Shared Spaces
Temporary Street Closure Permit

ISSUED JUNE 15, 2021
REVISED JULY 2
PERMIT NUMBER 373513

Event Name
Shared Spaces Street Closure

Jennifer Laska
Hayes Valley Neighborhood Association
400 Grove Street, #3
San Francisco, CA 94102

Dear Jennifer Laska:

Your application through the "Shared Spaces" program for the temporary street closure(s) of:

Hayes Street between Gough and Franklin streets
Fridays, 4 pm to 10 pm each dad; Saturdays and Sundays, 10 am to 10 pm each day
July 1, 2021 through September 5, 2021

and

Hayes Street between Gough and Octavia streets
Fridays, 4 pm to 10 pm each dad; Saturdays and Sundays, 10 am to 10 pm each day
July 1, 2021 through December 31, 2021

has been ***approved with the following conditions:***

- Permit may be revoked at any time without notice
- Permit not valid for closures on the following dates: October 29-31 (Halloween weekend), SantaCon (currently anticipated for December 11), December 31. These exclusions may be revisited in the Fall in response to more up-to-date information on traffic and public safety conditions at the time.
- Permit is invalid if activities are contraindicated by any public health order.
- Permittee must monitor activity within the closure to ensure compliance with all permit conditions
- Proper barricading and street signage must be implemented according to agreed schema
- You are required to keep a 10' clearance from overhead Muni power lines, free ofobjects and activities
- Vehicles requiring access through the closure must be escorted.

- Specific signage on prohibited alcohol consumption must be posted in areas where food is not served. Alcohol served by one establishment must stay at that restaurant's seating
- No loitering and no drinking outside of designated seating for restaurants
- You should post City approved signage on COVID-19 public health measures, including mask wearing and physical distancing, at each entrance to the event space
- All community concerns must be communicated to SFMTA Shared Spaces and the offices of Supervisor Preston
- The closure of Hayes Street between Franklin and Gough streets may be revoked at anytime if deemed necessary by SFMTA, SFFD, or SFPD

This permit has been issued to you, the sponsor of the event, on the basis of the information submitted to City staff, including application, any email communications, site plans or renderings. Any subsequent changes to this closure as described in your application and related communications and material must be submitted by email, including a new site plan if appropriate, to SFMTA Shared Spaces, who will consult with the various impacted City agencies and inform you, by email, if the changes are acceptable. DEVIATION FROM THE FINAL APPROVED EVENT PLAN MAY RESULT IN IMMEDIATE REVOCATION OF THIS PERMIT.

The following is a list of conditions with which this street closure must comply. You, as the permittee and sponsor of the above closure, are responsible for making sure these conditions are being met.

☐ ***READ THIS PERMIT IMMEDIATELY***. If you have any questions, contact SFMTA Shared Spaces at 415-646-2414 or sharedspaces@sfmta.com

☐ ***PERMITS ON SITE***: All permits associated with the street closure must be on site with the permittee or their designee during the street closure times.

☐ ***PUBLIC HEALTH ORDERS***: It is a condition of this permit that all activities conducted within the space of the closure comply with all relevant provisions of public health orders from both the City and County of San Francisco and State of California. Orders Issued by the San Francisco Health Officer Relevant to Coronavirus (COVID-19) California Department of Public Health COVId-19 guidelines and orders

☐ ***INSURANCE***: Permittee
1. Shall maintain general liability insurance throughout the term of the permit in the amount of at least $1,000,000 per occurrence/$2,000,000 in the aggregate to respond to claims made against the City and County of San Francisco (e.g. an additional insured endorsement in favor of the City).
2. Agrees to indemnify, hold harmless and assume the defense of the City and County

of San Francisco as provided in Section VII of this Order.
3. Self-certifies that they meet the requirements outlined in this Order, standing Public Health orders, and the requirements listed on the Digital Services online portal.

☐ ***INDEMNIFICATION:*** In consideration of the business taking advantage of sidewalk, parking lane, and/or travel lane space, the business owner promises and agrees to comply with all applicable regulations.
In addition, the permittee agrees on its behalf and that of any successor or assignee to hold harmless, defend, and indemnify the City and County of San Francisco, including, without limitation, each of its commissions, departments, officers, agents and employees (collectively referred to as the "City") from and against and all losses, liabilities, expenses, actions, claims, demands, injuries, damages, fines, penalties, suits, costs or judgements including, without limitation, attorneys' fees and costs (collectively, "claims") of any kind allegedly arising directly or indirectly from
(i) any act by, omission by, or negligence of, Assignee or its subcontractors, or the officers, agents or employees of either, while engaged in the practices authorized by this Order,
(ii) any accident, damage, death, or injury to any contractor or subcontractor, or any officer, agent, or employee of either of them, while engaged in the performance of the practices authorized by this Order,
(iii) any accident, injuries or damages to any person(s) or accident, damage or injury to any real or personal property, good will, in, upon or in any way allegedly connected with the practices authorized by this Order from any cause or claims arising at any time, and potentially falls within this indemnity provision, even if the allegations are or may be groundless, false or fraudulent, which obligations arises at the time such claim is tendered to business operator by the City and continues at all times thereafter.
The permittee agrees that the indemnification obligations assumed under this Order shall survive expiration of the Order or completion of practices authorized by this order.
The business operator shall assume all maintenance and liability associated with the items allowed to be placed in the public right-of-way under this Order.

☐ ***RESTROOMS***: It is understood that attendees at Shared Spaces closures with any outdoor seating for food and drink will have access to existing restroom facilities in associated restaurants, bars, cafés and other establishments, and that these include ADA-compliant restroom facilities. If sufficient such restrooms are not available, the number of portable toilets required is ***three (3) per closed block***. Each cluster of bathrooms should have at least one wheelchair accessible bathroom. Each accessible bathroom shall have a sign which reads: "Priority is to be given to individuals with disabilities in the use of this accessible facility." Closures with no outdoor seating for food and drink are not required to provide restroom facilities.

- ☐ ***EMERGENCY ACCESS***: An emergency access lane of the specified width must be maintained throughout the entire length of the street closure. This lane must be kept free of objects (including tables and chairs), structures, and physical obstructions of any kind, though it may be occupied by people.

- ☐ ***SIDEWALK ACCESS***: The temporary use or occupancy of a public street shall not unnecessarily obstruct or bar public access onto said street. ***Sidewalks shall remain open at all times for normal pedestrian use. This permit does not grant the deployment of any tables and chairs or physical objects of any kind on the sidewalk.*** Crosswalks may not be obstructed. This permit confers no rights or control over activities on the sidewalk, and sidewalk use should not be obstructed in any way, including by barricades, ID checks or bag searches or any activities not permissible on sidewalks in normal circumstances.

- ☐ ***BLUE ZONES***: Temporary blue zones will be created for any obstructed by this closure. The SFMTA Temporary Sign Shop will post signs indicating temporary blue zones on your behalf. These spaces should be monitored by you for compliance and to ensure signage is left in place. Notify the SFMTA Temporary Sign Shop at temporarysign@sfmta.com immediately if signs need to be replaced.

- ☐ ***NO PARKING SIGNS***: "No parking" signs will be posted for the area of your street closure. Additional signs may be posted to create temporary delivery and passenger zones to manage traffic impacts from your closure. You are responsible for ensuring that the signs posted are accurate and remain in place, To correct any errors, or request reposting of any removed signs, please email the SFMTA Temporary Sign Shop at temporarysign@sfmta.com immediately.

- ☐ ***BARRICADES***: Permittee is responsible for arranging for barricades meeting the specifications supplied by SFMTA Shared Spaces through a private vendor. Barricades should be delivered as close to the start of the closure period as possible and must be picked up as soon as possible once the closure has ended. Barricades may not be stored in the public right of way (streets and sidewalks) except with appropriate permitting from Public Works.

- ☐ ***PARKING/TRAFFIC ENFORCEMENT***: If Parking Control Officers (PCO) are required due to traffic impacts or safety issues during the course of the closure, cost for these services will be billed to the permittee. If you would like to arrange for PCO support, please contact David Louie, SFMTA Enforcement, to discuss.

- ☐ ***MONITORED BICYCLE PARKING***: It is recommended that "Shared Spaces" closures supporting extended commercial corridors consider implementing monitored bicycle parking to support the City's "transit-first" policy.

- ☐ ***PUBLIC WORKS***: Additional permits will be required for any built structures, storage pods, carnival rides, stages, tents (larger than 10'x10'), etc., or sidewalk impacts. A reminder: all stages must have a ramp with a slope not to exceed 1:12 or an ADA approved portable lift. For more information, call 415-554-5810 or visit http://sfdpw.org/permits.

- ☐ ***ALCOHOLIC BEVERAGES***: A permit is required from Alcoholic Beverage Control (ABC) if there is any alcohol served or consumed in the closure. Please contact them at 415-356-6500 or SFO.Direct@abc.ca.gov for further information. For information on the ABC COVID-19 Temporary Catering Authorization can be found here. Failure of all businesses utilizing the street closure space to comply with ABC permitting requirements may result in revocation of the Shared Spaces permit.

- ☐ ***ENTERTAINMENT AND SOUND***: If you want to provide entertainment or amplified sound in the street closure, apply online for a Just Add Music (JAM) permit from the SF Entertainment Commission at https://sf.gov/jam

- ☐ ***FOOD TRUCKS***: Food trucks are not permitted to operate within a "Shared Spaces" street closure without a San Francisco Public Works Mobile Food Facility permit. Please visit the following link to learn more about the permit: https://www.sfpublicworks.org/services/permits/mobile-food-facilities Applications typically take between 3-12 months to be processed due to plan review and public notification requirements.

- ☐ ***DEPARTMENT OF PUBLIC HEALTH***: A temporary event (TE) permit may be required for food preparation or service that is not conducted out of already permitted premises. Please contact Inspector Kyle M. Chan at 415-252-3837 or kyle.chan@sfdph.org. ***Note: DPH requires the TE permit application be submitted at least 14 days prior to the first use***. Further information can be found at: https://www.sfdph.org/dph/EH/Food/Permits/permitSpecEvents.asp

- ☐ ***SAN FRANCISCO FIRE DEPARTMENT (SFFD)***: Permits may be required if there is to be cooking with propane, butane, charcoal briquettes or open flame, propane heaters, generators, and/or tents erected. ***Note: generators with an aggregate tank capacity over 10 gallons of gasoline or over 60 gallons of diesel will require a SFFD permit.*** Please contact Inspector Erin Yamamura at erin.yamamura@sfgov.org, Inspector Hank Lasak at Hendryck.lasak@sfgov.org and/or Lieutenant Warren Der at warren.der@sfgov.org for more information. ***SFFD requires at least 10 working days to process permit applications***. Further information can be found at: http://sf-fire.org/permits

- ☐ ***STREET CLEAN-UP***: Arrange with Public Works or make your own arrangements for cleanup before or after the closure. If you want to use Public Works, please contact Alison Mickels at alison.mickels@sfdpw.org. You are responsible for cleanup. ***If Public Works is sent into the area after the closure to do additional cleanup, you may be liable for the cost of this service.***

- ☐ ***WASTE MANAGEMENT***: You are responsible for adherence to zero waste regulations. Please refer to the Zero Waste event guidance for additional information. It is assumed that businesses using "Shared Spaces" activations will rely on their existing waste bins to dispose of waste generated. We would also recommend that permittees consider deploying additional temporary 3-bin systems in street closure spaces to assist with maintaining public cleanliness. For more information or assistance with zero waste compliance, contact the Zero Waste Events Team at alexa.kielty@sfgov.org or 415-355-3700.

- ☐ ***SALE OR DISTRIBUTION OF BOTTLED WATER***: Pursuant to Chapter 24, Sections 2401 to 2409 of the San Francisco Environment code, the sale or distribution of water in any container with a capacity of one liter (33.8 fl. oz.) or less is prohibited at closures permitted for City property where the permittee has access to reliable on-site potable water connections adequate to meet the hydration needs of the attendees. As the permittee, you are required to find alternative water sources for participants as needed. For further information on alternative options, please see www.sfwater.org/eventwater or contact environment@sfgov.org.

- ☐ ***SMOKING BAN***: "Shared Spaces" closures are expected to comply with San Francisco Health Code Article 19L, which prohibits smoking at City-permitted special events. Pursuant to Article 19N, electronic cigarette usage (vaping) is prohibited wherever traditional cigarette usage is prohibited. As the permittee, you are required to take the following three steps to ensure compliance with the regulations:
  1) No Smoking signage at each entrance and exit.
  2) Announcement at the start and every two hours thereafter that this is a no smoking event from each stage if there is amplified sound.
  3) All electronic or print promotional materials, including but not limited to website, electronic materials, print advertisements, radio, television, internet, and newspaper, shall state that this is a smoke-free event.

- ☐ ***TOBACCO ADVERTISING***: The placement of tobacco advertising and promotional displays in publicly visible locations is strictly prohibited by San Francisco Police Code Section 674. In addition, the placement of tobacco advertising and promotional displays on property owned or controlled by the City and County of San Francisco is strictly prohibited by San Francisco Administrative Code Section 4.20. Any violation of either of these ordinances during your event could result in the revocation of the street closure permit.

- ☐ ***SAN FRANCISCO POLICE DEPARTMENT (SFPD)***: The SFPD district station has been notified of your activity. If you have questions about SFPD support, contact Sgt. Adam Shaw from the Northern District Police Station at adam.j.shaw@sfgov.org or 415-614-3400. It is through him that you will discuss any requirements for security personnel during your event. If SFPD personnel are required by the captain of the district police station, the cost for these services would be charged pursuant to Section 10 B of the San Francisco Administrative Code.

- ☐ ***OTHER***: See conditions of approval.

If you have any questions, please contact SFMTA Shared Spaces at sharedspaces@sfmta.com or 415-646-2414.

Regards,



Nick Chapman
SFMTA Special Events

cc: Robin Abad Ocubillo, Planning
Monica Munowitch, SFMTA
Office of Supervisor Dean Preston
Sgt. Shaw Adam, SFPD, Northern District Police Station
Off. Kimberly La Salle, SFPD, Northern District Police Station
Sgt. William Murray, SFPD, Traffic Division
Lt. William Conley, SFPD, Traffic Division
David Louie, SFMTA, Enforcement
Jonathan Kibrick, SFMTA, Muni Operations
Capt. Chad Law, SFFD
Inspector Victor Wong, SFFD