

PROPOSED CHARTER AMENDMENTS

CITY AND COUNTY OF SAN FRANCISCO

Repeal of Anti-Picketing Ordinance

Ordinance Prohibiting Billboards at San Francisco's Approach to Bay Bridge

*Ordered Submitted by the Board of Supervisors
City and County of San Francisco*

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ELECTION, MARCH 9, 1937

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CHARTER AMENDMENT No. 1

REVENUE BONDS—ELECTRICAL SYSTEM

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the charter of the City and County of San Francisco by adding a new section thereto to be known as Section 121.1, relating to a system for the generation and distribution of hydro-electric power, and providing for the financing of the cost of said system by the issuance of bonds or other obligations payable wholly out of the revenue of said system, in an amount not to exceed \$50,000,000.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the city and county at a special election to be held in the City and County of San Francisco on the 9th day of March, 1937, a proposal to amend, as herein set forth, the charter by adding thereto a new section to be known as Section 121.1, relating to a system for the generation and distribution of hydro-electric power, and providing for the financing of the cost of said system by the issuance of bonds or other obligations payable wholly out of the revenue of said system, in an amount not to exceed \$50,000,000.

REVENUE BONDS—ELECTRICAL SYSTEM

121.1. The public utilities commission shall, for the purpose of meeting the cost of acquiring by purchase, construction or other lawful method, a system for the generation and distribution to the people of the City and County of San Francisco, or to the people of any territory adjacent to or adjoining said city and county, of the hydro-electric power generated in the Hetch Hetchy Project, or for the generation or distribution of any other electric power necessary or convenient for the purpose of furnishing said city and county, or the people thereof, or any territory adjacent to said city and county, or to the people thereof, with heat, light and power, borrow money by the issuance of revenue bonds or other evidences of indebtedness, payable wholly out of revenue, in such amount or amounts, as may, in the judgment of said public utilities commission, be necessary to meet the cost of acquiring said system for the generation and/or distribution of said electric power, provided that the total amount of said money to be so borrowed, or bonds or other evidences of indebtedness issued, shall not exceed in the aggregate the sum of \$50,000,000.00. Said system to be acquired shall hereafter be referred to as The System.

The System to be acquired shall, in so far as practical, be the system submitted to the board of supervisors by the public utilities commission on September 14, 1936, and designated by said public utilities commission as Plan No. 7, which said plan was approved by the board of supervisors on December 3rd, 1936; provided, however, that said public utilities commission is hereby given full power and authority to deviate from said plan to such extent as it shall deem proper in order to carry out the purposes of said plan, but any change made in said plan, or in the execution of the same, shall not render invalid or have any effect upon the validity of any bond or other evidence of indebtedness author-

ized or issued to meet the cost of The System, and no purchaser or holder of any bond or other evidence of indebtedness authorized or issued pursuant to this section shall be required to see to the existence of any of the facts, or to the performance of any of the conditions, or the taking of any of the proceedings required prior to the issue of said bonds or other evidences of indebtedness, or to the application of the proceeds thereof.

Any and all money borrowed, or bond or other evidence of indebtedness authorized or issued pursuant to this section, as well as the interest to accrue thereon, shall be payable solely and only out of the revenue from The System to be acquired with said moneys so borrowed, or received for said bonds or other evidences of indebtedness.

The public utilities commission shall, except as herein provided, determine the form, conditions and denominations of all bonds or other evidences of indebtedness issued under the provisions of this section, and shall fix the maximum rate of interest which said bonds or other evidences of indebtedness shall bear, which rate of interest shall not exceed six (6%) per cent per annum, payable semi-annually. The payment of the principal of said bonds or other evidences of indebtedness shall commence not later than five years from the date of issuance, and shall be completed in not more than forty years from date of issuance. Said bonds or other evidences of indebtedness shall mature and shall be payable each year during the period over which said bonds or other evidences of indebtedness are payable in such amounts as may be fixed by the commission. All of said bonds or other evidences of indebtedness so issued may, at the option of the owner thereof, be registered, as to either principal or interest or both, with the treasurer of the city and county in such manner as may be provided by the commission. Said bonds or other evidences of indebtedness may be sold at such times and in such amounts as the public utilities commission shall deem proper, provided that said bonds shall not be sold at less than their par value and accrued interest at date of delivery. Said bonds or other evidences of indebtedness may be offered for sale either on the basis of a fixed rate of interest or on the basis of the lowest net interest cost and power is hereby given to the commission to fix said rate of interest either prior or subsequent to the date of the issuance of said bonds. All bonds or other evidences of indebtedness issued as herein provided shall be signed by the president of the public utilities commission, or by the manager of utilities, and by the secretary of the public utilities commission, and countersigned by the treasurer of the city and county. The signature of the president of the public utilities commission or of the manager of utilities may be by facsimile. Any coupon attached to said bonds shall have affixed thereto the facsimile signature of the said treasurer. The official seal of the public utilities commission shall be affixed to said bonds or other evidences of indebtedness and full authority is hereby given to said commission to adopt a seal in such form and device as it shall deem proper. Each of said bonds or other evidences of indebtedness so issued shall state plainly on its face that it is payable, both as to principal and interest, only from the special fund created for that purpose, out of the revenues of The System and that it does not constitute a general indebtedness against the City and County of San

exceed the difference between the amount theretofore issued and said \$50,000,000.

Said resolution shall fix the amount of bonds or other evidences of indebtedness to be issued and state generally the purpose thereof, but no purchaser of said bonds shall be required to look to the application of the funds derived from the sale of said bonds. Said resolution shall also state the number and denomination and maturities of said bonds or other evidence of indebtedness, and may provide, all and singular, the conditions to be inserted in said bonds or other evidences of indebtedness as well as the interest thereon if said interest is to be fixed, or it may defer the fixing of interest until the time of the sale of said bonds, and full power and authority is hereby given to said commission to cause to be inserted in said bonds or other evidences of indebtedness such terms and conditions as it shall deem proper, provided that there shall always be inserted in said bonds or other evidences of indebtedness the fact that the same are payable, both as to principal and interest, solely out of the revenue of The System.

Said resolution may also provide, and the public utilities commission is hereby authorized and empowered in and by the terms of said resolution to agree with the holders of any of the revenue bonds issued thereunder, so long as the same shall be outstanding, as follows:

(a) that the proceeds of the sale of said revenue bonds shall be deposited in a fund separate and apart from all other funds of the city and county and shall, with any interest accrued thereon, be applied solely and exclusively to the objects and purposes for which such revenue bonds are authorized to be issued, and that any proceeds of the sale of such bonds remaining unused upon the acquisition of such system shall be applied to the retirement of the revenue bonds outstanding, by purchase in the open market or by call and redemption, as the case may be, and that none of such moneys shall be transferred to any other fund of the City and County of San Francisco;

(b) that the public utilities commission will maintain and operate The System constructed from the proceeds of said revenue bonds, in good repair, working order and condition and will, from time to time, make all needful and proper repairs, renewals and replacements, and will continuously operate the same;

(c) that the commission will (subject to all applicable laws of the State of California and the rules and orders of all regulatory bodies of the State of California which may hereafter have jurisdiction over the commission or the project acquired from the proceeds of said revenue bonds) establish reasonable rates for the sale of electric energy distributed through such system and that such rates in the aggregate shall be adequate to enable the commission to pay the principal and interest of said revenue bonds and all costs of maintenance, operation and repairs of The System acquired from the proceeds of the sale of such revenue bonds;

(d) that accurate books and records of account will be kept and maintained, showing all payments received by the commission from the operation of The System acquired from the proceeds of the sale of such revenue bonds, which records shall be open at all times for inspection, while any of the revenue bonds are outstanding and unpaid, to the hold-

Francisco. All revenue bonds issued under authority of this Charter shall be negotiable instruments and shall have all of the attributes of negotiability under the laws relating to negotiable instruments of this state.

The public utilities commission shall have power to determine the method of acquiring The System, and the determination of said method by said public utilities commission shall be binding and conclusive. Should said commission determine that The System, or any part thereof, should be acquired other than by construction, the same may be acquired by purchase or by any other lawful means. If said public utilities commission should determine that The System, or any part thereof, should be constructed, it shall have full power to proceed with the said construction. When said public utilities commission shall have determined the manner of acquiring The System it shall adopt a resolution specifying the method and manner of acquiring the same and shall, in said resolution, fix and determine the estimated cost thereof, and shall include in said estimate of cost such amount as said commission shall estimate to be sufficient to pay the interest on the bonds or other evidences of indebtedness during the actual period of construction of The System and for six months after the same is in operation by said commission, and if The System is to be acquired by any method other than by construction, then said commission shall estimate the cost of said acquisition including the cost of all legal proceedings incident thereto and add the amount of said estimate to the cost of said acquisition, as well as the amount of interest on all of said bonds or other evidences of indebtedness which may be outstanding during the period of said acquisition, and interest on any bonds or other evidences of indebtedness issued or sold to defray the cost of said acquisition for a period of six months after the commencement of the operation of The System by said commission, and said commission shall include in the cost of The System, whether acquired by construction or otherwise, an amount sufficient to provide working capital as estimated by the commission to be sufficient to pay the operating expenses of The System for a period not exceeding six months after the operation of The System shall commence. Not more than fifteen (15%) per cent of the cost of the acquisition or construction of said system shall be applied to interest and working capital.

When said public utilities commission shall have adopted said resolution specifying the manner of the acquisition or construction of The System, as well as the total estimated cost thereof, and when the method and cost of the acquisition of The System have been approved by resolution of the Board of Supervisors, said commission shall adopt an additional resolution authorizing the issuance of the amount of revenue bonds or other evidences of indebtedness payable solely out of the revenue of said system necessary to pay the said estimated cost of acquiring or constructing said system, not to exceed the sum of \$50,000,000; provided that if said resolution, in fixing the amount of said bonds or other evidences of indebtedness to be issued, fixes said amount at less than \$50,000,000, said commission may adopt a subsequent resolution or resolutions authorizing the issuance of an additional amount of bonds or other evidences of indebtedness not to

ers of any one or more of such revenue bonds or their duly authorized representatives;

(e) that if any part of The System shall be taken from the commission or from the City and County of San Francisco by eminent domain proceedings, or other proceedings authorized by law, the proceeds realized by said city and county or by said commission shall be applied solely and exclusively to the payment of the principal and interest of said revenue bonds until the same shall have been paid in full;

(f) that neither the commission nor the city and county shall mortgage or otherwise encumber, sell, or lease or dispose of The System acquired from the proceeds of the sale of said revenue bonds or any substantial part thereof, or enter into any lease or contract which shall impair the operation of said system or otherwise impair the right of the holders of any of said revenue bonds to secure payment in full of the principal or interest of said revenue bonds as the same shall mature;

(g) that the commission shall maintain insurance on The System acquired from the proceeds of the sale of said revenue bonds, of the kind and character and in the amount which is usual and customarily carried by private companies engaged in the operation of a system of works similar to that to be acquired from the proceeds of the sale of said revenue bonds;

(h) that none of the facilities of The System shall be furnished free. In the event that the City and County of San Francisco, or any department, agency or instrumentality thereof shall avail itself of the facilities afforded by The System acquired from the proceeds of the sale of said revenue bonds, a reasonable charge shall be made against said city and county, agency or instrumentality and shall be paid as the services shall accrue;

(i) that any terms, covenants or conditions herein contained or made a part of any bond issued under authority of this section shall be subject to alteration, amendment or modification by agreement between the commission and the holders of at least eighty (80%) per cent of the principal of the amount of the said bonds then outstanding;

(j) said commission may also agree to any other terms or conditions, whether hereinabove referred to or not, which, in the judgment of the commission, shall be necessary, advisable or convenient in effecting the sale of said revenue bonds; provided, that such conditions do not permit said bonds to be sold at less than the par value thereof or increase the interest above six (6%) per cent and provided further, that none of said covenants, agreements or conditions, nor anything herein provided shall obligate said commission or the City and County of San Francisco to do or perform any of said terms, covenants or conditions by the expenditure of any funds other than those arising from the operation of The System to be acquired from the proceeds of the sale of said revenue bonds, and under no circumstances shall the city and county be obligated to levy or collect taxes to provide moneys to perform any of the terms or conditions contained in any of such resolutions, and all obligations assumed by said commission which shall require the expenditure of any funds shall be limited solely and exclusively to the funds arising from the operation of said system.

When said last mentioned resolution is adopted, said public utilities

commission shall have full power and authority to issue the revenue bonds or other evidences of indebtedness payable solely out of revenue to the amount specified in said resolution, but not to exceed the sum of \$50,000,000.

The public utilities commission shall regulate the time of the issuance of any bonds or other evidences of indebtedness authorized by this section, and may cause the same to be issued as one issue or in successive issues under the same authorization. Said bonds or other evidences of indebtedness shall be sold by said commission at public sale to the highest and best bidder therefor, after notice of said sale has been given by the publication of notice of said sale for a period of two days in the official newspaper. Said sale shall be held not less than five days after the last publication of said notice. The commission shall require a bond or other security in such amount as it may deem proper from all bidders to insure the fulfilling of any bid made for said bonds or other evidences of indebtedness. When any of said bonds or other evidences of indebtedness are sold, the proceeds of said sale shall be deposited in the treasury of the city and county and shall be used only for the purposes for which the same were approved. If a bid acceptable to the commission should not be received for said bonds offered for sale the commission may direct that said bonds, or any part thereof, be sold by the Treasurer of the City and County of San Francisco at private sale, at a price not less than par and accrued interest at the date of delivery of said bonds to purchaser.

Bonds or other evidences of indebtedness authorized or issued under the authority of this section shall not be subject to the charter limitations as to the bonded indebtedness of the city and county, nor shall they be taken into consideration in determining the amount of bonded indebtedness as provided in Section 104 of the Charter.

Nothing in this section contained shall in any way abridge, control or revoke the power of the electors of the city and county to vote for and cause to be issued general obligation bonds or other evidences of indebtedness of the city and county for the acquisition, construction, completion or extension of The System, but the manner provided in this section for the acquisition, construction, completion or extension of the same shall be deemed to be a supplemental and additional manner for providing funds for said purpose.

Bonds or other evidences of indebtedness issued pursuant to this section may be called and paid before maturity upon such terms and conditions as may be determined by the public utilities commission, provided that said conditions are inserted in said bonds at the time of the issuance thereof.

The commission is hereby authorized, from time to time, to provide for the refunding, extension or renewal of any bonds or other evidences of indebtedness issued pursuant to this section and remaining outstanding and unpaid, at or prior to maturity thereof, by the issuance, sale or exchange of new bonds or other evidences of indebtedness in the same aggregate principal amount as the bonds or other evidences of indebtedness outstanding or unpaid, said new bonds or other evidences of indebtedness to be of such denomination and maturing at such times, and bearing such rates of interest, and otherwise modified as said com-

mission shall deem proper, provided that such new bonds or evidences of indebtedness shall be payable, both as to principal and interest, solely out of the revenue of The System and the latest maturity of said new issue shall not be more than forty years from the date of said new issue and the interest thereon shall not exceed six per cent (6%) per annum.

The public utilities commission shall fix and establish just and reasonable rates for any service furnished by The System, which said rates shall not be less than will provide an amount sufficient to pay, as the same become due, the following:

(a) All amounts necessary to pay the interest and principal on all bonds or evidences of indebtedness issued and sold, as provided in this section, and remaining unpaid.

(b) All the operating expenses of The System.

(c) All amounts necessary to provide for the repairs and maintenance of The System.

(d) A surplus fund equal to the amount required to meet the interest and principal payments which will become due in the next succeeding year on outstanding bonds.

(e) An amount which shall be sufficient to meet the cost of reconstruction and replacements made necessary by the physical and functional depreciation of The System, as the same may occur.

The board of supervisors shall never approve rates to be charged by said public utilities commission for service from The System which will not be sufficient to pay, as the same becomes due all and singular the obligations mentioned in schedules (a), (b), (c), (d) and (e) above set forth.

The public utilities commission shall cause all moneys accruing from The System to be paid into the treasury of the City and County of San Francisco daily, and said moneys, together with any interest earned thereon, shall be used only for the following purposes and in the order herein set forth, to-wit:

(a) To pay the principal sum and the interest thereon on all bonds or other evidences of indebtedness issued under this section and remaining unpaid, as said principal and interest become due and payable;

(b) To pay all of the operating expenses of said system;

(c) To pay all amounts to become due for the repair and maintenance of said system;

(d) A surplus fund equal to the amount required to meet the interest and principal payments which will become due in the next succeeding year on outstanding bonds;

(e) An amount which shall be sufficient to meet the cost of reconstruction and replacements made necessary by the physical and functional depreciation of The System, as the same may occur;

(f) To pay for extensions and betterments to said system, or to establish a reserve to pay for said extensions and betterments;

(g) To establish a surplus fund.

Said commission shall cause to be set up a bond interest and redemption fund into which shall be paid an amount at least sufficient to pay, as the same become due, the principal and interest upon the outstanding unpaid bonds or other evidences of indebtedness, for the current year, and if at any time the revenues of The System are not sufficient to permit the payment of said sum into said fund, any deficiency shall be paid into said fund from the surplus fund. Said commission shall estimate the proper amounts to be applied to the purposes mentioned in schedules (c), (e), and (f) above set forth and shall cause said estimated amounts to be set aside in proper funds established to meet said purposes. Said estimates may be changed from time to time. Said commission shall also pay into said interest and redemption fund an amount sufficient to meet all existing delinquencies upon any of said bonds or other evidences of indebtedness.

Notwithstanding any other provision of this Charter which may be in conflict with the provisions of this section, the provisions of this section shall prevail in so far as the same pertain to the financing and acquisition of The System by the sale of bonds or other evidences of indebtedness payable solely out of revenue; provided, however, that nothing herein contained shall prevent the financing or acquisition of The System or any additions thereto by general obligation bonds issued as provided by law.

The System shall be considered a separate utility, and revenue from any other utility shall not be applied to The System unless otherwise expressly provided by Charter.

The board of supervisors may, by ordinance, confer upon said public utilities commission such additional powers not in conflict with this section as may be necessary to carry out the purposes of this section.

Upon the taking effect of this amendment the public utilities commission shall immediately proceed to acquire The System and promptly perform all acts required of said public utilities commission.

Ordered Submitted—Board of Supervisors, San Francisco, December 28, 1936.

Ayes: Supervisors Havenner, McSheehy, Mead, Meyer, Ratto, Roncovieri, Schmidt, Shannon, Uhl.

Noes: Supervisors Brown, Colman.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 2
CASH RESERVE FUND AND TEMPORARY LOANS.
TAX ANTICIPATION NOTES.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend Section 81 of the Charter of the City and County, relating to cash reserve fund and temporary loans.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County, by amending Section 81 thereof, relating to cash reserve fund and temporary loans.

CASH RESERVE FUND AND TEMPORARY LOANS.
TAX ANTICIPATION NOTES.

Section 81. The board of supervisors, by annual tax levy, may gradually build up the cash reserve fund authorized and created by the provisions of section 80 of this charter. Said fund shall be used exclusively (1) for the payment in any fiscal year of legally budgeted expenditures for such year in anticipation of the collection, after the close of such fiscal year, of legally collectible taxes and other revenues, as set forth in the budget and the appropriation ordinance for such fiscal year, and (2) for paying that portion of the authorized expenses of the city and county for any fiscal year, which, as certified to said board by the controller, becomes due and payable and must be paid prior to the receipt of tax payments for such fiscal year; provided, that such cash reserve fund shall not at any time exceed the estimated expenditures for the first five months of the then current fiscal year, less the amount of estimated revenues and receipts from sources other than tax rate revenues.

In the event that funds are not available in such a cash reserve fund to meet authorized expenditures of any fiscal year, the board of supervisors, on the recommendation of the controller and the mayor, and the written approval of the officer, board or commission responsible for the management and control of the fund from which it is proposed that the temporarily idle balances be transferred or loaned may, by ordinance, authorize the treasurer to make temporary transfers or loans for specified periods of idle unencumbered balances in any fund in his custody, except a pension fund, at not less than the then current rate of interest paid by the banks to the city and county on city and county funds deposited with such banks. Such approval by the officer, board or commission concerned shall specify that the amount proposed to be transferred or loaned from such fund will not be needed for the purpose of such fund prior to the date specified for its return. The fund from which such transfer or loan is made shall be charged or encumbered with the amount of such transfer or loan and such amount shall not be considered as available in such fund for any other appropriation or encumbrance for which any expenditures or payments must be made

prior to the date on which the transfer or loan is repaid. Any transfer or loan made as herein authorized during the first half of any fiscal year shall be repaid prior to the first day of January of said year, and any transfer or loan made during the remaining one-half of said fiscal year shall be repaid prior to the 15th day of May of said year. Such loans shall be secured by and made solely in anticipation of the collection of taxes levied or to be levied for the current fiscal year, and such loans shall constitute the first demand on and shall be repaid from the first tax collections for such current fiscal year; provided, however, that tax anticipation loans made as hereinafter in this section authorized, shall constitute a prior lien on said taxes levied or to be levied or collected.

When funds shall be needed for the immediate requirements of the city and county in any fiscal year in accordance with appropriations made as authorized by this charter for such fiscal year, which payments may be made in advance of the receipt of income from such fiscal year, and when funds therefor cannot be made available as hereinbefore in this section authorized, the board of supervisors, on the recommendation of the controller and the approval of such recommendation by the mayor, shall have power to borrow money on notes or other evidences of indebtedness on behalf of the city and county. Said power shall be exercised by ordinance or ordinances authorizing the borrowing of said money and the execution of said notes or other evidences of indebtedness. The aggregate amount of such notes or other evidences of indebtedness outstanding and unpaid at any one time during any part of the fiscal year in which said borrowing is made shall not be in excess of 25 per cent of the estimated aggregate amount of all taxes actually levied for such fiscal year. All such notes or other evidences of indebtedness shall be offered at public sale by the board of supervisors after not less than two days of advertising, not less than three days after the last day on which such advertising is published. Each such sale shall be made to the bidder offering the lowest rate of interest or whose bid represents the lowest net cost to the city and county; provided, however, that the rate of interest to be paid shall not exceed the sum of six (6) per centum per annum, and full authority is hereby given to said board of supervisors to fix, by resolution, the rate of interest on said notes or other evidences of indebtedness and the times and places where the principal sum of said notes or other evidences of indebtedness shall be paid. The principal amount of said notes or other evidences of indebtedness, together with the interest thereon, issued and delivered under authority of this section shall be payable exclusively out of the taxes levied and collected by said city and county for the fiscal year during which the same are issued, and shall constitute a first lien and charge against the taxes collected during the half of the fiscal year in which said money shall be borrowed and shall be repaid from the first moneys received from said taxes; and the amount of taxes so levied and collected shall be applied to the payment of said notes or other evidences of indebtedness before any part thereof is used for any other purpose; provided, however, that taxes levied for the payment of principal of, or interest on, any bonded indebtedness of said city and county now outstanding or hereafter created shall be applied to the purpose for which such taxes were levied, unless the money borrowed

by such notes or other evidences of indebtedness issued against such tax levies is in fact applied to the payment of the principal and interest of such bonded indebtedness. If at the time said notes or other evidences of indebtedness, or any of them, become due and payable the funds in the city treasury available for the payment thereof shall be insufficient for the payment in full of all of said notes or other evidences of indebtedness then outstanding such funds shall be applied pro rata to the payment of the principal and interest of all of the notes or other evidences of indebtedness then issued and outstanding without preference or priority of any one note over any other by reason of prior issuance, or otherwise. Any of said notes or other evidences of indebtedness not paid prior to June 30 of the fiscal year during which the same are issued shall, nevertheless, be paid out of moneys received from the taxes of the said fiscal year, irrespective of the date of the receipt thereof, it being the intent and purpose of this section to provide for the payment of all notes or other evidences of indebtedness issued under authority of this section out of the taxes levied for the fiscal year during which said notes or other evidences of indebtedness are issued irrespective of the actual date of the collection of said taxes.

The board of supervisors shall have full power and authority to provide for the form of all notes or other evidences of indebtedness issued by authority of this section, as well as to fix the time and place for the payment of both the principal amount of said notes or other evidences of indebtedness and the interest to become due thereon; provided that all notes or other evidences of indebtedness issued for money borrowed during the first half of any fiscal year shall be payable not later than December 31 of said year; and all notes or other evidences of indebtedness issued for money borrowed during the second half of any fiscal year shall be payable not later than May 15 of such year, it being the intent and purpose of this section that the borrowing of money under authority hereof shall be solely for the purpose of anticipating receipt of income. The mayor, in preparing the consolidated budget estimate as provided by this charter, shall include therein a separate amount sufficient to meet the interest to be paid on any moneys borrowed under authority of this section.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 3

HEALTH SERVICE SYSTEM.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of the City and County of San Francisco, by adding a new section thereto to be known as Section 172.1, relating to Health Service System.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the City and County at the special election to be held on the 9th day of March, 1937, in the City and County of San Francisco, a proposal to amend as herein set forth the Charter by adding thereto a new section to be known as Section 172.1, relating to Health Service System.

HEALTH SERVICE SYSTEM.

Section 172.1:

Subdivision 1. A health service system for municipal employees is hereby established. Said system shall be administered by a board to be known as the Health Service Board. The members of the system shall consist of all employees of the city and county who are members of the retirement system and all teachers and employees of the board of education who are members of said retirement system. Any employee who adheres to the faith or teachings of any recognized religious sect, denomination or organization and, in accordance with its creed, tenets or principles, depends for healing upon prayer in the practice of religion shall be exempted from the system upon filing annually with the Health Service Board an affidavit stating such adherence and dependence and disclaiming any benefits under the system. The board shall have the power to exempt any person whose annual compensation exceeds forty-five hundred (\$4,500.00) dollars and any person who has otherwise provided for adequate medical care.

Subdivision 2. The Health Service Board shall consist of nine members elected by the members of the system. The first members of the board shall classify themselves by lot so that three shall serve for one year, three for two years and three for three years from and after May 15, 1937. Thereafter the term of office shall be three years. Each member of the board shall give bond in the sum of ten thousand (\$10,000.00) dollars, the premium on which shall be paid out of the funds of the system. Vacancies shall be filled for the unexpired term by a majority vote of the remaining members of the board. Members of the board shall be nominated by a written nomination of twenty members filed with the registrar of voters not earlier than April 1st nor later than April 15th of each year. The registrar of voters shall prepare ballots and shall furnish the same to all members of the system between April 15th and April 25th and shall receive the ballots between April 25th and May 7th and canvass and certify the result on May 8th. The registrar of voters shall have power to make such regulations respecting the form, distribution and canvassing of the ballots as may be necessary to secure secrecy of the ballot and prevent fraud. The persons equal in

number to the number to be elected who receive the greatest number of votes shall be declared elected. Not more than one employee of any one department or office may be a member of the board. For the purpose of the first election, all employees eligible for membership in the system shall be deemed members.

Subdivision 3. The board shall have power:

(a) By a two-thirds vote of the entire membership of the board, to adopt a plan or plans for rendering medical care to the members of the system, or for the indemnification of the costs of said care, or for obtaining and carrying insurance against such costs.

No member of the system shall be required to accept the services or medical supplies of any physician, surgeon, person licensed to treat human diseases without the use of drugs, dentist, nurse, pharmacist or hospital selected by the board, but subject to the rules and regulations of the board, every member shall have the right to select of his own choice any duly licensed physician, surgeon, person licensed to treat human diseases without the use of drugs, dentist, nurse, pharmacist, hospital or other agency of medical care as herein defined, who or which will render the required services pursuant to said rules and regulations and the board shall make provision for the exercise of such choice, and is hereby expressly prohibited from entering into any exclusive contract for the rendering of said services. Any duly licensed physician, surgeon, person licensed to treat human diseases without the use of drugs, dentist, nurse, pharmacist, hospital or other agency of medical care shall have the right to furnish such services or medical supplies at uniform rates of compensation to be fixed by the board, provided that such rates and any contract respecting the rendering of such services shall be subject to review by the retirement board of the city and county and shall not become effective unless and until approved by the retirement board. The retirement board shall approve or disapprove the same within sixty (60) days after the same is submitted to it, and failure of the retirement board to approve or disapprove the same within said period shall constitute an approval.

The said retirement board is hereby authorized and empowered, and it is hereby made its duty, to exercise the powers and to perform the duties prescribed for it by this section.

(b) To put said plans into effect and to conduct and administer the same and, for all or any of said purposes, to contract therefor and use the funds of the system.

(c) To make rules and regulations for the transaction of its business, the granting of exemptions and the admission to the system of persons who are hereby made members thereof and such other officers and employees as may voluntarily become members of the system with the approval of the board.

(d) To appoint a secretary and other employees, who shall hold office at the pleasure of the board, and to fix their respective compensations.

(e) To make provision for the participation in the benefits of the system by the families of members, retired municipal employees and

temporary municipal employees, provided that such participation shall be without cost to the city and county.

Subdivision 4. The board shall determine and certify to the controller the amount to be paid monthly by the members of the system to a fund for the purposes of the system hereby created. The controller shall deduct said sums from the compensation of the members and shall deposit the same with the treasurer of the city and county to the credit and for the use of the system. Such deductions shall not be deemed to be a reduction of compensation under any provision of this charter. The board shall have control of the administration and investment of the funds, provided that all investments shall be of the character legal for insurance companies in California. Disbursements from the fund shall be made only upon audit by the controller and the controller shall have and exercise the accounting and auditing powers over the funds of the system which are vested in him by this charter with respect to all other municipal boards, officers and commissions.

Subdivision 5. The term "medical care" shall include the services of physicians, surgeons, nurses, persons licensed to treat human diseases without the use of drugs, hospitalization, medicines and appliances and dental, optical and other medical treatments and services.

All acts performed and services rendered under the provisions of this section shall be performed in accordance with the provisions as to professional conduct prescribed by the statutes of the State of California, regulating such professional conduct and services.

Medical care, as defined in this section, shall not be furnished or supplied to any member of the system by or in any of the public health and hospital facilities of the city and county, except that emergency medical and hospital care may be rendered to any member of the system in the usual course of emergency health service.

Subdivision 6. Members of the system shall have and possess no claim or recourse against any of the funds of the municipality by virtue of the adoption or operation of any plan for rendering medical care, indemnifying costs of said care or carrying insurance against such costs, but the claim and recourse of any such member shall be limited solely to the funds of the system. All expenses of the system shall be borne exclusively by the funds of the system and the city and county shall not appropriate or contribute funds in any manner for the purposes of the system hereby established and provided.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 4

PUBLIC WELFARE DEPARTMENT.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California to amend the Charter of the City and County of San Francisco, by adding a new section thereto to be known as Section 61.1 establishing a Public Welfare Department.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the City and County at the special election to be held on the 9th day of March, 1937, in the City and County of San Francisco, a proposal to amend as herein set forth the Charter by adding thereto a new section to be known as Section 61.1 establishing a Public Welfare Department.

PUBLIC WELFARE DEPARTMENT.

Section 61.1

Subdivision 1. There is hereby established a Public Welfare Department. This department shall consist of a welfare commission of five members, a director of public welfare, and such employees and assistants as may be necessary to carry out the work and functions of said department.

Subdivision 2. The members of the welfare commission shall be appointed thereto by the mayor and shall be selected for their respective positions on the basis of their interest in and understanding of the problems of public welfare. The members of said commission shall serve without compensation and no person shall be eligible to serve on said commission while holding a salaried public office, position or employment.

Subdivision 3. The term of office of the members of the said commission, subject to the provisions hereof relative to removal and the terms of the first members of the commission, shall be four years. Within thirty days after this amendment shall become effective the mayor shall appoint five members to said welfare commission, one member to be appointed for a term to expire on the 15th day of January, 1938; one for a term to expire on the 15th day of January, 1939; one for a term to expire on the 15th day of January, 1940, and two for terms to expire on the 15th day of January, 1941; and upon the expiration of the terms of each of said members of said commission so appointed the mayor shall fill the vacancy arising by reason of the expiration of said term by the appointment of a member to said commission for a term of four years. Vacancies occurring in the membership of said commission shall be filled by an appointment to be made by the mayor for the unexpired term of said person in whose place said appointment is made; and when the term of any member of said commission shall expire, then said appointment shall be made for the full period of four years from the date of the expiration of the term. All vacancies shall be filled within thirty days of the occurrence thereof.

Subdivision 4. Members of the commission shall be subject to removal from office by the mayor for cause, but only upon written

charges made and signed by the mayor, copy of said charges to be served upon the offending commissioner; and said charges shall be heard by the mayor and on said hearing of said charges the said commissioner so charged shall have the opportunity to appear and to be heard.

Subdivision 5. The commission shall be a policy-determining and supervisory body and shall have all the powers provided for in section 19 of the charter.

Subdivision 6. The commission shall appoint and, subject to the budgetary provisions of this charter, fix the salary of a director of public welfare who shall serve at the pleasure of said commission and shall not be subject to the civil service provisions of the charter. Said director shall possess qualifications and experience essential to the conduct of a complete program of public welfare. Said director shall be the chief executive of the department and shall have all the powers provided for chief executives as set forth in section 20 of the charter. He shall be responsible for the enforcement of the rules and regulations of the commission and, upon the recommendation of the commission, shall have the power to establish such divisions and bureaus as may be necessary for the administration of relief and welfare in the City and County of San Francisco.

Subdivision 7. All employees in the Public Welfare Department, with the exception of the director thereof, shall be subject to the civil service provisions of the charter and, subject to said provisions, the director of public welfare may employ such employees as may be necessary for the carrying out of the work and functions of the department. The functions and duties of the County Welfare Department as established and existing at the time this amendment shall go into effect shall be transferred and shall be included in the Public Welfare Department and the personnel of said County Welfare Department shall be so transferred and shall hold their respective positions under the same conditions and upon the same tenure as the same were held in the County Welfare Department. The functions of the Citizens' Emergency Relief Committee appointed pursuant to Ordinance No. 19.07120 shall be transferred to said Public Welfare Department.

In all cases where there are no civil service lists available from which any position existing under the Citizens' Emergency Relief Committee, at the effective date of this amendment, can be filled, examinations shall be held by the civil service commission within six months after said date to establish a list or lists of eligibles to fill said positions. Any person who has served under the general supervision of the Citizens' Emergency Relief Committee for a period of one year continuously next prior to the effective date of this amendment and who shall actually be employed under the supervision of said Citizens' Emergency Relief Committee on said date shall, upon obtaining a passing mark on any examination held by said civil service commission for his position, be allowed an additional credit of five (5%) per cent in making up the list of eligibles secured by such examination. The civil service commission shall be allowed a period of six months from the effective date of this amendment within which to classify or reclassify, or hold examinations for eligible lists for the positions now existing under said Citizens' Emergency Relief Committee, and pending the classification of said

positions and the holding of examinations therefor, where the same is necessary, the incumbents in said positions shall be entitled to continue in their positions and receive the compensation provided by law for their services.

Subdivision 8. Said Public Welfare Department shall exercise all of the functions exercised by the County Welfare Department and by the Citizens' Emergency Relief Committee as the same exist at the time this amendment is approved by the Legislature of the State of California and shall perform such other duties and have such other functions as may be authorized by the Board of Supervisors of the City and County of San Francisco or required by the Government of the United States or the State of California or any department or agency thereof.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 5

POSITIONS.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of the City and County, by amending Section 142 of the Charter of the City and County, relating to positions.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County, as follows:

POSITIONS

Section 142. All positions in all departments and offices of the city and county, including positions created by laws of the State of California, where the compensation is paid by the city and county, shall be included in the classified civil service of the city and county, and shall be filled from lists of eligibles prepared by the civil service commission, excepting (1) positions in which attorneys and physicians are employed in their professional capacity to perform only duties included in their professions, but exclusive of any administrative or executive positions for which such professional status constitutes only part of the qualifications therefor; (2) inmate help or student nurses, or part-time services, where the compensation including the value of any allowances in addition thereto is less than eighty dollars (\$80.00) per month; and (3) per-

sons employed in positions outside the city and county upon construction work being performed by the city and county when such positions are exempted from said classified civil service by an order of the civil service commission; and (4) persons employed in positions in any department for expert professional temporary services, and when such positions are exempted from said classified civil service for a specified period of said temporary service, by order of the civil service commission; and (5) such positions as, by other provisions in this charter, are specifically exempted from, or where the appointment is designated as exclusive of, the civil service provisions of this charter.

The civil service rights, acquired by persons under the provisions of the charter superseded by this charter, shall continue under this charter.

Where existing positions that have heretofore been exempt from civil service examinations are now made subject to examination by this charter, the incumbents of such positions who have held such positions for a period of one year continuously next preceding the time that this charter shall go into effect, shall be continued in their positions as if appointed thereto after examination and certification from a list of eligibles and shall be governed thereafter by the provisions of this charter, provided, however, the provisions of this paragraph shall not apply to positions heretofore defined and classified by the civil service commission as "institutional help".

Any person holding a salaried office under the city and county, whether by election or appointment, who shall, during his term of office, hold or retain any other salaried office under the government of the United States, or of this state, or who shall hold any other salaried office connected with the government of the city and county, or who shall become a member of the legislature, shall be deemed to have thereby vacated the office held by him under the city and county.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 6

CONTROL OF HARBOR.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Sections 47 and 48, and adding a new section thereto to be known as Section 48.1, relating to control of harbor.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the

special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County, by amending Sections 47 and 48, and adding a new section thereto to be known as Section 48.1, relating to control of harbor.

CONTROL OF HARBOR

Section 47. Whenever the State of California shall grant, or by legislative action agree to grant, to the City and County of San Francisco all or a substantial part of the property now under the jurisdiction, possession, control and management of the board of state harbor commissioners, including the interest of the State of California in that portion of the bay of San Francisco now controlled by the board of state harbor commissioners and used as the harbor of San Francisco, the said city and county shall accept the same, and shall thereafter have authority to manage, govern, administer and control, all and singular, the property, rights and privileges granted, assigned or conveyed by the said State of California. Said city and county shall also have power, subject to the bond issue procedure provided for in this charter, or now or hereafter provided for by the laws of the State of California to assume an obligation or obligations to the State of California for the outstanding bonded indebtedness incurred by the State of California for the acquisition, construction, improvement and development of the said harbor or of the properties used in connection therewith, or to issue new and additional bonds therefor; and any and all indebtedness assumed or bonds issued for said purpose shall not be included in the bonded debt limit provided for in section 104 of this charter, and if thereafter any additional bonded indebtedness is incurred to improve, construct, re-construct or extend said harbor, or to add thereto or to renew, construct or re-construct, operate or extend any service or equipment or utility used in connection with said harbor or in connection with the operation thereof, said bonded indebtedness so incurred shall also be exempt from the limitations contained in section 104 of this charter. All the powers and duties incident to the management, government, control and administration of the said harbor, and all properties and utilities used in connection therewith, shall be vested in the harbor commission of the City and County of San Francisco.

Said harbor commission of the City and County of San Francisco shall consist of five members to be appointed by the mayor, one of whom shall be a representative of the agricultural interests of the State of California and need not be a resident of the city and county. The term of office of each of said members shall be five years, provided that those first appointed to said commission shall so qualify themselves by lot that their terms of office shall expire respectively, one, two, three, four and five years after the 15th day of January next after their respective appointments. Vacancies on said board shall be filled by the mayor for the unexpired term. Each of said persons appointed to said commission shall give a bond in the sum of five thousand (\$5,000) dollars duly conditioned for the faithful performance of his duties and said persons so appointed shall be subject to recall, suspension, and removal in the same manner as an elective official. The compensation of each of the

members of said harbor commission shall be twelve hundred (\$1200) dollars per year.

Section 48. The said harbor commission shall have possession, control and management of all and singular the properties and equipment granted to the City and County of San Francisco by the State of California for harbor purposes, as well as that portion of the bay of San Francisco now operated and controlled by the board of state harbor commissioners for harbor purposes, and also all property and equipment hereafter acquired by the city and county for said purposes.

Said harbor commission shall have all of the powers and duties given to boards and commissions by section 19 of the charter, and in addition thereto shall have power:

(a) To regulate and control the anchoring, mooring, towing and docking of all vessels and water craft;

(b) To regulate and control the construction, maintenance, operation and use of, and to use and operate any and all railroads, wharves, warehouses, cold storage or refrigeration plants or other structures, improvements or appliances, used in connection with said harbor, or for the accommodation or promotion of commerce, navigation or fishing in or about said harbor;

(c) To regulate and control all dredging and excavation in or about said harbor;

(d) To fix, regulate and collect fees, rates, tolls or charges for the use or service of all wharves, warehouses, water craft, railroads or other facilities, structures or appliances owned, controlled or operated by said harbor commission, in connection with said harbor, or in connection with, or for the promotion or accommodation of commerce, navigation or fishing. All of said fees, rates, tolls and charges shall be sufficient to produce sufficient revenue to pay all expenses of every kind and nature incident to the operation and maintenance of said harbor and the properties and equipment used in connection therewith, together with the interest and sinking fund for any outstanding bonds issued by the State of California or by the City and County of San Francisco for the acquisition, construction or extension of said harbor, or of any of the properties or equipment used in connection therewith; provided that should the commission propose a schedule of rates, fees and charges or rentals for the respective services to be furnished by said commission which shall not provide such revenue, it may do so with the approval of the board of supervisors by a two-thirds vote thereof. Said harbor commission shall, from time to time, report to the board of supervisors a proposed schedule of fees, rates, tolls and charges to be made for the several classes of service to be rendered, and said fees, rates, tolls and charges shall be the legal fees, rates, tolls and charges to be paid to said harbor commission for said services, unless the same are disapproved by a two-thirds vote of said board of supervisors, within thirty (30) days after said report is received. If said board of supervisors by a two-thirds vote rejects said schedule, it may return the same to the said harbor commission for revision;

(e) To enter into leases of lands, buildings, docks and piers, said leases to be approved by the board of supervisors before the same shall be effective; provided that the right to use any building, dock or

pier for a period not to exceed one year shall not be deemed a lease under this section and the board shall have power to assign the use of any building, dock or pier for a period not exceeding one year at the regular tolls;

(f) To appoint a harbor master who shall be the chief executive of the harbor commission and who shall have the management of all of the affairs and activities placed under the jurisdiction of the said board. He shall devote his entire time to the duties of his office and his salary shall be fixed by the commission subject to the annual appropriation and salary ordinance. He shall hold his office at the pleasure of the commission and shall have the management of said harbor and of all of the facilities and equipment thereof and of all bureaus and departments established for the operation of said harbor or for the operation of any equipment or facility thereof. Subject to the approval of the commission he shall appoint and remove any and all heads of departments or bureaus, who may not be subject to the civil service provisions of the charter. He shall possess the necessary administrative, executive and technical qualifications necessary to enable him to perform the duties of his office. His compensation shall not exceed prevailing salaries paid those holding similar positions in comparable private employment. The commission may confer on him such additional powers and authority as it may see fit;

(g) To establish such departments and bureaus as may be necessary or convenient for the conduct of its affairs;

(h) To enter into such agreements, subject to the approval of the board of supervisors with the State of California, the board of state harbor commissioners, or any other state agency or department that may be necessary to obtain and receive, take or hold any properties, privileges or things granted to the city and county by the state;

(i) To institute, defend or prosecute, in the name of the City and County of San Francisco, any and all actions or legal proceedings necessary or proper to acquire, hold or defend the possession of any property granted to the said city and county, or held by said city and county, for harbor purposes, and to institute and prosecute any and all actions or legal proceedings necessary or proper to prevent the obstruction or illegal use or occupation of any of the properties, things or facilities held by the city and county for the purposes of said harbor. The city attorney shall be the legal adviser of the commission, and may, with the approval of the commission compromise, settle or dismiss any litigation or legal proceeding pending for, or on behalf of the commission, relative to any matter under its jurisdiction, provided that if such action or proceeding involves the title or right of possession of any real property owned by the city and county, such action shall not be compromised, settled or dismissed without the concurrence of the board of supervisors. The city attorney shall, at the request of the commission detail the necessary attorneys to perform the legal work of the commission, and said commission may, with the consent of the mayor and the approval of the city attorney, appoint special counsel for temporary purposes. The compensation of all attorneys serving the commission shall be paid from the revenues of the harbor, unless otherwise provided in the salary and appropriation ordinance.

The board of supervisors may confer upon said harbor commission such other and additional powers as it shall deem proper and which are not in conflict with this section.

Section 48.1 All persons actually employed in the operating service of the board of state harbor commissioners at the time the City and County of San Francisco shall take over and assume the management and control of the said harbor and the properties used in connection therewith, and who at said date shall be entitled to benefits of the civil service provisions of the State of California, in so far as the same may be applicable to the employees of the board of state harbor commissioners, shall be continued in their respective positions and shall continue to hold their said positions pursuant to the civil service provisions of this charter, and shall be entitled to all of the rights, benefits and privileges which said persons might have, or might have had, had said persons been originally appointed to their respective positions under certification from the civil service commission of the City and County of San Francisco; and in the matter of seniority, in service of said employees entitled to the benefits of said civil service provisions, as herein provided, the seniority of each employee shall be reckoned from his first permanent appointment to employment under said board of state harbor commissioners, and as to their respective positions, said employees shall have preference over all other employees of the city and county.

All employees of the board of state harbor commissioners at the time this act shall go into effect shall continue to be members of the state employees' retirement system, with all the rights, privileges and benefits of said system until the time of the actual transfer to the City and County of San Francisco of the properties now under the jurisdiction of said board of state harbor commissioners; and upon the acceptance of said transfer by the City and County of San Francisco, said employees shall become members of the San Francisco city and county retirement system and shall be entitled to all the benefits and privileges and subject to the obligations of said system and the Retirement Board of the San Francisco City and County Employees' Retirement System shall make such allowance and provision for the prior service of said employees rendered to the board of state harbor commissioners as may be recommended by said retirement board and approved by ordinance of the board of supervisors.

All employees whose respective employments are transferred from the board of state harbor commissioners to the Harbor Commission of the City and County of San Francisco, pursuant to the provisions of this section or pursuant to the provisions of any act of the Legislature of the State of California transferring the properties now under the jurisdiction of the board of state harbor commissioners to the City and County of San Francisco, and who, at the date of the actual transfer of said properties, reside outside of the City and County of San Francisco, shall not be subject to the residential qualifications of officers and employees of the city and county provided for in section 7 of this charter.

In the matter of the control and operation of the harbor and of the facilities and equipment thereof, including the matter of budgets and

appropriations, the harbor commission shall be subject to the budgetary and fiscal procedure elsewhere provided for in this charter.

Full power and authority is hereby vested in the Board of Supervisors of the City and County of San Francisco to enter into such supplemental agreements with the State of California, or with the board of state harbor commissioners, or with any other agency of the State of California, not in conflict with the provisions of this charter, in order to meet any condition provided for by the Legislature of the State of California in the transfer to the City and County of San Francisco of said properties now under the jurisdiction of the board of state harbor commissioners, and any agreement so entered into will be as binding upon the City and County of San Francisco as if the provisions of said agreement were embodied in this charter.

The revenues of said harbor, and of all the properties incident thereto, or used in connection therewith, shall be deposited in a separate fund in the treasury of the city and county, and shall be used for the following purposes, and in the order herein named:

(a) For the payment of operating expenses, including pension charges.

(b) For the payment of the principal and interest of any obligations of the State of California and assumed or agreed to be paid by the City and County of San Francisco;

(c) For repairs and maintenance of the properties of said harbor or used in connection with the operation thereof;

(d) For the payment of the principal and interest on any bonds issued by the City and County of San Francisco for the acquisition, construction, repair or extension of said harbor, or of any of the facilities used in connection therewith;

(e) An amount which shall be sufficient to meet the cost of reconstruction and replacement made necessary by the physical and functional depreciation of any of the properties or equipment of said harbor, as the same shall occur;

(f) To pay for extensions and betterments to said harbor or to the equipment and facilities thereof;

(g) To establish a surplus or sinking fund for the improvement or extension of the harbor or for any facility used in connection therewith.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 7

POLICE PENSIONS.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of the City and County by amending Section 168 thereof, relating to future members of the Police Department.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County, as follows:

POLICE PENSIONS.

Section 168:

Subdivision a. Persons who are members of the police department on the effective date of this amendment and future members of the department shall, on and after the effective date of this amendment, become members of the retirement system, under the conditions set forth herein. Members of the police department who did not exercise affirmatively the option provided in subdivision (h) of Section 166 of this charter shall, on and after the effective date of this amendment, become members of the retirement system under the provisions of this section.

The retirement board as constituted under Section 159 of the charter of the City and County of San Francisco shall be the sole authority relating to the distribution and investment of such fund or funds as may be established, provided that all investments shall be of the character legal for insurance companies in California, and provided further, that if any section, or part of any section in this charter in so far as it should conflict with this section or any part of this section as amended, shall be superseded by the contents of this section.

Subdivision b. Any member of the police department who shall have served in the department for twenty-five years in the aggregate in any capacity or rank whatever, on his request, or by order of the board of police commissioners, if it be deemed for the good of the department, or any member who has arrived at the age of sixty-three (63) years shall be retired by the retirement board forthwith, and such member shall thereafter, during his lifetime, be paid in equal monthly installments from the police retirement fund a limited pension as follows:

For twenty-five years' aggregate service, fifty per cent (50%) of the average monthly rate of salary which such member shall have received for three years immediately preceding the date of his retirement; and an additional one and one-half per cent (1½%) of such average salary for each year over twenty-five years, up to and including thirty (30) years' service in the aggregate, served by such member before retirement.

Subdivision c. Whenever any member of the police department shall become so physically or mentally disabled by reason of bodily injuries received in, or by reason of sickness caused by the discharge of the duties

of such member in the department, as to render necessary his retirement from active service, the board of police commissioners shall recommend to the retirement board that such member be retired from further service in the department, and thereafter such member so retired shall, during his lifetime, be paid from said pension fund a pension in an amount to be determined by the retirement board, but such pension shall be equal to and not less than fifty per cent (50%) of the salary attached to the rank held by such member in the department at the date of such retirement order. Such pension shall be paid in equal monthly installments; provided, however, that any pension granted to any member of the police department for disability or sickness as provided for in this subdivision, shall cease, when the disability or sickness ceases, then such member shall be restored to active duty in the department to the same rank such member held at the time of retirement; provided further, that the retirement board shall have power to hear and determine all matters pertaining to the granting and termination of any pension award as provided for in this subdivision. Said board shall make its findings in writing, based upon the report of at least three regularly licensed practicing physicians, and such other evidence concerning such disability as it may have before it. Said board shall determine the degree of disability and such determination shall govern the amount of pension to be awarded to such disabled member as hereinabove provided; and provided further, that upon the written request of any such retired member, or upon its own motion, said board shall have the power at any time prior to the restoration of such retired member to active service, to consider new evidence pertaining to the case of such retired member, and to increase the amount of such pension award to be thereafter paid.

Subdivision d. Whenever any member of the police department shall die as the result of any injury received during the performance of his duty, or from sickness caused by the discharge of such duty, or after retirement, or while eligible to retirement from such department on account of years of service; then an annual pension shall be paid in equal monthly installments to his widow, or child or children, or dependent parent or parents, in an amount equal to one-half ($\frac{1}{2}$) of the average monthly rate of salary which such deceased member shall have received in the department immediately preceding the time of his death or the date of this retirement from active duty in such department. Said pension shall be paid to the widow during her lifetime or until she remarries, and thereafter a pension shall be paid in equal monthly installments in an amount equal to one-half ($\frac{1}{2}$) of the average monthly rate of salary which such deceased member shall have received in such department, immediately preceding the time of his death or the date of his retirement from active duty in such department to the legally appointed guardian of the child or children of such deceased member until such child or children shall have attained the age of eighteen years, or to his child or children, should there be no widow, until such child or children shall have attained the age of eighteen years, or to his dependent parent or parents during their lifetime or during such dependence, should there be no widow or child.

Provided, further, however, that no widow of a pensioner shall be entitled to a pension unless she shall have been married to such deceased pensioner at least five years prior to the date of his retirement, and provided further, that no widow of a member of the police department eligible for retirement from such department, who dies from causes other than those arising out of or from the performance of his duties, shall be entitled to a pension unless she shall have been married to such deceased member for at least five years prior to the date of his death, and provided, further, that if such widow, child or children shall marry, then the pension paid to the person so marrying, shall cease, and provided further, that should the dependency of such parent or parents terminate, then the pension paid to such dependent parent or parents shall cease.

Subdivision e. All pensions granted in accordance with the provisions of this section shall remain in full force and effect for the period granted and any decrease of salaries of active members of the police department shall not in anywise affect the amount of the pensions to be paid to retired members, or to any other person pensioned pursuant to the provisions of this section.

Subdivision f. For the purpose of providing and maintaining a fund to meet the payments of demands drawn for the payments of pensions, a fund is hereby created to be known as the police pension fund. The retirement board shall annually prepare a budget consisting of the estimated requirements for the next succeeding fiscal year to pay and discharge:

- (a) Disability Pensions;
- (b) Widows' Pensions;
- (c) Minors' Pensions;
- (d) Dependents' Pensions; and
- (e) Administration Expense.

There shall be included in said budget a sum equal to five per centum of the estimated total payroll of the police department for those members of said department included within the pension provisions of this section for the next succeeding fiscal year.

The mayor shall approve and the board of supervisors adopt in the annual appropriation ordinance, the budget as submitted by the retirement board.

In addition; each member of the police department included within the pension provisions of this section shall contribute to said police pension fund in the manner as hereinafter in this section provided.

The administrative head of the police department shall cause to be shown on each and every payroll of said department a deduction of five per cent (5%) of the amount of salary of his rank as shown on each such payroll of each such member whose name appears thereon, and shall certify to the controller on each such payroll the amount to be deducted from the compensations of each such member whose name appears thereon, and shall cause to be drawn a payroll check in favor of the retirement board for the total amount of the deduction shown on each payroll of such department, and said retirement board shall deposit

said payroll check to the credit of the police pension fund. It shall be the duty of the administrative head of the police department to cause to be furnished a copy of each and every such payroll hereinbefore mentioned to the said retirement board; each member shall be deemed to consent and agree to each deduction made as provided for herein, and the payment of each payroll check to such member shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such member during the period covered by such payroll, except such claims as such member may have to the benefits provided for in this section.

If subsequent to the fiscal year, it shall be determined that such contribution by the city and county, together with the member's contribution, was not sufficient to meet such liability, then the city and county shall make up such additional contribution as may be necessary to make up the deficit.

Subdivision g. When any member of the department shall die from natural causes and before retirement, there shall be paid to his estate or beneficiary, a death benefit, the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the board of supervisors for the death benefit of other members of the retirement system.

Subdivision h. Should a member be separated from the department through any cause other than death or retirement, then such contributions with interest shall be refunded to him by the retirement board at such time as he terminates his services from the department.

Subdivision i. Upon the completion of the period of service mentioned in subdivision b of this section, entitling such member to retire under its provisions, such member shall be entitled to a certificate showing the aggregate number of years served by such member in the department, which certificate shall be irrevocable and shall serve as evidence of such service; such member shall be entitled to retire at any time thereafter from active service from the department in accordance with subdivision b of this section hereinbefore referred to, which right shall be a fully matured, absolute, vested property right, reserved for such member, as a constituted and granted right to retire and no event or occurrence of whatsoever kind or nature, political or otherwise, whether prior pending or subsequent, shall ever operate as a forfeiture thereof, provided, however, that if such member shall continue in the service of said department, he shall nevertheless be entitled to all the benefits of the additional percentage as provided for by subdivision b of this section hereinbefore referred to, in computing the aggregate number of years of service in such department up to the time of his actual retirement.

Subdivision j. Any member of the police department, retired under the provisions of subdivision b of this section, shall not be eligible for appointment to any federal, state, or municipal government position. Any violation of the contents of this subdivision by a member shall be good and sufficient cause for forfeiture of all benefits granted under this section during the period of such employment.

Provided, further, this section, or any part of this section, shall not be retroactive.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

No: Supervisor Colman.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 8

POSITIONS IN TREASURER'S OFFICE.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of the City and County of San Francisco, by adding a new section thereto to be known as Section 142-1, relating to positions in the Treasurer's office.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the City and County at the special election to be held on the 9th day of March, 1937, in the City and County of San Francisco, a proposal to amend as herein set forth the Charter by adding thereto a new section to be known as Section 142-1, relating to positions in the Treasurer's office.

POSITIONS IN TREASURER'S OFFICE.

Section 142-1. Any person who has performed the duties of general clerk-stenographer in the office of the treasurer continuously for five years immediately prior to the effective date of this amendment and who on said date shall be performing said duties, is hereby confirmed in said position and thereafter shall hold the same pursuant to the civil service provisions of this charter and shall be entitled to all the benefits and privileges of said provisions.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 9

CONTRACTORS' WORKING CONDITIONS.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend Section 98 of the Charter of the City and County, relating to contractors' working conditions.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County, by amending Section 98 thereof, relating to contractors' working conditions.

CONTRACTORS' WORKING CONDITIONS.

Section 98. Every contract for any public work or improvement to be performed at the expense of the city and county, or paid out of moneys deposited in the treasury, whether such work is to be done directly under contract awarded, or indirectly by or under sub-contract, sub-partnership, day labor, station work, piece work, or any other arrangement whatsoever, must provide: (1) That in the performance of the contract and all work thereunder, eight hours shall be the maximum hours of labor on any calendar day; (2) that any person performing labor thereunder shall be paid not less than the highest general prevailing rate of wages in private employment for similar work; (3) that any person performing labor in the execution of the contract shall be a citizen of the United States; (4) that all laborers employed in the execution of any contract within the limits of the city and county shall have been residents of the city and county for a period of one year immediately preceding the date of their engagements to perform labor thereunder; provided, however, that the officer empowered to award any such contract may, upon application of the contractor, waive such residence qualifications and issue a permit specifying the extent and terms of such waiver whenever the fact be established that the required number of laborers and mechanics possessing qualifications required by the work to be done cannot be engaged to perform labor thereunder.

The term "public work" or "improvement," as used in this section, shall include the fabrication, manufacturing or assembling of materials in any shop, plant, manufacturing establishment or other place of employment, when the said materials are of unique or special design, or are made according to plans and specifications for the particular work or improvement and any arrangement made for the manufacturing, fabrication or assembling of such materials shall be deemed a contract or a sub-contract subject to the provisions of this section. The word "person" as hereinafter used in this section shall mean a natural person, a firm, partnership, corporation or association.

The board of supervisors shall have full power to enact all necessary and proper ordinances to carry out the terms of this section and shall also have power to provide by ordinance that any officer, board or commission now or hereafter charged with the letting or awarding of a contract or contracts, may let or award any contract (1) for public work or improvement, (2) for the purchase of materials which are to be

used, made, constructed, manufactured, fabricated, assembled or compounded for any public work or improvement, or (3) for the purchase of materials, supplies or equipment of any kind to be used by the city and county, to a person other than the lowest responsible bidder therefor, provided that the person to whom such contract is let or awarded fulfills and performs the same with materials and/or supplies made, constructed, manufactured, fabricated, assembled or compounded in the city and county and the bid of such person is the lowest bid from a responsible bidder agreeing to fulfill and perform such contract with materials or supplies so made, constructed, manufactured, assembled or compounded, and does not exceed the bid of the lowest responsible bidder making, constructing, manufacturing, fabricating, assembling or compounding the same elsewhere by a percentage thereof to be fixed in such ordinance, which shall not exceed ten per cent of such lowest bid. Nothing contained in this section shall be construed as a limitation on any power the board of supervisors may have by reason of any other provision in this charter.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 10

PERMITS AND INSPECTIONS.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of the City and County by amending Section 24 of the Charter of the City and County, relating to permits and inspections.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County, as follows:

PERMITS AND INSPECTIONS.

Section 24. The board of supervisors shall regulate, by ordinance, the issuance and revocation of licenses and permits for the use of, obstruction of or encroachment on public streets and places, exclusive of the granting of franchises governed by other provisions of this charter; and for the operation of businesses or privileges which affect the health, fire-prevention, fire-fighting, crime, policing, welfare or zoning conditions of or in the city and county, and for such other matters as the board of supervisors may deem advisable.

Such ordinance shall fix the fees or licenses to be charged, which shall not be less than the cost to the city and county of regulation and in-

spection; provided, that in so far as the regulation and inspection of foodstuffs or articles of food for human consumption are concerned, the fees or licenses to be charged for such regulation and inspection shall be as determined by the board of supervisors, but the same shall not exceed the cost of said regulation and inspection. Said ordinance shall also specify which department shall make the necessary investigations and inspections and issue or deny and may revoke the permits and licenses therefor. The chief of police in the performance of police duties shall have power to examine at any time the books and the premises of pawnbrokers, peddlers, junk and second-hand dealers, auctioneers and other businesses designated by the board of supervisors, and the tax collector shall have power to examine the books of any business for which a license is issued and a fee charged on the basis of the receipts of such business, and for these purposes such officials shall have the power of inquiry, investigation and subpoena, as provided by this charter.

Permits and licenses shall be issued by the departments as designated by ordinance, only after formal application for such permit or license. No such permit or license that is dependent on or affected by the zoning, set-back or other ordinances of the city and county administered by the city planning commission shall be issued except on the prior approval of the city planning commission. If any application for a permit or license is denied by the department authorized to issue same, the applicant may appeal to the board of permit appeals.

No license tax shall be imposed on any seller or manufacturer of goods, wares or merchandise operating at a fixed place of business in the city and county, except such as require permits or licenses in accordance with or under authority of any local health, sanitary or other ordinance under the police power.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 11

DISPOSITION OF UTILITY FUNDS.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Sections 127 and 128, relating to Operating Expenses and Reserves, and Depreciation, and to add a new section known as 128-1, relating to Reconstruction and Replacements.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County

of San Francisco at the special election to be held on the 9th day of March, 1937, a proposal to amend Sections 127 and 128 and to add a new section known as 128-1 of the Charter of said City and County, as follows:

OPERATING EXPENSES AND RESERVES.

Section 127. Receipts from each utility operated by the commission shall be paid into the city and county treasury and maintained in a separate fund for each such utility. Appropriations from such funds shall be made for the following purposes for each such utility in the order named, viz.: (a) for the payment of operating expenses, pension charges, and proportionate payments to such compensation and other insurance and accident reserve funds as the commission may establish or the board of supervisors may require; (b) for repairs and maintenance; (c) for reconstruction and replacements as hereinafter described; (d) for the payment of interest and sinking funds on the bonds issued for acquisition, construction or extensions; (e) for extensions and improvements, and (f) for a surplus fund.

DEPRECIATION.

Section 128. For the purpose of computing net income, the commission, on the basis of an appraisal of the estimated life and the then current depreciated value of the several classes of property in each utility, shall determine the amount of reasonable annual depreciation for each utility. During the fiscal year 1937-1938 and at least every five years thereafter, the commission shall make an appraisal or may revise the last preceding appraisal of the value and probable useful life of each of the several classes of property of each utility, and shall, on the basis of said appraisal, redetermine the amount of the reasonable annual depreciation for each utility.

RECONSTRUCTION AND REPLACEMENTS.

Section 128-1. For the purpose of providing funds for reconstruction and replacements due to physical and functional depreciation of each of the utilities under the jurisdiction of the commission, the commission must create and maintain a reconstruction and replacement fund for each such utility, sufficient for the purposes mentioned in this section, and in accordance with an established practice for utilities of similar character, which shall be the basis for the amount necessary to be appropriated annually to provide for said reconstruction and replacements.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 12

POLICE DEPARTMENT.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of the City and County of San Francisco, by amending Sections 35, 146, 148, and 172 thereof, relating to the Police Department and Patrol Special Police Officers.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the City and County at the special election to be held on the 9th day of March, 1937, in the City and County of San Francisco, a proposal to amend as herein set forth the Charter by amending Sections 35, 146, 148, and 172 thereof, relating to the Police Department and Patrol Special Police Officers.

POLICE DEPARTMENT.

Section 35. The police department shall consist of a police commission, a chief of police, a police force and such clerks and employees as shall be necessary and appointed pursuant to the provisions of this charter, and shall be under the management of a police commission consisting of three members, who shall be appointed by the mayor, and each of whom shall receive an annual compensation of twelve hundred dollars (\$1,200). The term of each commissioner shall be four years, commencing at twelve o'clock noon on the 15th day of January in the years 1938, 1940 and 1941, respectively. The incumbents serving as members of the commission on the effective date of this amendment shall continue to hold their respective positions, subject to the provisions of the charter, for the remainder of the terms for which they have been respectively appointed. The commission shall appoint a chief of police who shall hold office at its pleasure.

The police commissioners shall be the successors in office of the police commissioners holding office in the city and county at the time this amendment shall become effective, and shall have all the powers and duties thereof except as in this charter otherwise provided. They shall have power to regulate traffic, including the location and use of traffic control devices for that purpose.

All positions in the police department legally authorized shall be continued, and incumbents therein legally appointed thereto shall be continued as officers and employees of the department under the conditions governing their respective appointments and except as otherwise provided in this charter.

The rank of corporal is hereby abolished, effective on the last day of the month during which this amendment shall become effective, and members of the department having the rank and pay of corporal shall from the first day of the next ensuing month have the rank and pay of sergeant, and members of the department on a civil service commission list of those eligible for appointment as corporal shall during the life of such list be eligible for appointment as sergeant.

Each member of the department holding the position of inspector on the effective date of this amendment, and who has held such position for one year continuously prior thereto, is hereby declared permanently

appointed thereto. The chief of police may detail from time to time other members of the department for performance of duty in the bureau of inspectors who shall be known as assistant inspectors, and who may be removed from such detail by order of the chief of police. An appointment as inspector shall not be subject to competitive examination, but in case of vacancy in said rank of inspector, the appointment shall be made by the chief of police from among those assistant inspectors who have been detailed to, and who have actually served with the bureau of inspectors for at least five years prior to such appointment. Inspectors and assistant inspectors shall have the same rights as other members of the department to take competitive examinations from their respective civil service ranks. An inspector, guilty of any offense or violation of the rules and regulations of the police department shall be subject to punishment as provided in Section 155 of this charter.

The chief of police, in addition to the inspectors above provided for, shall detail any member of the department to serve as inspector of school traffic patrols who shall have the rank and pay of inspector, subject to the provisions of this section.

Subject to the provisions of Section 20 of this charter governing the appointment and removal of non-civil service appointees, and without competitive examination, the chief of police shall have power to appoint a police surgeon; to designate a deputy chief of police, a department secretary, and a director, bureau of special services, from any rank in the department; to designate a director, bureau of criminal information, from among the members of the department having the rank of sergeant or higher; to designate a captain of inspectors, a captain of traffic, and a director, bureau of personnel, from among the members of the department holding rank of lieutenant or higher, and to designate a supervising captain of districts from among the members of the department holding the rank of captain. Provided, that the captain of inspectors and captain of traffic, who shall be holding said positions at the effective date of this amendment, shall, if they have held their said positions continuously for one year next before said date, be continued in their respective positions as if they had been appointed thereto after civil service examination and certification. The department secretary or other suitable member of the department shall be assigned by the chief of police to serve also as secretary to the police commission without extra compensation. The officer holding the position of property clerk at the effective date of this amendment and who has held such position for one year prior thereto shall have the rank and pay of captain, as long as he legally holds such position, provided that when a successor to such position is assigned thereto by the chief of police from among the members of the department, such assignment shall be made at the rank and pay of the member so assigned.

When any member of the department, detailed to any of the positions above mentioned, shall be removed from said detail or position he shall be returned to his civil service rank and position, unless removed from the department pursuant to the provisions of Section 155 of the charter.

The police force of the city and county shall not exceed one police officer for each five hundred inhabitants thereof. The annual compensations for the several ranks in the department shall be as follows:

chief of police, \$7,200; deputy chief of police, \$5,400; captain of inspectors, \$5,000; department secretary, \$4,800; captain of traffic, director, bureau of criminal information; director, bureau of personnel, and supervising captain of districts, each \$4,000; captains, \$3,600; lieutenants, and director, bureau of special services, each \$3,000; inspectors \$2,760; sergeants \$2,640; police surgeon, police officers, police patrol drivers and women protective officers, each \$2,400; criminologist, \$3,600; photographer, \$2,700.

The chief of police may refuse to issue any permit that is subject to police department investigation and issuance, if it shall appear that the character of the business or the applicant requesting such permit does not warrant the issuance thereof, or he may revoke any such permit as soon as it shall appear that the business or calling of the person to whom it was granted is conducted in a disorderly or improper manner, or that the place in which the business is conducted or maintained is not a proper or suitable place in which to conduct or maintain such business or calling.

In the suppression of any riot, public tumult, disturbance of the public peace or organized resistance against the laws or public authority, the chief of police, in the lawful exercise of his functions, shall have all the powers that are now or that may be conferred on the Sheriff by the laws of this State.

The supervisors shall provide in the annual budget an amount not to exceed in any one fiscal year the sum of \$10,000, to be known as the contingent fund of the chief of police. The chief of police may from time to time disburse such sums for contingent expenses of the department as in his judgment shall be for the best interests of the city and county, and the police commission shall allow and order paid out of such contingent fund, upon orders signed by the chief of police, such amounts as may be required.

At his discretion or upon the petition of any person, firm or corporation, the chief of police may appoint, and at his pleasure remove special police officers. Such officers shall be subject to all the rules and regulations of the department.

The police commission may appoint patrol special police officers and for cause may suspend or dismiss said patrol special police officers after a hearing on charges duly filed with the commission and after a fair and impartial trial. Each patrol special police officer shall be at the time of his appointment not less than twenty-one years of age nor more than forty years of age and must possess such physical qualifications as may be required by the commission. Age qualifications shall not apply to present patrol special police officers acting as such at the time of the effective date of this amendment nor to their reappointment. Patrol special police officers who are designated by the police commission as the owners of a certain beat or territory as may be fixed from time to time by said commission or the legal heirs or representatives of said owners, may dispose of their interest in said beat or territory to a person of good moral character, approved by the police commission and eligible for appointment as a patrol special police officer.

On the recommendation of the chief of police, the commission may reward any member of the department for heroic or meritorious conduct.

The form or amount of said reward to be discretionary with the commission, but not to exceed one month's salary in any one instance.

The chief of police shall have power, by regulation, to provide for the care and restitution of property that may come into possession of the department or into the possession of any officer or employee thereof, and the sale at public auction of all such unclaimed property, as well as the disposition of such property as shall consist of weapons or articles used or that may be used in the commission of crime, or the sale or disposition of which is prohibited by law.

PROMOTIONS.

Section 146. Whenever it deems it to be practicable, the civil service commission shall provide for promotion in the service on the basis of such examinations and tests as the commission may deem appropriate, and shall, in addition, give consideration to ascertained merit and records of city and county service of applicants. The commission shall announce in the examination scope circular the next lower rank or ranks from which the promotion may be made. All promotions in the uniform forces of the police and fire departments, respectively, shall be made from the next lower rank on the basis of examinations and tests, seniority of service and meritorious public service being considered, provided that in the police department a minimum of two years' service in a lower rank shall be a requirement for promotive appointment to the next higher rank. Not more than 5 per cent of the total credits obtainable under any promotive examination shall be allowed for seniority of service; and the civil service commission shall determine the manner in which said credits shall be distributed.

REQUISITION, CERTIFICATION AND APPOINTMENT.

Section 148. Whenever a position controlled by the civil service provisions of this charter is to be filled, the appointing officer shall make a requisition to the civil service commission for a person to fill it. Thereupon, the commission shall certify to the appointing officer the name and address of the person standing highest on the list of eligibles for such position. In case the position is promotive, the commission shall certify the name of the person standing highest on such list. In making such certification, sex shall be disregarded except when a statute, a rule of the commission or the appointing officer specifies sex.

From the requisition of the appointing officer or otherwise, the commission shall determine whether the position is, in character, temporary, seasonal or permanent, and shall notify the candidate in accordance therewith to the end that the candidate may have knowledge of the probable duration of employment. The commission shall provide for such waiver of temporary or seasonal employment as it may deem just to candidates.

Any appointment to a position declared permanent by the civil service commission shall be on probation for a period of six months, provided that the probationary period for entrance positions in the uniform rank of the police department shall be for one year. At any time during the probationary period the appointing officer may terminate the appointment. The civil service commission shall inquire into the

circumstances and may declare such person dismissed, or may return the name to the list of eligibles for certification to another department. Immediately prior to the expiration of the probationary period, the appointing officer shall report to the civil service commission as to the competence of the probationer for the position, and, if competent, shall recommend permanent appointment.

COMPENSATION INSURANCE PAYMENTS.

Section 172. The benefit provisions of the workmen's compensation insurance and safety law of the State of California as they affect the benefits provided for or payable to or on account of officers and employees, including teachers of the city and county, shall be administered exclusively by the retirement board, provided that the retirement board shall determine whether the city and county, through the retirement system, shall assume the risks under the said law, in whole or in part, or whether it shall reinsure such risks, in whole or in part, with the state compensation insurance fund. Benefits under such risks as may be assumed by the city and county, and premiums under such risks as may be re-insured shall be paid by the retirement system, and an amount equal to the total of such benefits and premiums, as determined by the actuary for any fiscal year, including the deficit brought forward from previous years, shall be paid during such fiscal year to the retirement system by the city and county.

Every patrol special police officer, as referred to in Section 35 of this charter shall be entitled, under this section, to the benefits of such compensation law, if injured while performing regular city and county police duties, which shall include only duties performed while preventing the commission of a crime, or while apprehending the person or persons committing such crime, and shall not include duties of any character performed for private employers either on or off the premises of such employers, provided that no payments shall be made under this paragraph in the event that the patrol special police officer shall receive the benefits of such compensation law from any other source.

Ordered Submitted—Board of Supervisors, San Francisco, January 25, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 13

POWER OF HEARING, INQUIRY AND SUBPOENA.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend Section 21 of the Charter of the City and County, relating to the power of hearing, inquiry, and subpoena.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County, as follows:

POWER OF HEARING, INQUIRY AND SUBPOENA.

"Section 21. The mayor, the board of supervisors, the chief administrative officer, the controller, or any board or commission appointed by the mayor relative solely to the affairs under its control, may require such periodic or special reports of departmental costs, operation and expenditures, examine the books, papers, records, and accounts of, and inquire into matters affecting the conduct of any department or office of the city and county, and for that purpose may hold hearings, subpoena witnesses, administer oaths and compel the production of books, papers, testimony and other evidence. It shall be the duty of the chief of police to designate a police officer to serve subpoenas. Any person refusing to obey such subpoena and other requirements hereof, or to produce such books, shall be deemed in contempt and subject to proceedings and penalties as provided by general law in such instances.

"Whenever any person subpoenaed to appear and give testimony or produce such books, papers or documents as required by such subpoena, shall refuse to appear or testify before any of said officers, boards or commissions, or to answer any questions which any of said officers or the majority of any of said boards or commissions shall decide to be proper and pertinent, he shall be deemed in contempt of said officer, board or commission, and it shall be the duty of said officer, or the president of said board or commission to report the fact to the presiding judge of the superior court of the City and County of San Francisco, State of California, who shall thereupon issue an attachment in the form usual in the superior court, directed to the sheriff of said city and county, commanding said sheriff to attach such person and forthwith bring him before said presiding judge of said superior court. On the return of said attachment and the production of the person attached the said presiding judge shall have jurisdiction of the matter, and the person charged may purge himself of the contempt in the same way, and the same proceedings shall be had, and the same penalties may be imposed and the same punishment inflicted as in the case of a witness subpoenaed to appear and give evidence on the trial of a civil cause before a superior court of the State of California. Any of said officers

or any committee of said boards or commissions shall have power to issue any subpoena herein provided for."

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 14

LIMITATION ON SPECIAL ASSESSMENTS.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of the City and County by amending Section 111 thereof, relating to limitation on special assessments.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County, as follows:

LIMITATION ON SPECIAL ASSESSMENTS.

Section 111. A special assessment shall not exceed fifty per cent of the assessed value, at the time of inception of the proceedings leading to the assessment, of the land on which the assessment is levied, except when it is authorized to be paid in installments over a period not to exceed ten years, upon such terms and conditions and in such manner as may be provided by law; but no such installment shall exceed twenty-five per cent of such assessed value; and not more than two installments shall be payable in any one year. It may be required by law, as a condition precedent to the right to pay a special assessment in installments, that the owner of the land subject to the assessment execute a bond for the payment of the assessment. A lien on the land subject to the assessment and a method or methods of foreclosing such lien and of selling the land subject to the lien and of collecting the assessment in any other way may be provided for by ordinance. Every ordinance now in effect, conforming with Section 107 of this charter, and containing provisions conforming with this section as amended is hereby confirmed, subject to repeal or amendment.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 15

ZONING AND SET-BACK LINES.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend Section 117 of the Charter of the City and County, relating to zoning and set-back lines.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County by amending Section 117 thereof, relating to zoning and set-back lines.

ZONING AND SET-BACK LINES.

Section 117. The city planning commission, from time to time, shall consider and hold hearings on proposed changes in the classification of the use to which property in the city and county may be put, in either case, on its own motion or on the application of the owner of the particular property involved in any such proposed change. The city planning commission, from time to time, shall also consider and hold hearings on proposals to establish or change building set-back lines, in either case, on its own motion or on the application of an interested property owner.

The board of supervisors, by ordinance, shall establish procedure for action on such matters, which ordinance must provide, among other things, that the commission shall give notice of time, place and date of hearing by posting throughout the area and by publication not less than twenty days prior thereto; that the commission shall notify, in writing, not less than ten days prior to said hearing, applicants for proposed changes, and all persons whose names and addresses are shown on the assessment roll as owners of property within three hundred feet of all exterior boundaries of the property involved in a proposed change and the time and the place of hearing, which names, addresses and other information shall be furnished by the applicant in the form required by the commission; that the commission, after hearing shall, by resolution, approve or disapprove the proposed change which, if approved, shall not become effective for thirty days; that appeal may be taken from the ruling of the commission by filing written protest with the board of supervisors, copy of which shall be filed with the city planning commission, and if such protest is subscribed by the owners of twenty per cent of the area of all property within three hundred feet of the exterior boundaries of the particular property involved in such proposed change, the supervisors shall fix a time and a place for hearing such objections which shall be not less than ten nor more than thirty days after such filing, and must decide thereon within ten days of the start of such hearing; that the board of supervisors, by not less than two-thirds vote, may disapprove the action of the commission, provided, however, that any change in zoning classification or building set-back lines made by the commission on its own motion shall require approval of the board of supervisors by a two-thirds vote; that in case of disapproval by the commission or by the board of supervisors on appeal of such proposed change, no proposed change involving the same property may be resub-

mitted to or reconsidered by the commission, on its own motion or otherwise, for at least one year subsequent to disapproval by the commission, or the board of supervisors if appeal be taken.

No ordinance shall be considered by the supervisors, the purpose or intent of which is the classification, regulation or control of the height, area, bulk, location or use of any building or buildings, or premise or premises, and classifying any property into any district or zone for such purposes, or establishing a set-back line or lines along any street or portion thereof in the city and county without being first submitted to the city planning commission for report and recommendation. If the commission disapprove any such ordinance, the supervisors may adopt the same only by an affirmative vote of at least two-thirds of its entire membership. The failure of the commission to act within sixty days from and after the date of official submission of any proposed zoning classification or set-back line by the board of supervisors shall be deemed to be approval of such classification or proposed set-back line by the commission.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

Absent: Supervisor Brown.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 16

NUMBER, COMPENSATION AND MEETINGS OF SUPERVISORS.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend Section 10 of the Charter of the City and County, relating to number, compensation and meetings of Supervisors.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County by amending Section 10 thereof, relating to number, compensation and meetings of Supervisors.

NUMBER, COMPENSATION AND MEETINGS OF SUPERVISORS.

Section 10. The board of supervisors shall consist of eleven members elected at large. Each member of the board shall be paid a salary of four thousand (\$4,000) dollars per year, and each shall execute an official bond to the city and county in the sum of five thousand (\$5,000) dollars.

At twelve o'clock noon on the 8th day of January next following their election, the newly elected and continuing members of the board of supervisors shall meet at the legislative chamber in the city hall, and thereafter regular meetings shall be held as fixed by resolution. The supervisors constituting the new board shall, on January 8, 1932, and every second year thereafter, elect one of their number as president of the board for a two-year term. The president shall preside at all meetings, shall appoint all standing and special committees of the board and shall have such other powers and duties as the supervisors may provide.

The meetings of the board shall be held in the city hall, provided that, in case of emergency, the board, by resolution may designate some other appropriate place as its temporary meeting place. The board shall cause a calendar of the business scheduled for each meeting to be published and shall keep and publish a journal of its proceedings. Notice of any special meeting shall be published at least twenty-four hours in advance of such special meeting.

Ordered Submitted—Board of Supervisors, San Francisco, January 18, 1937.

Ayes: Supervisors McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Shannon, Uhl.

Noes: Supervisors Brown, Colman, Schmidt.

I hereby certify that the foregoing Charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 17

FRANCHISES

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of the City and County of San Francisco, by adding a new section thereto to be known as Section 9.1, relating to Franchises.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of the City and County at the Special Election to be held on the 9th day of March, 1937, in the City and County of San Francisco, a proposal to amend as herein set forth the Charter by adding thereto a new section to be known as Section 9.1, relating to Franchises.

FRANCHISES

Section 9.1:

Subdivision (1). In addition to the franchises, permits or privileges which are authorized by the laws of the State of California to be granted by boards of supervisors of any county or city and county or by the legislative body thereof, the board of supervisors of the City and County of San Francisco may grant franchises, permits or

privileges for the purpose of furnishing the city and its inhabitants with transportation, communication, terminal facilities, refrigeration, storage, including the operation of passenger, freight and express carrying buses, interurban or otherwise, irrespective of the method of locomotion, as well as franchises, permits or privileges for any means or methods for conveying letters, packages or articles by tubes or chutes or other conveyances, as well as for the method or means of the conveying or transmission of signals or alarms in or through the City and County of San Francisco, whenever any of such service or services shall be conducted on, over or under any public street, way, alley, lane or public park or place.

It shall be unlawful for any person, firm or corporation to carry on or engage in the business described in subdivision (1) hereof without obtaining a franchise, permit or privilege to so do from the board of supervisors of the City and County of San Francisco.

Subdivision (2). Full power and authority is hereby granted to the board of supervisors to issue and grant such franchises, permits or privileges under such terms and conditions as it may deem proper, and said board of supervisors may by ordinance provide the conditions under which any franchise, or any of the permits or privileges hereinbefore mentioned may be applied for or granted, including such fees or considerations which shall be paid to the City and County of San Francisco for the exercise of any of the said franchises, permits or privileges above mentioned.

Ordered Submitted—Board of Supervisors, San Francisco, January 25, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Shannon, Uhl.

I hereby certify that the foregoing charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

CHARTER AMENDMENT No. 18

APPROPRIATIONS TO MEET UTILITY DEFICITS

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County, by amending Section 74 thereof, relating to appropriations to meet utility deficits.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors at the special election to be held on the 9th day of March, 1937, a proposal to amend the Charter of the City and County by amending Section 74 thereof, relating to appropriations to meet utility deficits.

APPROPRIATIONS TO MEET UTILITY DEFICITS

Section 74. In the event the public utilities commission shall propose a budget estimate for any utility which will exceed the estimated revenue

of such utility, it shall require a vote of two-thirds of all members of the board of supervisors to approve such budget estimate, and to appropriate the funds necessary to provide for the deficiency. Provided that if said proposed deficiency shall include proposed expenditures for additions, extensions or other capital costs, the total annual amount which may be appropriated from tax funds to all municipally owned utilities for additions, extensions and other capital costs shall not exceed \$500,000.00; provided further that there shall be no limitation as to the amount which may be appropriated to any of the existing utilities for additions, extensions or other capital costs when the appropriation therefor is made from the earnings or surplus of said utility..

Ordered Submitted—Board of Supervisors, San Francisco, January 25, 1937.

Ayes: Supervisors Brown, Colman, McSheehy, Mead, Meyer, Ratto, Reilly, Roncovieri, Schmidt, Uhl.

No: Supervisor Shannon.

I hereby certify that the foregoing charter amendment was ordered submitted by the Board of Supervisors of the City and County of San Francisco.

J. S. DUNNIGAN, Clerk.

PROPOSITION No. 19

PROPOSED REPEAL OF ANTI-PICKETING ORDINANCE

ORDERED SUBMITTED.

It is hereby ordered that the following ordinance is, pursuant to the provisions of Section 179 of the Charter, submitted to the electors of the City and County of San Francisco:

The repeal of an initiative ordinance entitled: "Prohibiting the loitering, picketing, carrying or displaying banners, badges, signs or transparencies, or speaking in public streets, sidewalks, alleys or other public places in a loud or unusual tone, for certain purposes therein named, and providing a penalty for any violation thereof." Adopted by the voters as an initiative measure at an election held November 7, 1916.

Ordered Submitted—Board of Supervisors, November 30, 1936, by the following vote:

Ayes: Supervisors Brown, Colman, Havenner, McSheehy, Mead, Meyer, Ratto, Roncovieri, Schmidt, Shannon, Uhl.

ANTI-PICKETING ORDINANCE.

Adopted by the voters as an initiative measure at an election held November 7, 1916.

An ordinance prohibiting loitering, picketing, carrying or displaying banners, badges, signs or transparencies, or speaking in public streets, sidewalks, alleys or other public places in a loud or unusual tone, for

certain purposes therein named, and providing a penalty for any violation thereof.

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

Section 1. It shall be unlawful for any person, in or upon any public street, sidewalk, alley or public place in the City and County of San Francisco, to make any loud or unusual noise, or to speak in a loud or unusual tone, or to cry out or proclaim, for the purposes of inducing or influencing, or attempting to induce or influence, any person to refrain from entering any works or factory or any place of business or employment, or for the purpose of inducing or influencing, or attempting to induce or influence any person to refrain from purchasing or using any goods, wares, merchandise or other article or articles, or for the purpose of inducing or influencing or attempting to induce or influence any person to refrain from doing or performing any service or labor in any works, factory, place of business or employment, or for the purpose of intimidating, threatening or coercing, or attempting to intimidate, threaten or coerce, any person who is performing, seeking or obtaining service or labor in any works, factory, place of business or employment.

Section 2. It shall be unlawful for any person, in or upon any public street, sidewalk, alley or other public place in the City and County of San Francisco to loiter in front of, or in the vicinity of, or to picket in front of or in the vicinity of, or to carry, show or display any banner, transparency, badge or sign in front of, or in the vicinity of, any works, or factory, or any place of business or employment, for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from entering any such works or factory or place of business, or employment, or for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from purchasing or using any goods, wares, merchandise, or other articles, manufactured, made or kept for sale therein, or for the purpose of inducing or influencing or attempting to induce or influence, any person to refrain from doing or performing any service or labor in any works, factory, place of business or employment, or for the purpose of intimidating, threatening or coercing, or attempting to intimidate, threaten or coerce any person who is performing, seeking or obtaining service or labor in any such works, factory, place of business or employment.

Section 3. That any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred (\$100) dollars nor less than twenty-five (\$25) dollars or by imprisonment in the city and county jail for a period of not more than fifty (50) days nor less than twelve (12) days or by both such fine and imprisonment.

PROPOSITION No. 20

PROHIBITING BILLBOARDS NEAR APPROACH TO SAN FRANCISCO BAY BRIDGE

The Board of Supervisors passed Bill No. 1218, Ordinance No. 11.0821, Code No. 11.08:

Directing that a proposed ordinance entitled as follows: "An ordinance prohibiting the location, erection or maintenance of any sign or signboard, bill or billboard, or any advertising device or structure, movable or immovable, temporary or permanent, for advertisement sign or billboard business, or designed or intended for use for advertisement sign or billboard purposes within certain distances of any part of the structure of the San Francisco-Oakland Bay Bridge and/or bridge ramp or approaches thereto or exits therefrom and specifying said distances, and providing penalties for the violation of this ordinance," be submitted to the electors of the City and County of San Francisco at a special election to be held on Tuesday, March 9, 1937.

PETITION TO REGISTRAR OF VOTERS **of the City and County of San Francisco, State of California.**

To submit to a Vote of the Registered Voters of the City and County of San Francisco a Proposal to Prohibit the Location, Erection or Maintenance of any Advertising Device or Structure within Certain Distances of any Part of the Structure of the San Francisco-Oakland Bay Bridge and/or Bridge Ramp or Approaches Thereto or Exits Therefrom. To the honorable, the registrar of voters of the City and County of San Francisco:

We, the undersigned, registered voters of the City and County of San Francisco, and comprising with other registered voters whose names are signed to other papers of identical tenor and effect, and being the number of registered voters equal to at least five per cent of the registered voters of the entire vote cast for Mayor of the City and County of San Francisco at the last preceding general municipal election, in conformity with Sections 179, 180 and 182 of the Charter of the City and County of San Francisco, petition the Honorable Registrar of Voters of the City and County of San Francisco to submit the following ordinance to a vote of the electorate as provided in Section 182 of the Charter.

Said ordinance is in the words and figures following, to-wit:

An ordinance prohibiting the location, erection or maintenance of any sign or signboard, bill or billboard, or any advertising device or structure, movable or immovable, temporary or permanent, for advertisement sign or billboard business, or designed or intended for use for advertisement sign or billboard purposes within certain distances of any part of the structure of the San Francisco-Oakland Bay Bridge and/or bridge ramp or approaches thereto or exits therefrom and specifying said distances, and providing penalties for the violation of this ordinance.

Whereas, the San Francisco-Oakland Bay Bridge, and/or bridge ramp or approaches thereto or exits therefrom, as situated in the City and County of San Francisco, will carry a large volume of high speed motor vehicle traffic; and

Whereas, the location, erection, placing or maintenance of any advertising device, sign or structure within the area immediately adjacent to said bridge, ramp, approaches or exits when visible therefrom would constitute a serious traffic hazard and menace to public safety; now, therefore,

Be it ordained by the people of the City and County of San Francisco, as follows:

Section 1. It shall be unlawful for any person, firm or corporation to erect, paint or in any manner place or maintain any sign or signboard, bill or billboard, or any advertising device or structure, movable or immovable, temporary or permanent, and designed or intended for use for advertising, sign or billboard purposes or to paste, post, paint, print, nail, tack or otherwise fasten any card, banner, handbill, sign, poster, advertisement or notice of any kind, excepting in the case of a public officer or a private person in giving a legal notice, upon any property within 382 feet of any part of the structure of the San Francisco-Oakland Bay Bridge and/or bridge ramp or approaches thereto or exits therefrom when visible from the San Francisco-Oakland Bay Bridge and/or bridge ramp or approaches thereto or exits therefrom situated in the City and County of San Francisco.

Section 2. It shall be unlawful for the owners, lessees, occupants, tenants, or agents of any real or personal property located within the limits defined in Section (1) hereof, to license or allow any such property to be leased or used in any manner whatsoever for any such advertising sign or billboard purposes, provided, however, that nothing in this Section, or Section (1) hereof, shall be construed to prohibit the owner or occupant of any building within the limits prescribed in Section (1) hereof and conducting a business in such building, from having thereon a sign directing attention to the person occupying the premises in question or the business transacted therein, or advertising the property itself or any part thereof, as for sale, or to let, and which contains no other advertising matter, providing that such sign shall be of such size, design and location as may be approved by the City Planning Commission, as one that will reasonably serve one or more of said purposes, without being a distraction to traffic upon the San Francisco-Oakland Bay Bridge and/or bridge ramp or approaches thereto, or exits therefrom.

Section 3. Any person, firm or corporation violating any of the provisions of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment in the County Jail, for not exceeding six (6) months, or by both fine and imprisonment.

Each day any sign or signboard, bill or billboard, or any other advertising device or structure is continued or maintained in violation of the provisions of this ordinance, such continuance or maintenance shall be deemed a separate and distinct offense and shall be punishable accordingly.