

1 [Environment, Health Codes - Requirements for Edible Food Recovery and Organic Waste  
2 Collection]

3 **Ordinance amending the Environment and Health Codes to implement state regulations**  
4 **issued under Senate Bill (SB) 1383 (2016), the Short-Lived Climate Pollutant Reduction**  
5 **Law, by: 1) requiring commercial edible food generators to engage in edible food**  
6 **recovery efforts and maintain related records; 2) requiring food service organizations**  
7 **and services to maintain records and report to the Department of the Environment**  
8 **(SFE) on edible food recovery efforts; 3) authorizing SFE to impose fines for violations**  
9 **of the requirements imposed on commercial edible food generators and food services**  
10 **organizations and services; 4) requiring owners and managers of commercial**  
11 **properties to inspect their containers for proper sorting of recyclables, compostables,**  
12 **and trash, and to instruct their employees on sorting requirements; 5) requiring**  
13 **organic waste recovery facilities to report to SFE on their waste recovery capacity; 6)**  
14 **requiring solid waste facilities to report to the Department of Public Health (DPH) on**  
15 **their waste recovery capacity; 7) requiring refuse collectors to transfer organic waste**  
16 **to facilities that recover organic waste, provide DPH with a list of the facilities receiving**  
17 **organic waste, and obtain authorization from DPH to transport organic waste; and 8)**  
18 **authorizing DPH to enforce requirements imposed on solid waste facilities and refuse**  
19 **collectors transporting organic waste.**

20 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
21 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
22 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
23 **Board amendment additions** are in double-underlined Arial font.  
24 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
25 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code subsections or parts of tables.

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

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Section 1. Findings and Purpose.

(a) On September 19, 2016, Governor Jerry Brown approved Senate Bill No. 1383 (“SB 1383”), the Short-Lived Climate Pollutant Reduction Act of 2016, to reduce organic waste in landfills.

(b) In October 2020, the California Department of Resources Recycling and Recovery (“CalRecycle”) adopted regulations pursuant to SB 1383 (the “SB 1383 Regulations”), which took effect on January 1, 2022, and which require local jurisdictions to adopt and enforce an ordinance to implement certain provisions of the SB 1383 Regulations.

(c) The Department of the Environment and the Department of Public Health are already operating programs for refuse collection, including compost and recycling, and edible food recovery, that are consistent with the SB 1383 Regulations and supportive of the City’s efforts to reach zero waste and climate emission reduction targets. In October 2021, the Department of the Environment notified commercial edible food generators in San Francisco of SB 1383 edible food recovery requirements. This ordinance would add enforcement mechanisms required by the SB 1383 Regulations.

Section 2. The Environment Code is hereby amended by revising Sections 1902 (adding a defined term to be placed in alphabetical sequence with other defined terms), 1904, and 1906 of Chapter 19, to read as follows:

**SEC. 1902. DEFINITIONS.**

\* \* \* \*

“Organic Waste” means Refuse containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning

1 waste, organic textiles and carpets, lumber, wood, paper products, manure, biosolids, digestate, and  
2 sludges.

3 \* \* \* \*

4  
5 **SEC. 1904. REQUIREMENTS FOR OWNERS OR MANAGERS OF MULTIFAMILY**  
6 **AND COMMERCIAL PROPERTIES.**

7 \* \* \* \*

8 (c) Owners or managers of multifamily or commercial properties must provide  
9 information and/or training for new tenants, employees, and contractors, including janitors, on  
10 how to source separate recyclables, compostables, and trash before or within 14 days of  
11 occupation by new tenants, and must re-educate existing tenants, employees, and contractors at  
12 least once a year.

13 (d) Owners and managers of commercial properties or their contractors ~~will~~shall work  
14 with on-site janitors to create effective source separation programs as a means of achieving  
15 compliance, meeting citywide diversion goals, and achieving the diversion or disposal rate  
16 reported annually to the State of California.

17 (e) Owners and managers of commercial properties or their contractors shall periodically  
18 inspect containers for recyclables, containers for compostables, and containers for trash for  
19 contamination, and shall inform employees when containers are contaminated. At that time, and  
20 periodically, they shall inform employees of the requirements to keep contaminants out of containers.  
21 For purposes of this Section 1904, “contamination” means the presence in a container of materials  
22 that are not permitted to be included in that type of container.

23 (fe) New construction or expansion of multifamily or commercial properties may be  
24 subject to Department of Building Inspection requirements, such as Administrative Bulletin  
25 088 and Building Code Chapter 13, Section 1304C, to provide adequate space for recyclables

1 and compostables, which includes requiring any chute systems to keep compostables,  
2 recyclables, and trash separate.

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4 **SEC. 1906. REQUIREMENTS FOR REFUSE COLLECTORS, TRANSFER**  
5 **STATIONS, AND PROCESSING FACILITIES.**

6 \* \* \* \*

7 (j) Upon one year from the operative date of Ordinance No. 300-18~~the ordinance in~~  
8 ~~Board File No. 180646~~ and annually thereafter, the Director shall report to the Board of  
9 Supervisors on notices and orders issued to Large Refuse Generators under this Chapter 19  
10 within the prior 12-month period. No more than 39 months after Ordinance No. 300-18~~the~~  
11 ~~ordinance in Board File No. 180646~~ becomes operative, the Director shall submit a report to the  
12 Board of Supervisors regarding its implementation to date, and may include recommended  
13 amendments to the ordinance as he or she may deem appropriate.

14 (k) Owners of facilities, operations, and activities that recover Organic Waste, including, but  
15 not limited to, compost facilities, in-vessel digestion facilities, and publicly-owned treatment works, and  
16 other facilities referenced in subsection (b) of Title 14, Division 7, Chapter 12, Article 2 of the  
17 California Code of Regulations, as may be amended from time to time, shall, within 60 days of  
18 receiving a request from the Director, provide the Director information regarding available and  
19 potential new or expanded capacity at their facilities, operations, and activities, including information  
20 about throughput and permitted capacity that the Director determines is needed for planning purposes.

21 (~~kl~~) No person may deliver recyclables or compostables, including those mixed with  
22 trash, to a landfill or transfer station for the purpose of having those materials landfilled,  
23 except as follows:

24 (1) A collector may drop off recyclables or compostables at the San Francisco  
25 transfer station for landfill if the transfer station has agreed to provide to the Director, upon

1 request, audits of collection vehicles for a specified period going forward in time. The transfer  
2 station's audit shall report the quantity of recyclables or compostables, stated as estimated  
3 tons per load or as a percentage of the loads, deposited at the transfer station by collection  
4 vehicles specifically identified in the request over a reasonable period of time occurring after  
5 the request.

6 (2) A processing facility that sorts and reconstitutes recyclables for the purpose of  
7 using the altered form in the manufacture of a new product or turns compostables into usable  
8 and marketable compost (e.g., soil-conditioning) material may send to a landfill a minor  
9 portion of those materials that constitutes unmarketable processing residuals, if the  
10 processing facility provides to the Director, upon request, audits of specific collection vehicles  
11 for a specific period going forward in time, of the quantities of recyclables or compostables  
12 sent to the landfill from the processing facility.

13 (~~mn~~) No person may deliver trash from the city, including trash mixed with  
14 recyclables or compostables, to a processing facility, unless the processing facility has agreed  
15 to provide to the Director, upon request, audits of collection vehicles for a specified period  
16 going forward in time. The processing facility's audit shall report the quantity of trash, stated  
17 as estimated tons per load or as a percentage of the loads, deposited at the processing facility  
18 by collection vehicles specifically identified in the request over a reasonable period of time  
19 occurring after the request.

20 (~~mn~~) The operative date for Ordinance No. 300-18~~the ordinance in Board File No. 180646~~  
21 shall be July 1, 2019, except for the following types of Large Refuse Generators, for whom ~~this~~  
22 said ordinance shall become operative on July 1, 2021: (1) 100% Affordable Housing Projects,  
23 (2) those that are or encompass Non-Profit Food Providers, (3) businesses whose primary  
24 source of revenue is the sale of fresh cut flowers, and (4) non-profit wholesale food providers.

1 Section 3. The Environment Code is hereby amended by adding Chapter 32,  
2 consisting of Sections 3201-3207, to read as follows:

3 **CHAPTER 32: MANDATORY EDIBLE FOOD RECOVERY**

4 **SEC. 3201. TITLE.**

5 This Chapter 32 shall be entitled “Mandatory Edible Food Recovery” and may be referenced  
6 as the Mandatory Edible Food Recovery Ordinance.

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8 **SEC. 3202. DEFINITIONS.**

9 For purposes of this Chapter 32, the following words have the following meanings:

10 “City” means the City and County of San Francisco.

11 “Commercial Business” means a firm, partnership, proprietorship, joint-stock company,  
12 corporation, or association, whether for-profit or nonprofit; strip mall; industrial facility; or  
13 multifamily residential dwelling that consists of five or more units.

14 “Commercial Edible Food Generator” means an entity other than a Food Recovery  
15 Organization or Food Recovery Service, and that is classified as either a Tier One or Tier Two  
16 Commercial Edible Food Generator, that:

17 (a) Disposes of Edible Food in the course of the entity’s operation of a Commercial  
18 Business;

19 (b) Disposes of Edible Food in the course of the entity’s operation of a Large Venue or  
20 Large Event, either directly or indirectly through a Food Facility; or

21 (c) Arranges for the recovery of Edible Food that would otherwise be disposed of in the  
22 course of the entity’s operation of a Commercial Business, Large Venue, or Large Event.

23 “Department” means the Department of the Environment.

24 “Director” means the Director of the Department of the Environment or the Director’s  
25 designee.

1           “Edible Food” means food that is intended for human consumption and that meets the food  
2 safety requirements of the California Retail Food Code.

3           “Food Distributor” means a company that distributes food to entities including, but not limited  
4 to, Supermarkets and Grocery Stores.

5           “Food Facility” means an operation that stores, prepares, packages, serves, vends, or  
6 otherwise provides food for human consumption at the retail level, on either a permanent or temporary  
7 basis.

8           “Food Recovery” means actions to collect and distribute, for human consumption, food that  
9 otherwise would be disposed.

10           “Food Recovery Organization” means an entity that engages in the collection or receipt of  
11 Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public  
12 for Food Recovery either directly or through other entities. A Food Recovery Organization includes,  
13 but is not limited to:

14           \_\_\_\_\_ (a) A food bank, meaning a surplus food collection and distribution system operated  
15 and established to assist in bringing donated food to nonprofit charitable organizations and individuals  
16 for the purposes of reducing hunger and supplying nutritional needs, or as otherwise defined in Section  
17 113783 of the Health and Safety Code, as may be amended from time to time;

18           \_\_\_\_\_ (b) A nonprofit charitable organization as defined in Section 113841 of the Health and  
19 Safety Code, as may be amended from time to time; and,

20           \_\_\_\_\_ (c) A nonprofit charitable temporary Food Facility, meaning a Food Facility that is  
21 only part of and operates for the duration of an approved community event or at a swap meet, or as  
22 otherwise defined in Section 113842 of the Health and Safety Code, as may be amended from time to  
23 time.

1           “Food Recovery Service” means a person or entity that collects and transports Edible Food  
2 from a Commercial Edible Food Generator to a Food Recovery Organization or other entity for Food  
3 Recovery.

4           “Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods;  
5 fresh fruits and vegetables; fresh meats, fish, and poultry; frozen foods; and any area within the store  
6 that is not separately owned and where the food is prepared and served, including, for example, a  
7 bakery, deli, and meat and seafood departments.

8           “Large Event” means an event, including, but not limited to, a sporting event or a flea market,  
9 that charges an admission price, and serves an average of more than 2,000 individuals per day of  
10 operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately  
11 owned or operated park, parking lot, golf course, street area, or other open space when being used for  
12 an event.

13           “Large Venue” means a permanent venue facility that annually seats or serves an average of  
14 more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility.  
15 A Large Venue includes, but is not limited to, a public, nonprofit, or privately owned or operated  
16 stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium,  
17 airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other facility  
18 designed to attract large numbers of members of the public. A site under common ownership or control  
19 that includes more than one Large Venue that is contiguous with another Large Venuen the site, is a  
20 single Large Venue.

21           “Organic Waste” has the definition set forth in Section 1902 of the Environment Code, as may  
22 be amended from time to time.

23           “Refuse” has the definition set forth in Section 1902 of the Environment Code, as may be  
24 amended from time to time.

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1           “Supermarket” means a full-line, self-service retail store with gross annual sales of \$2,000,000  
2 or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable  
3 items.

4           “Tier One Commercial Edible Food Generator” means a Commercial Edible Food Generator  
5 that is one or more of the following:

- 6           \_\_\_\_\_ (a) Supermarket;
- 7           \_\_\_\_\_ (b) Grocery Store with a total facility size equal to or greater than 10,000 square feet;
- 8           \_\_\_\_\_ (c) Food Service Provider;
- 9           \_\_\_\_\_ (d) Food Distributor; or
- 10          \_\_\_\_\_ (e) Wholesale Food Vendor.

11          “Tier Two Commercial Edible Food Generator” means a Commercial Edible Food Generator  
12 that is one or more of the following:

- 13          \_\_\_\_\_ (a) Restaurant with 250 or more seats, or a total facility size equal to or greater  
14 than 5,000 square feet;
- 15          \_\_\_\_\_ (b) Hotel with an on-site Food Facility and 200 or more guest rooms;
- 16          \_\_\_\_\_ (c) Health care facility with an on-site Food Facility and 100 or more beds;
- 17          \_\_\_\_\_ (d) A Large Venue;
- 18          \_\_\_\_\_ (e) A Large Event; or
- 19          \_\_\_\_\_ (f) A state agency with a cafeteria with 250 or more seats or total cafeteria facility  
20 size equal to or greater than 5,000 square feet.

21          “Wholesale Food Vendor” means a business or other establishment engaged in the wholesale  
22 distribution of food, where food (including fruits and vegetables) is received, shipped, stored, and  
23 prepared for distribution to a retailer, warehouse, distributor, or other destination.

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1           **SEC. 3203. REQUIREMENTS FOR COMMERCIAL EDIBLE FOOD GENERATORS.**

2           (a) **Compliance Date.** Tier One Commercial Edible Food Generators must comply with the  
3 requirements of this Section 3203 commencing on the effective date of this the effective date of the  
4 ordinance in Board File No. 220607, establishing this Chapter 32, and Tier Two Commercial Edible  
5 Food Generators must comply with the requirements of this Section 3203 commencing January 1,  
6 2024. Large Venue and Large Event operators not providing food services, but allowing for food to be  
7 provided by others, shall require Food Facilities operating at such Large Venues and Large Events to  
8 comply with the requirements of this Section 3203 commencing January 1, 2024.

9           (b) **Prohibition on Intentional Spoilage.** Commercial Edible Food Generators shall not  
10 intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or  
11 a Food Recovery Service.

12           (c) **Recovery Requirements.** Commercial Edible Food Generators shall do the following:

13           (1) Arrange to recover the maximum amount of Edible Food that would otherwise be  
14 disposed.

15           (2) Enter into a written agreement with Food Recovery Organizations or Food  
16 Recovery Services, as applicable, for: (A) the collection of Edible Food for Food Recovery; or, (B)  
17 acceptance of the Edible Food that the Commercial Edible Food Generator transports to the Food  
18 Recovery Organization for Food Recovery.

19           (d) **Recordkeeping Requirements.** Commercial Edible Food Generators shall keep records  
20 that include the following information:

21           (1) A list of each Food Recovery Service and Food Recovery Organization that collects  
22 or receives Edible Food from that Commercial Edible Food Generator.

23           (2) A copy of all written agreements with Food Recovery Services and Food Recovery  
24 Organizations that collect or receive Edible Food from that Commercial Edible Food Generator.

1           (3) A record of the following information for each Food Recovery Service or Food  
2 Recovery Organization that collects or receives Edible Food from that Commercial Edible Food  
3 Generator:

4           (A) The name, address, and contact information of the Food Recovery  
5 Service or Food Recovery Organization.

6           (B) The types of food that will be collected by or transported to the Food  
7 Recovery Service or Food Recovery Organization.

8           (C) The frequency with which food will be collected or transported.

9           (D) The quantity of food, measured in pounds recovered per month, collected  
10 or transported to a Food Recovery Service or Food Recovery Organization for Food Recovery.

11           (e) **Inspection Requirement.** Commercial Edible Food Generators shall allow the Department  
12 to access the premises and review the records required in subsection (d).

13           (f) Nothing in this Chapter 32 shall be construed to limit or conflict with the protections  
14 provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan  
15 Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017.

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17           **SEC. 3204. REQUIREMENTS FOR FOOD RECOVERY ORGANIZATIONS AND**  
18 **SERVICES.**

19           (a) **Recordkeeping Requirements for Food Recovery Organizations.** Food Recovery  
20 Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators  
21 via a written agreement consistent with Section 3203(c)(2) shall maintain the following records:

22           (1) The name, address, and contact information for each Commercial Edible Food  
23 Generator from which the Food Recovery Organization receives Edible Food.

24           (2) The quantity in pounds of Edible Food the Food Recovery Organization receives  
25 from each Commercial Edible Food Generator per month.

1           (3) The name, address, and contact information for each Food Recovery Service from  
2 which the Food Recovery Organization receives Edible Food for Food Recovery.

3           **(b) Recordkeeping Requirements for Food Recovery Services.** Food Recovery Services  
4 collecting or receiving Edible Food directly from Commercial Edible Food Generators via a written  
5 agreement consistent with Section 3203(c)(2) shall maintain the following records:

6           (1) The name, address, and contact information for each Commercial Edible Food  
7 Generator from which the Food Recovery Service collects Edible Food.

8           (2) The quantity in pounds of Edible Food the Food Recovery Service collects from  
9 each Commercial Edible Food Generator per month.

10           (3) The quantity in pounds of Edible Food the Food Recovery Service transports to each  
11 Food Recovery Organization per month.

12           (4) The name, address, and contact information for each Food Recovery Organization  
13 to which the Food Recovery Service transports Edible Food for Food Recovery.

14           **(c) Reporting Requirements for Food Recovery Organizations and Food Recovery Services.**  
15 Food Recovery Organizations and Food Recovery Services that have written agreements with one or  
16 more Commercial Edible Food Generators consistent with Section 3203(c)(2) shall report to the  
17 Department the total pounds of Edible Food recovered in the previous calendar year no later than  
18 March 1 of each year.

19           **(d) Food Recovery Capacity Planning.** Food Recovery Services and Food Recovery  
20 Organizations shall provide information and consultation to the Department regarding existing, or  
21 proposed new or expanded, Food Recovery capacity, within 60 days after receipt of a request from the  
22 Department.

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1           **SEC. 3205. ADMINISTRATION AND ENFORCEMENT.**

2           This Chapter 32 shall be administered and enforced by the Department. The Director may  
3 adopt regulations, guidelines, and forms to carry out the provisions and purposes of this Chapter.

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5           **SEC. 3206. PENALTIES AND ENFORCEMENT.**

6           (a) The Director shall administer all provisions of this Chapter 32 and may enforce those  
7 provisions by any lawful means available for such purpose, including through imposition of  
8 administrative penalties for violations of those provisions of this Chapter, or of rules and regulations  
9 adopted pursuant to this Chapter, except as otherwise provided in this Chapter.

10          (b) To the extent permitted by law, the Director may inspect any Food Recovery Organization,  
11 Food Recovery Service, and Commercial Edible Food Generator, and records related to their  
12 operations, to enforce this Chapter 32.

13          (c) Administrative Code Chapter 100, "Procedures Governing the Imposition of Administrative  
14 Fines," as amended, is hereby incorporated in its entirety and shall govern the imposition,  
15 enforcement, collection, and review of administrative citations and penalties issued to enforce this  
16 Chapter 32, and any rule or regulation adopted pursuant to this Chapter; provided, however, that:

17          (1) The fine for a violator's first violation at a dwelling or commercial property that  
18 generates less than one cubic yard of refuse per week may not exceed \$100;

19          (2) Each day of continued noncompliance constitutes a separate violation.

20          (3) The Director may hold imposed administrative penalties in partial or complete  
21 abeyance, pending completion of ordered remedial steps or based on other conditions, in accordance  
22 with the Director's lawful discretion and in furtherance of the objectives of this Chapter 32. A Food  
23 Recovery Organization, Food Recovery Service, or Commercial Edible Food Generator that is a City-  
24 owned or operated facility is not subject to administrative penalties under this Section 3206(c); and

1           (4) In any action where a violation is found, the Director may assess the Department's costs  
2 of enforcement and attorneys' fees against the violator.

3           (d) The Department shall use administrative penalties collected under this Chapter 32,  
4 including recovery of enforcement costs, to fund implementation and enforcement of this Chapter. If  
5 the Director determines that administrative penalties and enforcement costs collected under this  
6 Chapter 32 exceed the amount needed by the Department to fund implementation and enforcement of  
7 this Chapter, the Director may use any excess funds to support other work of the Department.

8           (e) Remedies under this Chapter 32 are in addition to and do not supersede or limit any  
9 and all other remedies, civil or criminal.

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11           **SEC. 3207. NO CONFLICT WITH FEDERAL OR STATE LAW.**

12           Nothing in this Chapter 32 shall be interpreted or applied so as to create any requirement,  
13 power, or duty in conflict with any federal or state law.

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15           Section 4. The Health Code is hereby amended by adding Sections 294.1 and 295 to  
16 Article 6, to read as follows:

17           **SEC. 294.1. SOLID WASTE FACILITY REQUIREMENTS.**

18           (a) For purposes of this Section 294.1 and Section 295, "Organic Waste" means refuse  
19 containing material originated from living organisms and their metabolic waste products, including but  
20 not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber,  
21 wood, paper products, manure, biosolids, digestate, and sludges.

22           (b) Owners of Solid Waste Facilities, as defined in Section 40194 of the California Public  
23 Resources Code, as may be amended from time to time, that recover Organic Waste, shall, within 60  
24 days of a request from the Director, provide the Director information regarding available and potential  
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1 new or expanded capacity at the Solid Waste Facility, including information about throughput and  
2 permitted capacity that the Director determines is necessary for planning purposes.

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4 **SEC. 295. ORGANIC WASTE REQUIREMENTS FOR REFUSE COLLECTORS.**

5 Any refuse collector licensed by the Director shall:

6 (a) Transport Organic Waste that it collects from Organic Waste generators to a  
7 facility, operation, activity, or property that recovers Organic Waste, rather than sending that Organic  
8 Waste to a landfill, as set forth in Title 14, Division 7, Chapter 12, Article 2 of the California Code of  
9 Regulations, as may be amended from time to time.

10 (b) Provide written notice to the Director annually on or before March 1, identifying  
11 the facilities to which the refuse collector will transport Organic Waste in that calendar year.

12 (c) Obtain approval from the Director to haul Organic Waste and maintain a copy of its  
13 authorization from the Director to collect Organic Waste from Organic Waste generators.

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15 Section 5. Effective Date. This ordinance shall become effective 30 days after  
16 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
17 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
18 of Supervisors overrides the Mayor's veto of the ordinance.

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20 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
21 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
22 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
23 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
24 additions, and Board amendment deletions in accordance with the "Note" that appears under  
25 the official title of the ordinance.

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Section 7. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of the ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this ordinance or application thereof would be subsequently declared invalid or unconstitutional.

Section 8. Undertaking for the General Welfare. In enacting and implementing this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

APPROVED AS TO FORM:  
DAVID CHIU, City Attorney

By: /s/ Sarah Crowley  
SARAH CROWLEY  
Deputy City Attorney

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