellation of the street fair.

(m) **Annual Reports.** No later than December 1st of each year, the Chief of Police and the Director or their designees shall provide to the Board of Supervisors written reports setting forth in detail the Police Department and Parking and Traffic Department costs, respectively, associated with street fairs for that year.

(n) **City Undertaking Limited to Promotion of General Welfare.** In undertaking the adoption and enforcement of this Section, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers or employees, an obligation for breach of which the City is liable in money damages to any person who claims that such breach proximately caused injury.

(o) **Severability.** If any part of this Section, or the application thereof, is held to be
invalid, the remainder of this ordinance shall not be affected thereby, and this ordinance shall otherwise continue in full force and effect. To this end, the provisions of this ordinance, and each of them, is severable.

SEC. 807. CONDITIONS. Any permission for the temporary use or occupancy of a public street authorized by the City and County of San Francisco shall be subject to the following conditions:

(a) The temporary use or occupancy of a public street shall not unnecessarily obstruct or bar public access onto said street. Sidewalks shall remain open at all times for pedestrian use unless closure of the sidewalk is provided for by resolution of the Board of Supervisors explaining the reason for such closure.

(b) No object of any nature shall be placed or maintained within 15 feet of any fire hydrant or within five feet of any fire alarm box or police call box.

(c) No object of any nature shall be placed or maintained within any intersection or pedestrian crosswalk nor shall any vehicle be permitted to be parked in such areas.

(d) A continuous passageway in the roadway at least 14 feet in width shall be maintained at all times during the period of such use or occupancy for the use of emergency vehicles.

(e) No object of any nature shall be fastened to or erected over the surface of the street or sidewalk, and no object shall be affixed to any pole or standard upon any street or sidewalk, without prior written consent of the Director of Public Works.

(f) Painting upon any street or sidewalk surface shall be permitted only if a washable paint is used.

(g) Adequate illumination of area shall be maintained at all times such illumination is appropriate.
(h) Official traffic-control devices and traffic signal controllers shall not be covered or blocked at any time during the period of such use or occupancy.

(i) Street barricades determined by the Police Department as being necessary to protect the public's safety shall be delivered by the Police Department; shall be maintained in said locations at all times during the period of such use or occupancy by the permittee; and shall be returned to the San Francisco Police Department by the Police Department upon termination of the period of said use or occupancy.

(j) All manhole covers and valve box covers shall be kept clear of any fixed object.

(k) All streets and sidewalks within the area for which such permission is granted shall be kept clean and free from dirt and debris at all times during the period of such temporary use or occupancy, and all materials and equipment used in connection with said temporary use and occupancy shall be removed therefrom within 24 hours of the termination of the period of such use or occupancy. The Director of Public Works shall report any violations of this subsection to the Board of Supervisors.

(l) Applications for permission to hold a street fair on a predominantly commercial street shall be accompanied by evidence of insurance coverage as hereinafter set forth. For purposes of this subsection, a "predominantly commercial street" shall mean a street block on which at least 50 percent of front footage of private property on the ground floor of the street is used for commercial purposes. A street block shall be measured from street intersection to street intersection, but shall not include any alley intersection.

Applicants shall maintain in force, during the full term of the permit, insurance as follows:

1. General Liability Insurance with limits not less than $500,000 each occurrence.
2. Combined Single Limit Bodily Injury and Property Damage, including Contractual Liability.
Coverages:

(2) If any vehicles will be operated by the applicant in connection with street fair activities under the permit, Automobile Liability Insurance with limits not less than $500,000 each occurrence Combined Single Limit Bodily Injury and Property Damage, including owned, nonowned and hired auto coverages, as applicable; and

(3) If the applicant has employees, Workers' Compensation with Employers' Liability limits not less than $500,000 each accident. General Liability and Automobile Liability Insurance policies shall be endorsed to provide the following:

1. Name as additional insureds the City and County of San Francisco, its officers, agents and employees;

2. That such policies are primary insurance to any other insurance available to the Additional Insureds with respect to any claims arising out of activities under the permit, and that insurance applies separately to each insured against whom claim is made or suit is brought.

Certificates of insurance, in format and with insurers satisfactory to the City evidencing all applicable coverages shall be furnished to the City 10 days prior to the issuance of the permit and before commencing any operations under the permit, with complete copies of policies to be furnished to the City upon request.

The insurance requirement of this subsection shall be waived by the Board of Supervisors if the applicant certifies in writing that (1) the purpose of the street fair is First Amendment expression and that (2) the cost of obtaining insurance is so financially burdensome that it would constitute an unreasonable prior restraint on the right of First Amendment expression, or that it has been impossible for the applicant to obtain insurance coverage.

(m) Signs shall be posted pursuant to San Francisco Health Code Sections 265
through 265.3 wherever alcohol is offered for sale.

(n) Such further conditions as may be imposed by the Department of Public Works after inspection of the area involved.

SEC. 808. EXCEPTIONS. The provisions of Sections 800 and 807 of this Article shall not be applicable to permits issued by the Director of Public Works pursuant to the provisions of Section 724 of the Public Works Code or to the temporary use or occupancy of a public street by a school where the school is using the street area for play purposes during specified hours of the school day.

SEC. 809. TEMPORARY USE OR OCCUPANCY OF PUBLIC STREETS BY THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT FOR DEBARKATION AND EMBARKATION OF STUDENTS: DUTIES. Notwithstanding the conditions set forth in Section 807 of this Article, any school of the San Francisco Unified School District receiving permission for the temporary use or occupancy of a public street within the City and County pursuant to Section 800 of this Article for the debarkation and embarkation of students from buses, shall be solely responsible for:

(a) The procurement and placement of all street barricades necessary for the establishment of the requested student debarkation and embarkation of bus zones;

(b) The placement on or near said barricades of clearly visible signs of a uniform type prohibiting the parking of vehicles adjacent to said barricades; and

(c) The handling of school buses at loading zones within areas enclosed by said barricades.

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SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
SEC. 810. ATHLETIC EVENTS. Notwithstanding any other provision of this Code, the regulation of athletic events as defined herein, including the processes for obtaining permits from the City for conducting these athletic events and the payment of associated fees to the City, shall be governed by Sections 810 through 814.

For the purposes of this Article, an "athletic event" is an event in which a group of people collectively engage in a sport or form of physical exercise on any street in the City and County of San Francisco, which event obstructs or interferes with the normal flow of vehicular traffic. An "athletic event" includes, but is not limited to, jogging, bicycling, racewalking, roller skating or running. Any event taking place entirely on property under the jurisdiction of the Recreation and Parks Department of the City and County of San Francisco shall be exempt from this ordinance.

SEC. 811. ATHLETIC EVENTS; DESIGNATION OF ROUTES. (a) The increasing number of athletic events being held on City streets places a significant burden on the City and its inhabitants. Athletic events provide entertainment and recreation for San Franciscans and people throughout the Bay Area, as well as promoting and supporting tourism in the City. But closing off several major streets at the same time to accommodate a race often causes hardship in the daily lives of local residents, widespread disruption of public transit service, increased litter on public streets and sidewalks, and potential interference with emergency services. By adopting this ordinance, the Board of Supervisors intends to reconcile the City's interest in promoting athletic events with the right of its citizens to the quiet enjoyment of their own neighborhoods.

(b) Athletic events requiring temporary street closings shall be limited in location to routes previously designated as appropriate by the Board of Supervisors. These routes shall be drawn up by ISCOTT and approved by resolution of the Board of Supervisors. In
designating these routes, ISCOTT and the Board shall consider the effect of the designation upon: Local traffic patterns; Municipal Railway routes; the ability of the Police Department and the Department of Public Works to provide special services to the event; the safe and efficient delivery of police, fire and emergency medical services to the affected neighborhoods; the safety of participants in the event; and, the rights of participants, residents and local businesses to the reasonable use and enjoyment of City streets.

(c) Any person seeking permission to conduct an athletic event as defined in Section 810 shall file an application. The filing of an application and its processing shall be governed by the same processes, application fees, appellate procedures, Municipal Railway fees, and other requirements contained in Section 801, which sets forth the procedures for requesting permission for temporary use or occupancy of public streets. A street closing for an athletic event shall be restricted to those routes designated pursuant to this section. The applicant may, as part of the application, request a waiver of this restriction. In considering a request for a waiver, the City may take into account the extent to which the event has been held along a particular route prior to the effective date of this ordinance if that same route has been in use continuously for a period of three or more years. An applicant's request for a waiver shall be granted to the extent that a change of route is required by the Police Department for reasons of public safety.

SEC. 812. ATHLETIC EVENTS; PUBLIC NOTICE. (a) ISCOTT shall mail a copy of any application for a temporary street closing for an athletic event to any community group or neighborhood association that has previously requested in writing to be notified of such applications.

(b) If the temporary street closing is approved, the applicant shall cause notices of the event to be conspicuously posted on both sides of the street along the entire route, at not
more than 300 feet in distance apart on each street so posted, but not less than three notices
on each street forming part of the route. The notices shall be posted not less than 72 hours
prior to the scheduled start of the event. The applicant shall remove the notices within 48
hours after the completion of the event, or be liable for the costs of removal by the City
pursuant to Article 10 of the San Francisco Police Code.

Each notice shall be headed “STREET CLOSED FOR ATHLETIC EVENT” in letters
not less than one inch in height, and shall in legible characters (1) briefly describe the event to
be held; (2) identify the date and time the event is to take place; and, (3) warn that the street
will be closed to traffic at that time.

SEC. 813. ATHLETIC EVENTS; COST RECOVERY — POLICE. (a) An application
for a temporary street closing for an athletic event shall be deemed a request for police
department services within the meaning of Sections 10B.1 through 10B.5 of the San
Francisco Administrative Code. If the temporary street closing is approved, the Chief of Police
may detail such personnel to police the event in the number and for the period of time the
Chief determines to be necessary to perform the services. If the on-site services of two or
more police officers are required during the event, the applicant shall be liable for the cost of
police services, including field investigation needed to determine manpower requirements,
and shall be responsible for indemnifying and holding harmless the City and County of San
Francisco and the police personnel as required by Section 10B.2.

(b) Upon approval of a temporary street closure for an athletic event, a sum of
money which the Chief of Police estimates will be necessary to cover the costs of services
pursuant to Administrative Code Section 10B.2 shall be due. No temporary street closure shall
be deemed effective until such sum of money is deposited with the Chief of Police of the City
and County of San Francisco and the applicant presents to the Chief of Police proof of such

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
deposit. The sum of money required pursuant to this paragraph shall be deposited at least
one calendar week before the scheduled event. If the applicant does not deposit the sum
required within the time limit specified, the temporary street closing shall be deemed denied,
or, if the street closing already has been approved, revoked.

(c) Within a reasonable time after the event is over, the Chief of Police shall
determine the amount of money necessary to cover the cost of services provided by the
Police Department pursuant to Administrative Code Section 10B.2. If the deposit pursuant to
Subsection (b) hereof is insufficient to cover the cost of police services, the Chief of Police
shall notify the applicant by United States mail to the address listed on the application and
they shall have ten days to pay the balance. If the amount deposited exceeds the actual
costs, the Chief of Police shall authorize a refund of the excess to the applicant at the address
shown on the application.

(d) If the applicant or sponsor cancels the event after personnel have been
assigned to police it and such personnel have begun that duty, the applicant shall be liable for
the time expended by police personnel pursuant to Section 10B.2 of the San Francisco
Administrative Code, but in no case for less than two hours per employee. If the temporary
street closure is revoked, the money deposited for the costs of police services pursuant to this
ordinance shall be refunded.

SEC. 814. ATHLETIC EVENTS; COST RECOVERY — PUBLIC WORKS.

(a) An application for a temporary street closing for an athletic event shall be deemed a
request for Department of Public Works services within the meaning of Sections 10B.11
through 10B.15 of the San Francisco Administrative Code. If the temporary street closing is
approved, the Director of Public Works may detail such personnel to provide street-cleaning
and related services for the event in the number and for the period of time the Director

SUPERVISOR KAUFMAN
BOARD OF SUPERVISORS
determines to be necessary to perform the services. The applicant for the temporary street
closing shall be liable for the cost of street-cleaning and related services, including field
investigation needed to determine manpower requirements, and shall be responsible for
indemnifying and holding harmless the City and County of San Francisco and the Department
of Public Works personnel as required by Section 10B.12.

(b) Upon approval of a temporary street closing for an athletic event, a sum of
money which the Director of Public Works estimates will be necessary to cover the costs of
services pursuant to Administrative Code Section 10B.12 shall be due. No approval shall be
deemed effective until such sum of money is deposited with the Director of Public Works. The
sum of money required pursuant to this paragraph shall be deposited at least one calendar
week before the scheduled event. If the applicant does not deposit the sum required within the
time limit specified, the application for a temporary street closing shall be deemed denied, or,
if the street closing has already been approved, revoked. The Director of Public Works may
waive the advance deposit requirement if the particular event has not required additional
street-cleaning or related services for the past three years. The applicant shall, however,
remain liable for the costs of any additional services actually required.

(c) Within a reasonable time after the event is over, the Director of Public Works
shall determine the amount of money necessary to cover the cost of services provided by the
Department of Public Works pursuant to Administrative Code Section 10B.12. If the deposit
pursuant to Subsection (b) hereof is insufficient to cover the cost of street-cleaning and
related services, the Director of Public Works shall notify the applicant by United States mail
to the address listed on the application and he or she shall have ten days to pay the balance.
If the amount deposited exceeds the actual costs, the Director of Public Works shall authorize
a refund of the excess to the applicant at the address shown on the application.

(d) If the Board of Supervisors has approved a temporary street closing for an
athletic event and the applicant cancels the event after personnel have been assigned to
provide street-cleaning and related services to the event and such personnel have begun that
duty, the applicant shall be liable for the time expended by Department of Public Works
personnel pursuant to Section 10B.12 of the San Francisco Administrative Code. If a
temporary street closing is revoked, the money deposited for the costs of street-cleaning and
related services pursuant to this ordinance shall be refunded.

SEC. 815. MONITORED BICYCLE PARKING AT PUBLIC EVENTS. The
Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), or other
applicable permitting authority, is authorized and encouraged in its discretion to require, and
develop guidelines regarding, monitored bicycle parking at appropriate large permitted public
events. The sponsor of the public event may provide such monitoring service or ensure that
such monitored bicycle parking is available in local garages or other similar facilities. If the
sponsor provides monitored bicycle parking, the sponsor may charge a nominal fee for such
service. The amount of such fee shall be included as part of the sponsor's permit application.
If the sponsor is unable to ascertain the fee amount at the time of the permit application, the
sponsor may submit a fee schedule to ISCOTT, or other applicable permitting authority, as
soon as possible but no later than 10 days before the event.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: THOMAS J. OWEN
Deputy City Attorney
Ordinance amending Part 1 Chapter 2, Article VIII, of the San Francisco Municipal Code (Administrative Code) by repealing Section 2.70 through 2.76 and amending Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) by adding Article 21, Sections 800 through 815, to transfer the provisions governing the temporary use or occupancy of public streets.

May 10, 1999 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

May 10, 1999 Board of Supervisors — PASSED ON FIRST READING AS AMENDED
Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

May 17, 1999 Board of Supervisors — FINALLY PASSED
Ayes: 8 - Ammiano, Becerril, Bierman, Katz, Leno, Newsom, Teng, Yaki
Absent: 3 - Brown, Kaufman, Yee

May 28, 1999 Mayor — APPROVED

9/23/99 - Tails Errata: to correct the title to reflect the amendment of the whole which was adopted.

Gloria L. Young, Clerk of the Board
I hereby certify that the foregoing Ordinance was FINALLY PASSED on May 17, 1999 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

MAY 28 1999
Date Approved

Mayor Willie L. Brown Jr.