

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
ORDER NO. 175,880**

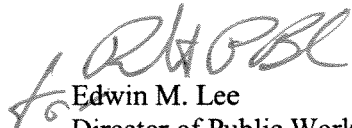
ESTABLISHING MAINTENANCE GUIDELINES FOR THE OPERATION OF STREET FLOWER MARKETS ESTABLISHED UNDER ARTICLE 5 OF THE PUBLIC WORKS CODE.

I. PURPOSE: Article 5, Section 161 of the Public Works Code (PWC) establishes conditions and restrictions regarding the operation and maintenance of sidewalk flower-vending stands. Sub-paragraph (b) of the above mentioned Section states that the design and construction of all flower-vending stands designated in Section 155 of this Article, and the maintenance of stands shall be subject to the approval of the Director of Public Works. This DPW Order provides details on said maintenance guidelines.

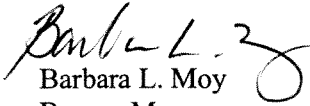
II. FLOWER-VENDING STAND MAINTENANCE GUIDELINES:

- A. The Permittee shall be responsible for operating and keeping said flower-vending stand in a clean and well maintained manner; including but not limited to refurbishing the stand and its materials; i.e. replacing dry-rot, removing graffiti, slap tags, advertising, mini billboards, peeling, damaged and/or faded paint and replacing with graffiti resistant paint, etc. All of the above markings, signs, etc. shall be removed from said flower-vending stand within forty-eight (48) hours of notice by DPW; whereas, replacement or refurbishment of the stand or portions thereof shall be completed within thirty (30) days notice by DPW.
- B. The Permittee shall post their contact information, including name and telephone number, in a conspicuous location on the right street side of said flower stand so that they may be contacted to report emergencies, vandalism, etc. to said flower stand.
- C. The Permittee shall also be responsible for keeping areas adjacent to said flower-vending stand; i.e. sidewalk, gutter, etc. free and clear of all garbage and debris generated by the operation of said flower stand, and any other types of litter that may present a hazard to the general public and/or surrounding properties.
- D. The Permittee may store cut flowers in a container to keep them fresh; however, said container must be kept within a 5' x 20' area demarcated by DPW, as stipulated and permitted in said Article, Section 161 (b) of the PWC.
- E. The Permittee shall provide and maintain a minimum 4-foot clear path of travel (a 6-foot clear path of travel shall be required in areas outlined in the Planning Department's Downtown Streetscape Plan) between any portion of said flower stand or permitted display and the fronting property line, building wall, or permitted sidewalk encroachment.


- F. All elements of said flower vending stand, including the structure, its uses and displays shall be well maintained, structurally sound, and comply with all provisions, guidelines and requirements of California Building Code Title 24 and the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- G. The Permittee shall maintain a minimum of thirty-five (35) operating hours per week and forty-six (46) weeks per calendar year. If the operation of the flower vending stand does not comply with the above minimum operating times, unless prior approval from the Department of Public Works (DPW) has been obtained, it shall be considered abandoned by DPW and the permit to operate said flower vending stand shall be recommended to the Board of Supervisors for revocation.
- H. Any Permittee in violation of Public Works Code Article 5 or the above guidelines may be found guilty of a misdemeanor or may be subject to applicable fines and penalties.


Edwin M. Lee
Director of Public Works

RECOMMENDED:


Barbara L. Moy
Bureau Manager
Street-Use & Mapping

APPROVED:


Robert P. Beck
Deputy Director
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APPROVED: FEBRUARY 1, 2006

EDWIN M. LEE, DIRECTOR