

1 [Street Artist Winter Holiday Spaces].

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3 **Resolution approving continuous designation of temporary selling spaces in the**
4 **Downtown area and at Harvey Milk Plaza for street artists certified by the Arts**
5 **Commission, City and County of San Francisco, for each year's winter holiday season,**
6 **beginning on November 15 and ending on January 15.**

7
8 WHEREAS, The Street Artists Ordinance adopted by the voters of San Francisco as
9 Proposition "L" at the election held on November 4, 1975, authorizes the Board of
10 Supervisors, by resolution, to designate sales areas where any street artist or craftsman
11 previously certified may sell art or craft items; and

12 WHEREAS, A survey by the Arts Commission found that in recent years more street
13 artist spaces in the Downtown area have been eliminated due to construction, curb zone
14 changes, newsracks, planter boxes, etc.; and

15 WHEREAS, The winter holiday season is the street artists' busiest selling period; and

16 WHEREAS, Last year and the previous twenty-five years the Board of Supervisors in
17 resolutions approved temporary selling spaces for the street artists for the winter holiday
18 selling season; and

19 WHEREAS, Last year and the previous twelve years and the year of 1992 the Board of
20 Supervisors approved temporary selling spaces for street artists at Harvey Milk Plaza for the
21 winter holiday selling season; and

22 WHEREAS, The Arts Commission, after conducting a public hearing, recommends the
23 renewal of the previous five years' temporary sales spaces in the Downtown area; and

24 WHEREAS, The Arts Commission recommends the renewal of the previous five years'
25 temporary sales spaces at Harvey Milk Plaza; now, therefore, be it

Arts Commission
BOARD OF SUPERVISORS
RECEIVED

1 RESOLVED, That the Board of Supervisors hereby approves the continuous
2 designation of the following temporary selling spaces for street artists certified by the Arts
3 Commission henceforth for each year's winter holiday season beginning on November 15 and
4 ending on January 15:

5
6 Spaces:

- 7 10 – Market Street, south side, 4th to 5th Streets
8 2 – Market Street, north side, Montgomery to Kearny Streets
9 2 – Market Street, north side, Grant to Kearny Streets
10 10 – Market Street, north side, Battery to Sansome Streets
11 5 – Stockton Street, west side, Post to Sutter Streets
12 1 – Stockton Street, east side, Post to Sutter Streets
13 6 – Stockton Street, east side, O'Farrell to Geary Streets
14 3 – Stockton Street, east side, Market to O'Farrell Streets
15 2 – Montgomery Street, west side, Post to Sutter Streets
16 2 – Post Street, north side, Montgomery to Kearny Streets
17 2 – Post Street, south side, Grant to Kearny Streets
18 5 – California Street, north side, Sansome to Montgomery Streets
19 2 – California Street, south side, Sansome to Montgomery Streets
20 3 – Harvey Milk Plaza (upper level)
21 4 – Harvey Milk Plaza (lower level)
22 12 – Grant Avenue, west side, Post Street to Maiden Lane; and be it

23 FURTHER RESOLVED, That the five (5) temporary spaces on Stockton Street, west
24 side, Post to Sutter Streets, are exempt from the provisions of Police Code Section
25

1 2405(c)(8)(1) which prohibits street artists from selling, offering for sale or soliciting offers to
2 purchase on any sidewalk adjacent to a curb which has been designated as a white zone;
3 and be it

4 FURTHER RESOLVED, That the two (2) temporary spaces on Post Street, south side,
5 Grant to Kearny Streets, are exempt from the provision of Police Code Section 2405(c)(8)(1);
6 and be it

7 FURTHER RESOLVED, That the one (1) temporary space on Stockton Street, east
8 side, Post to Sutter Streets, is exempt from the provision of Police Code Section
9 2405(c)(8)(1); and be it

10 FURTHER RESOLVED, That one (1) of the five (5) temporary spaces on Stockton
11 Street, west side, Post to Sutter Streets, is exempt from the provision of Police Code Section
12 2405(c)(6) which prohibits artists from selling, offering for sale or soliciting offers to purchase
13 on any sidewalk within ten (10) feet from the outer edge of any entrance to any building
14 including, but not limited to, doors, driveways, emergency exits measured in each direction
15 parallel to the building line and thence at a 90-degree angle to the curb; and be it

16 FURTHER RESOLVED, That the two (2) temporary spaces on Post Street, north side,
17 Montgomery to Kearny Streets, are exempt from the provisions of Police Section 2405(c)(6)
18 and 2405(c)(8)(3) which prohibits street artists from selling, offering for sale or soliciting offers
19 to purchase on any sidewalk adjacent to a curb which has been designated a yellow zone;
20 and be it

21 FURTHER RESOLVED, That the two (2) temporary spaces on Montgomery Street,
22 west side, Post to Sutter Streets, are exempt from the provisions of Police Code Section
23 2405(c)(6), 2405(c)(8)(3), and 2405(c)(16) which requires street artists to engage in their
24 activities in such a manner that at all times there shall remain open for the passage of
25 pedestrians a space of at least eight (8) feet in width, as measured on a line perpendicular to

1 the curb line, between the edge of the sidewalk farthest from the curb and the street artists'
2 activities; and be it

3 FURTHER RESOLVED, That two (2) of the three (3) temporary spaces on Stockton
4 Street, east side, Market to O'Farrell Streets, are exempt from the provision of Police Code
5 Section 2405(c)(6); and be it

6 FURTHER RESOLVED, That five (5) of the ten (10) temporary spaces on Market
7 Street, south side, 4th to 5th Streets, are exempt from the provision of Police Code Section
8 2405(c)(6); and be it

9 FURTHER RESOLVED, That the four (4) spaces in the lower level of Harvey Milk Plaza
10 are exempt from the provision of Police Code Section 2405(c)(6); and be it

11 FURTHER RESOLVED, that for the winter holiday season of any year henceforth the
12 Board of Supervisors, upon recommendation of the Arts Commission and after public hearing,
13 may approve the deletion of any temporary selling space from or the addition of any new
14 temporary selling space to the above list of selling spaces.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 080393

Date Passed:

Resolution approving continuous designation of temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for each year's winter holiday season, beginning on November 15 and ending on January 15.

April 22, 2008 Board of Supervisors — ADOPTED

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

Excused: 1 - McGoldrick

File No. 080393

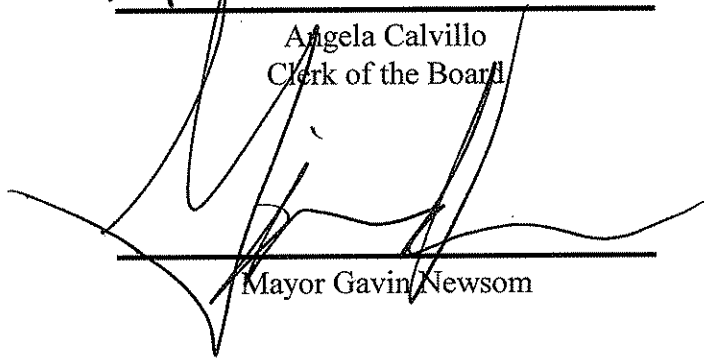
I hereby certify that the foregoing Resolution was ADOPTED on April 22, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

4.30.08

Date Approved



Mayor Gavin Newsom