

1 [Police Code - Third-Party Food Delivery Services]

2

3 **Ordinance amending the Police Code to remove the sunset clause from the article**
 4 **imposing a fee cap and other regulations on Third-Party Food Delivery Services.**

5

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

9

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

11

12 Section 1. Article 53 of the Police Code is hereby amended to remove Section 5312,
 13 as follows:

14

15 **~~SEC. 5312. SUNSET DATE.~~**

16 *This Article 53 shall expire by operation of law 60 days after the County Health Officer amends*
 17 *or terminates the Stay Safer At Home Order or any subsequent order regulating restaurants so that*
 18 *restaurants may allow the number of patrons present in the indoor space of the restaurant to resume at*
 19 *100% of the restaurant's maximum occupancy, provided that no subsequent order is issued to restrict*
 20 *restaurant occupancy below 100% capacity during that 60 day window. Upon expiration, the City*
 21 *Attorney shall cause this Article to be removed from the Police Code.*

22

23 Section 2. Effective Date; Retroactivity.

24 (a) This ordinance shall become effective 30 days after enactment. Enactment
 25 occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or

1 does not sign the ordinance within ten days of receiving it, or the Board of Supervisors
2 overrides the Mayor's veto of the ordinance.

3 (b) The Board of Supervisors intends that Sections 5300-5311 of Article 53 of the
4 Police Code shall continue in full force and effect without interruption, notwithstanding the
5 County Health Officer's amendment or termination of the Stay Safer At Home Order or any
6 subsequent order regulating restaurants such that restaurants may allow the number of
7 patrons present in the indoor space of the restaurant to resume at 100% of the restaurant's
8 maximum capacity. Accordingly, the amendment made in this ordinance to remove Section
9 5312 from the Police Code shall be retroactive to the sunset date specified therein, thus
10 assuring that the other sections of Article 53 remain in effect, without interruption.

11
12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By: /s/ Sarah A. Crowley
15 SARAH A. CROWLEY
16 Deputy City Attorney

17
18
19
20
21
22
23
24
25
n:\legana\as2021\2000108\01529715.docx



City and County of San Francisco

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

Tails
Ordinance

File Number: 210492

Date Passed: June 29, 2021

Ordinance amending the Police Code to remove the sunset clause from the article imposing a fee cap and other regulations on Third-Party Food Delivery Services.

June 10, 2021 Public Safety and Neighborhood Services Committee - DUPLICATED

June 10, 2021 Public Safety and Neighborhood Services Committee - RECOMMENDED

June 22, 2021 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

June 29, 2021 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210492

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 6/29/2021 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

07/09/2021

Date Approved

I hereby certify that the foregoing ordinance, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

07/09/2021

Date