



## How to Comply with the San Francisco Deemed Approved Uses Ordinance

### What are the requirements of the Deemed Approved Uses Ordinance?

- You must comply with the Deemed Approved Performance Standards, in addition to all applicable State and local laws (including Health & Safety Code Section 11570 and Penal Code Section 11200), as well as all requirements and conditions imposed by the Department of Alcoholic Beverage Control.
- The owner, employees or agents must not participate or assist persons in illegal activities in or around the premises.
- You must visibly post the Deemed Approved Performance Standards on the premises.
- Repeated nuisance activities within and immediately outside of the premises must be reported to the Police Department.
- You must ensure an unobstructed view of the premises from the outside by keeping 76% of clear doors and windows free of advertisements or signs of any sort.
- You must pay an annual “Uses” fee of \$264 or a portion thereof based on the fiscal year.

### If the Uses fee is not paid on time, late payment penalties will be added as follows:

If not paid within:	The late payment penalty will be:
30 days	10% will be added to the amount of the fee
60 days	15% will be added to the amount of the fee
90 days	25% will be added to the amount of the fee
6 months or more	15% will be added to the total delinquent amount
6 months or more with other circumstances	The User may have their Deemed Approved Uses status suspended.

### What if I don’t comply with the Deemed Approved Uses Ordinance?

Your failure to comply with the Ordinance may result in:

- Civil Action: Pursuant to Sections 26.20-26.21, the City Attorney may determine that it is appropriate to file a civil action seeking a court order requiring you to comply with the law, to pay civil penalties, and attorneys' fees and costs incurred in prosecuting the action;
- Criminal Prosecution: Pursuant to Sections 26.14-26.23, the City Attorney may recommend to the District Attorney that it is appropriate to prosecute you for violations of local, State, and/or federal laws; and/or
- Administrative Hearing: Pursuant to Sections 26.14-26.23, the City may bring an administrative hearing against you for noncompliance and seek:
  - A decision ordering correction(s) of the Performance Standard violations;
  - Pursuant to Section 26.21, administrative penalties of \$500-\$1,000 for each violation;
  - Conditions on the continued operation of your business;
  - Revocation of your Deemed Approved status; and/or
  - Additional penalties if:
    - (a) You have been found in violation of the Performance Standards by an administrative hearing in the past three years;
    - (b) Conditions were imposed on your continued operations; and/or
    - (c) Administrative penalties were imposed on you for violation of the Performance Standards.

To obtain a translation of this information, please call: (415) 581-2400. Leave your name and a phone number where you can be reached and someone will return your call.