

29-07

1 [Recreation and Park – Farmers' Markets.]

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3 **Ordinance amending the San Francisco Park Code by adding Section 7.21, to authorize**

4 **Farmers' Markets, as certified by the Agricultural Commissioner, to be located on**

5 **property under the jurisdiction of the Recreation and Park Commission upon the**

6 **making of certain findings by the Commission; amending San Francisco Administrative**

7 **Code Section 9A.3 to authorize the Agricultural Commissioner to work with the**

8 **Recreation and Park Department to identify suitable sites on property under the**

9 **jurisdiction of the Recreation and Park Commission upon which to locate Farmers'**

10 **Markets; and amending San Francisco Administrative Code Section 9A.15 to require**

11 **Farmers' Market vendors to accept forms of payment provided by participants of**

12 **federal, state or local food assistance programs, and adding Section 9A.20 to require**

13 **the Agriculture Commissioner to conduct a needs assessment of neighborhoods that**

14 **can support farmers' markets.**

15 Note: Additions are *single-underline italics Times New Roman*;

16 deletions are *strikethrough italics Times New Roman*.

17 Board amendment additions are double underlined.

18 Board amendment deletions are ~~strikethrough normal~~.

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

19 Section 1. Findings.

20 Farmers' Markets bring fresh, locally grown produce directly into the City promoting

21 better nutrition and healthier living at a time when obesity and other ill effects of poor nutrition

22 and lack of exercise plague our community. Farmers' Markets provide direct education about

23 the relationship between land use, food production and the efficient delivery of produce

24 directly to consumers, especially for many urban residents without cars or convenient access

25 to supermarkets. Farmers' Markets also bring people outdoors to walk and mingle with

Supervisors Mirkarimi and Jew
BOARD OF SUPERVISORS

Daly

1 others, engendering community solidarity and connecting City residents with farmers.
2 Farmers' Markets can contribute to the physical and mental well being of individuals and the
3 community. Visiting or shopping at a farmers' market can provide a meaningful recreational
4 experience that is appropriate for the City's parks to the extent such activity does not damage
5 parkland.

6 Section 2. The San Francisco Park Code is hereby amended by adding Section 7.21,
7 to read as follows:

8 **SEC. 7.21. FARMERS' MARKETS.**

9 (a) The Commission may permit the location of a Farmers' Market, that meets the
10 requirements of Administrative Code Chapter 9A, or any successor provisions, as certified by the
11 Agricultural Commissioner, on park land upon findings that such a use:

12 (1) Is appropriate for the crowd capacity of the particular location;

13 (2) Does not adversely affect park grounds or facilities beyond the regular usage of the
14 particular location; and,

15 (3) Does not significantly interfere with the public's use and enjoyment of other areas of the
16 park, including, but not limited to, children's play areas or athletic courts or fields.

17 (b) The permit fee shall be at least \$50.00 per stall per day, plus staff costs.

18 Section 3. The San Francisco Administrative Code is hereby amended by amending
19 Sections 9A.3 and 9A.15, to read as follows:

20 **SEC. 9A.3. LOCATION.**

21 (a) A market established under the provisions of this Chapter may be located at any
22 suitable site selected by the Agricultural Commissioner and owned or leased by the City and
23 County.

24 (b) A market established under the provisions of this Chapter may be located on property
25 under the jurisdiction of the Recreation and Park Commission upon approval of the Commission.

1 Upon receiving a request to locate a market on property under the jurisdiction of the Recreation and
2 Park Commission, the Commissioner of Agriculture shall work with the Recreation and Park
3 Department to identify possible suitable sites for approval by the Recreation and Park Commission as
4 set forth in the Park Code.

5 **SEC. 9A.15. SAME—TERMS AND CONDITIONS.**

6 Permission to sell at a market shall be offered only upon the following terms and
7 conditions:

8 (a) The proper completion and filing of an application;

9 (b) Compliance with all federal, State and local laws relating to the operation, use
10 and enjoyment of the facilities or the market premises;

11 (c) Compliance with all rules and regulations of the Agricultural Commissioner
12 regarding use of the market facilities.

13 (d) Accept forms of payment provided to vendors or market sponsors by participants of
14 federal, state or local food assistance programs, including, but not limited to, food stamps, and
15 nutrition supplement programs WIC Farmers' Market Nutrition Programs, and Senior Farmers'
16 Market Nutrition Programs. Such forms of payment include, but are not limited to, coupons,
17 vouchers, Electronic Benefit Transfer (EBT) cards. The Agricultural Commissioner shall work with
18 market sponsors or managers who are not currently certified to accept any, or all, of these
19 forms of payment to obtain such certification within six months of the effective date of this
20 legislation.

21 **SEC.9A.20. NEEDS ASSESSMENT.** In order to support low income access to
22 healthy, local produce by low-income San Franciscans, as well as to provide additional
23 markets for regional farmers, the Agriculture Commissioner shall conduct a needs
24 assessment of neighborhoods in San Francisco that could support additional farmers markets
25 without impacting the viability of locally owned businesses. This needs assessment shall

1 primarily focus on identifying the best location for farmers' markets in underserved
2 neighborhoods. This needs assessment shall be submitted to the Clerk of Board of
3 Supervisors on an annual basis.

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

7
8 By:


9 VIRGINIA DARIO ELIZONDO
Deputy City Attorney



City and County of San Francisco

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

Tails Ordinance

File Number: 061112

Date Passed:

Ordinance amending the San Francisco Park Code by adding Section 7.21, to authorize Farmers' Markets, as certified by the Agricultural Commissioner, to be located on property under the jurisdiction of the Recreation and Park Commission upon the making of certain findings by the Commission; amending San Francisco Administrative Code Section 9A.3 to authorize the Agricultural Commissioner to work with the Recreation and Park Department to identify suitable sites on property under the jurisdiction of the Recreation and Park Commission upon which to locate Farmers' Markets; and amending San Francisco Administrative Code Section 9A.15 to require Farmers' Market vendors to accept forms of payment provided by participants of federal, state or local food assistance programs, and adding Section 9A.20 to require the Agriculture Commissioner to conduct a needs assessment of neighborhoods that can support farmers' markets.

January 30, 2007 Board of Supervisors — PASSED ON FIRST READING

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

Excused: 1 - Sandoval

February 6, 2007 Board of Supervisors — FINALLY PASSED

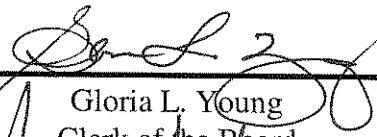
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

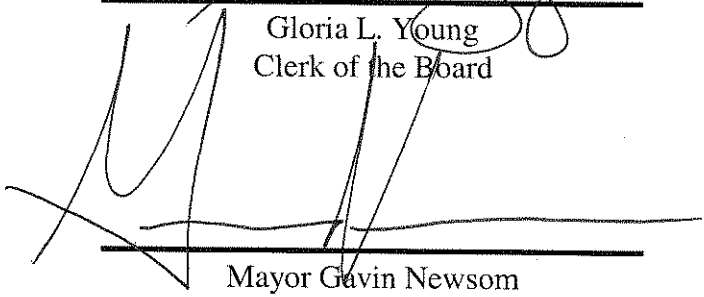
File No. 061112

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on February 6, 2007
by the Board of Supervisors of the City and
County of San Francisco.

FEB 16 2007

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom