

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
SAVIOR MICALLEF,
Appellant(s)

vs.

SAN FRANCISCO PUBLIC WORKS
BUREAU OF STREET USE & MAPPING,
Respondent

Appeal No. **25-040**

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on September 25, 2025, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on September 18, 2025, of Public Works Order No. 212110 (The Public Works Department revoked Street Vendor Permit No. 25VDR-00012 because of a history of non-compliance and violation of City rules and regulations beginning on October 7, 2023).

ORDER NO. 212110

FOR HEARING ON November 5, 2025

Address of Appellant(s):

Address of Other Parties:

Savior Micallef, Appellant(s)
566 Bayshore Circle
San Bruno, CA 94066

N/A



Date Filed: September 25, 2025

**CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS**

PRELIMINARY STATEMENT FOR APPEAL NO. 25-040

I / We, **Savior Micallef**, hereby appeal the following departmental action: **ISSUANCE of Public Works Order No. 212110 (revocation of Street Vending Permit No. 25VDR-00012)** by the **San Francisco Public Works Department**, which was issued or became effective on **September 18, 2025**, to **Savior Micallef**.

BRIEFING SCHEDULE:

Appellant's Brief is due on or before: 4:30 p.m. on **October 16, 2025, (no later than three Thursdays prior to the hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, and gregory.slocum@sfdpw.org

Respondent's and Other Parties' Briefs are due on or before: 4:30 p.m. on **October 30, 2025, (no later than one Thursday prior to hearing date)**. The brief may be up to 12 pages in length with unlimited exhibits. It shall be double-spaced with a minimum 12-point font. An electronic copy shall be emailed to: boardofappeals@sfgov.org, julie.lamarre@sfgov.org, and bigsave49@gmail.com

Hard copies of the briefs do NOT need to be submitted to the Board Office or to the other parties.

Hearing Date: **Wednesday, November 5, 2025, 5:00 p.m., Room 416 San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place**. The parties may also attend remotely via Zoom. Information for access to the hearing will be provided before the hearing date.

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any changes to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should email all documents of support/opposition no later than one Thursday prior to hearing date by 4:30 p.m. to boardofappeals@sfgov.org. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection on the Board's website at www.sfgov.org/boa. You may also request a hard copy of the hearing materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

The reasons for this appeal are as follows:

See attachment to the Preliminary Statement of Appeal.

Appellant or Agent:

Signature: Via Email

Print Name: Savior Micallef, appellant

I would like to appeal this decision because The port and Dpw say I have been selling merchandise that were illegal. I did not have them for sale. They were in a bag underneath my table because I was planning to return them to the guy who sold them to me who worked down the road on Embarcadero. He promised to come by and pick him up for me and he did not. That's why they were in my stand. I cannot go to my car because I am the only one working the stand and I am handicap. The other two stands right next to me sell the same merchandise and I have pictures to prove it the merchandise I am talking about our supposed to be illegal and then the porch says we cannot sell hello Kitty merchandise and he said he was gonna come with paperwork that says we can't. It seems like everything we sell, which is not much this year has a problem. We have been buying official merchandise and merchandise that we can sell and try to follow the RULES as best as we can, however, Mr. Thomas wants to open bags that are closed, which is illegal when I have a customer, he says you have a customer then I go and help the customer and when I turn around, he is opening bags and I have witnesses to seeing him do so



San Francisco Public Works
General – Director's Office
49 South Van Ness Ave., Suite 1600
San Francisco, CA 94103
(628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 212110

9/18/2025

On August 27, 2025, pursuant to Public Works Order No. 212000 a Public Works hearing was held to consider the revocation of a Street Vendor Permit number 25VDR-00012 for Savior J Micallef.

Public Works staff provided a history of non-compliance and violation with City rules and regulations beginning on 10/07/2023.

Following Public Works' presentation, time was made available for the appellant to present, and the public to comment. The appellant spoke and two members of the public commented.

Henceforth, Public Works is upholding the denial of this permit application request.

APPEAL:

This Order and determination may be appealed to the Board of Appeals within 15 days of September 18th, 2025.

Board of Appeals

49 South Van Ness Ave, Suite 1475 (14th Floor) San Francisco, CA 94103

Phone: 628-652-1150

Email: Boardofappeals@sfgov.org

Note: Office Visits by Appointment Only

More information about how to file an appeal can be obtained by calling 628-652-1150 or by emailing the Board of Appeals at Boardofappeals@sfgov.org. For additional information on the San Francisco Board of Appeals and to view Appeal Process Overview, please visit their website at <http://sfgov.org/bdappeal/>

X 8179336C84404A5...

Degrafinried, Alaric
0954 Director of Strategic Initiative

X 073CF73A4EA6486...

Short, Carla
Director of Public Works

APPELLANT(S) DID NOT SUBMIT A BRIEF

BRIEF(S) SUBMITTED BY RESPONDENT DEPARTMENT(S)

October 30, 2025

President John Trasviña

Vice President Jose Lopez

Commissioner Rebecca Saroyan

Commissioner Rick Swig

City and County of San Francisco

Board of Appeals

49 South Van Ness, Suite 1475

San Francisco, CA 94103

Subject: Respondent's Brief (Appeal No. 25-040, Micallef vs. SFPW-BSM)

Dear President Trasviña, Vice President Lopez, Commissioner Saroyan, and Commissioner Swig:

The Department of Public Works ("Public Works") submits this respondent's brief for Appeal No. 25-040.

Introduction

The Board of Appeals should uphold Public Works' revocation of the vending permit of appellant Savior Micallef ("Appellant") based on Appellant's multiple failures to comply with the City's vending laws, regulations, and requirements. Article 5.9 of the Public Works Code authorizes the Public Works Director to "revoke or suspend a Vendor's permit" upon the occurrence of a "fourth violation within twelve months of the first violation." (S.F. Pub. Works Code Sec. 5.9-11(c)(1)(D).) The record reflects clearly that Appellant committed four violations within a twelve-month period, and Appellant's extensive record of noncompliance paired with

Appellant's utter disregard for the City's vending laws, regulations, and requirements provide more than sufficient grounds for the Public Works Director to revoke Appellant's permit. Failure to uphold the permit revocation would discourage good faith vendors from obtaining and/or complying with the terms of the required vending permits.

Background Facts

Appellant contests Public Works' revocation of Permit No. 25VDR-00012, claiming "[t]he port and Dpw say I have been selling merchandise that were (*sic*) illegal. I did not have them for sale." (Attachment to Appellant's Preliminary Statement of Appeal.) Yet Appellant has demonstrated flagrant disregard for and noncompliance with Article 5.9 of the San Francisco Public Works Code (attached as Exhibit 1), Public Works Order No. 206887 (the "City Vending Regulations," attached as Exhibit 2), and the Port of San Francisco's Administrative Regulations for Mobile Vendors, dated September 9, 2022 ("Port Vending Regulations," attached as Exhibit 3, together with Article 5.9 and the City Vending Regulations, the "City Vending Laws"). Indeed, Appellant has received warnings or citations due to Appellant's noncompliant or unlawful vending activities on at least ten separate occasions over the course of 22 months, between October 2023 and July 2025, as briefly summarized below. (See Exhibit 4 – Public Works Records for Savior Micallef, Permit No. 25VDR-00012 at 1.)

On October 7, 2023, the California Department of Alcohol Beverage Control cited Appellant for a violation of Business and Professions Code Section 23300, for selling alcoholic beverages without a license at Pier 33. On April 5, 2024, Appellant received a written warning for a violation of Public Works Code Section 5.9-3, which requires vendors to maintain and display permits. Days later, on April 7, 2024, Appellant was cited for unpermitted vending; despite receiving Citation No. 4724-001-007, subject to a \$250 administrative penalty, Appellant

refused to cease vending and failed to provide proof of ownership of the merchandise he was selling at Pier 30/32.

The City's enforcement efforts against Appellant have been reasonably restrained. On April 24, 2024, the appellant was issued a verbal warning for an additional violation of Public Works Code Section 5.9-3 at Embarcadero and Bryant. Later that day, Appellant received an additional written warning for the same issues at the same site.

Less than one month later, on May 19, 2024, Appellant was issued Citation No. 51924-001-014, subject to a \$100 administrative penalty, for the following violations of Article 5.9 of the Public Works Code: vending without a permit at Pier 32 (S.F. Pub. Works Code Sec. 5.9-3(a), (b)), failing to provide proof of ownership of the merchandise in question (S.F. Pub. Works Code Sec. 5.9-3(c)), and refusing to cease vending and relocating (S.F. Pub. Works Code Sec. 5.9-11(d)).

On August 15, 2024, Appellant received a \$500 citation for violating Public Works Code Section 5.9-3 for the following violations of Article 5.9 of the Public Works Code: vending without a permit (S.F. Pub. Works Code Sec. 5.9-3(a), (b)), failing to provide proof of ownership of merchandise (S.F. Pub. Works Code Sec. 5.9-3(c)), and refusing to cease vending (S.F. Pub. Works Code Sec. 5.9-11(d)). Despite receiving the notice of violation, Appellant continued to leave piles of clothing merchandise strewn upon the entirety of a 60-foot-long sidewalk bench that was intended for the use and enjoyment of pedestrians and visitors (Exhibit 4 at p.14 of 103.). For purposes of the permit revocation at issue in this appeal, the Notice of Violation issued on August 15, 2024, is the "First Violation."

On March 8, 2025, Appellant received a citation from San Francisco Police Department for a violation of California Vehicles Code Section 22500(f) for parking a car on the sidewalk, in addition to a citation from Public Works for violating Article 5.9 of the Public Works Code (the “Second Notice of Violation”). Although Appellant failed to display a permit to vend, he had applied for a permit under the City Vending Laws days earlier. Public Works cited Appellant for “exceeding permissible use” of the sidewalk under a vending permit in violation of Public Works Code Section 5.9-8(b) and Port Vending Regulations sections 5.c and 6.b. Appellant later received a Permit #VDR-00012, which is subject to the City Vending Laws.

On July 9, 2025, Appellant was issued a Notice of Violation (the “Third Notice of Violation”) for violating Public Works Code Article 5.9 for failing to display Appellant’s vending permit, refusing to cease vending (S.F. Pub. Works Code Sec. 5.9-3(b)), failing to provide proof of ownership (S.F. Pub. Works Code Sec. 5.9-3(c)), and vending outside of the permitted 10’ by 10’ vending area specified under Appellant’s permit (S.F. Pub. Works Code Sec. 5.9-8(b), Port Vending Regulations Sec. 5.c, 6.b).

On July 12, 2025, representatives from Major League Baseball accompanied Port and Public Works personnel to assist City staff in identifying counterfeit merchandise sold in violation of California Penal Code Section 350. Major League Baseball representatives identified merchandise being sold by the Appellant as unauthorized or counterfeit, and Major League Baseball’s legal counsel immediately issued Appellant a “cease-and-desist” letter. Due to Appellant’s failure to adhere to federal, state, and local laws, such as California Penal Code Section 350 and Port Vending Regulations section 6.q (prohibiting vending of counterfeit goods), in violation of Appellant’s permit and the City Vending Laws, Public Works issued a Notice of Violation (the “Fourth Notice of Violation”). Notably, just one day later, on July 13,

2025, representatives of Major League Baseball returned to the same location of the prior day's enforcement activity and identified Appellant's additional violations of California Penal Code Section 350 and served Appellant with a cease-and-desist letter on the grounds of copyright infringement.

As a result of multiple verbal and written warnings, and the issuance of more than four Notices of Violation within 12 months, the Port requested that Public Works revoke Appellant's street vendor permit. A Public Works hearing to consider the matter occurred on August 27, 2025, after which the Public Works Director upheld Public Works' recommendation that Appellant's permit be revoked.

San Francisco Vendor Permit Requirements

In San Francisco, no person may "Vend" on any City property without obtaining a permit pursuant to Article 5.9 of the Public Works Code. To Vend includes "[t]o sell, offer for sale, expose or display for sale, solicit offers to purchase or lease, or barter Food or Merchandise." (S.F. Pub. Works Code Sec. 5.9-2.) Vendors in possession of a permit must comply with various requirements in Article 5.9 of the Public Works Code as well as the applicable Public Works Orders and regulations including Public Works Order No. 206887 (the "City Vending Regulations"). On property within the jurisdiction of the Port of San Francisco, vendors must also comply with the Port of San Francisco's Administrative Regulations for Mobile Vendors, dated September 9, 2022 ("Port Vending Regulations").

The Department of Public Works ("Public Works") may issue a Notice of Violation for "any violation of Article 5.9, or the Rules and Regulations ... that occurs on a public right-of-way ... or any other street, sidewalk, alley, walkway, or pedestrian path available to the public."

(S.F. Pub. Works Code Sec. 5.9-11(b).) The Port Vending Regulations state: “In addition to prohibitions on the sale of the sale of alcohol, cannabis, other controlled substances, ammunition, animals, counterfeit goods, firearms, or tobacco, which exist in local, state, or federal law, Mobile Vendors are prohibited from Vending any harmful or dangerous items or noise-making devices.” (Port Vending Regulations citing Op. Std. §§3.a – 3.b.)

Violations of the City Vending Laws subject the vendor to a graduated set of administrative fines under state and local law. For vending with a permit in violation of the City’s Vending Laws, Notices of Violation are subject to an administrative fine equal to \$100 for the first violation, an administrative fine of \$200 for a second violation within 12 months of the first violation, an administrative fine equal to \$500 for a third violation, and each subsequent violation, within 12 months of the first violation. “In addition to any other authorized enforcement activity, *the Director may revoke or suspend a Vendor’s permit for the remainder of its term upon a fourth violation within 12 months of the first violation.*” ((S.F. Pub. Works Code Sec. 5.9-11(c).) (*Id.* (emphasis added).)

Analysis

This appeal is straightforward. Under the applicable City Vending Laws, Appellant’s conduct and receipts of four notices of violation within a twelve-month period authorize Public Works’ revocation of Appellant’s vending permit. Appellant’s receipt of the First Notice of Violation on August 15, 2024, the Second Notice of Violation on March 8, 2025, the Third Notice of Violation on July 9, 2025, and the Fourth Notice of Violation on July 12, 2025, satisfies the conditions for revocation under Public Works Code Section 5.9-11(c). The time between August 15, 2024, and July 12, 2025, is less than twelve months. In addition, Appellant’s conduct following the receipt of these Notices of Violation demonstrates repeated

and flagrant violations of the City Vending Laws. While Appellant sought and obtained a vending permit, Appellant regularly fails to display that permit, occupies space beyond that allowed for permitted vendors, refuses to timely comply with the reasonable requests of enforcement officials, and engages in the sale of counterfeit merchandise openly and notoriously. The Public Works Director properly exercised the Director's authority and discretion to revoke Appellant's permit. Upholding the revocation will subject Appellant to the higher penalties authorized under state and local law for any future violations of the City Vending Laws.

Conclusion

The Board of Appeals should uphold the City's revocation of Appellant's permit. Failure to do so would discourage other vendors' good faith compliance with the City Vending Laws, particularly requirements that vendors keep public property and right-of-way adequately accessible and useable by San Francisco pedestrians and visitors. Failure to uphold the Director's revocation would foster and exacerbate the sale of counterfeit merchandise on City property. Allowing vendors to violate the City Vending Laws with impunity would further hinder San Francisco's efforts to emerge and recover from the post Covid-19 economic malaise.

EXHIBIT 1

San Francisco Public Works Code, Article 5.9
("PERMIT REGULATIONS FOR VENDORS")

ARTICLE 5.9:

PERMIT REGULATIONS FOR VENDORS

Sec. 5.9-1.	General Background and Findings.
Sec. 5.9-2.	Definitions.
Sec. 5.9-3.	Permit Required; Mandatory Display; Proof of Purchase.
Sec. 5.9-4.	Vendor Permit Type.
Sec. 5.9-5.	Permit Application; Fee.
Sec. 5.9-6.	Vending Restrictions and Requirements.
Sec. 5.9-7.	Exemptions.
Sec. 5.9-8.	Delegation of Authority for Rulemaking.
Sec. 5.9-9.	Good Neighbor Policies.
Sec. 5.9-10.	Outreach and Education.
Sec. 5.9-11.	Enforcement.
Sec. 5.9-12.	Reporting Required.
Sec. 5.9-13.	Undertaking for the General Welfare.
Sec. 5.9-14.	Severability.

SEC. 5.9-1. GENERAL BACKGROUND AND FINDINGS.

(a) The City and County of San Francisco (“City”) is committed to supporting the growth of City jobs and providing space for new and expanding businesses, while maintaining public health, safety, and welfare.

(b) United Nations Plaza (“UN Plaza”) is a 1.66-acre public square that is a key entrance point to the City’s busy Civic Center. UN Plaza has longstanding public safety, health, and welfare challenges due in part to unregulated vending and criminal activity in the area. Unregulated vending contributes to congestion at UN Plaza resulting in the obstruction of pedestrian and chair-user access to the public right-of-way, obstruction of first responders’ lines of sight, and concealment of unlawful activity. Unregulated vending at UN Plaza fuels unlawful activity that leads to a high volume of 9-1-1 calls, incident reports, and arrests in and around UN Plaza’s immediate vicinity, including 4,046 calls for service, 168 incident reports, and 62 arrests at UN Plaza, in 2021 alone.

(c) UN Plaza is home to the Heart of the City Farmers’ Market (“Market”), a nonprofit, independent, farmer-operated food justice organization, that has served San Francisco’s low-income Tenderloin neighborhood since 1981. The Market is the largest farmers’ market Electronic Benefits Transfer (“EBT”) program in California, allowing CalFresh, CalWorks, and other cash benefit recipients to access food and cash benefits. Over 20,000 customers rely on the Market for groceries in large part because there are no supermarkets in the Tenderloin neighborhood. Recently, public safety concerns due to unregulated vending and criminal activity have caused the Market to lose five vendors. The unregulated vending and accompanying criminal activity at UN Plaza impact the ability of the City to provide a safe and accessible Market for the public, including families, children, and seniors, as well as the farmers who sell their goods.

(d) UN Plaza is heavily patronized year-round. Pre-pandemic, about 25,000 daily weekday San Francisco Municipal Railway (“MUNI”) and Bay Area Rapid Transit (“BART”) public transit riders would access the Civic Center station near UN Plaza, and about 3,500 City, state, and federal employees would make their way to work by passing through UN Plaza. Ridership on BART and Muni have continued to rebound since the depths of the pandemic, particularly in 2021, as much of the economy has reopened and many members of the community have received the COVID-19 vaccine. Further, congestion at UN Plaza is heightened on days that the Market is in operation.

(e) Vending, because it has a relatively low barrier to entry, encourages entrepreneurship, represents a significant sector of San Francisco’s local economy, and provides economic opportunity for people to support themselves and their families, which is a City priority.

(f) A well-designed vending program is beneficial because it: (1) provides minimum standards for vending, including vendors’ equipment; (2) safeguards pedestrian and chair-user movement on sidewalks, streets, and other public spaces; (3) prevents unsanitary conditions and ensures that trash and debris are removed by vendors; and (4) prevents or minimizes public health, safety, or welfare hazards caused or exacerbated by unregulated vending.

(g) In 2018, then-Governor Jerry Brown signed Senate Bill 946 (“SB 946”), which decriminalized street vending across California and constrained local regulatory authority. SB 946 seeks to create entrepreneurial and economic development opportunities for immigrant and low-income communities, increase consumers’ access to desired goods, contribute to a safe and dynamic public space, and promote the safety and welfare of the public by encouraging local authorities to support and properly regulate vending.

(h) The City seeks to prioritize health and safety while expanding economic opportunities for those who aspire to vend lawfully in a manner consistent with SB 946. The City recognizes that regulation of vending benefits the City as a whole, as it leads to orderly commerce and safeguards public health. The City seeks to provide vendors with the ability to operate in a safe and professional manner that enhances the public’s experience while providing increased economic opportunities. To achieve these goals, the City needs to

restrict and limit vending in certain areas and under certain circumstances to prevent or minimize public health, safety, and welfare concerns, while ensuring that the permit application process is accessible to all vendors, including vendors with limited business experience and limited English proficiency.

(i) In 2021, the Port of San Francisco initiated a vending program pursuant to Ordinance No. 118-21 to accommodate vending, including vendors' equipment, while safeguarding pedestrian and chair-user movement on sidewalks, streets, and other public spaces; to prevent unsanitary conditions and ensure trash and debris are removed by vendors; and to protect the scenic and natural character of the Port of San Francisco's parks and waterfront, and the recreational opportunities the areas provide, to ensure the Port's streetscape can remain a vibrant and dynamic marketplace, with unparalleled historic, scenic, and recreational value that can be safely enjoyed by all, which program shall be discontinued and merged with the vending program authorized for the City in this ordinance.

(j) This ordinance creates a vending program that provides for permitting and regulation of street vendors on City property that is both meaningfully enforceable and consistent with SB 946.

■ (Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022)

SEC. 5.9-2. DEFINITIONS.

For the purpose of this Article 5.9, the following words and phrases have the following meanings:

Administrative Citation. An administrative fine for a violation of this Article 5.9, as described in Section 5.9-11.

Certified Farmers' Market. A farmers' market operated in accordance with California Health Code Section 440(d) and Chapter 10.5 (commencing with section 47000) of Division 17 of the California Food and Agricultural Code, as each may be amended, and any implementing regulations.

City. The City and County of San Francisco.

Department. The Department of Public Works.

Director. The Director of the Department of Public Works or the Director's designee.

Enforcement Official. Officers, employees, and contractors of the Department, and of such other departments and agencies of the City that the Director authorizes to assist in carrying out enforcement functions in a Memorandum of Understanding or otherwise.

Food. Any pre-packaged food, foodstuffs, confectionary, condiment, or beverage for human consumption that a Vendor is reselling in its original packaging.

Hallidie Plaza. The area defined by Section 2.01(b) of the Park Code.

Merchandise. Any item that is neither Food, nor unpackaged food, nor food that is cooked or prepared onsite, and that is not an art or craft regulated under Article 24 (Regulating Street Artists) of the Police Code.

Notice of Violation. A Notice of Violation for a violation of this Article 5.9, as described in Section 5.9-11.

Roaming Vendor. A Vendor that moves from place to place and stops intermittently to complete a Vending transaction.

Rules and Regulations. The Rules and Regulations of Vendors as described in Section 5.9-8 of this Article.

Sidewalk Vendor. Sidewalk Vendor has the meaning set forth in California Government Code Section 51036, as it may be amended.

Stationary Vendor. A Vendor that Vends from one or more fixed locations.

Swap Meet. A swap meet operated in accordance with Article 6 (commencing with section 21660) of Chapter 9 of Division 8 of the California Business and Professions Code, as it may be amended, and any regulations adopted in accordance with that chapter, as they may be amended.

Vend (and variations such as Vends, Vending). To sell, offer for sale, expose or display for sale, solicit offers to purchase or lease, or barter Food or Merchandise. Vending includes offering free samples of Food or Merchandise that are also for sale, negotiating fees for Food or Merchandise, or soliciting customers to enter into commercial agreements.

Vendor. A person or entity that Vends Food or Merchandise from a pushcart, pedal-driven cart, wagon, or other nonmotorized conveyance, or from one's person or a stand, display, showcase, table, rack, or other movable structure. The term Vendor includes but is not limited to Roaming Vendor, Sidewalk Vendor, and Stationary Vendor. In addition, if a Vendor Vends as an employee or agent of another person or entity, that person or entity is also a Vendor. The term Vendor does not include a person or entity that Vends from a Mobile Food Facility as defined by Public Works Code Section 184.80.

United Nations Plaza. The area defined by Section 2.01(b) of the Park Code.

■ (Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022; amended by Ord. [90-24](#), File No. 240056, App. 5/10/2024, Eff. 6/10/2024; Ord. [171-24](#), File No. 240439, App. 7/12/2024, Eff. 8/12/2024)

SEC. 5.9-3. PERMIT REQUIRED; MANDATORY DISPLAY; PROOF OF PURCHASE.

(a) No person may Vend on any City property, including a public right-of-way (as that term is defined in Public Works Code Section

2.4.4) or any other street, sidewalk, alley, walkway, or pedestrian path available to the public, except on property regulated by Article 7 of the Park Code, without first having obtained either a Roaming Vendor permit or a Stationary Vendor permit pursuant to this Article 5.9.

(b) A Vendor shall prominently display a valid Vendor permit that corresponds with the Vendor's business activity while Vending in accordance with this Article 5.9.

(c) Upon request by an Enforcement Official, a Vendor shall immediately provide proof of ownership or authorization to sell the Food and/or Merchandise that the Vendor is Vending.

(Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022; amended by Ord. [90-24](#), File No. 240056, App. 5/10/2024, Eff. 6/10/2024; Ord. [171-24](#), File No. 240439, App. 7/12/2024, Eff. 8/12/2024)

SEC. 5.9-4. VENDOR PERMIT TYPE.

(a) The Department shall issue Vending permits to applicants under Section 5.9-5. Each Vendor permit must:

(1) Include a photograph of the Vendor to prevent the sale or transfer of the permit.

(2) Identify whether the permit authorizes the permittee to Vend Food, Vend Merchandise, or Vend both Food and Merchandise, except as provided in subsection (b).

(b) Notwithstanding subsection (a), the Department may issue a time-limited Vendor permit to a nonprofit corporation that is exempt from federal taxation under 26 U.S.C. Section 501(c)(3), as it may be amended, and which permit may apply to multiple Vendors as further described in the permit.

(Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022; amended by Ord. [90-24](#), File No. 240056, App. 5/10/2024, Eff. 6/10/2024; Ord. [171-24](#), File No. 240439, App. 7/12/2024, Eff. 8/12/2024)

SEC. 5.9-5. PERMIT APPLICATION; FEE.

(a) **Department Permit.** The Department shall establish a uniform application process through which a Vendor may request, and upon approval receive, a Vendor permit. The application process shall be easily accessible to individuals with limited business experience and limited English language proficiency. The permit application shall require:

(1) The name, phone number, and current mailing address of the Vendor.

(2) A description of the Food and/or Merchandise that the Vendor intends to Vend.

(3) The locations where the Vendor requests to Vend.

(4) An attestation by the Vendor that the Vendor procured the Food and/or Merchandise, whether new or used, through a transaction authorized by law, including but not limited to, bartering and foraging.

(5) For any Food and/or Merchandise to Vend, whether new or used, an attestation by the Vendor that the Vendor will maintain proof of ownership or authorization to sell the Food and/or Merchandise and will produce the documentation of same immediately upon request.

(6) A certification by the Vendor that to the Vendor's knowledge and belief, the information submitted for the permit application is true.

(7) Proof of Identity, as described in Administrative Code Section 95.2 and as it may be amended, of the Vendor.

(8) If the Vendor is an agent of an individual, company, partnership, corporation, or other entity (each a "principal"), the name and business address of the principal.

(9) The Vendor's California seller's permit number (California Department of Tax and Fee Administration sales tax number), if applicable.

(10) Any other information deemed relevant by the Department.

(b) **Confidentiality of Permit Application Data.** The Department shall maintain confidentiality of Vendor's personal identifying information to the extent permitted by law. The Department shall inform applicants about the circumstances under which the information they provide in the application could become public or be disclosed.

(c) **Additional Permit Conditions.**

(1) Each permit that applies to a Vendor that uses an energy source, including but not limited to propane, butane, or battery, shall be conditioned on the Vendor obtaining approval from the Fire Marshal and complying with sections of the Fire Code that apply to the use of flammable gas, flammable liquids, compressed gas, open flames, and other energy sources. Separate fees may apply and be payable to the Fire Marshal.

(2) Each permit for Food Vending shall be conditioned on the Vendor obtaining a permit to operate a food facility from the Department of Public Health pursuant to Health Code Section 452, as it may be amended. Separate fees may apply and be payable to the Department of Public Health.

(3) Each Vendor permit issued pursuant to this Article 5.9 and the approval, as applicable, of the Fire Marshal (see subsection (c)(1)) and/or the Department of Public Health (see subsection (c)(2)), shall authorize inspection by the City of the Vendor's operations at any time during operating hours, as long as the inspecting agency provides at least 48-hours' notice.

(4) The applicable conditions of this subsection (c) are preconditions to the issuance of a Vendor permit. Lapse or revocation of approvals, as applicable, from the Fire Marshal or Department of Public Health shall, by operation of law, automatically invalidate any Vendor permit without further action by the Department.

(d) **Permit Fee.** The Department shall identify the reasonable regulatory costs for the administrative enforcement and any adjudication of this Article 5.9, including but not limited to the Department's costs to issue permits, perform investigations, conduct inspections, issue administrative citations or other enforcement actions, and audit permittees. The Department shall charge applicants for each Vendor permit and permit renewal an amount that does not exceed the reasonable regulatory costs described in this subsection (d), and may include the actual costs that other agencies, boards, commissions, or departments of the City incur in connection with the processing or administration of this Article 5.9, which fee shall be waived in accordance with California Business and Professions Code Section 16102, as it may be amended, and as applicable. After consulting with the Controller, and by no later than two months after the effective date of the ordinance in Board File No. 211292 establishing this Article 5.9, the Department shall publish on its website a schedule of all fees charged by the Department under this Section 5.9-5, and shall submit that fee schedule to the Clerk of the Board of Supervisors for inclusion in Board File No. 211292. The permit fee shall be adjusted annually in accordance with Public Works Code Section 2.1.2.

In addition, separate annual fees may apply and be payable to the Tax Collector, Department of Public Health, and the Fire Marshal for any approvals required by each department.

(e) **Permit Fee Waiver.** The Department shall adopt regulations via Director's Order authorizing the Director to fully waive fees for new permits and partially waive fees for permit renewals, for reasons including, but not necessarily limited to, economic hardship and a Vendors' status as a nonprofit corporation exempt from federal taxation under 26 U.S.C. Section 501(c)(3), as it may be amended. The partial waiver of renewal fees shall be on a sliding scale and the amount waived shall be determined based on the economic hardship of each individual Vendor or the financial circumstances of a nonprofit corporation.

(f) **Permit Expiration.** Each Vendor permit shall expire if not renewed by its Renewal Date in subsection (g)(1) unless revoked or unless the Director determines on issuance of the permit that the particular circumstances warrant a permit term of less than one year.

(g) Permit Renewal.

(1) Each Vendor permit may be renewed annually so long as the Vendor remains in compliance with this Article 5.9, including payment of all fees due to the City and compliance with the Good Neighbor Policies in Section 5.9-9. The permit renewal date ("Renewal Date") shall be the date that the Director issues the decision to renew the permit or conditionally renew the permit, and shall be the same day of the year, selected by the Director, for all Vendor permits.

(2) Each Vendor permit renewed by the Department shall be operative for 90 days from the date of renewal, but shall become inoperative if by the end of that 90-day period, the Vendor has not obtained approvals, as applicable, from the Fire Department and Department of Public Health. A permittee shall still owe the renewal fee in subsection (d) if the Vendor permit becomes inoperative under this subsection (g)(2), and shall not be entitled to a refund or proration as a result of the Vendor permit becoming inoperative.

(3) Pursuant to Section 76.1 of Article 2 of the Business and Tax Regulations Code, the fees in subsection (d), above, for renewing a Vendor permit shall be due and payable annually on or before March 31, for the 12-month period commencing with the most recent Renewal Date prior to March 31. If a permittee ceases Vending between the Renewal Date and the next March 31, such permittee shall still owe the fees due on that March 31 for the entire 12-month period commencing with the most recent Renewal Date prior to March 31, and shall not be entitled to any refund or proration.

(h) Application Denial; Appeal.

(1) The Department may reject an application for a Vendor permit for any of the following reasons:

(A) the applicant failed to provide any required information or prerequisite approvals identified in this Section 5.9-5, or provided incorrect or incomplete information, and failed to correct the application within a reasonable time identified by the Department;

(B) the applicant knowingly presented false and material information or knowingly omitted material information;

(C) the applicant previously received a permit, which permit was revoked pursuant to Section 5.9-11, and the revocation occurred within one year of the application;

(D) the applicant submitted a substantially similar application that was rejected within the past year;

(E) the proposed Vending location may lead to or exacerbate objective safety, health, and welfare concerns; or

(F) good cause, including but not limited to violations of federal, state, or City law that in the Department's judgment are relevant to whether the applicant would perform as a Vendor in a lawful manner.

(2) The applicant may appeal the Department's rejection of an application for a Vendor permit in writing to the Director within 30 days of the rejection. The Director may investigate the rejection and consider any claims by the applicant, and shall either affirm or reverse the rejection within a reasonable time following receipt of the written appeal. Upon denial of a permit by the Director, an applicant may appeal the Director's decision, to the Board of Appeals, in accordance with Section 8 of the Business and Tax Regulations Code, as amended from time to time.

SEC. 5.9-6. VENDING RESTRICTIONS AND REQUIREMENTS.

(a) **Certified Farmers' Market or Swap Meet.** No person, without written approval of the Director, may Vend within the immediate vicinity of a permitted Certified Farmers' Market or a permitted Swap Meet during the operating hours of that Certified Farmers' Market or Swap Meet.

(b) **Temporary Special Permit.** No person, without written approval of the Director, may Vend within the immediate vicinity of a temporary special permit issued by the City that authorizes the temporary use of, or encroachment in or on, the sidewalk or other public area, including an encroachment permit, special event permit, or temporary event permit for purposes including filming, parades, or outdoor concerts. This prohibition against Vending shall be effective only for the limited duration of the temporary special permit. Any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the temporary special permit shall also be provided to any Vendor whom the Director previously specifically permitted to operate within the immediate vicinity of the temporary special permit during the period that the temporary special permit is effective.

(c) **United Nations Plaza.** No person, without written approval of the Director may Vend at UN Plaza, unless it is an approved seller in the course of a permitted Certified Farmers' Market. The Director, in consultation with the General Manager of the Recreation and Park Department or the General Manager's designee, may approve a Vending permit at UN Plaza if the Director finds that the issuance of such a permit would not objectively undermine public health, safety, or welfare.

(d) **Hallidie Plaza.** The Director, in consultation with the General Manager of the Recreation and Park Department or the General Manager's designee, may approve a Vending permit at Hallidie Plaza if the Director finds that the issuance of such a permit would not objectively undermine public health, safety, or welfare.

(e) **Residential Zones.** Stationary Vendors may not operate in any RH (Residential, House) districts as defined in the Planning Code.

(f) **Hours of Operation.** Each Vendor permit shall include permissible Vending hours, which shall be consistent and not in conflict with any limitations on hours of operation imposed by federal, state, and City laws, including but not limited to the Police Code and the Planning Code Zoning Control Tables, on other businesses or uses on the streets on which the Vendor operates. Each Vendor shall not Vend at times other than the hours authorized in the Vendor's permit.

(g) **Business Registration.** Each Vendor shall register with the Tax Collector pursuant to Article 12 (Business Registration) of the Business and Tax Regulations Code, if applicable. Separate fees may apply and be payable to the Tax Collector.

(Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022; amended by Ord. [90-24](#), File No. 240056, App. 5/10/2024, Eff. 6/10/2024; Ord. [171-24](#), File No. 240439, App. 7/12/2024, Eff. 8/12/2024)

SEC. 5.9-7. EXEMPTIONS.

(a) This Article 5.9 does not govern:

- (1) Food products being sold as part of a fundraiser by a non-profit entity; or
- (2) the sale of an art or craft regulated under Article 24 (Regulating Street Artists) of the Police Code; or
- (3) the operation of, or any sale within, a Certified Farmers' Market; or
- (4) the operation of, or any sale within, a permitted Swap Meet; or
- (5) Vending on property regulated by Article 7 of the Park Code; except UN Plaza and Hallidie Plaza; or

(6) Vending within areas permitted under Article 6 (Interdepartmental Staff Committee on Traffic and Transportation ("ISCOTT")) of the Transportation Code.

(b) This Article 5.9 does not supersede or alter Article 24 (Regulating Street Artists) of the Police Code. A Vendor permit authorizing the permittee to Vend either Merchandise or Food and Merchandise in accordance with Section 5.9-4 may also Vend an art or craft regulated under Article 24 (Regulating Street Artists) of the Police Code if the Vendor has obtained a Street Artist Certificate under Article 24 of the Police Code.

■ (Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022)

SEC. 5.9-8. DELEGATION OF AUTHORITY FOR RULEMAKING.

(a) **Rules and Regulations Authorized.** The Department, in consultation with the Office of Economic and Workforce Development and the Human Rights Commission, may adopt Rules and Regulations related to the administration and enforcement of this Article 5.9, in order to further the purposes of this Article 5.9, and to promote public health, safety, or welfare. The Rules and Regulations may include but are not necessarily limited to:

- (1) Standards for approving permits.

(2) Additional requirements regulating the time, place, and manner of Vending, including prohibiting Vending in certain locations, if the Rules and Regulations are directly related to objective health, safety, or welfare concerns.

(3) Notice requirements of new Rules and Regulations regarding the time, place, and manner of Vending, including locations where Vending is prohibited.

(4) The process for granting fee waivers.

(5) Requirements to maintain sanitary conditions.

(6) Requirements necessary to ensure compliance with the Americans with Disabilities Act of 1990 (Public Law 101-336), as it may be amended, and other disability access standards.

(7) Requirements necessary to ensure the public's use and enjoyment of natural resources and recreational opportunities.

(8) Requirements necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of a park.

(9) The process for selecting organizations to accept donated goods pursuant to Section 5.9-11(f)(3).

(10) Any other Rules and Regulations in order to further the purposes of this Article 5.9 and promote public health, safety, or welfare.

(b) **Port of San Francisco.** The Port Commission and its Executive Director, in consultation with the Department, may adopt additional requirements regulating the time, place, and manner of Vending within the regulatory jurisdiction of the Port of San Francisco, including prohibiting Vending in certain locations, if the rules and regulations are directly related to objective health, safety, or welfare concerns. Such Rules and Regulations may impose, but are not limited to imposing, (1) further requirements to maintain sanitary conditions; (2) requirements necessary to ensure compliance with the Americans with Disabilities Act of 1990 (Public Law 101-336), as it may be amended, and other disability access standards; (3) requirements necessary to ensure the public's use and enjoyment of natural resources and recreational opportunities; or (4) requirements necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of a park.

(Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022; amended by Ord. [90-24](#), File No. 240056, App. 5/10/2024, Eff. 6/10/2024; Ord. [171-24](#), File No. 240439, App. 7/12/2024, Eff. 8/12/2024)

SEC. 5.9-9. GOOD NEIGHBOR POLICIES.

(a) Vendors shall operate in accordance with the following good neighbor policies:

(1) Vendors shall be individually responsible for any garbage, detritus, or debris that directly results from their Vending activity;

(2) Vendors shall contain noise and odors within the immediate area of the Vendor so as not to cause a nuisance to neighbors;

(3) Vendors shall urge patrons to not litter and to maintain the safety, cleanliness, quiet, peace, and orderliness of the area; and

(4) Vendors shall provide for proper and adequate storage and disposal of garbage, detritus, and debris.

(b) The Director may adopt additional and/or more specific good neighbor policies as long as they are consistent with the principles in this Section 5.9-9.

(Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022)

SEC. 5.9-10. OUTREACH AND EDUCATION.

(a) The Department shall conduct extensive outreach and education in a manner that is accessible to all Vendors, including Vendors with limited business experience and limited English proficiency, in order to provide Vendors sufficient notice regarding the requirements of this Article 5.9, including information about the application process and good neighbor policies, as well as any applicable Rules and Regulations.

(b) The Department shall also provide Vendors information about:

(1) How to obtain assistance filling out the permit application.

(2) Workforce development opportunities and job placement programs.

(c) The Department shall conduct extensive outreach and education prior to the operative date for enforcement of this Article 5.9 as stated in Section 5.9-11(a).

(d) If this Article 5.9 is modified to include new requirements or if the Department adopts new Rules and Regulations, the Department shall conduct additional outreach and education for a period of 4 weeks in a manner that is accessible to all Vendors, including Vendors with limited business experience and limited English proficiency, before Enforcement Officials may issue a Notice of Violation concerning a new requirement or new Rule and Regulation pursuant to Section 5.9-11.

(Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022)

SEC. 5.9-11. ENFORCEMENT.

(a) **Nuisance Declaration.** Any violation of this Article 5.9 , or of any applicable Rules and Regulations, constitutes a public nuisance.

(b) **Notice of Violation.** Any Enforcement Official may issue a Notice of Violation for any violation of this Article 5.9 , or of the Rules and Regulations that interpret and implement this Article, and as described in subsection (c) below, that occurs on a public right-of-way (as that term is defined in Public Works Code Section 2.4.4) or any other street, sidewalk, alley, walkway, or pedestrian path available to the public. The Notice of Violation shall include: (1) information identifying the Offender, (2) details of the violation, (3) the name or identifying number of the Enforcement Official, (4) a general description of administrative fines, and payment method and options, including the ability-to-pay determination, (5) a general description of the appeals process, (6) information about the requirements of this Article 5.9 and any applicable Rules and Regulations that interpret and implement this Article, (7) information about who to contact for assistance related to this Article 5.9 , and (8) information about workforce development opportunities and job placement programs.

(c) **Administrative Citation.** The Department will use the information included in the Notice of Violation to issue an Administrative Citation for any violation of this Article 5.9 , or the Rules and Regulations that interpret and implement this Article, as described below, within 15 calendar days of issuing the Notice of Violation:

(1) Vending that violates a requirement in this Article 5.9 or in the Rules and Regulations that interpret and implement this Article, other than failure to possess a valid license or permit shall be subject to the following:

(A) An administrative fine equal to \$100 for a first violation.

(B) An administrative fine equal to \$200 for a second violation within 12 months of the first violation.

(C) An administrative fine equal to \$500 for a third violation, and each subsequent violation, within 12 months of the first violation.

(D) In addition to any other authorized enforcement activity, the Director may revoke or suspend a Vendor's permit for the remainder of its term upon a fourth violation within 12 months of the first violation.

(2) Vending without a valid permit shall be subject to the following:

(A) An administrative fine equal to \$250 for a first violation.

(B) An administrative fine equal to \$500 for a second violation within 12 months of the first violation.

(C) An administrative fine equal to \$1,000 for a third violation, and each subsequent violation, within 12 months of the first violation.

(D) If the Vendor submits proof of a valid permit that was effective at the time of the citation, the administrative fines set forth in subsections (A) through (C) of this subsection (c)(2) shall be reduced to equal the administrative fines set forth in subsections (A) through (C) of subsection (e)(1),¹ as those amounts may be revised pursuant to subsection (ce)(5).¹

(3) Failure to pay an Administrative Citation described in this subsection (c) shall not be punishable as an infraction or misdemeanor; further, additional fines, fees, assessments, or any other financial conditions beyond those authorized in this subsection (c) may not be assessed.

(4) When assessing an Administrative Citation authorized in this subsection (c), the Director shall take into consideration the person's ability to pay the fine using the criteria described in subsection (a) or (b) of California Government Code Section 68632, as it may be amended. The Enforcement Official shall give notice to the Vendor of the right to request an ability-to-pay determination and instructions or other materials for requesting an ability-to-pay determination. The Vendor may request an ability-to-pay determination at any time while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program. The Director's determination shall be final. If the Vendor meets the ability-to-pay criteria, the Department shall accept 20% of the total administrative fine specified in subsection (c)(1) or (c)(2), as applicable, as full satisfaction.

(5) To the extent permitted by State law, the amounts of the administrative fines identified in subsections (A) through (C) of subsections (c)(1) and (c)(2) shall automatically increase or decrease to the maximum amount authorized under California Government Code Section 51039, as it may be amended. If Section 51039 is repealed and not replaced with a similar limitation on administrative fines, then the Director, in consultation with the Controller, may adjust the administrative fine amounts in this Section 5.9-11 each year, without further action by the Board of Supervisors, to reflect changes in the relevant Consumer Price Index.

(6) Within 30 days of issuance, the Vendor shall pay the Administrative Citation unless the Vendor files a written appeal with the Director. The grounds of appeal are limited to error or abuse of discretion in the issuance of the Administrative Citation. The Director may make an ability-to-pay determination pursuant to subsection (c)(4), but inability to pay shall not be grounds for rescinding the Administrative Citation or reducing the amount required to satisfy the fine to an amount less than the amount specified in subsection (c)(4). The Director shall consider any claims or defenses by the appellant, and shall issue and mail a written decision on the appeal within a reasonable time of receipt of the written appeal. Within 20 days of the Director's decision upholding a fine in whole or in part, the Vendor shall pay the Administrative Citation. The Vendor may seek judicial review of an Administrative Citation pursuant to subsection (c)(1) in San Francisco Superior Court pursuant to Government Code Section 53069.4.

(7) **Administrative Citation Issuance Date.** For purposes of payment and appeals deadlines, the issuance date of any Administrative Citation delivered by the U.S. Postal Service shall be five calendar days after the date of mailing.

(8) **Collection of Fines.** The failure of any person to pay a fine assessed by Administrative Citation within the required time constitutes a debt to the City. Simple interest at 10% per year shall accrue on unpaid amounts.

(d) **Temporary Order to Cease Vending and Removal.**

(1) Any Enforcement Official may order a Vendor to promptly cease Vending when, in the judgment of the Enforcement Official, (A) the Vendor constitutes a safety hazard, including but not limited to impeding the safe use of a public right-of-way by pedestrians or persons with disabilities, or (B) when the presence of an emergency so requires, or (C) if the Vendor is unpermitted.

(2) (A) After the Enforcement Official orders an unpermitted Vendor to cease Vending, the Vendor must discontinue any Vending and remove all Food, Merchandise, and any other Vending paraphernalia from property within the City's jurisdiction. A failure to promptly obey any such order from an Enforcement Official is a violation of this Article 5.9.

(B) After the Enforcement Official orders a permitted Vendor to cease Vending, the Vendor must discontinue any Vending and follow the orders of the Enforcement Official with regard to removing and relocating all Food, Merchandise, and any other Vending paraphernalia, and any other orders the Enforcement Official may give to mitigate safety hazards, and no further Vending may occur until the conditions that caused the order to cease Vending have been abated to the satisfaction of the Enforcement Official. A failure to promptly obey any such orders from an Enforcement Official is a violation of this Article 5.9.

(3) (A) **Verbal Warning Followed By Removal of Food, Merchandise, and Vending Paraphernalia.** If a Vendor fails, within 10 minutes, to remove Food, or Merchandise, or any other Vending paraphernalia from the location following an order to cease Vending, or fails to follow any other orders the Enforcement Official may issue to mitigate safety hazards, the Enforcement Official or the Department may remove any or all of the items. Prior to removal by the Enforcement Official or the Department, the Enforcement Official shall provide the Vendor a verbal warning of the impending removal and impoundment, and shall urge the Vendor to make every effort to remove the items, or cause their removal. The Department shall document in its records the date and time the verbal warning was provided.

(B) **Removal of Food, Merchandise, or Vending Paraphernalia Within 120 Days of Verbal Warning.** Following a verbal warning from the Enforcement Official at any time within a 120-day period, if a Vendor fails to follow an order to cease Vending, or fails to follow any other orders the Enforcement Official may issue to mitigate safety hazards, the Enforcement Official or the Department may remove any or all Food, Merchandise, or any other Vending paraphernalia from the location subject to the order to cease Vending.

(4) Where the Department actually removes any items, the Enforcement Official shall issue an Administrative Citation to the Vendor. The Vendor shall pay the actual costs of removal and storage of any items impounded, and of disposal of any items the storage of which may cause public health, safety, or infestation issues. The Vendor may contest the liability for these costs by timely appealing the Administrative Citation. However, these actual costs to the City are not subject to reduction based on the ability to pay; actual costs are a debt to the City that may be collected in the same manner as provided in subsection (c)(8). Vendor items that have been removed and stored may be recovered by the Vendor within 90 days from the date of removal and upon payment of a sum equal to the costs of removal, plus any reasonable transport and storage costs, as determined by the Department, and any costs incurred by the Department in disposing of any items. If the Vendor filed a written appeal pursuant to subsection (c)(6) and the appeal is not resolved within 90 days, the Department shall continue to store Vendor's items until the appeal is resolved in order to allow Vendor to recover items. After 90 days, or as soon as the Vendor's appeal is resolved if longer than 90 days, the Department shall donate non-Food items to organizations providing services to people who are unhoused, as appropriate. Prior to making any donations, the Department shall adopt regulations governing the process for selecting organizations to accept these donated goods.

(e) **Other Violations.** Any violation of this Article 5.9, or of the Rules and Regulations that interpret and implement this Article, may be subject to one or more of the following:

(1) An administrative fine as described in subsection (c).

(2) **Civil Action.**

(A) The Department may refer violations to the City Attorney to maintain an action for injunction to restrain to cause the correction or abatement of the violation of this Article 5.9, and for recovery of any City department's enforcement and abatement costs (including but not limited to costs for removal, storage, impoundment, and disposal).

(B) The City shall be awarded its reasonable attorney's fees and costs incurred in enforcing this Article 5.9.

(Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022; amended by Ord. [90-24](#), File No. 240056, App. 5/10/2024, Eff. 6/10/2024; Ord. [171-24](#), File No. 240439, App. 7/12/2024, Eff. 8/12/2024)

CODIFICATION NOTE

- 1. So in Ord. [90-24](#) and Ord. [171-24](#).

SEC. 5.9-12. REPORTING REQUIRED.

The Department shall report to the Board of Supervisors regarding the implementation of this Article 5.9, annually for the first three years after the effective date of the ordinance in Board File No. 211292 establishing this Article; and once every three years thereafter. The report shall include but not be limited to the following: number of applications; number of permits issued; number of permits renewed; locations approved for Vending; locations excluded from Vending; outreach and education efforts; outreach and education outcomes; number of Notice of Violations issued; number of written warnings issued; number of Administrative Citations issued; fines collected; and outstanding fines.

- (Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022)

SEC. 5.9-13. UNDERTAKING FOR THE GENERAL WELFARE.

In enacting and implementing this Article 5.9, 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.

■ (Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022)

SEC. 5.9-14. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or word of this Article 5.9, 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 Article. The Board of Supervisors hereby declares that it would have passed this Article 5.9 and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of the Article or application thereof would be subsequently declared invalid or unconstitutional.

(Added by Ord. [44-22](#), File No. 211292, App. 3/22/2022, Eff. 4/22/2022)

EXHIBIT 2

Public Works Order No. 206887

("City Vending Regulations")



San Francisco Public Works
General – Director's Office
49 South Van Ness Ave., Suite 1600
San Francisco, CA 94103
(628) 271-3160 www.SFPublicWorks.org

Public Works Order No: 206887

**ADOPTING GUIDELINES FOR THE ISSUANCE OF PERMITS, AND FOR INSPECTION AND ENFORCEMENT OF
STREET VENDORS OPERATING WITHIN THE PUBLIC RIGHTS-OF-WAY, EFFECTIVE JULY 28, 2022**

- I. Purpose & Scope:** Pursuant to Article 5.9 of the Public Works Code (Permit Regulations for Vendors), this Public Works Order defines rules and regulations for street vending in the public right-of-way. This Order provides guidelines unique to those seeking to vend merchandise and pre-packaged food and drink, but not vending of other food and drink items subject to Article 5.8 of the Public Works Code (Mobile Food Facilities).
- II. Rules and Regulations for Vendors Within the Public Right-of-way**
 - A) Vending Locations:**
 1. Applicants must state defined locations where they intend to Vend. Roaming Vendors should define a route and submit an exhibit or description of their locations with their application. Proposed locations that may lead to or exacerbate objective safety, health, or welfare concerns, in the discretion of the Director, may be denied.
 2. Stationary Vendors may not operate in areas that are exclusively residential.
 3. Vendors may not operate in proximity to Certified Farmer's Markets or Swap Meets without written consent from the Director of Public Works or their designee.
 4. No Vendors, who are not already approved sellers in the course of a permitted Certified Farmers' Market, may operate in United Nations Plaza or Hallidie Plaza without written consent from the Director of Public Works.
 5. No person, without written approval of the Director, may Vend within the immediate vicinity of a temporary special permit issued by the City, or any of its departments or agencies, that authorizes the temporary use of, or encroachment on, the sidewalk or other public area, including an encroachment permit, special event permit, temporary event permit for purposes including filming, parades, or outdoor concerts, or activities permitted via Article 6 of the Transportation Code (ISCOTT). This prohibition against Vending shall be effective only for the limited duration of the temporary special permit. Any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the temporary special permit must also be provided to any Mobile Vendor specifically permitted by the Director to operate in the immediate vicinity of the temporary special permit.
 6. Public Works may restrict locations on the basis of public health, safety and welfare. For example, pedestrian access to the sidewalk must not be compromised by vending.

7. Vending on property within the regulatory jurisdiction of the Port of San Francisco may be subject to additional conditions.

B) Sidewalk Accessibility:

1. Vending may not interfere with public access of the right-of-way at any time.
2. Vendors must allow for a minimum six-foot wide unobstructed and accessible path of travel at all times when vending in the public right-of-way. The Director may require an unobstructed and accessible path of travel that exceeds six feet based on site conditions, including pedestrian volume.
3. Vendors are subject to the following enhanced clearance requirements when operating proximate to the following locations:
 - a) Arts Commission approved Street Artist License – Eight (8) Feet
 - b) Fire Hydrants – Seven (7) Feet
 - c) Bus Zones or Blue Zones – Twelve (12) Feet
4. Vendors shall maintain a minimum two (2) foot clearance along the curbside when operating adjacent to existing on-street parallel parking.
5. Any equipment or belongings of Vendors must be mobile, and at no point may a vendor make any type of alteration to the public right-of-way. Any equipment placed on the right-of-way to support Vending activity must be actively attended and promptly removed at the close of Vending operations. Equipment may not obstruct utilities, construction activity, commercial activity permitted through other Public Works permits (including, but not limited to, activity under a Shared Spaces, Café Table and Chair, or Display Merchandise permit), or impact access to other facilities within the public right-of-way.

C) Business Registration and Proof of Ownership:

1. Vendors must clearly display a copy of their credentials, including Business Registration and Vending Permit, while actively engaged in vending in the public right-of-way.
2. Per Public Works Code Sections 5.9-3 and 5.9-5(a)(5), Vendors must be able to demonstrate proof of ownership for new Merchandise and Pre-packaged food or drink being sold. For example, Vendors may provide unaltered, original receipts for the goods being sold. In the absence of proof of ownership requested by an Enforcement Official, vendors must within 15 calendar days be able to provide a written explanation for their lack of proof of ownership.
3. Merchandise being sold must be consistent with the description of wares and/or pre-packaged food or drink provided in the permittee's permit application.

D) Fire and Health Requirements:

1. Any Vendor seeking to sell food or drink must also obtain appropriate permits from the San Francisco Department of Public Health (SFPDH) for food Vending and San Francisco Fire Department (SFFD) when using an energy source, including but not limited to propane, butane, or battery.

2. Any required approvals from SFDPH and SFFD must be obtained within 90 days after approval of a Public Works permit. Renewal permits shall become inoperative if any required SFDPH and SFFD permits are not obtained at the conclusion of the 90-day period.
3. This permit program is solely for pre-packaged food or drink in original packaging. Those seeking to serve prepared food or drink in the public right-of-way must apply for a Mobile Food Facility permit subject to Public Works Code Article 5.8.
4. Vendors shall comply with the current Fire Code and guidelines including providing and maintaining minimum distances required for building access, exit egress, and access to SFFD protection services.
5. Vendors are responsible for maintaining cleanliness, and limiting noises and odors proximate to their vending location as it relates to the permittee's vending operation, and shall abide by the Good Neighbor Policies as outlined in Public Works Code Section 5.9-9 and Section VI of this Order.

E) Additional Requirements:

1. Vendors may not alter or make improvements to the right-of-way in any manner.
2. Permits may not be transferred.
3. Vendors must prominently display the permit that corresponds with the Vendor's business activity while Vending.

F) Exemptions:

Consistent with Public Works Code Section 5.9-7, the Order does not apply to the following:

1. Food or drink products being sold as part of a fundraiser by a non-profit entity;
2. The operation of, or any sale within, a Certified Farmer's Market;
3. The operation of, or any sale within, a permitted Swap Meet;
4. Vending on property regulated by Article 7 of the Park Code, except UN Plaza and Hallidie Plaza; or
5. Vending within areas permitted under Article 6 (ISCOTT) of the Transportation Code.

III. Permit Application Process:

- A) The permit applicant shall provide a completed application form including all information and supplemental attachments as deemed relevant by Public Works, including:
1. A photo of the applicant.
 2. A description of what they will Vend on their permit application, including if they intend to Vend pre-packaged food or drink, merchandise, or both.
 3. The location(s) they intend to Vend. Roaming Vendors may submit a map exhibit that illustrates their route.
 4. Their proposed days and hours of operation.

5. An attestation stating that any merchandise being sold is obtained legally.
 6. Submission of a permit fee pursuant to the latest Public Works Fee Schedule.
 7. Proof of eligibility for fee waiver or discount, if seeking a fee waiver or discount subject to Section IV of this Order (Permit Fee Waiver and Partial Waiver).
- B) Public Works will maintain confidentiality of permit application information to the extent allowable by law.
- C) Failure to provide the required information, knowingly providing false information, or submitting a duplicate application of a permit that was already revoked or rejected within the past three years shall result in rejection of a permit application and/or revocation of an already approved permit.
- D) **Renewals:** Permits are renewable on an annual basis. Permittees are required to provide application renewal materials, as prescribed by the Department, as well as the required permit renewal application fee as is consistent with the latest Public Works Fee Schedule prior to the expiration date of their permit in order for their permit to be renewed.
- E) **Appeals:** An applicant may appeal the Department's rejection of an application for a Vendor permit within thirty (30) calendar days of the rejection. If the permit remains denied after Public Works' review of the appeal, an applicant may appeal the decision to the Board of Appeals within fifteen (15) calendar days of Public Works' final decision.

IV. Permit Fee Waiver and Partial Waiver

- A) **Individuals:** Individuals applying for a permit may be eligible for an initial permit application fee waiver, and a 50% reduced renewal fee if their individual or family income is less than or equal to 200% of the U.S. Department of Health and Human Services' Poverty Guidelines. Demonstration of eligibility can be established with proof of participation in one of the following programs:
1. California State Medi-Cal;
 2. Electronic Benefits Transfer (EBT);
 3. SFMTA Lifeline card; or
 4. Women Infant and Children (WIC) Benefits.

Applicants shall provide identification cards associated with these programs when applying for their permit.

An income verification form may be completed in lieu of identifying documents if applicable.

- B) **Organizations:** Organizations classified as tax-exempt under section 501(c)(3) of the U.S. Internal Revenue Code may be eligible for a 50% reduced initial application and renewal application fee if one of the following applies:

1. The organization's funding does not exceed \$2.5 million annually;
2. The organization is a Community Benefit District (CBD);
3. The organization supports a cultural district; or
4. The organization has a mission of supporting economic development or community vitalization.

V. Enforcement and Potential Penalties:

- A) Enforcement of this Order shall be consistent with Article 5.9 of the Public Works Code
- B) Violation of rules outlined in this Order constitute a public nuisance.
- C) Failure to operate within outlined rules may result in a Notice of Violation.
- D) Administrative Citation or Fines. Issuance of Administrative Citations or Fines for violation of this Order shall be consistent with Section 5.9-11 of the Public Works Code.
- E) Public Works may compel a Vendor to promptly cease sales when pedestrian access is encumbered by Vending or a Vendor is unpermitted.
- F) Unpermitted Vendors must promptly gather merchandise and/or dismantle displays at the direction of Public Works or any other enforcement official as prescribed by Public Works Code Article 5.9.
- G) If a Vendor does not comply with an order from an enforcement official to remove merchandise, Public Works may seize said merchandise and issue an administrative citation, consistent with Article 5.9-11.
- H) If a Vendor has failed to recover the items within 90 days (including any required payment for the costs of the removal), or if the Vendor filed an appeal, upon the resolution of the Vendor's appeal if longer than 90 days, the Department may donate non-Food items to a local organization servicing unhoused individuals per Section 5.9-11 of the Public Works Code. The Department shall solicit participation for organizations, and merchandise will be donated to participating organizations on a rotational or lottery-based basis.

VI. Good Neighbor Policies

- A) Vendors shall operate in accordance with the following good neighbor policies:
 - a. Vendors shall be individually responsible for any garbage, detritus, or debris that directly results from their Vending activity.
 - b. Vendors shall contain noise and odors within the immediate area of the Vendor so as not to cause a nuisance to neighbors.
 - c. Vendors shall urge patrons to not litter and to maintain the safety, cleanliness, quiet, peace, and orderliness of the area.
 - d. Vendors shall provide for proper and adequate storage and disposal of garbage, detritus, and debris.


VII. Hold Harmless Clause:

- A) In consideration of the permittee using the sidewalk, the permittee shall promise and agree to comply with all applicable regulations.

- B) In addition, the permittee shall agree on its behalf 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 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 permittee by the City and continues at all times thereafter. The permittee shall agree that the indemnification obligations assumed under this Order shall survive expiration of the Order or completion of practices authorized by this order. The permittee shall assume all maintenance and liability associated with the items allowed to be placed in the public right-of-way under this Order.

X

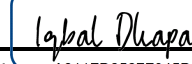
DocuSigned by:



Huff, Nicolas
Bureau Manager

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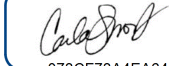
DocuSigned by:



Ko, Albert J
City Engineer

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DocuSigned by:



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Short, Carla
Interim Director of Public Works

EXHIBIT 3

Port of San Francisco's Administrative Regulations for Mobile Vendors, September 9, 2022

("Port Vending Regulations")

Port of San Francisco
Executive Director
ADMINISTRATIVE REGULATIONS
for
Mobile Vendors

Approved By:  BD2F0B693FFE43F...
Executive Director
Elaine Forbes

on September 9, 2022
Date

1. Authority; Purpose; and Effective Date.

- a. The following Administrative Regulations are promulgated by the Executive Director pursuant to Port Code section 2A.5 and Operational Standards section 5.
- b. The purposes of the Administrative Regulations are to implement and provide site-specific application of the Operational Standards.
- c. The Effective Date of the Administrative Regulations is the date of approval.

2. Definitions.

- a. **Administrative Citation.** An administrative fine for a violation of this Article 2A, as described in Section 2A.8(b). (Port Code §2A.1.)
- b. **Administrative Regulations** means the rules and regulations of the Executive Director of the Port, as may be promulgated or amended from time to time, and which implement and provide site-specific application of the Operational Standards. (Op. Std. §2.a.)
- c. **Certified Farmers' Market.** A farmers' market operated in accordance with Health Code Section 440(d) and with Chapter 10.5 (commencing with section 47000) of Division 17 of the California Food and Agricultural Code, as each may be amended, and any implementing regulations. (Port Code §2A.1.)
- d. **City.** The City and County of San Francisco. (Port Code §2A.1.)
- e. **Department.** The Port. (Port Code §2A.1.)
- f. **Director.** The Executive Director of the Port, or the Executive Director's designee. (Port Code §2A.1.)
- g. **Enforcement Official.** Officers, employees, and contractors of the Port, and of such other departments and agencies of the City, as designated by the Director. (Port Code §2A.1; see section 10.b of the Administrative Regulations for delegation.)

h. **Food.** Any food, foodstuffs, or beverage for human consumption, and is inclusive of the definitions of “Food” in Health Code Section 440(b) and in California Health and Safety Code section 113781, as each may be amended. (Port Code §2A.1.)

i. **Merchandise.** Any item that is not Food and that is not an art or craft regulated under Article 24 (Regulating Street Artists) of the Police Code. (Port Code §2A.1.)

j. **Mobile Vendor or Vendor.** A person or entity that Vends Food or Merchandise from a pushcart, pedal-driven cart, wagon, or other nonmotorized conveyance, or from one’s person or a stand, display, showcase, table, rack, or other movable structure. The term Mobile Vendor is comprised of each Roaming Mobile Vendor and each Stationary Mobile Vendor, and includes but is not limited to a Sidewalk Vendor as defined in California Government Code section 51036, as it may be amended from time to time. If a Mobile Vendor Vends as an employee or agent of another person or entity, that person or entity is also a Mobile Vendor. (Port Code §2A.1.)

k. **Operational Standards** mean the guidelines and general standards applicable to Mobile Vendors as approved from time to time by the Port Commission. (Op. Std. §2.b.)

l. **Port.** The Port of the City and County of San Francisco. Also, designated as the Department. (Port Code §2A.1.)

m. **Roaming Mobile Vendor.** A Mobile Vendor that moves from place to place and stops intermittently to complete a Vending transaction. (Port Code §2A.1.)

n. **Rules and Regulations.** The Rules and Regulations of Mobile Vendors as described in Section 2A.5 of this Article. (Port Code §2A.1.)

o. **Stationary Mobile Vendor.** A Mobile Vendor that Vends from one or more fixed locations. (Port Code §2A.1.)

p. **Swap Meet.** A swap meet operated in accordance with Article 6 (commencing with section 21660) of Chapter 9 of Division 8 of the California Business and Professions Code, as it may be amended, and any regulations adopted in accordance with that chapter. (Port Code §2A.1.)

q. **Vend** (and variations such as Vends, Vending). To sell, offer for sale, expose or display for sale, solicit offers to purchase, or barter Food or Merchandise. Vending includes offering free samples of Food or Merchandise that are also for sale, or negotiating fees for Food or Merchandise. (Port Code §2A.1.)

r. **Vending Equipment** means all of the materials that a Mobile Vendor uses to Vend in accordance with Section 6 of the Administrative Regulations. Vending

Equipment includes but is not limited to a pushcart, pedal-driven cart, wagon, or other nonmotorized conveyance, a stand, display, showcase, table, rack, or other movable structure, and any boxes or storage devices containing Food or Merchandise.

- s. **Vendor** means a “Mobile Vendor” as defined above.

3. Permits.

a. The Real Estate Division of the Port will issue vendor permits through a uniform application process.

- b. Permit Required; Mandatory Display. (Port Code §2A.2.)

(a) No person may Vend on any property within the regulatory jurisdiction of the Port, including a public right-of-way (as that term is defined in Public Works Code Section 2.4.4) or any other street, sidewalk, alley, walkway, or pedestrian path available to the public, without first having obtained either a Roaming Mobile Vendor permit or a Stationary Mobile Vendor permit pursuant to this Article 2A.

(b) A Mobile Vendor shall prominently display a Mobile Vendor permit that corresponds with the Mobile Vendor’s business activity while Vending in accordance with this Article 2A.

- c. Mobile Vendor Permit Type. (Port Code §2A.3.)

(a) Each Mobile Vendor permit must identify whether the permit authorizes the permittee to Vend Food, Vend Merchandise, or Vend both Food and Merchandise.

(b) The Department may issue a time-limited Mobile Vendor permit to a nonprofit corporation that is exempt from federal taxation under 26 U.S.C. section 501(c)(3), as it may be amended, and which permit may apply to multiple Mobile Vendors as further described in the permit.

(c) A Mobile Vendor permit authorizing the permittee to Vend either Merchandise or Food and Merchandise may also Vend an art or craft regulated under Article 24 (Regulating Street Artists) of the Police Code if the Mobile Vendor has obtained a Street Artist Certificate under Article 24 of the Police Code.

- d. Permit Fee. (Op. Std. §4.)

The Port shall collect an annual permit fee pursuant to Port Code Section 2A.4, equal to One Hundred Dollars (\$100). Separate annual fees may apply and be payable to the Tax Collector, Department of Public Health, and the Port Fire Marshal for any approvals required by each department.

- e. Permit Application. (Port Code §2A.4.)

(a) Department Permit. The Department shall establish a uniform application process through which a Mobile Vendor may request, and upon approval receive, a Mobile Vendor permit. The permit application shall require:

- Vendor.
- (1) The name, phone number, and current mailing address of the Mobile Vendor.
 - (2) A description of the Food and/or Merchandise to Vend.
 - (3) A certification by the Mobile Vendor that to their knowledge and belief, the information submitted for the permit application is true.
 - (4) Proof of Identity, as described in Administrative Code Section 95.2 and as it may be amended, of the Mobile Vendor.
 - (5) The California seller's permit number (California Department of Tax and Fee Administration sales tax number), if applicable, of the Mobile Vendor.
 - (6) If the Mobile Vendor is an agent of an individual, company, partnership, or corporation (each a "principal"), the name and business address of the principal.
 - (7) Any other information deemed relevant by the Department.

(b) Additional Permit Conditions.

- (1) Each Mobile Vendor shall register with the Tax Collector pursuant to Article 12 (Business Registration) of the Business and Tax Regulations Code, if applicable. Separate fees may apply and be payable to the Tax Collector.
- (2) Each permit that applies to a Mobile Vendor that uses an energy source, including propane, butane, or battery, is conditioned on the Mobile Vendor obtaining approval from the Port Fire Marshal and complying with sections of the Fire Code that apply to the use of flammable gas, flammable liquids, compressed gas, open flames, and other energy sources. Separate fees may apply and be payable to the Port Fire Marshal.
- (3) Each permit for Food Vending is conditioned on the Mobile Vendor obtaining a permit to operate a food facility from the Department of Public Health pursuant to Health Code Section 452, as it may be amended. Separate fees may apply and be payable to the Department of Public Health.
- (4) Each Mobile Vendor permit issued pursuant to this Article 2A and the approval, as applicable, of the Tax Collector (issuance of business registration certificate; see subsection (b)(1)), Port Fire Marshal (see subsection (b)(2)), and the Department of Public Health (see subsection (b)(3)), shall authorize inspection by the City of the Mobile Vendor's operations at any time during operating hours.
- (5) The applicable conditions of this subsection (b) are preconditions to the issuance of a Mobile Vendor permit. Lapse or revocation of approvals, as applicable, from the Tax Collector, Port Fire Marshal, or Department of Public Health shall, by operation of law, automatically invalidate any Mobile Vendor permit without further action by the Department.

f. Additional Port Permit Requirements.

Pursuant to Port Code sections 2A.4(a)(7) and 2A.4(f)(1)(e), the following requirements, if applicable, are additional preconditions to the issuance of a Mobile Vendor permit. Lapse or revocation of applicable approvals or requirements described below shall, by operation of law, automatically invalidate any Mobile Vendor permit without further action by the Port.

(1) Each Mobile Vendor permit issued pursuant to Article 2A of the Port Code shall require the Mobile Vendor to procure and maintain insurance in coverages and amounts as determined by the City's Risk Manager.

(2) Each Mobile Vendor permit issued pursuant to Article 2A of the Port Code shall require any Mobile Vendor that Vends an art or craft regulated under Article 24 (Regulating Street Artists) of the Police Code shall obtain a Street Artist Certificate in accordance with Article 24 of the Police Code.

g. Permit Expiration. (Port Code §2A.4(d).)

Each Mobile Vendor permit shall expire one year after issuance by the Department unless renewed or unless the particular circumstances warrant a permit term of less than one year.

4. Vending Hours of Operations.

Vending shall be permitted between the hours of 8:00 am to 9:00 pm in order to maintain the scenic nature and facilitate the public's use and enjoyment of the San Francisco Bay and recreational opportunities. (Op. Std. §3.e.)

5. Vending Location.

a. Certified Farmer's Market or Swap Meet. (Port Code §2A.5(a).)

No person, without written approval of the Director, may Vend within the immediate vicinity of a permitted Certified Farmers' Market or a permitted Swap Meet during the operating hours of that Certified Farmers' Market or Swap Meet.

b. Temporary Special Permit. (Port Code §2A.5(b).)

No person, without written approval of the Director, may Vend within the immediate vicinity of a temporary special permit issued by the City, or any of its departments or agencies, that authorizes the temporary use of, or encroachment on, the sidewalk or other public area, including an encroachment permit, special event permit, or temporary event permit for purposes including filming, parades, or outdoor concerts. This prohibition against Vending shall be effective only for the limited duration of the temporary special permit. Any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the temporary special permit must also be provided to any Mobile Vendor specifically permitted by the Director to operate in the immediate vicinity of the temporary special permit.

c. Stationary Mobile Vendors.

(1) To immediately implement Operational Standards 3.a and 3.b, Stationary Mobile Vendors will only be permitted in designated vending locations established by marking stalls on the pavement, and identified on a map posted on the Port's website of stationary Vending locations and the number of stalls at each location.

(2) Commencing in July 2022, Vending stalls at the Pier 45, Pier 43, Powell and The Embarcadero, and Pier 1/2 locations (Stalls A-1, A-2, B-1, B-2, B-3, C-1, C-2, G-1 and G-2) will be allocated according to the process and under the rules set forth in Attachment A. Vending stalls at all other stationary Vending locations may be used on a first come, first served

6/14/22

basis for each day. Vendors must remove all Vending Equipment and all other belongings from the stall at the end of each day. No Vendor may use the same stall for two consecutive days, even if they are the first to arrive on the second day. No individual vendor may use two stalls at the same time.

6. Vending Equipment.

a. Vending is restricted to non-motorized conveyances, stands, or pushcarts. Vending is not allowed from an automobile regardless of whether the automobile is parked in a lawful parking space. (Port Code §2A.1.)

b. Vending Equipment may not be more than 10 feet in length, 10 feet in depth, and 10 feet in height, including wheels, axles, umbrellas, tents, or canopies, and other appurtenances. When in use, the umbrella, tent, or canopy shall not exceed 10 feet in height as measured from ground level to its highest point. The umbrella, tent, or canopy must be made of a sturdy and safe material and must be attached and anchored to the Vending Equipment in such a way that sudden bursts of wind will not dislodge it. (Op. Std. §§3.a. & 3.b.)

c. A Roaming Mobile Vendor may have no more than one (1) umbrella that complies with the requirements in Administrative Regulation Section 6.b. The umbrella cannot be attached to any public or private fixture, such as the sidewalk, street furniture, fence, rail, bench, bike rack, tree, pole, sign, or other publicly-owned object. (Op. Std. §§3.a. & 3.b.)

d. No connection to external power, piping, or plumbing is allowed. The Vending Equipment must be entirely self-contained.

e. Signage is permitted only if attached to the Vending Equipment or the Mobile Vendor's person. Signage may not be attached to any public or private fixture, such as the sidewalk, street furniture, fence, rail, bench, bike rack, tree, pole, sign, or other publicly-owned object. (Op. Std. §§3.a – 3.b.)

f. Vending Equipment must not lean against or attach to a permanent building or structure.

g. Each Stationary Mobile Vendor shall be limited to two (2) chairs. The chairs may be placed behind or next to (but not in front of) the Vending Equipment. (Op. Std. §3.a.)

h. Mobile Vendors are prohibited from placing Vending Equipment in a parking stall or a designated parking area for automobiles, bicycles, scooters, pedicabs or other mobility devices. (Op. Std. §§3.a – 3.c.)

i. Food and Merchandise must be securely fastened to or secured within the Vending Equipment. Mobile Vendors must ensure that sudden bursts of wind will not dislodge Food or Merchandise. (Op. Std. §§3.a – 3.c.)

j. Mobile Vendors shall not leave Vending Equipment, or Food or Merchandise, unattended. For the purposes of these Administrative Regulations, unattended means that the Mobile Vendor is not within 10 feet of the Vending Equipment and/or the Food or Merchandise.

k. Vending Equipment shall not be chained or fastened to the sidewalk, street furniture, fence, rail, bench, bike rack, tree, pole, sign, or other publicly-owned object. (Op. Std.

§§3.a – 3.c.)

l. Mobile Vendors must display their Port-issued Mobile Vendor permit on their Vending Equipment when operating. To the greatest extent feasible, the Permit shall be placed on the upper left-hand corner of Vending Equipment on the side that faces the public or is nearest the path of pedestrian travel. (Port Code §2A.2(b).)

m. Mobile Vendors must maintain, possess, and display or show all local authority permits required by either the State or City.

n. Food or Merchandise shall not be displayed directly upon a street, sidewalk, pathway, pier, wharf, or grass or landscaping, or other structure (street furniture, fence, rail, bench, bike rack, tree, pole, sign, or other publicly-owned object), or any public place. (Op. Std. §§3.a – 3.b.)

o. Stationary Vending Equipment shall be parallel to the curb, with the longest side of the Vending Equipment parallel to the curb.

p. Stationary Mobile Vendors shall store any Food and Merchandise, and any accessory items entirely within or beneath the Vending Equipment. Food, merchandise, and any accessory items shall not be stored or piled alongside, behind, or in front of the Vending Equipment. (Op. Std. §§3.a – 3.b.)

q. In addition to prohibitions on the sale of alcohol, cannabis, other controlled substances, ammunition, animals, counterfeit goods, firearms, or tobacco, which exist in local, state, or federal law, Mobile Vendors are prohibited from Vending any harmful or dangerous items or noise-making devices. (Op. Std. §§3.a – 3.b.)

r. No Mobile Vendor may Vend in any location that would reduce the clear path of travel below the minimum needed to allow adequate circulation. This minimum clearance shall be 16 feet on the Embarcadero Promenade due to its high pedestrian volumes, or 6 feet elsewhere on Port property.

s. All applicable parking regulations shall be observed.

t. Due to high pedestrian volume, no Mobile Vendor may Vend within any Port property within the Oracle Park Special Event Area defined by SFMTA during the two hours immediately before an event and the two hours immediately after an event, unless written consent from SFMTA is first obtained.

u. Mobile Vendors shall not make excessive noise and are prohibited from using speakers, amplifiers, musical instruments, or noise-making devices. (Op. Std. §§3.a – 3.b.)

7. Energy Sources.

a. No Mobile Vendor shall use any power source that poses a fire or public safety hazard or wet cell battery with removable fill caps. (Op. Std. §§3.a – 3.b.)

b. No Mobile Vendor shall connect to any building, vehicle, or any City or Port power source. (Op. Std. §§3.a – 3.b.)

8. Trash, Recycle, Compost, and Other Debris.

- a. Mobile Vendors are responsible for clean-up and removal of any Food or Merchandise, and any item, package, refuse, waste, litter or other materials occurring because of or related to Vending Food or Merchandise.
- b. Mobile Vendors are prohibited from placing any liquid or solid waste, or debris of any kind, in Port trash, recycle, or compost receptacles.
- c. Mobile Vendors must bring their own vermin-proof trash receptacles and remove any and all waste, refuse and litter collected or discarded as a result of preparing, selling or consuming food items or merchandise on Port property.

9. Good Neighbor Policies. (Port Code §2A.7.)

Mobile Vendors shall operate in accordance with the following good neighbor policies:

- (a) Mobile Vendors shall be individually responsible for any garbage, detritus, or debris that directly results from their Vending activity;
- (b) Noise and odors shall be contained within the immediate area of the Mobile Vendor so as not to be a nuisance to neighbors; and
- (c) Mobile Vendors shall urge patrons to not litter and to maintain the safety, cleanliness, quiet, peace, and orderliness of the area; and
- (d) Stationary Mobile Vendors shall provide for proper and adequate storage and disposal of garbage, detritus, and debris.

10. Enforcement and Appeals.

- a. Port Code §2A.8.
- (a) Nuisance Declaration. Any violation of this Article 2A, or any applicable Rules and Regulations, constitutes a public nuisance.
- (b) Administrative Citation. Any Enforcement Official may issue an Administrative Citation as described below for any violation of this Article 2A, or of the Rules and Regulations that interpret and implement this Article, that occurs on a public right-of-way (as that term is defined in Public Works Code Section 2.4.4) or any other street, sidewalk, alley, walkway, wharf, pier, or pedestrian path available to the public:
 - (1) Vending that violates a requirement in this Article or in the Rules and Regulations, other than failure to possess a valid license or permit:
 - (A) An administrative fine equal to \$100 for a first violation.
 - (B) An administrative fine equal to \$200 for a second violation within twelve months of the first violation.
 - (C) An administrative fine equal to \$500 for a third violation, and each subsequent violation, within twelve months of the first violation.
 - (D) In addition to any other authorized enforcement activity, a Mobile Vendor's license and/or permit may be revoked or suspended for the remainder of its term upon a fourth or subsequent violation.

- (2) Vending without a valid license or permit:
 - (A) An administrative fine equal to \$250 for a first violation.
 - (B) An administrative fine equal to \$500 for a second violation within twelve months of the first violation.
 - (C) An administrative fine equal to \$1,000 for a third violation, and each subsequent violation, within twelve months of the first violation.
 - (D) Upon submission of proof of a valid permit, the administrative fines set forth in subsections (A) through (C) of this subsection (b)(2) shall be reduced to equal the administrative fines set forth in subsections (A) through (C) of subsection (b)(1), as those amounts may be revised pursuant to subsection (b)(5).
- (3) Failure to pay an Administrative Citation described in this subsection (b) shall not be punishable as an infraction or misdemeanor; further, additional fines, fees, assessments, or any other financial conditions beyond those authorized in this subsection (b) may not be assessed.
- (4) When assessing an Administrative Citation authorized in this subsection (b), the Director shall take into consideration the person's ability to pay the fine using the criteria described in subsection (a) or (b) of California Government Code section 68632, as it may be amended. Notice shall be given to the Mobile Vendor of the right to request an ability-to-pay determination and instructions or other materials for requesting an ability-to-pay determination. The person may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program. If the Mobile Vendor meets the ability-to-pay criteria, the Department shall accept 20% of the total administrative fine specified in subsection (b)(1) or (b)(2), as applicable, as full satisfaction.
- (5) The amounts of the administrative fines identified in subsections (A) through (C) of subsections (b)(1) and (b)(2) shall automatically increase or decrease to the maximum amount authorized under California Government Code section 51039, as it may be amended. If section 51039 is repealed and not replaced with a similar limitation on administrative fines, then the administrative fine amounts in this Section 2A.8 may be adjusted each year, without further action by the Board of Supervisors, to reflect changes in the relevant Consumer Price Index.
- (6) Within 10 days of issuance, the Administrative Citation must be paid unless a written appeal is filed with the Director. The grounds of appeal are limited to error or abuse of discretion in the issuance of the Administrative Citation. The Director may make an ability-to-pay determination pursuant to subsection (b)(4), but inability to pay shall not be grounds for rescinding the Administrative Citation or reducing the amount required to satisfy the fine to an amount less than the amount specified in subsection (b)(4). The Director may investigate the Administrative Citation and any claims by the appellant, and shall issue and mail a written decision on the appeal within 30 days of receipt of the written appeal. Within 20 days of the Director's decision upholding a fine in whole or in part, the Administrative Citation must be paid. The method for judicial review of an Administrative Citation pursuant to subsection (b)(1) is an appeal

filed with San Francisco Superior Court pursuant to Government Code section 53069.4.

(7) Collection of Fines. The failure of any person to pay a fine assessed by administrative citation within the required time constitutes a debt to the City. Simple interest at 10% per year shall accrue on unpaid amounts. The City may file a civil action including a small claims action or may pursue any other legal remedy to collect such money.

(c) Temporary Order to Cease Vending and Removal.

(1) Any Enforcement Official may order a Mobile Vendor to promptly cease Vending when, in the judgment of the Enforcement Official, (A) the Mobile Vendor constitutes a safety hazard, including but not limited to impeding the safe use of a public right of way by pedestrians and persons with disabilities, or (B) when the presence of an emergency so requires, or (C) if the Mobile Vendor is unpermitted.

(2) (A) After the Enforcement Official orders an unpermitted Mobile Vendor to cease Vending, the Mobile Vendor must discontinue any Vending and remove all Food, Merchandise, and any other Vending paraphernalia from property within the regulatory jurisdiction of the Port. A failure to promptly obey any such orders from an Enforcement Official is a violation of this Article 2A

(B) After the Enforcement Official orders a permitted Mobile Vendor to cease Vending, the Mobile Vendor must discontinue any Vending and follow the orders of the Enforcement Official with regard to removing and relocating all Food, Merchandise, and any other Vending paraphernalia, and any other orders the Enforcement Official may give to mitigate safety hazards, and no further Vending may occur until the conditions that caused the order to cease Vending have been abated to the satisfaction of the Enforcement Official. A failure to promptly obey any such orders from an Enforcement Official is a violation of this Article 2A.

(3) If a Mobile Vendor fails, within a reasonable time, to remove Food, or Merchandise, or any other Vending paraphernalia from the location subject to the order to cease Vending, or to follow any other orders the Enforcement Official may issue to mitigate safety hazards, the Enforcement Official may order the Department to remove any or all of the items. Prior to removal by the Department, the Enforcement Official shall warn the Mobile Vendor of the impending removal and impoundment, and shall urge the Mobile Vendor to make every effort to remove the items, or cause their removal. Where the Department actually removes any items, the Enforcement Official shall issue an Administrative Citation to the Mobile Vendor. The Mobile Vendor shall pay the actual costs of removal and storage of any items impounded, and of disposal of any items the storage of which may cause public health, safety, or infestation issues. The Mobile Vendor may contest the liability for these costs by timely appealing the Administrative Citation. However, these actual costs to the City are not subject to reduction based on the ability to pay; actual costs are a debt to the City that may be collected in the same manner as provided in subsection (b)(7). Mobile Vendor items that have been removed and stored may be recovered

within 90 days from the date of removal and upon payment of a sum equal to the costs of removal, plus any reasonable transport and storage costs, as determined by the Department, and any costs incurred by the Department in disposing of any items contained in the Mobile Food Facility.

b. Identification of Enforcement Officials. The following individuals (“Enforcement Officials”) are empowered to issue a Notice of Violation and Administrative Citation for any violation of Port Code Article 2A, the Operational Standards, or the Administrative Regulations:

- (1) Port Property Managers
- (2) Port Wharfingers
- (3) Port Security and Emergency Planning Manager and 0931 Proposition F vending enforcement personnel reporting to such Manager and/or the Assistant Port Director
- (4) Agents or employees of Allied Security, or similar Port security services contractor, when assigned to patrol Port property or Port projects.

c. Notice of Violation.

(1) To ensure the accuracy of Administrative Citations, Enforcement Officials, upon witnessing a Vendor violate Port Code Article 2A, the Operational Standards, or the Administrative Regulations, may issue a Notice of Violation to the Vendor. The Notice of Violation shall include: (i) information identifying the Offender, (ii) details of the violation, (iii) the name or identifying number of the Enforcement Official, and a general description of (iv) administrative fines, payment method and options, including the ability-to-pay determination, (v) the appeals process.

(2) The Port will use the information included in a Notice of Violation to issue an Administrative Citation to the Vendor within 15 calendar days of issuing the Notice of Violation.

(3) Administrative Citation Issuance Date. For purposes of payment and appeals deadlines, the issuance date of any Administrative Citation delivered by the U.S. Postal Service shall be five calendar days after the date of mailing.

11. Amendment, Replacement, and Waiver of Administrative Regulations.

a. The Executive Director may amend, replace, or otherwise alter any of the Administrative Regulations in conformance with local and state law at any time and as needed to further the purposes of the Operational Standards, Article 2A of the Port Code, and in accordance with state law. Note, the following sections of the Administrative Regulations are excerpts of the Port Code or Operational Standards and may not be amended by the Executive Director: 2.a – 2.q, 3.b – 3.e (excluding 3.c(c)),

3.g, 5.a – 5.b, 9, and 10.a, inclusive. (Op. Std. §5.a.)

b. Any revisions to the Administrative Regulations shall not take effect until the Administrative Regulations have been published on the Port's website and adequate signage informing the public and Mobile Vendors of the applicable Administrative Regulations are posted. (Op. Std. §5.b.)

c. The Executive Director may temporarily waive application of any Administrative Regulation. Waiver shall be documented in writing and identify how the waiver implements or furthers one or more of the purposes of the Operational Standards or of local or state law.

ATTACHMENT A
VENDING STALL ALLOCATION PROCESS

All stalls are available on a first come first served basis except for the following locations: Pier 45 (A-1, A-2), Pier 43 (B-1, B-2, B-3), Powell & The Embarcadero (C-1, C-2) and Pier 1/2 (G-1, G-2) which will be subject to the following allocation process on Fridays, Saturdays and Sundays.

Port staff will allocate stalls to permitted vendors on a monthly basis via the following steps:

1. Port staff will ask each applicant who satisfies all permit issuance requirements to indicate if the permitted vendor would be interested in being scheduled for a vending stall at one of the locations listed above on a Friday, Saturday, or Sunday. Vendors may enter their names in the lottery for each, any, or all of the four locations:
Pier 45
Pier 43
Powell & The Embarcadero
Pier 1/2
A vendor may communicate at any time to Port staff that such vendor is no longer interested in joining lotteries for each, any, or all of the four locations; such vendor will be removed as requested.
2. Prior to 10am on the date two days before the first Friday to be scheduled (the "Lottery Date") Port staff will assemble a list of all vendors interested in participating in the lottery for each of the spaces listed above. On the Lottery Date, Port staff will hold a blind drawing to assign all vendors interested in each respective location a number from 1 to "n" for each location ("n" equaling the number of interested vendors in each location).
3. Port staff will perform the lottery drawings for each location in the following order: first for the location with the greatest number of vendors entered for the lottery (*i.e.*, the highest "n"); second for the location with the second greatest number of vendors; etc., until the lottery is completed for the location with least number of interested vendors. If there is an equal number of vendors that have entered their names into the lottery for more than one location, then the lotteries shall be held in order of the northernmost location to the southernmost location.
4. Using numbers assigned in the blind drawing for each respective location, Port staff will allocate vendors to each stall per day in numerical order for the lottery period (as shown in the following example lottery table):

Vendor Number Assigned in Each Location Lottery	Lottery For Most- Requested Location (Date)	Lottery for the 2nd Most-Requested Location (Date)	Lottery for the 3rd Most-Requested Location (Date)
1	A-1 (1st Friday)	B-1 (1st Friday)	C-1 (1st Friday)
2	A-2 (1st Friday)	B-2 (1st Friday)	C-2 (1st Friday)
3	A-1 (1st Saturday)	B-3 (1st Friday)	C-1 (1st Saturday)
4	A-2 (1st Saturday)	B-1 (1st Saturday)	C-2 (1st Saturday)
5	A-1 (1st Sunday)	B-2 (1st Saturday)	C-1 (1st Sunday)
6	A-2 (1st Sunday)	B-3 (1st Saturday)	C-2 (1st Sunday)
Etc.	A-1 (2nd Friday)	B-1 (1st Sunday)	C-1 (2nd Friday)

5. Conflicting Allocations.

As set forth in Section 5.c.2 of the Regulations, no vendor may occupy two vending stalls at the same time. Accordingly, Port staff will take steps to ensure that no vendor is assigned to two stalls on the same day. During the second and subsequent lotteries, if a vendor has previously been assigned to a location with greater demand for the same day, then the next vendor without a conflict from prior location-based lotteries shall be assigned the stall in the second or subsequent lottery. The vendor with a conflict would be assigned the next available date that does not have a conflict, and assignments would proceed in that order from there unless and until there is another date with a conflict.

For example and with reference to the lottery table above: If Vendor X was assigned number “1” in the first lottery (*i.e.* assigned vending stall A-1 on the first Friday) and Vendor X also entered the third lottery and was assigned number “2,” Vendor X would be ineligible for assignment to stall C-2 and the next vendor number without a conflicting allocation would be assigned to that stall (*e.g.*, vendor number “3” would be assigned to stall C-2 for the first Friday). Vendor X would be assigned to stall C-1 for the first Saturday, vendor number 4 would be assigned to stall C-2 for that day and stall allocations would continue until all available dates and stall locations were allocated for the lottery period, with further conflicts being resolved in the same manner.

6. Upon completion of the scheduling process, Port staff will provide the final schedule to vendors, PMs, Wharfingers, any private security personnel in contract with Port, and interested Port staff.

Port staff will repeat the lottery process for the four locations on the date that is two days before the first Friday to be scheduled. If that date is a City holiday or the Wednesday before Thanksgiving, step 1 will be performed by the preceding Tuesday.

Final review draft

6/14/22

If a Vendor does not occupy its stall by 10am on the Vendor's assigned day, such stall shall be available on a first-come, first-served basis to any permitted Stationary Mobile Vendor, provided Vendor did not utilize the same stall on the immediately preceding day.

EXHIBIT 4

Public Works Records for Savior Micallef, Permit No. 25VDR-00012

Savior Joseph Micallef

Business Registration Certificate

(Start Date: June 4, 2024)

Seller's Permit #25VDR-00012 (Current)

Payment Accepted: Cash, Venmo & Cash App

Note:

Various Spellings of Last Name: McAllef; McCallef; Mccoulef; McCouleff; Micallef:

Date	Agency	Case #	Location	Violation	Disposition
10/07/2023	ABC	Cite #125105 Case #23-40-035	Pier 33	23300 B&P	Citation-
04/05/2024	DPW	TBD	Pier 30/32	5.9.3 PW Code	Written Warning
04/07/2024	DPW	4724-0010007	Pier 30/32	5.9.3 PW Code	Citation - \$250.00
04/24/2024	DPW	042424-063-004	Embarcadero & Bryant	5.9.3 PW Code	Verbal Warning
04/24/2024	DPW	042424-063-001	Embarcadero & Bryant	5.9.3 PW Code	Written Warning
05/19/2024	DPW	51924-001-014	Pier 32	5.9.3 PW Code	Citation - \$100.00
08/15/2024	DPW/SFPD	81524001	Pier 32	5.9.3 PW Code/ 22500F CVC	Citation - \$500.00/ SFPD Cite #PD38924093
08/15/2024	DPW	TBD	Pier 32	5.9.3 PW Code	Citation- Fine is TBD
03/08/2025	DPW/SFPD	030825-05-01	Pier 30/32	5.9.3 PW Code/ 22500F CVC	Citation - \$500.00/ SFPD Cite #PD38924174
07/09/2025	DPW	070925/79/03	Pier 30/32	5.9.3 PW Code	Citation - \$100.00 Fine
07/12/2025	MLB Brand Security/DPW	071225-003-001/ 068-2025	Pier 30/32	Counterfeit Merch./ 5.9.3 PW Code/	Served w/Cease-and- Desist Letter/ Citation \$1,000.00
07/13/2025	MLB Brand Security	068-2025	Pier 30/32	Counterfeit Merch.	Served w/Cease-and- Desist Letter

Monday, July 28, 2025



Mobile Vending Program Operation

Operation Recap / ~~After Action Notes~~

Date: Saturday, October 7, 2023

Narrative:

On today's date, Saturday, October 7, 2023, I was working members from the Port, SFPD and with several members from the California State Alcohol Beverage Control Division, as listed on the attached sign-in sheet. The skies were clear, the sun was shining, and the temperature rose to 86 degrees today. This is Fleet Week, the Blue Angels are flying and numerous people were out to enjoy the day and view the airshow.

Our focus today was to address the unlicensed alcohol vendors on the Embarcadero, commencing at Pier 33 / Alcatraz Landing, and continuing north to the Little Embarcadero/Pier 45. Our operation commenced at 1130hrs.

I met with Special Agent Erik Skakacs and his team members, which was comprised of ten (10) additional agents. After our briefing, the ABC team members were then deployed into the field. Their goal was to maintain surveillance and approach vendors who were selling alcoholic beverages and subsequently make the arrest and confiscate all evidence associated with the violation(s).

Between 1130hrs – 1330hrs, two (2) citations were issued for unpermitted sales of alcohol:

① ~~✱~~ Micallef, Savior [REDACTED] ←
Cited: 23300 B&P

② [REDACTED]
Cited: 23300 B&P

Since two arrests were made on the Little Embarcadero, the word spread quickly of our presence, all alcoholic beverage sales ceased. After waiting approximately 1 hour, the teams responded back out into the field. Between 1430hrs and 1730hrs, while at Pier 33, additional violations were observed, and citations were issued:

③ [REDACTED]
Cited: 23300 B&P

④ [REDACTED]
Cited: 23300 B&P

After our second wave, all alcohol sales ceased, and our operation concluded for the day.

County of Contra Costa Department of Social Services - Juvenile Justice		<input checked="" type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony		125105	
NOTICE TO APPEAR					
Date of Hearing: 10/17/23		Time: 12:41 PM		Date of Birth: 10/17/23	
Name: SANTO, MICHAEL					
[Redacted Address]					
Name of Case: _____		Case No.: _____		Date: _____	
Evidence of Financial Responsibility: _____					
Registered Owner of Vehicle: _____					
Address: _____					
Sex: _____ Race: _____					
Commission Number (Veh. Code, §40018): _____					
[Redacted Commission Number]					
Court Agency: _____					
Location of Hearing: _____					
Courtroom (Meeting Room): _____					
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Signature of Defendant: [Signature]					
Date: 10/17/23					
Without Adverting Guilt, I promise to appear at the time and place indicated below:					
Date: T/W/TH 10/17/23 @ 8am					
San Francisco Superior Court					
850 Bryant St. Rm 475					
San Francisco, CA 94103					
415-553-9395					
125105					



MICHAEL F.
SAVIO R

MECALLEE





Mobile Vending Program Operation

Operation Recap / After Action Notes

Date: Friday, April 5, 2024

Narrative:

On today's date, Friday, April 5, 2024, I was working with members from the Port and with several members from the California State Alcoholic Beverage Control Division, as listed on the attached sign-in sheet. The skies were clear, the sun was shining, it was 47 degrees at 0800hrs. Today is the San Francisco Giants 2024 "Opening Day" game at Oracle Park, and they are playing against the San Diego Padres. Gametime is 1:35PM.

Our focus today is to address the unlicensed alcohol vendors who are set-up and selling alcoholic beverages along Embarcadero, around Oracle Park and the surrounding streets.

~ We met with Special Agent Erik Szakacs and his team members, which was comprised of 12 additional agents. After our briefing, the ABC team members were deployed in the field. Their goal was to maintain surveillance and approach vendors who were selling alcoholic beverages and subsequently make an arrest and confiscate all evidence associated with the violation(s). Our operation commenced at 1000hrs. A copy of the ABC Operation Plan is attached.

Between 1000hrs. – 1600hrs, 4 citations were issued for unpermitted sales of alcoholic beverages. All violations were committed around Oracle Park:

[REDACTED]
Cited: 23300 B&P – Unlicensed Alcohol Sales

[REDACTED]
Cited: 23300 B&P – Unlicensed Alcohol Sales

[REDACTED]
Cited: 23300 B&P – Unlicensed Alcohol Sales

[REDACTED]
Cited: 23300 B&P Unlicensed Alcohol Sales

~ While ABC was conducting their operation, Port personnel were out with DPH and DPW, focusing on unlicensed vendors who were selling goods around Oracle Park.

SFDPH issued 4 Citations for food items found to be unsafe for human consumption, 3 hot dog carts and 1 fruit stand selling sliced fruit in cups. DPW disposed of all food items, DPH impounded 3 Hot Dog Carts and DPW transported them to their storage facility.



Mobile Vending Program Operation Operation Recap / After Action Notes

Date: Friday, April 5, 2024

Narrative Continued:

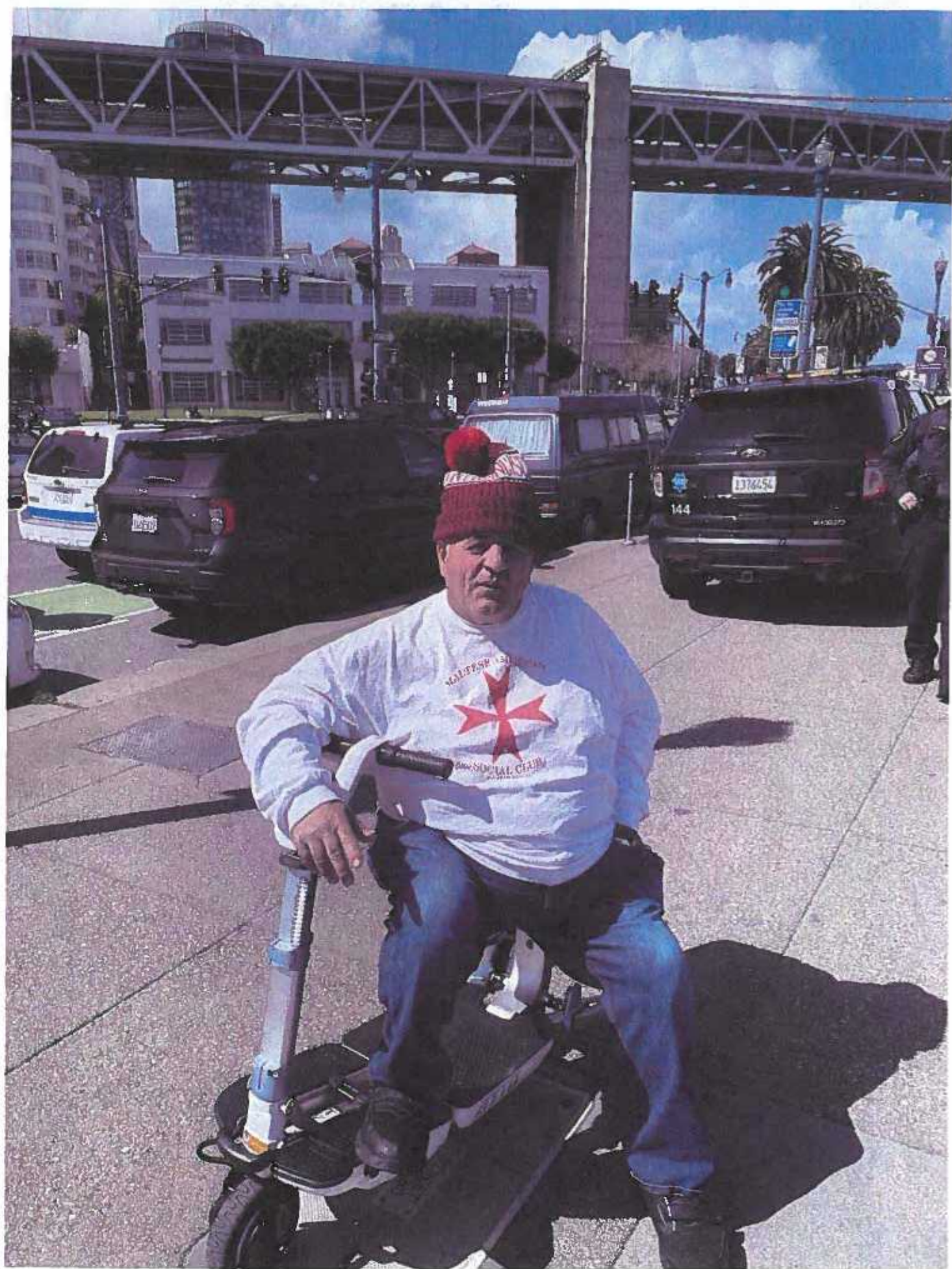
1 red wagon with a white table Ny-Tied to it was abandoned so DPW confiscated it and it was disposed of.

DPW issued 3 warnings. 2 individuals were selling BB hats and SF Giants logo clothing, and one individual had a table set up and he was selling Marijuana infused treats.

The names of the individuals cited by SFPD and the individuals Warned by DPW are TBD/Pending.

ABC Citations: 4
SFPD Citations: 4
SFPD Citation: 1
DPW Warnings: 3







Mobile Vending Program Operation Operation Recap / After Action Notes

Date: Sunday, April 7, 2024

Narrative:

On today's date, Sunday, April 7, 2024, members from the Port were collaboratively working with members from the SFPD, SFFD, SFDPH and SFDPW, as listed on the attached sign-in sheet. The skies were blue, the sun was shining, it was 48 degrees at 0800hrs and the expected high temperature is 59 degrees. Due to the beautiful weather in the city, many people were out and about today.

Initially, we responded to Oracle Park where the SF Giants were playing the San Diego Padres. Today is also Youth Baseball Day at Oracle Park and many families and children were in attendance. Our focus at Oracle Park is to address the unlicensed vendors who were set-up and selling hard goods, food stuffs, alcoholic beverages, marijuana, or anything else that is unpermitted and/or against the law. We will focus on Oracle Park and its periphery, including the surrounding streets that lead to the park as well as the Embarcadero, north to Brannan Street:

~ At approximately 1045hrs, we were on the 700 block of 2nd Street. On the west side of the street, mid-block, we saw [REDACTED] who is known to us from previous contacts during last year's Giants baseball season. [REDACTED] had 2 tables set up, and he was selling SF Giants articles of clothing and BB hats. [REDACTED] also had clothing displayed on the sill of the building directly behind his tables. Since [REDACTED] has been warned in the past, DPW cited him for vending w/o a permit. Once cited, [REDACTED] gathered up all his wares and left the area.

~ At 1055hrs, directly across the street from Haymer on the east side of the 700 block of 2nd Street was [REDACTED]; they had 2 tables set up and they too were selling SF Giants articles of clothing and BB hats. When we initiated our conversation with [REDACTED] he immediately called [REDACTED] on his cell phone as they were working for him. [REDACTED] spoke with [REDACTED] while DPW issued [REDACTED] a written warning for vending w/o a permit. After the phone call with 49er [REDACTED] and [REDACTED] gathered up their wares and left the area.

~ At approximately 1105hrs, we were traveling north on the Embarcadero. Directly in front of Pier 38, we saw [REDACTED] had 3 tables set up and was selling SF Giants articles of clothing and BB hats; the same things [REDACTED] and [REDACTED] were selling. DPW issued [REDACTED] a written warning for vending w/o a permit; he then gathered his belongings and left the area.

Narrative Continued:

~ At 1110hrs, on the Embarcadero near Brannan St, we saw [REDACTED] [REDACTED] had 2 long [REDACTED] and was selling a wide variety of sunglasses. Barnes did not have a permit, so DPW issued him a written warning for his violation. [REDACTED] picked up his goods, took down the tables and left the area. G

~ At 1115hrs [REDACTED] street, was [REDACTED] [REDACTED] had 2 long tables set up selling a variety of SF Giants clothing, BB hats, gloves. The balance of [REDACTED] articles of clothing were displayed on the ground, flanking his tables. Since [REDACTED] has been warned and cited in the past, DPW issued him a citation for his second consecutive violation for vending w/o a permit. [REDACTED] picked up all his goods and left the area. G

* ~ At 1125hrs, we saw Savior Mccoulef, who has been cited by DPW in the past. Mccoulef was selling SF Giants articles of clothing that were displayed on the cement wall and he had 1 table selling a variety of SF Giants hats. As soon as Mccoulef saw us exit our vehicles, he came rolling over on his white electric scooter. Since Mccoulef has been warned in the past for selling w/o a permit, DPW issued him a Notice of Violation for his violation. With help from some friends, Mccoulef picked up his goods and left the area. ← C

We then transitioned to address the unlicensed vendors who were selling goods and foodstuffs along the Embarcadero, from Alcatraz Landing/Pier 33, north to the Little Embarcadero, continuing to Pier 45, then west to the Crab Wheel.

~ At 1135hrs, our caravan arrived at Alcatraz Landing. Upon seeing our convoy, approximately 10 individuals took off running in different directions with their hot dog carts; one individual left his cart in front of Pier 33 and it was confiscated by DPW. The [REDACTED] who was running with that cart returned a short time later; he wanted his chair and red speaker, which I gave to him. The H/M then left the area. The hot dog cart was disposed of by DPW. Cart

It should be noted that during this incident [REDACTED] was on-scene. [REDACTED] is known to us and he is an unlicensed vendor. [REDACTED] works with [REDACTED] who was also on-scene and the two always set up their grill at Alcatraz Landing. When [REDACTED] saw us confiscating the abandoned hot dog cart, he attempted to claim it as his. [REDACTED] walked up directly behind one of the DPW workers at which time Port Employee Frost stepped in between them. When [REDACTED] did that, [REDACTED] grabbed [REDACTED] right elbow and attempted to pull him away so he could grab the hot dog cart. Ofc. Portillo intervened, spoke to [REDACTED] in Spanish at which time [REDACTED] backed down. DPW confiscated the hot dog cart, [REDACTED] did not press charges on [REDACTED] for interfering with him while performing his duties and for the battery and this ended without further incident.

Narrative Continued:

~ At 1140hrs, there was a blue awning set up near Alcatraz Landing. The H/M, later identified as [REDACTED] had a table set up under the awning and he was selling sliced fruit in a cup. [REDACTED] was also selling a variety of cold drinks. SFDPH deemed the food items unsafe for consumption, so DPW confiscated it and it was disposed of. DPH impounded the table and DPW transported it to their storage facility. [REDACTED] packed up his belongings and he left the area. As we were dealing with [REDACTED] were on scene with their gray wagon, red awning, and white table. When they saw that we were working today, they did not set up and left the area.

~ At 1200hrs, we stopped at Pier 15, where we saw a large green umbrella that was attached to the side of a large silver colored food cart and the food cart had a large propane bottle attached to it on one end. Three individuals were associated with the cart, and they were selling hotdogs wrapped in bacon, sautéed onions and peppers and they had a blue & white cooler filled with cans of Coke and Sprite. SFDPH deemed the food items unsafe for consumption, so DPW disposed of it. SFDPH then impounded the silver-colored cart and DPW transported it to their storage facility. SFFD issued a citation to [REDACTED] for the propane/Fire Code Violation and SFDPH issued her a citation for the violation.

We then drove back to Oracle Park:

~ We walked from South Beach Harbor, clockwise to the O'Doul Gate at Oracle Park. Upon arrival there, we saw a H/M with a mullet hairstyle, wearing a blk sweatshirt selling bacon wrapped hotdogs from his hotdog cart; the grill also had sautéed onions on it. The individual identified himself as [REDACTED] SFDPH deemed the food unsafe for consumption and issued [REDACTED] a citation for his violation. As SFFD was issuing [REDACTED] a citation for his Fire Code Violation, he walked away. SFDPH impounded the hotdog cart and DPW transported it to their storage facility. While walking away, [REDACTED] said he did not want the cart, yelling "What's the use!"

G
+ cart

~ While walking around Oracle Park, we saw a H/M wearing a Blk. BB hat, Grn sweatshirt and gray jeans; he was standing in front of the Giants Ticket Office on Willie May's Plaza and was selling hot dogs wrapped in bacon from his hot dog cart; the cart also had buns, onions, and peppers on it. SFDPH deemed the food unsafe for consumption and DPW disposed of it. The H/M refused to give DPH his name then left the scene. The hot dog cart was impounded by SFDPH and DPW transported it to their storage facility.

G
+ cart

~ At 1320hrs, we walked up to Willie May's Plaza at 3rd Street. Located on the corner, there was a H/M and a H/F; they had 2 tables set up and they were selling SF Giants jerseys, SF Giants jerseys and a variety hats. The H/M told us his name was [REDACTED] Since we have never encountered Castillo before, DPW issued him a written warning for vending w/o a permit. [REDACTED] and the H/F then packed up their goods, removed their tables and left the area.

G

Narrative Continued:

We then drove back to the Little Embarcadero:

~ At 1410hrs, upon arrival at the Little Embarcadero, we saw a red canopy set up. Under it was a table and cart and the H/M (Name TBD frm DPH) and H/F associated with it were selling Fresh Empanadas, Buffalo Wings and Tamales according to all of their signage. SFDPH deemed the food items unsafe for consumption and DPW disposed of it all. SFDPH issued a citation for the violation. The H/M and H/F then took down their full display, packed up their belongings and left the area.

~ At 1420hrs, we saw a H/M (Name TBD frm DPH) wearing a SF Giants hat who was directly across from the H/M and H/F who were selling Empanadas, and he was selling "Corn in a Cup." When the H/M would fill a cup with corn, he would put a large dollop of mayonnaise, from an unrefrigerated jar of mayonnaise, on top of the corn. SFDPH deemed the food items unsafe for consumption and DPW disposed of it all. A large crowd gathered as several individuals who were not affiliated with the H/M became involved and there was a lot of yelling going on. The situation was quelled, SFDPH issued the H/M a citation for the violation and there was a peaceful ending, and everyone went on their way.

~ At 1435 hrs, [REDACTED] was set up near Pier 41 and she had a white canopy and under it and flanking it were 2 racks of clothing that she was selling. [REDACTED] also had 5 tables displaying a variety of clothing. Since [REDACTED] has been warned several times in the past for vending w/o a permit, DPW issued her a Warning for vending w/o a permit. Andrango then began to pack her wares thus preparing to leave the area.

~ At 1445hrs, on the Little Embarcadero near the Franciscan Restaurant, we saw [REDACTED] who is a regular at that location. Today, [REDACTED] had 2 canopies set up, occupying approximately 20' on the promenade and he was selling a variety of clothing, sunglasses, and jewelry. Since [REDACTED] has been warned many times, DPW issued him a "Notice of Violation" for his violation. [REDACTED] was then told to pack up his goods and leave the area. Although moving like molasses in winter, he complied.

DPW Warnings: 5

DPW Notice of Violation: 4

SFDPH Citations: 5

SFFD: 2

City and County of San Francisco
49 South Van Ness Avenue, 1st Floor, San Francisco, CA 94103

Public Works

Department of Street and Mapping
625-271-2000

Citation Number: 4724-001-007

Date: 4/3/24
Inspection Time: 11:23
Notification Time: 11:26
Location: Pav 30/02
Permit No.: V
Complaint No.: X
Inspector: 001 Phone: 6252712000

Served to:
Name: Xavier McCoolaf
Company:
Phone:

NOTICE OF VIOLATION: By service of this NOTICE OF VIOLATION, which you are receiving as the owner, contractor, official representative agent or responsible party, you are hereby notified that you are in violation of the City ordinance(s) identified below. For further instructions and notifications, please see reverse of side of this notice of violation. Contact Inspector for verification where all Code requirements are met.

Item #	Code Section (see reverse of form for applicable code section)	Description, including amount in which violation is to be remedied (e.g., "Remove person. Person will be locked to provide missing permit")	Deadline in which to correct (A, B, C, D, E, or F as listed)	Administrative Penalty or Fine if not corrected	Board of no-appeal / Complaints	Inspector Initials
1	Public Works Code § 5.9-3 Order No.	Vending w/o permit No Permit Displayed Refusal to Cease Vending / Relocate Failure to Provide Proof of Ownership Non-Compliant Display / Occupancy	Immediately	\$100 - 1st \$250 - 2nd \$500 - Each Additional	No-appeal Complaint No-appeal Final Complaint	
2					No-appeal Complaint No-appeal Final Complaint	

I acknowledge receipt of proper notice and understand if corrective action is not taken as required the violation will remain unresolved. I understand that I am subject to fines or penalties in accordance with the San Francisco Municipal Code and any of the corrective actions required or penalties levied. Name (Printed): Signature: Date: 4/7/24

I am over the age of 18 years and was a party to this action. I am employed by the City & County of San Francisco in the Department listed below. I declare under penalty of perjury under the laws of the State of California and the City & County of San Francisco that on

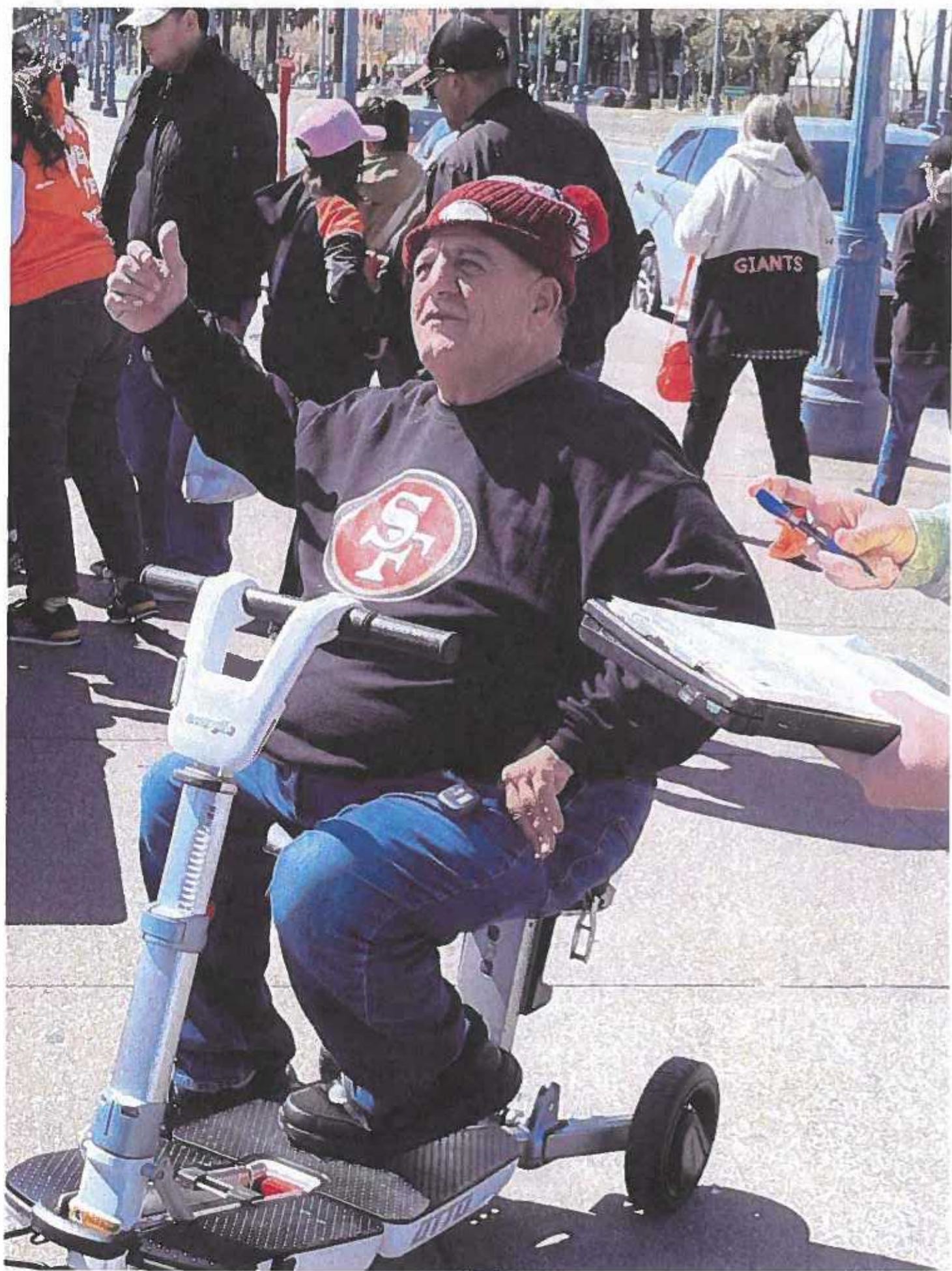
(Month, Day) 4, 7 of (Year) 24 I personally served I served via certified mail I served via email

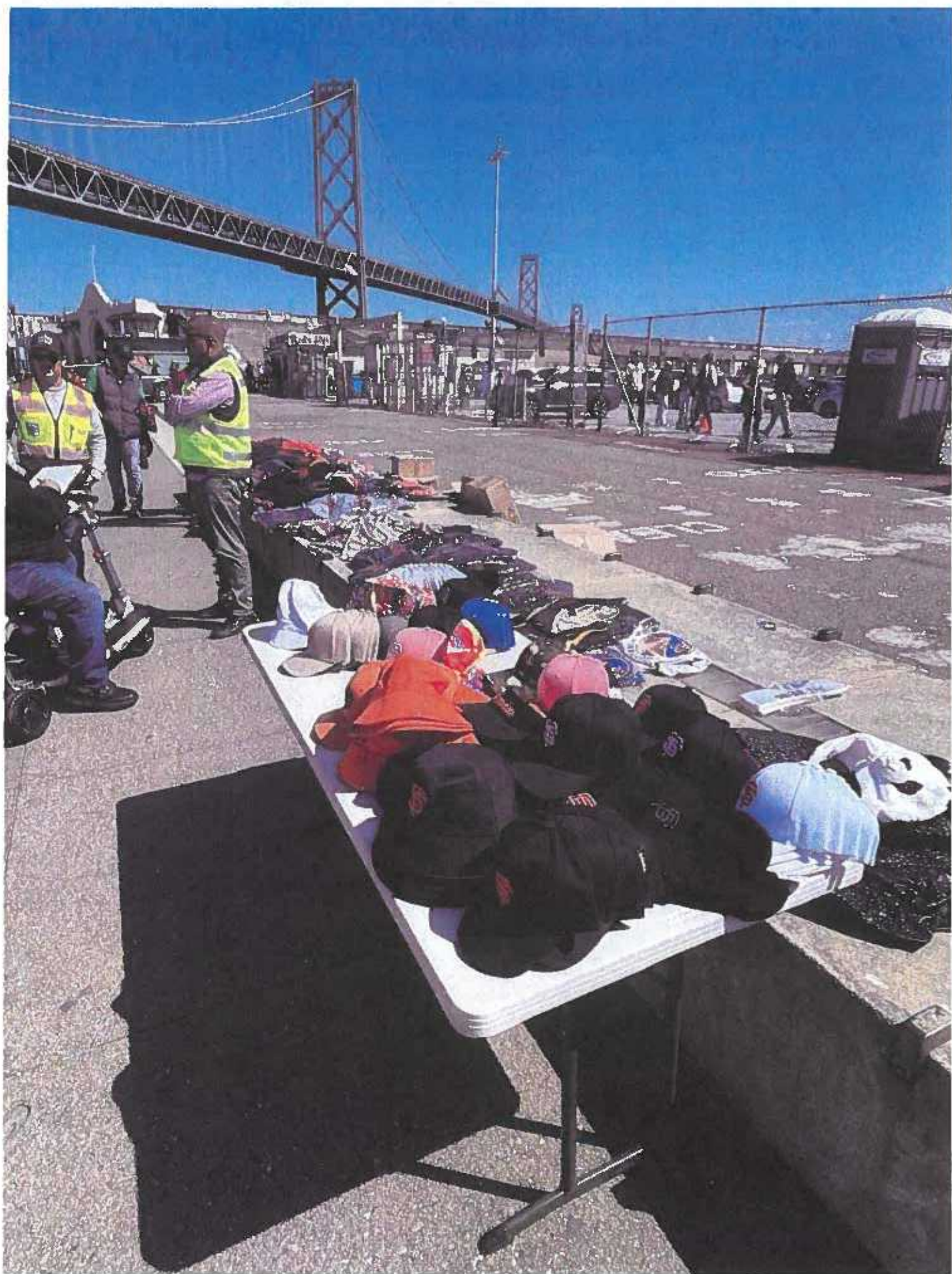
Name(s) of Violator(s): with this Notice of Violation

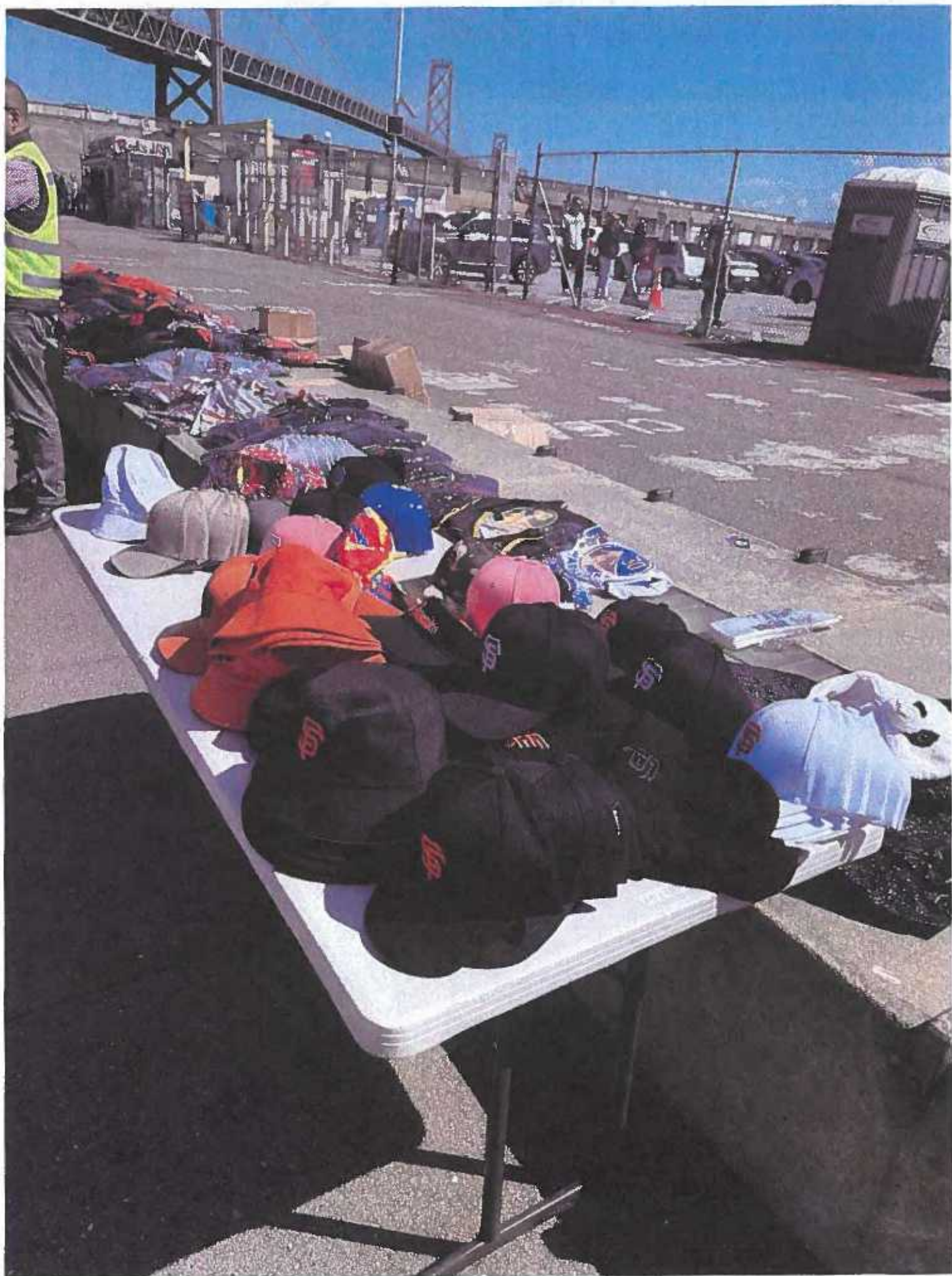
Noted and served by: (Print Name) 001

(Signature) Department: PW Phone: 6252712000

BY ORDER OF THE DIRECTOR OF PUBLIC WORKS, A FINANCIAL PENALTY OF \$ PER DAY PER INCIDENT IS HEREBY IMPOSED.











Mobile Vending Program Operation

Operation Recap / After Action Notes Wednesday April 24th, 2024

Narrative:

On today's date, Wednesday April 24th, 2024, I was working along with the Port Security Director. Together we were assigned to address the unpermitted vending that takes place along the Embarcadero and at Oracle Park. The weather was cloudy, and it was about 59 degrees.

Today's operation was led by the DPH, SFFD and DPW and they were supported by SFPD, and Port Personnel; refer to the assignment page for additional information.

* 1. At about 1020hrs we met with the SFFD, DPH, DPW and SFPD Personnel. We drove as a caravan to Pier 30/32 and observed **Savior McCouef** sitting in his motorized cart next to the cement benches. On the benches he had Giants Hats, Shirts and Sweatshirts displayed. He took up about 35 of linear feet of the bench with his merchandise. When we approached him and asked for his permit he was unable to provide us with one. He told us he has been doing this for 40 years and we are not going to stop him. He said he applied for a permit through DPW and awaiting the issuance of it. DPW asked him his name and he said "**Joseph McCoulef**". He was cited for unpermitted vending by DPW and told to pack up his merchandise. He complied and was packing it up as we drove away. We responded back to his location at about 1330 hrs. and found him to be there with the same merchandise displayed on the cement benches. This time it was down to about 30 linear feet. DPW issued him a written warning this time and told him to cease the vending. ←

2. We drove to Little Embarcadero and at about 1123hrs we observed a Hispanic later identified as [REDACTED] standing under a white awning in Port Vending Location B-1. Under the awning he had about 5 tables set up and displaying numerous articles of clothing, hats and jewelry. When asked if he had a permit, he said my wife does. He said that she has Permit number 21-050 and that she is at home. DPW Inspectors advised him that she needed to be present for the permit to be used and they issued him a written warning for vending without a permit. Permit Number 21-050 is issued to [REDACTED]

3. While conducting a walkaround Oracle Park during the Giants Game we observed 1 Hispanic female later identified as [REDACTED] and 1 Hispanic male later identified as [REDACTED] standing behind 2 carts that contained fur hats and Giants shirts. When asked if they had a permit both of them said that they did not. They were both issued written warnings by the DPW inspectors.

Recap: 4 DPW Unpermitted Vending Written Warnings
1 DPW Unpermitted Vending Citation

Bureau of Street and Mapping
628-2711-2000



Date: 04-24-2024
Inspection Time: 1:30
Notification Time: 1:30
Location: 801st / 2nd Avenue
Permit No.:
Complaint No.:
Inspector: 043 Phone: 628-271-2000

Citation Number: 04-2424-063-0001

Issued to

Name: Joshua McCall

Company

Pharmacokinetics

NOTICE OF VIOLATION: By service of this NOTICE OF VIOLATION, which you are receiving as the owner, contractor, official representative, agent or responsible party, you are hereby notified that you are in violation of the City ordinance(s) identified below. For further instructions and notification, please see reverse of side of this notice of violation. Contact inspector for verification when all Code requirements are met.

NOV Issue #	Code Section (See reverse of form for applicable code section)	Description, including manner in which violation is to be remedied (E.g. "Unseen payment. Payment shall be levied to permit signing board.")	Deadline to correct (A, B, C, D, E, or F on reverse)	Administrative Penalty or Fine if not corrected	Date of re- inspection / Completion	Inspector Initials
1	Public Works Code § 5.9.3 Order No.	Unpermitted Vending / No Permit Displayed Refusal to Cease Vending / Relocate Failure to Provide Proof of Ownership Non-Compliant Display / Occupancy	Immediate	\$250 - 1st \$500 - 2nd \$1,000 Each Additional	Re-inspected: <input type="checkbox"/> Corrected <input type="checkbox"/> Not corrected Final Correction:	
2		INTERNAL	1		Re-inspected: <input type="checkbox"/> Corrected <input type="checkbox"/> Not corrected Final Correction:	

acknowledge receipt of paper notice and automated (e-mail or text) notice to remedy the violation. If you do not receive a notice of noncompliance, a notice of violation, or a notice of enforcement, you may be subject to fines or penalties in accordance with the San Francisco Municipal Code. The City of San Francisco is not responsible for any delay in the delivery of notices or for any notices that are lost, damaged, or otherwise not received. The City of San Francisco is not responsible for any delay in the delivery of notices or for any notices that are lost, damaged, or otherwise not received.

ନାମ: ପ୍ରମୋଦ କୁମାର ମହାପାତ୍ର

04-29-2A

I am over the age of 18 years and not a party to this action. I am employed by the City & County of San Francisco in the Department listed below.

(Month, Day) 4 - 24 of (Year) 24 I personally served ☒ I served via certified mail ☐ I served via email ☐

Names of Violators: JIMMY McALLEN

with this Notice of Violation.

Issued and corrected by: (Print Name) ES

(Signature)

Department: EW - SUE

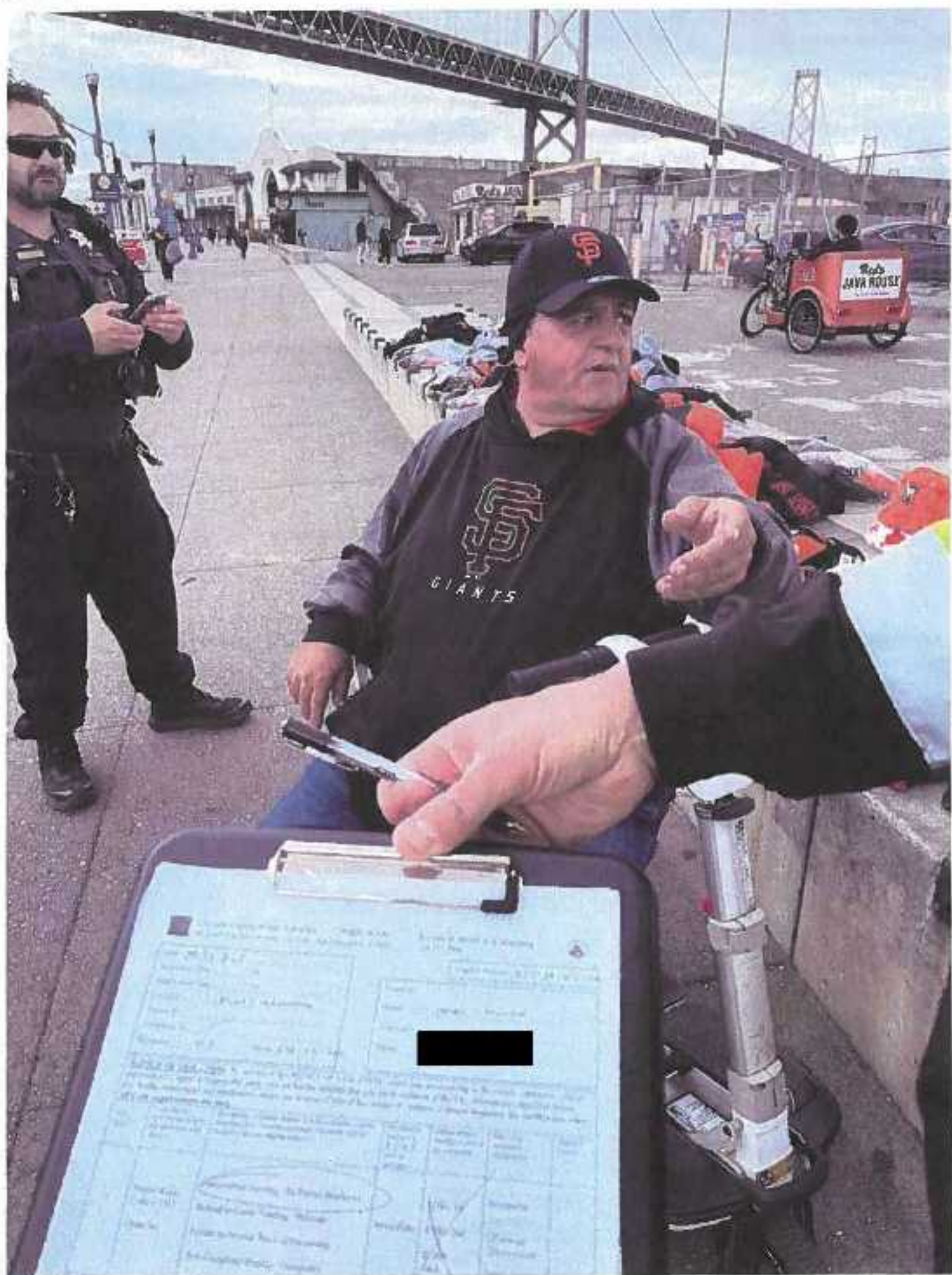
Phone # 628-241-2000

BY ORDER OF THE DIRECTOR OF PUBLIC WORKS, A FINANCIAL PENALTY OF \$ _____ PER DAY PER INCIDENT IS HEREBY IMPOSED.
FINANCIAL PENALTIES ACCRUE DAILY UNTIL CORRECTIVE ACTION(S) HAVE BEEN TAKEN AND VERIFIED BY THE INSPECTOR.

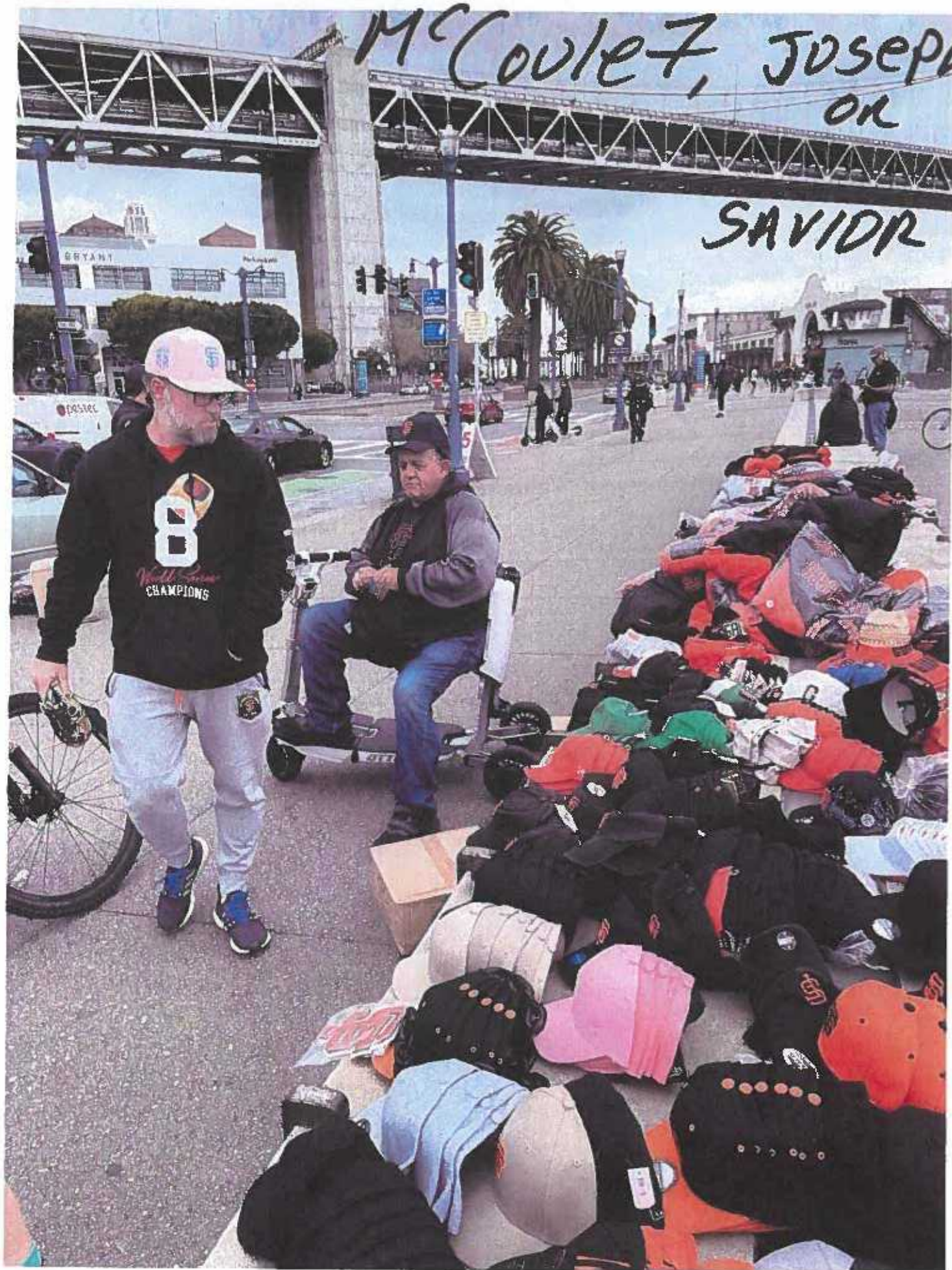
Summer 1994

Date _____

Apr 24, 2024 at 1:34:07 PM N 37.772852° W 122.392184° +4532.51m



McCoulez, Joseph
OR
SAVIOUR









Mobile Vending Program Operation

Operation Recap / After Action Notes

Sunday May 19th, 2024

Narrative:

On today's date, Sunday May 19th, 2024, I was working under the direction of the Port Security Director. Together we were assigned to address the unpermitted vending that takes place along the Embarcadero and at Oracle Park on Giants Game days. The weather was clear, and it was about 64 degrees.

Today's operation was led by DPH, SFFD, and DPW and they were supported by SFPD, and Port Personnel; refer to the assignment page for additional information.

- 1). At about 1115hrs we drove in a caravan to Alcatraz Landing. As we were parking and exiting our vehicles, we observed 10-12 Hispanic Females and/or Males manning hot dog carts. Upon seeing us they all ran in different directions while pushing their carts. I did recognize one the Hispanic males as [REDACTED] who I have interacted with in the past. No action was taken.
- 2). At about 1120hrs at pier 35, we observed a Hispanic woman later identified as [REDACTED] standing behind tables that displayed sunglasses. [REDACTED] was issued a written warning for Unpermitted Vending by DPW Personnel. Written warning Number #51924-001-005. She was directed to pack up the wares and leave the area.
- 3). At about 1125hrs at pier 35, we observed a Hispanic man later identified as [REDACTED] standing behind tables that displayed hats, sunglasses, ponchos, and baby clothes. [REDACTED] was issued a written warning for Unpermitted Vending by DPW Personnel. Written warning Number #51924-001-004. He was directed to pack up the wares and leave the area.
- 4). At about 1140hrs at Pier 45 we observed a Hispanic male later identified as [REDACTED] standing behind tables that contained ponchos and jewelry. [REDACTED] was issued a citation for Unpermitted Vending by DPW Personnel. Citation Number #51924-001-006 and was directed to pack up the wares and leave the area.
- 5). At about 1220hrs on 3rd street just south of the Lefty O'Doul Bridge we observed a Hispanic male later identified as [REDACTED] standing behind tables that displayed shirts and sweatshirts. [REDACTED] was issued written warning Number #51924-001-007 for Unpermitted Vending by DPW Personnel and was directed to pack up the wares and leave the area.
- 6). In the same location as above, we observed a Hispanic female later identified as [REDACTED] standing behind tables that displayed hats, jackets shirts and sweatshirts. [REDACTED] was issued Citation Number #51924-001-008 for Unpermitted Vending by DPW Personnel. [REDACTED] was directed to pack up the wares and leave the area.

7) At 1230hrs we made contact with [REDACTED] who had set up 4 tables that contained shirts, jackets and hats. No action was taken.

8) At 1245hrs near Lefty O'Doul Bridge Plaza we observed a African American male later identified as [REDACTED] standing behind a table that displayed baseball hats and bucket hats. [REDACTED] was issued written warning Number #51924-001-009 for Unpermitted Vending by DPW Personnel and was directed to pack up the wares and leave the area.

9) At 1249hrs on King St near 3rd St. we observed a African American male later identified as [REDACTED] standing behind a table that displayed baseball hats and bucket hats. [REDACTED] was issued a written warning Number #51924-001-010 for Unpermitted Vending by DPW Personnel and was directed to pack up the wares and leave the area.



10) At 1254hrs on King St near 3rd St. we observed a African American male later identified as [REDACTED] sitting behind a table that had merchandise for sale. [REDACTED] was issued a written warning for Unpermitted Vending by DPW Personnel. Written warning Number #51924-001-011. He was directed to pack up the wares and leave the area.

11) At 1250hrs in front of Willie Mays Plaza we observed a Hispanic male later identified as [REDACTED] standing behind a hot dog cart frying up hot dogs and vegetables. DPH Personnel contacted [REDACTED] to determine if he had a permit and if the food was safe for consumption. DPH Inspectors inspected the food and found it to be in violation of the Health Codes. The food was impounded and later disposed of. The cart was impounded and later taken to the DPW Storage Facility. [REDACTED] walked away before he was given his copy of the DPH paperwork from DPH and the SFPD Citation. He was Cited for Permit Required Section 105.1.1 of the Fire Code by SFPD Personnel.



12) At about 1300hrs on King St. at 2nd St we observed an African American male later identified as [REDACTED] standing behind 2 tables that contained hats. [REDACTED] was issued a written warning for Unpermitted Vending by DPW Personnel. Written warning Number #51924-001-0012 and was directed to pack up the wares and leave the area.

13) At 1315hrs on the Embarcadero near Pier 38 we observed a Hispanic male later identified as [REDACTED] standing behind 5 tables that contained hats sweatshirts, hats and jerseys. [REDACTED] was issued a written warning for Unpermitted Vending by DPW Personnel. Written warning Number #51924-001-013 and was directed to pack up the wares and leave the area.

14) At 1320hrs on the Embarcadero near Pier 38 we observed a white male later identified as [REDACTED] standing behind 3 tables that contained hats, shirts, and jerseys. [REDACTED] was issued a written warning for Unpermitted Vending by DPW Personnel. Written warning Number #51924-001-013 and was directed to pack up the wares and leave the area. His white Chevrolet AstroVan [REDACTED] was cited for parking on the sidewalk by SFPD Officers.



15) At about 1330hrs on the Embarcadero near Pier 32 we observed **Savior Micallef** who is known to us from past interactions sitting in his mobile cart next to his merchandise of hats, shirts, jerseys and jackets which was displayed on the cement couches that are installed along the sidewalk. Mr Micallef was issued a citation for Unpermitted Vending by DPW Personnel. Citation Number #51924-001-014 and was directed to pack up the wares and leave the area.

16) At 1350hrs on King St at 2nd St. we observed a Hispanic female later identified as  standing behind a hot dog cart frying up hot dogs and vegetables. DPH Personnel contacted Ms. Huerta to determine if she had a permit and if the food was safe for consumption. DPH Inspectors inspected the food and found it to be in violation of the Health Codes. The food was impounded and later disposed of. The cart was impounded and later taken to the DPW Storage Facility.  was issued the appropriate paperwork by DPH and issued a Citation for Permit Required Section 105.1.1 of the Fire Code by SFFD Personnel.

Recap:

DPW Issued 9 Admonishments and 3 Citations for unpermitted Vending.
DPH Issued 2 Notices of Health Code Violations
SFFD Issued 2 Citations for
SFPD Cited one Van for a parking violation Ca 82127J3 White Chevy Van



City and County of San Francisco Public Works
49 South Van Ness Avenue, 3rd Floor, San Francisco, CA 94103

Bureau of Street and Mapping
329-231-3000



Date: 5/19/2024
Inspection Time: 1:35
Notification Time: 1:34
Location: Pier 32
Permit No: -
Complaint No: -
Inspector Badge Number: 001 Pier 32

Change Number: SP24-01-001

Report to:
Name: Samir Wicelief
Company: -
Phone: -

NOTICE OF VIOLATION: By service of this NOTICE OF VIOLATION, which you are receiving as the owner, operator, official representative, agent or responsible party, you are hereby notified that you are in violation of the City ordinance(s) identified below. For further instructions and notifications, please see reverse of side of this notice of violation. Camera inspection for verification when all Code requirements are met.

Code Section (See reverse of page for applicable code section)	Description, including where in which violation(s) is/are located (e.g., "Corner of...")	Penalty or Fine (e.g., "C.C.C. 12.1, 12.2")	Amount of Fine (e.g., "\$100")	Penalty or Fine (e.g., "C.C.C. 12.1, 12.2")	Amount of Fine (e.g., "\$100")
Public Works Code § 2.9.9	No permit No Permit Displayed Refusal to Close Vending / Stalls Failure to Provide Proof of Ownership Non-Compliant Display / Occupancy	Immediate	\$100 - 1st \$500 - 2nd \$999 - Each Additional	As assessed	As assessed
				As assessed	As assessed

Violations may be subject to fines and penalties if violations are not corrected within the specified time frame. If violations are not corrected within the specified time frame, the City may take action to enforce the ordinance. The City may also take action to enforce the ordinance if violations are not corrected within the specified time frame.

Inspector's Signature: [Signature]
Inspector's Title: Inspector
Inspector's Department: PW
Inspector's Phone: 627-1100

Inspector's Name: 001
Inspector's Department: PW
Inspector's Phone: 627-1100

By service of this notice of violation, the City and County of San Francisco hereby notifies you that you are in violation of the City ordinance(s) identified below. For further instructions and notifications, please see reverse of side of this notice of violation. Camera inspection for verification when all Code requirements are met.

MICALLEF, SAVIOR









Mobile Vending Program Operation Operation Recap / After Action Note

Date: Thursday, August 15, 2024

Narrative:

On today's date, Thursday, August 15, 2024, I was working with Port personnel along with members from the SFPD, SFFD, SFDPH and SFDPW, as listed on the attached sign-in sheet. The skies were partly cloudy, and it was 57 degrees at 0900hrs with an expected high of 68 degrees.

Our focus today was to address the many unpermitted vendors along the Embarcadero and the unlicensed vendors selling goods, food stuffs, and alcohol around Oracle Park. The SF Giants were playing the Atlanta Braves, and the game start time is scheduled for 1245hrs.

1. At approximately 1030hrs, we responded to the Little Embarcadero. Upon arrival, we saw three regular vendors who are known to us. All three were advised of the new procedures and vendor locations specific to spaces B1, B2 and B3. All three acknowledged us and agreed with the new rules and locations. [REDACTED] and the third person, H/F, Unk.) No Pictures taken -
2. At 1100hrs, we were on the Embarcadero, near Brannan Street, where we saw two vendors. One H/M was selling a variety of clothing, and the W/M was selling sunglasses. Since both were in marked vending spaces, and they both had permits, they were allowed to remain in those locations. No further action taken -
3. At approximately 1110hrs, we were on the Embarcadero, near Pier 32, where we saw **Savior McCallef** and an unk. H/M. Mr. McCallef had his green Toyota Sienna vehicle, [REDACTED] parked on the sidewalk: Cited for 22500F CVC, Cite #PD38924093. The men had approximately 60' of the promenade covered with a variety of articles of clothing and hats. When asked for his permit, Mr. McCallef did not produce one. Since Mr. McCallef was in violation of 5.9.3 of the Public Works Code, DPW completed the paperwork, Case #081524-001, issued it to Mr. McCallef and instructed him to pack up and leave the area. 
4. Next to Mr. McCallef was [REDACTED] On August 7, 2024, I received a report of a "Bullying" incident involving [REDACTED] so I stopped by to talk with her. [REDACTED] denied all wrongdoing, stating that she was the victim. Ms. [REDACTED] told me that because of setting up early on Giant's game days, other vendors try to force her out of the area. Ms. [REDACTED] said she did not leave the area and that was the end of the incident. No suspect information given, and no additional action taken. 
5. At approximately 1130hrs, as we approached the Ferry Building, we saw an unk. male in front of it, selling sunglasses. This individual has a vending booth trailer on wheels, attached to a bicycle or scooter. We have seen him at this location on numerous occasions and he has been advised in the past.



Mobile Vending Program Operation Operation Recap / After Action Notes

Date: Thursday, August 15, 2024

Narrative Continued:

As soon as we exited our vehicles, he jumped on his bike/scooter and took off S/B on the Embarcadero. We did not give chase, and no further action was taken at that time. At 1730hrs, DPW saw that [REDACTED] had returned to Pier 1. Since [REDACTED] does not have a valid seller's permit, DPW issued him a 5.9.3 PW Code violation. [REDACTED] then left the area.

6. At 1135hrs, we responded to Alcatraz Landing, Pier 33. Upon arrival, we saw the red San Francisco Deluxe Hop On, Hop Off Sightseeing Tours bus parked in a restricted zone. SFPD issued the bus citation #PD38924104, for TRC7.2.42, Parking Restrictions.
7. At 1135hrs, we saw [REDACTED] who was also at Pier 33. [REDACTED] had multiple tables set up along with clothing racks occupying approximately 20 Linear feet of the promenade displaying and selling numerous articles of clothing and hats. Since [REDACTED] did not have a seller's permit, DPW completed the paperwork for his 5.9.3 PW Code violation. [REDACTED] was issued his copy and I provided him with a brochure, in Spanish, on how to obtain a Sellers Permit. [REDACTED] was advised to take down his display and leave the area; he complied.
8. To the north of [REDACTED] closer to Pier 35, was [REDACTED] had the skeleton of a canopy, w/o its cover set up. Under and around it were numerous tables and clothing racks, which occupied approximately 24 Linear feet of the promenade. Since [REDACTED] did not have a seller's permit, DPW completed the paperwork for her 5.9.3 PW Code violation. Ms. [REDACTED] as issued her copy was advised to take down her display and leave the area; she complied.
9. At 1200hrs, we were back at the Little Embarcadero where we saw [REDACTED] who is a regular Caricature Artist in the area, was advised of the new procedures and vendor locations specific to spaces B1, B2 and B3. Since [REDACTED] obtained a Seller's Permit and he now falls under the Art's Commission and is governed by a different set of rules.
10. At 1240 hrs, we were walking north on the Embarcadero when we saw a H/M and H/F at Pier 38. The couple were standing behind a black table and on the table were several cups filled with diced fruit. Upon seeing us, the couple abandoned the table, grabbed their wagon and fled north on the Embarcadero and did not return. Since the table and fruit cups were abandoned, DPW disposed of the items. No Pictures –




Mobile Vending Program Operation Operation Recap / After Action Notes

Date: Thursday, August 15, 2024

Narrative Continued:

W/THRE JAMES
w/m 6/30/92

11. At approximately 1250hrs, there was a W/M, directly across from the Oracle Park/Giants Ticket Office. The W/M had 2 long tables set up, and he was selling a variety of SF Giants baseball hats. Since we have never seen this individual before, DPW verbally advised him then instructed him to pack up and leave the area. The W/M became very agitated, verbally abusive but subsequently left the area w/o further incident.
12. At approximately 1300hrs, we approached the O'Doul Gate at Oracle Park. We saw a B/M wearing an orange SF hat, orange & black SF Giants shirt and he had a large black plastic chain with an SF pendant on it. The B/M was alerted to our presence and quickly packed up the items he was selling, and we saw him loading the last box of goods into his blue wagon. The wagon already contained two folding tables and a white bag. The B/M was advised as per 5.9.3 PW Code and sent on his way.
13. At 1310hrs, as we entered China Basin Park, we saw a H/m and H/F with a wagon. In the wagon were 2 "Hot Boxes" which contained Empanadas. The wagon also contained 2 different sauces and paper napkins. Since the couple did not have permits to sell their food items, SFDPH issued  citation for the violation. The food items were deemed unsafe for human consumption, so DPW disposed of it all. The couple were allowed to retain their wagon and non-food items, and they left the park.
- * 14. At 1335hrs, we responded back to the Pier 32 area. Upon arrival, we saw that **Savior McCallef** and his H/M counterpart did not condense their goods and or pack up and leave the area. We allowed them over 2 hours to comply. When asked why they did not comply, Mr. McCallef stated, "We have been too busy with customers." DPW then issued Mr. McCallef another violation for non-compliant display/occupancy as he exceeded 10' x 10'.

Port: 4-Verbally Advised (New Rules & Regs - Little Embarcadero)
1-ADV Vending W/O Seller's Permit

SFPD: 2- Parking Citations

DPW: 5-Citations
1-Written Warning

DPH: 1-Food Codes Violations



United States

City and County of San Francisco
 450 South Van Ness Avenue, 3rd Floor, San Francisco, CA 94102

Public Works
 Bureau of Street and Mapping
 426 375 3000

License Number: **515-21601**

Date: **8/15/24**
 Suspension Date: **None**
 Notification Date: **8/15**
 Issued to: **SAVOR MCDONALD**
 Name: **BIG SAVES APPAREL**
 Company: **[Redacted]**
 Phone: **[Redacted]**

THE CITY AND COUNTY OF SAN FRANCISCO, by virtue of the NOTICE OF VIOLATION, which you are receiving as the owner, contractor, official, or responsible party, for the hereby notified that you are in violation of the City and County's laws and regulations below.

Default suspension will only follow, please see reverse of side of this notice of violation. Contact telephone for any further information.

Code	Code Description	Violation Description	Penalty	Admission/Response	Final Disposition
1	Public Works Code 21.01	Unpermitted Work	\$100-1st \$250-2nd \$500-3rd Each Additional	Admission/Response	Final Disposition
2	Article 2.2, Sec 17.5.2, 17.5.3	Refusal to Close Vending - Refuse	\$100-1st \$250-2nd \$500-3rd Each Additional	Admission/Response	Final Disposition
3	MPC Code Sec 4.02.01.01	Refuse Containment - Refuse	\$100-1st \$250-2nd \$500-3rd Each Additional	Admission/Response	Final Disposition

I declare under penalty of perjury that the information provided on this form is true and correct to the best of my knowledge and belief.

Signature: **SAVOR MCDONALD**
 Date: **8/15/24**

By Order of the Director of Public Works, a financial penalty of **\$500** per day per incident is hereby imposed.

Penalties are not daily until corrective action is taken and notified by the inspector.

0/23/21

63

City and County of San Francisco
Public Works
2015-2016 Fiscal Year

Bureau of Streets and Mapping
415-371-2300

Project: 2015/16

Location: San Francisco

Project Name: San Francisco

Project Number: 2015/16

Project Manager: 2015/16

Project Engineer: 2015/16

Project Designer: 2015/16

Project Checker: 2015/16

CONTRACT DESCRIPTION: The purpose of this contract is to provide for the design and construction of the project described below. The project is located in the City and County of San Francisco. The project is located in the City and County of San Francisco. The project is located in the City and County of San Francisco.

Item	Description	Quantity	Unit	Price	Total
1	Design and Construction of the project described below.	1	Unit	\$100,000	\$100,000
2	Design and Construction of the project described below.	1	Unit	\$100,000	\$100,000
3	Design and Construction of the project described below.	1	Unit	\$100,000	\$100,000

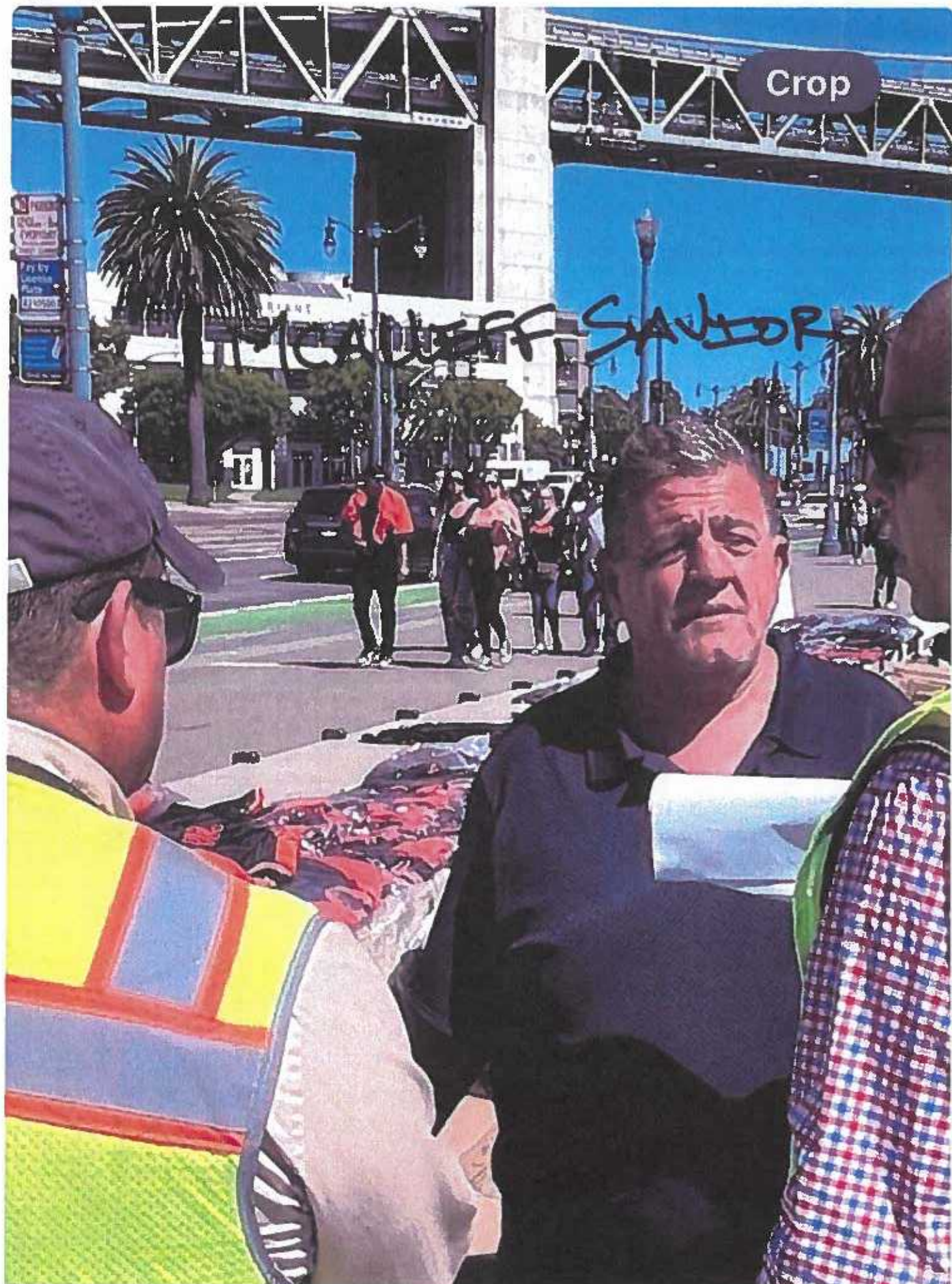
BY ORDER OF THE DIRECTOR OF PUBLIC WORKS, I HEREBY CERTIFY THAT THE PROJECT DESCRIBED ABOVE IS IN ACCORDANCE WITH THE CITY AND COUNTY OF SAN FRANCISCO.

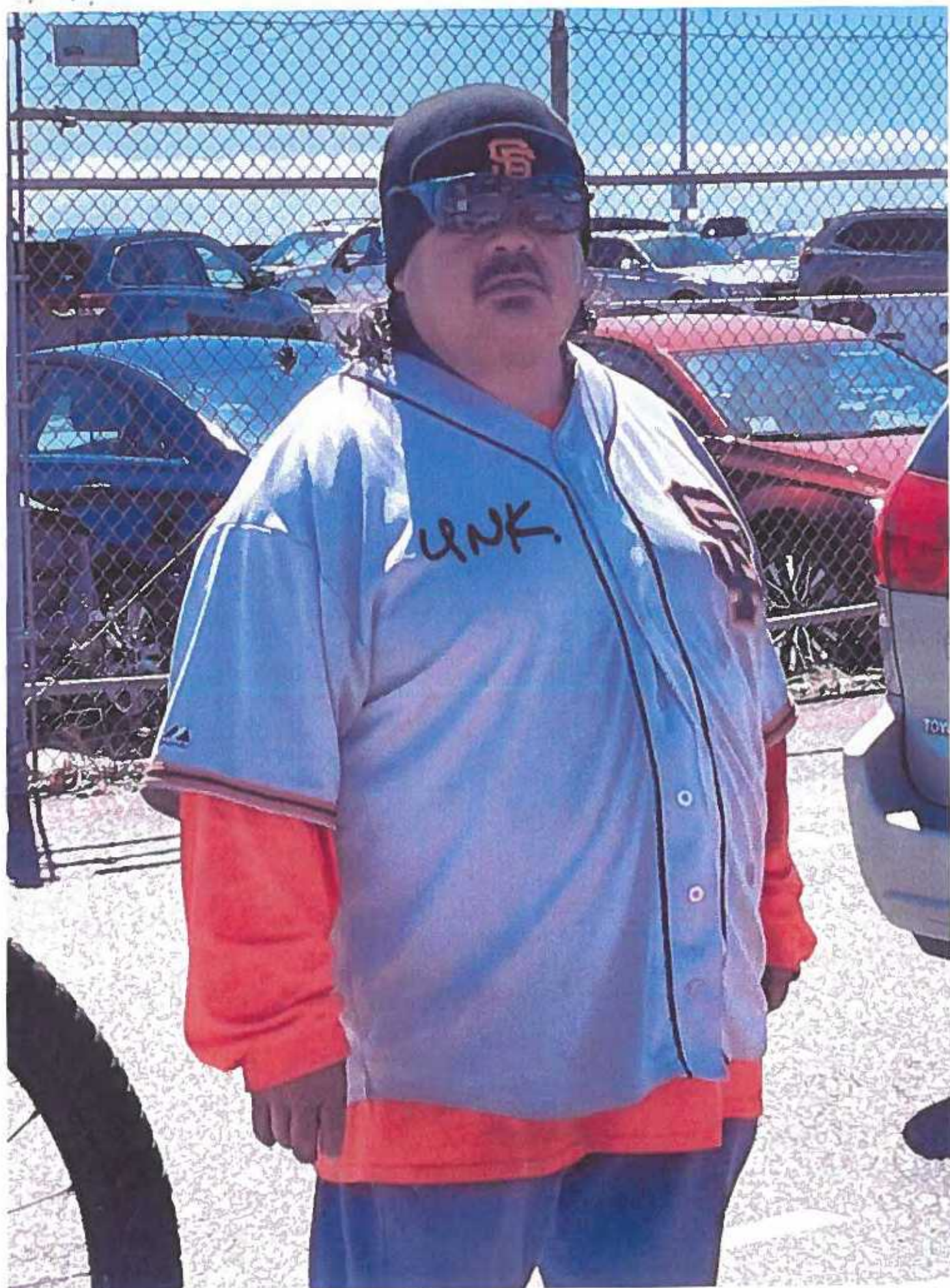
Signature: 2015/16

Date: 2015/16

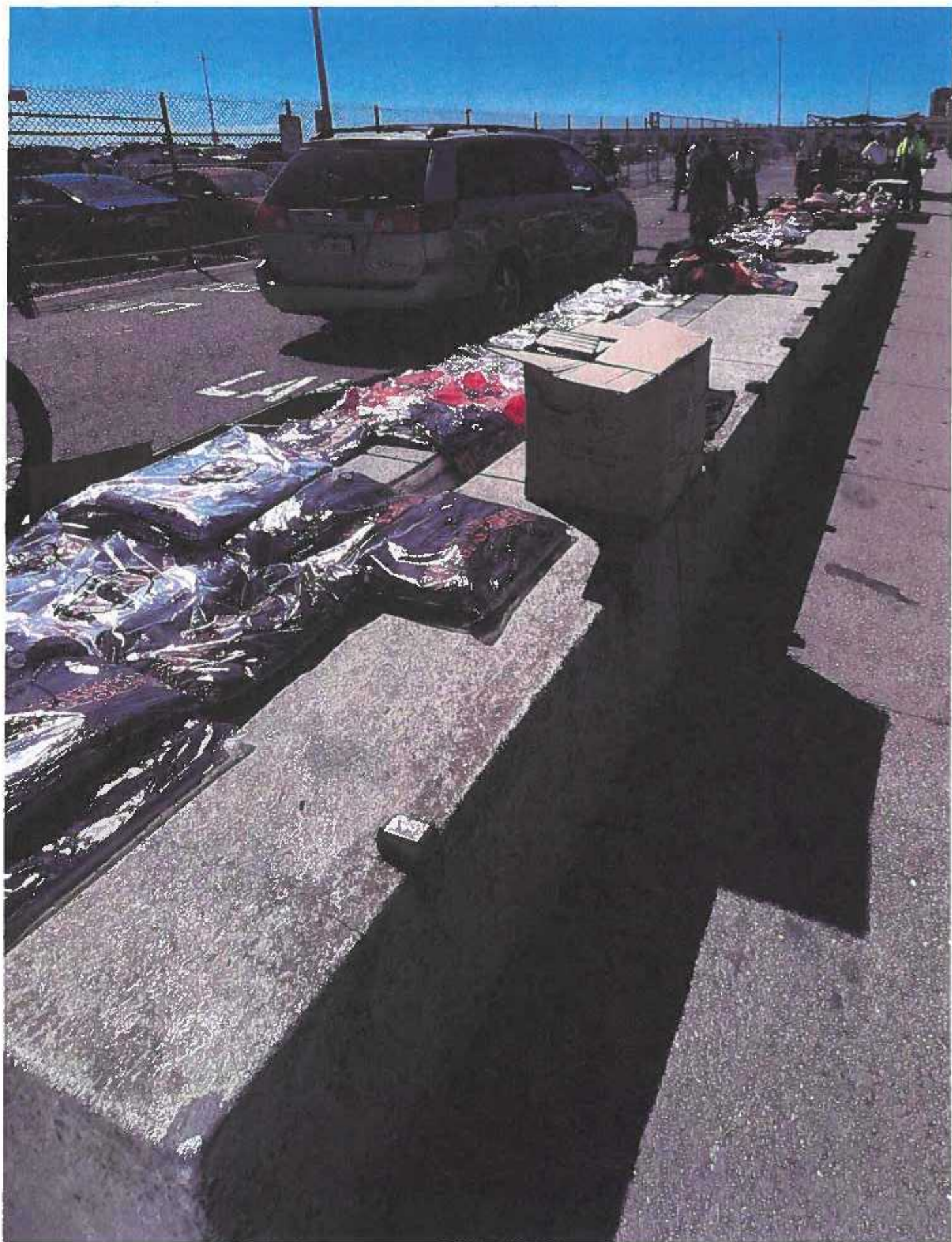
Crop

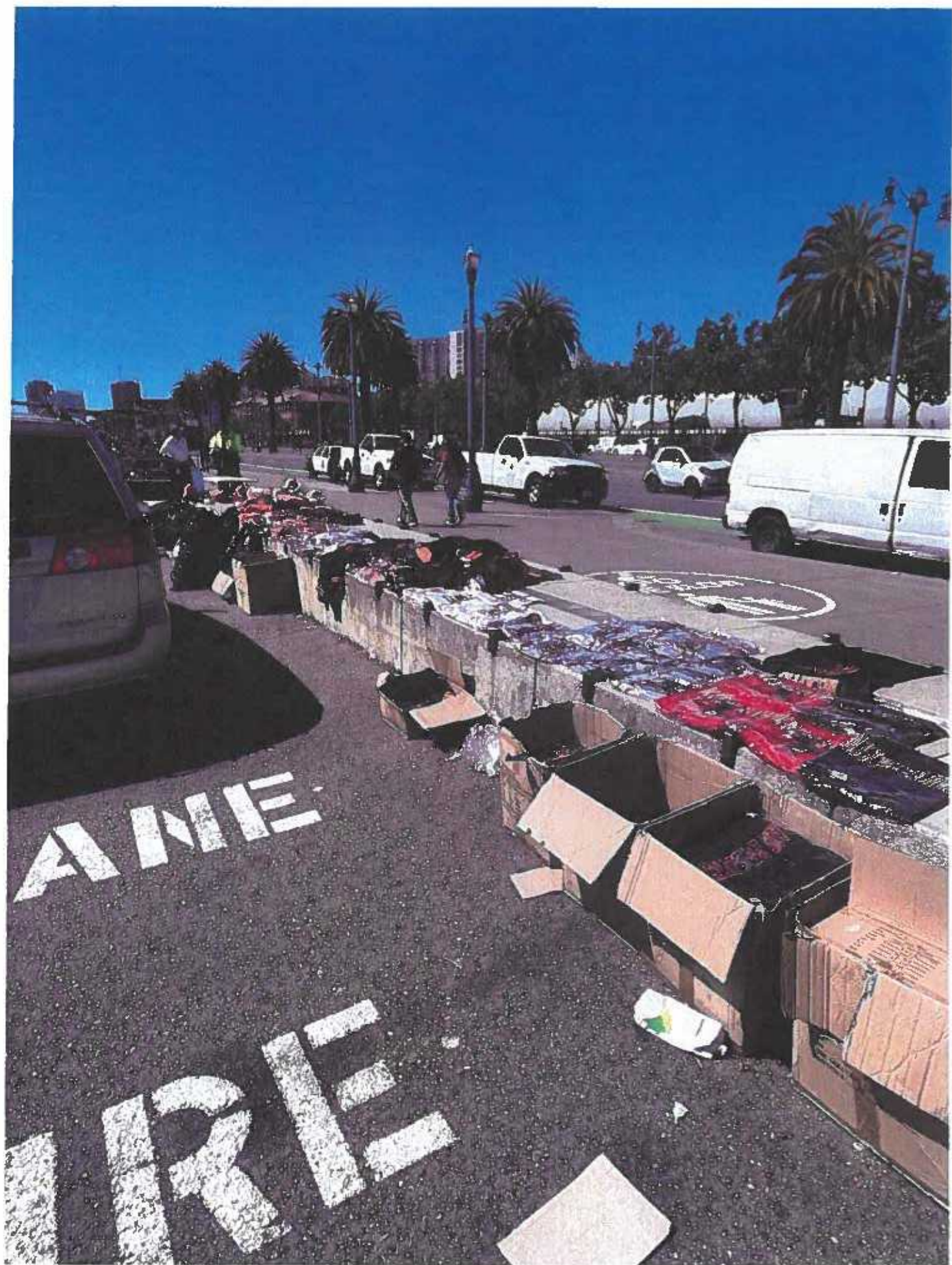
McCAULEY SAUNDERS

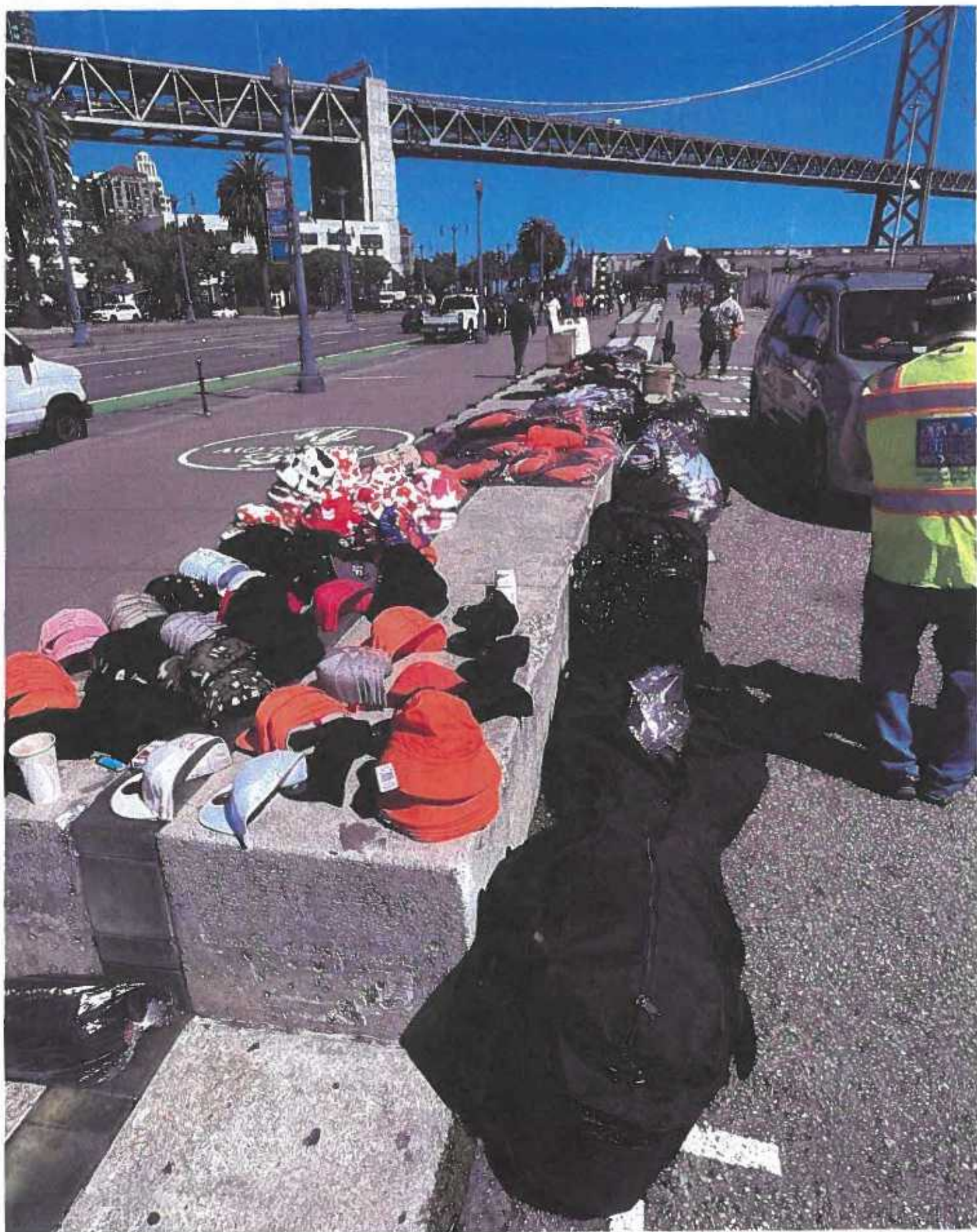


















Mobile Vending Program Operation

Operation Recap / After Action Notes Saturday March 8th, 2025

Narrative:

On Saturday, March 8th, 2025, Port Vendor Coordinator #2 and I participated in a coordinated operation under the direction of the Port Security Director to address unpermitted vending along the Embarcadero. The weather was clear, with temperatures around 55°F. This operation was a joint effort involving the Department of Public Health (DPH), the Department of Public Works (DPW), the San Francisco Police Department (SFPD), the San Francisco Fire Department (SFFD), and Port personnel. Additional details are available on the assignment page.

At approximately 1200 hours, we met with personnel from DPW, DPH, SFFD, and SFPD in the parking lot on the southwest corner of Bryant Street and the Embarcadero. After receiving briefings, we proceeded to the sidewalk in front of Pier 32, where we observed **Savior Micallef**. He had parked a green Toyota minivan (redacted) on the sidewalk in violation of 22500F CVC. Micallef was seated outside the van in his mobile electric cart and had set up six tables, occupying approximately 28 linear feet of sidewalk space—taking up more than the two permitted vending locations. The tables displayed various items for sale, including Giants hats, jerseys, shirts, sweatshirts, campaign buttons, metal signs, and necklaces. Behind the tables, he had erected a skeleton frame for an awning, which was missing its covering, and used it to hang additional items, such as kids' Giants clothing, jerseys, and shirts. Micallef explained that he had applied for a permit from DPW and had submitted his application two days earlier, providing proof of submission. As a result, he was issued citation #030825-05-01 for violating Article 5.9, "Exceeding Permissible Use." In addition, SFPD Officer issued Citation #PD38924174 to the van for parking on the sidewalk in violation of 22500F CVC. Micallef was ordered to consolidate his merchandise into one permitted location.

At 1237 hours, we observed a white male adult, later identified as (redacted) standing on the sidewalk near the Ferry Building. He had set up two tables and a cardboard box displaying sunglasses for sale in an unpermitted location. Michel showed us his permit, number 24VDR-00067. DPW inspectors issued citation #030825-05-02 for violating Article 5.9, "Not at a designated vending location," and instructed him to pack up his merchandise and relocate to a permitted area.

At 1251 hours, we noticed an unattended folding table in front of Pier 35. The table was covered with a checkered tablecloth and several plastic cups containing cut-up fruit. DPH personnel inspected the fruit and determined it violated health code regulations. The fruit was disposed of, and both the tablecloth and table were removed by DPW and transported to the storage facility.

Summary: DPW issued 2 Citations for Article 5.09

Transported 1 Table with tablecloth

SFPD Issued 1 parking Citation for 22500F CVC

DPW Disposed of food

Lupe Flores

City and County of San Francisco
49 South Van Ness Avenue, 3rd Floor, San Francisco, CA 94101

San Francisco Department of Public Works
628-271-2000

Date: 3/8/25
Inspection Time: 12:00
Notification Time: 12:00
Location: Earth
Permit No: 25108-00012
Complaint No: INTERNAL
Inspector: MARIO 628-271-2064

Citation Number: 250625-05-01

Issued to:
Name:
Company: SAVIORE MICALLOTT
Phone:

NOTICE OF VIOLATION: By service of this NOTICE OF VIOLATION, which you are receiving as the owner, contractor, official representative, agent or responsible party, you are hereby notified that you are in violation of the City ordinance(s) identified below. For further instructions and specifications, please see reverse of side of this notice of violation. Contact Inspector for verification when all Code requirements are met.

NOV Item #	Code Section (List Article of Code for applicable Code section)	Description including manner in which violation is to be remedied (i.e., "Remove pavement. Pavers (if) as listed as present (if) as listed")	Ordinance Number (A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, 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I acknowledge receipt of proper notice and understand that if corrective action is not taken or remedied the violation responsible party may be subject to fines or penalties in accordance with the San Francisco Municipal Code, and any of the provisions therein provided or penalties imposed.

I am over the age of 18 years and not a party to this action. I am employed by the City & County of San Francisco and I declare under penalty of perjury under the laws of the State of California and the City & County of San Francisco that the

(Month, Day) 3/8 of (Year) 2025 I personally served SAVIORE MICALLOTT with this Notice of Violation.

Name(s) of Violator(s): SAVIORE MICALLOTT

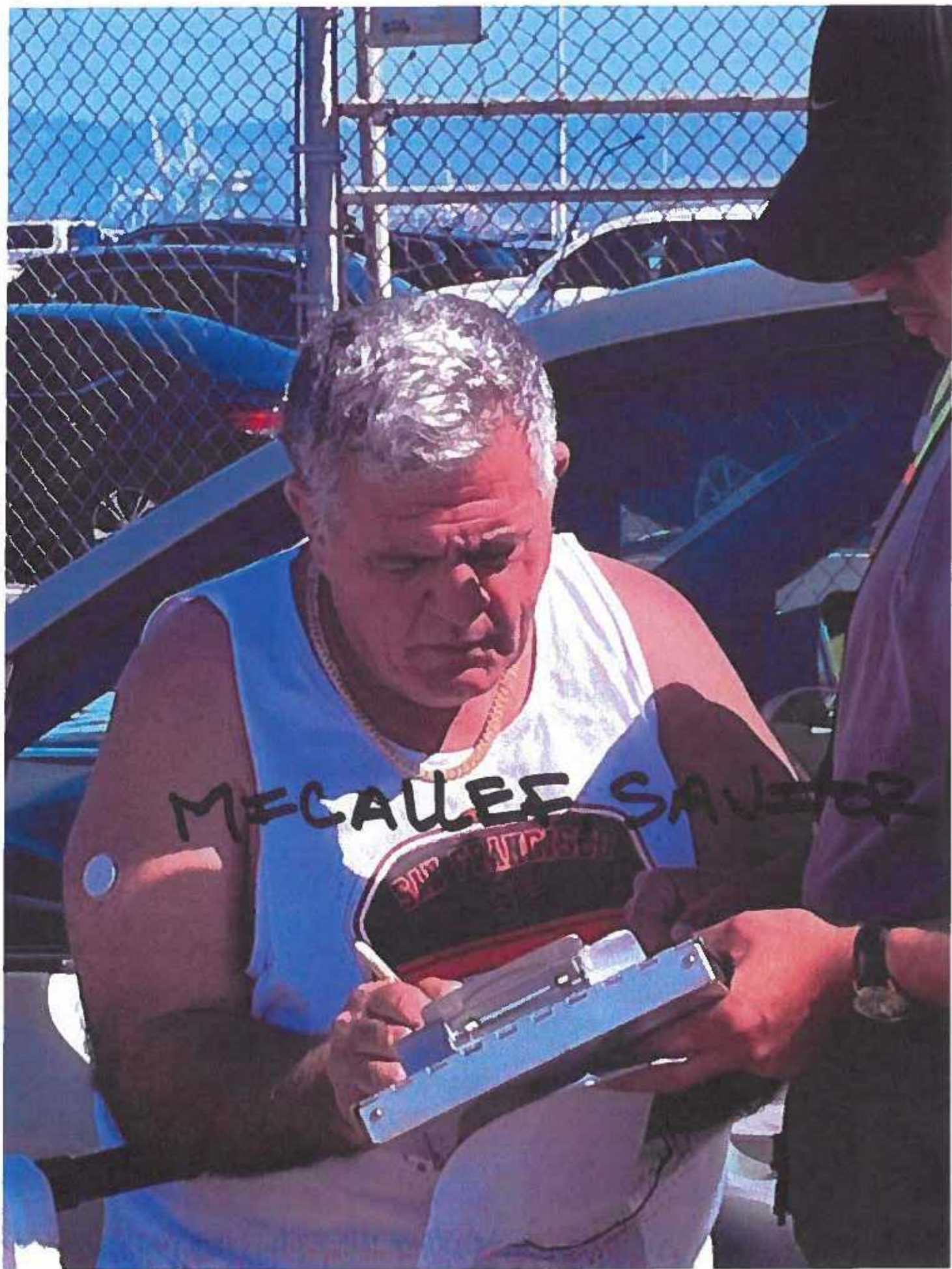
Served and served by: (Print Name) MARIO

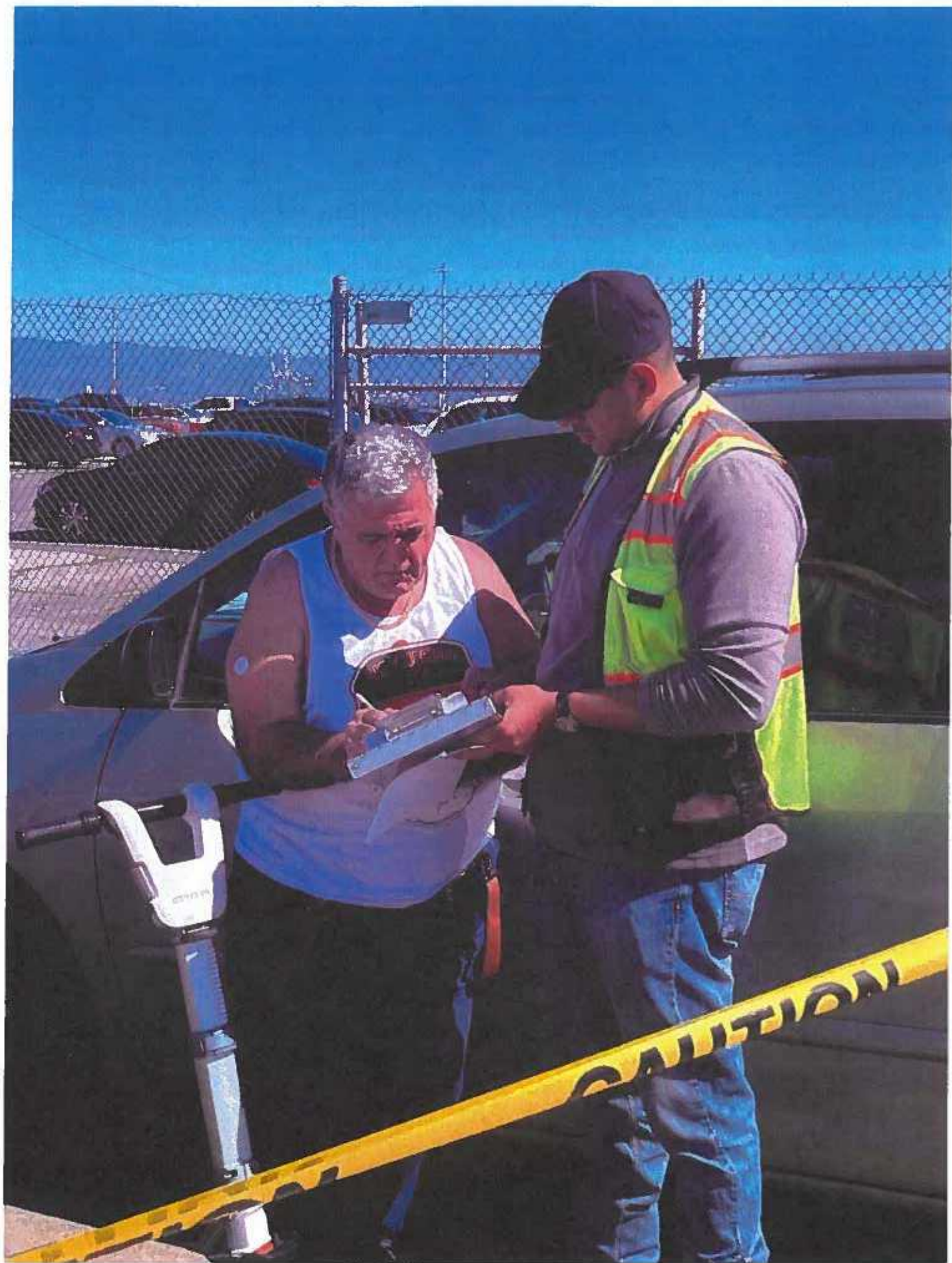
(Signature) [Signature] Department: SFPD

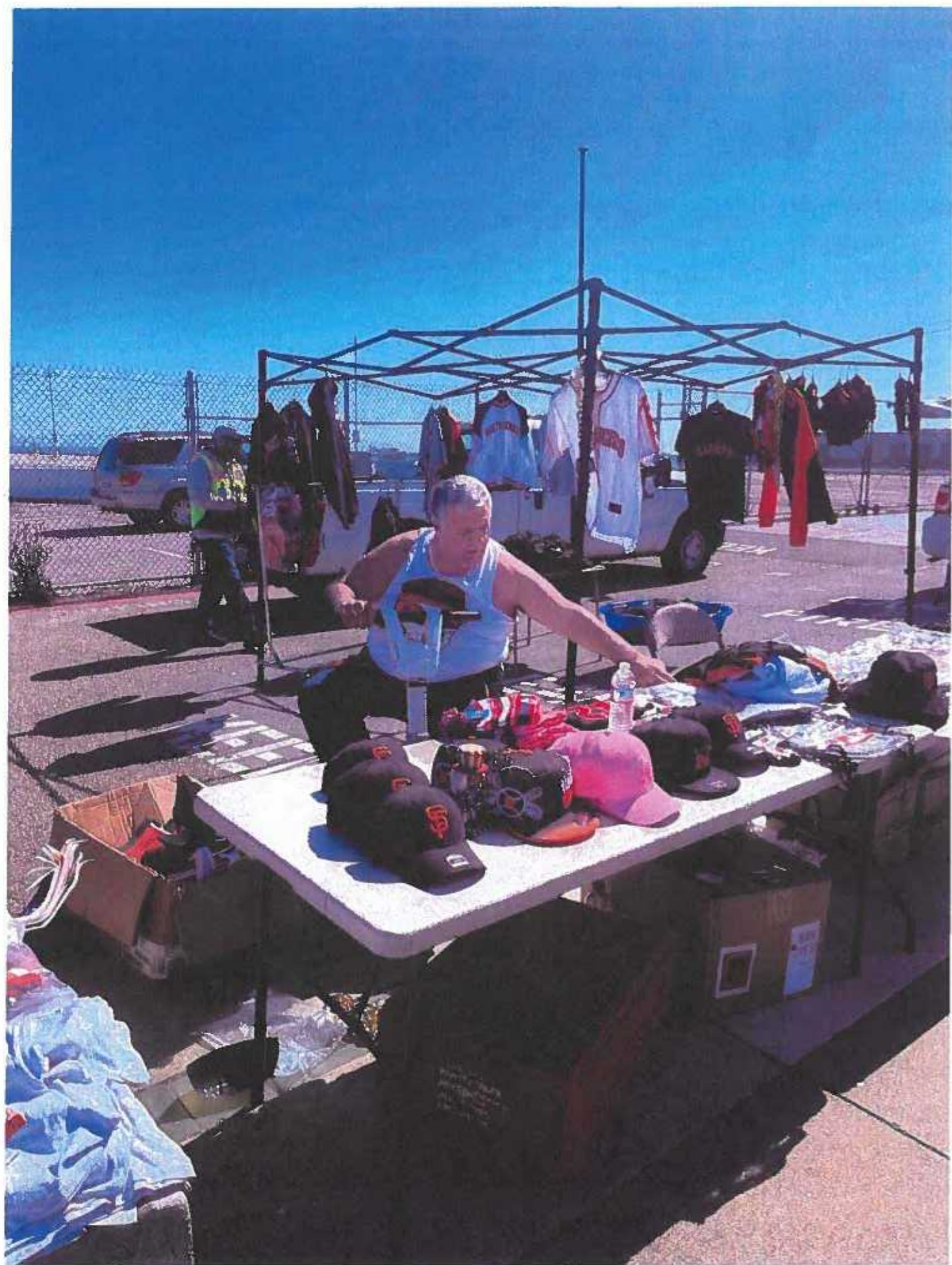
BY ORDER OF THE DIRECTOR OF PUBLIC WORKS, A FINANCIAL PENALTY OF \$ 500 PER DAY PER INCIDENT MAY BE IMPOSED. FINANCIAL PENALTIES ACCRUE DAILY UNTIL CORRECTIVE ACTION IS TAKEN AND VERIFIED BY THE INSPECTOR.

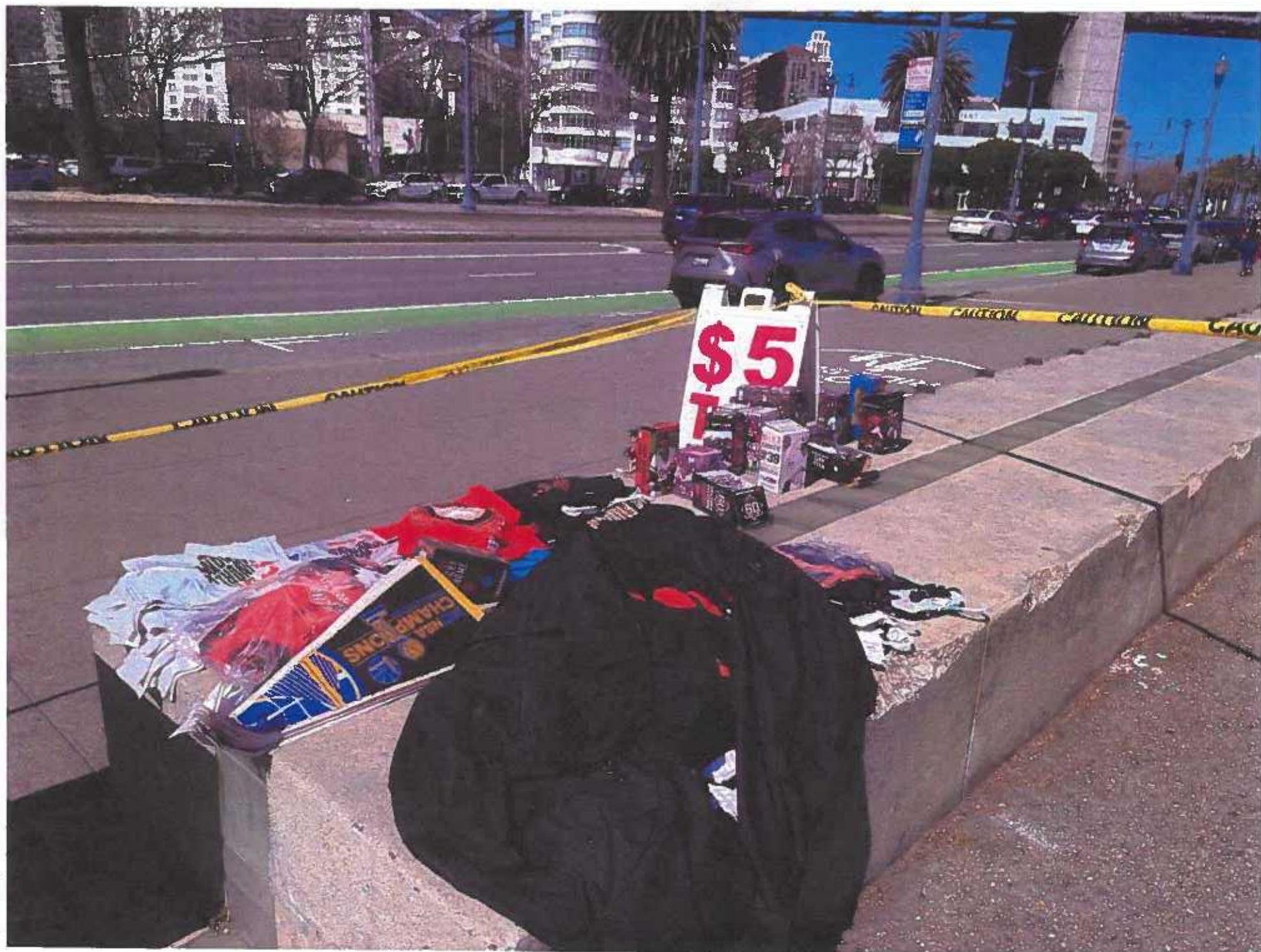
Inspector Initials: MA Date: 3/8/25

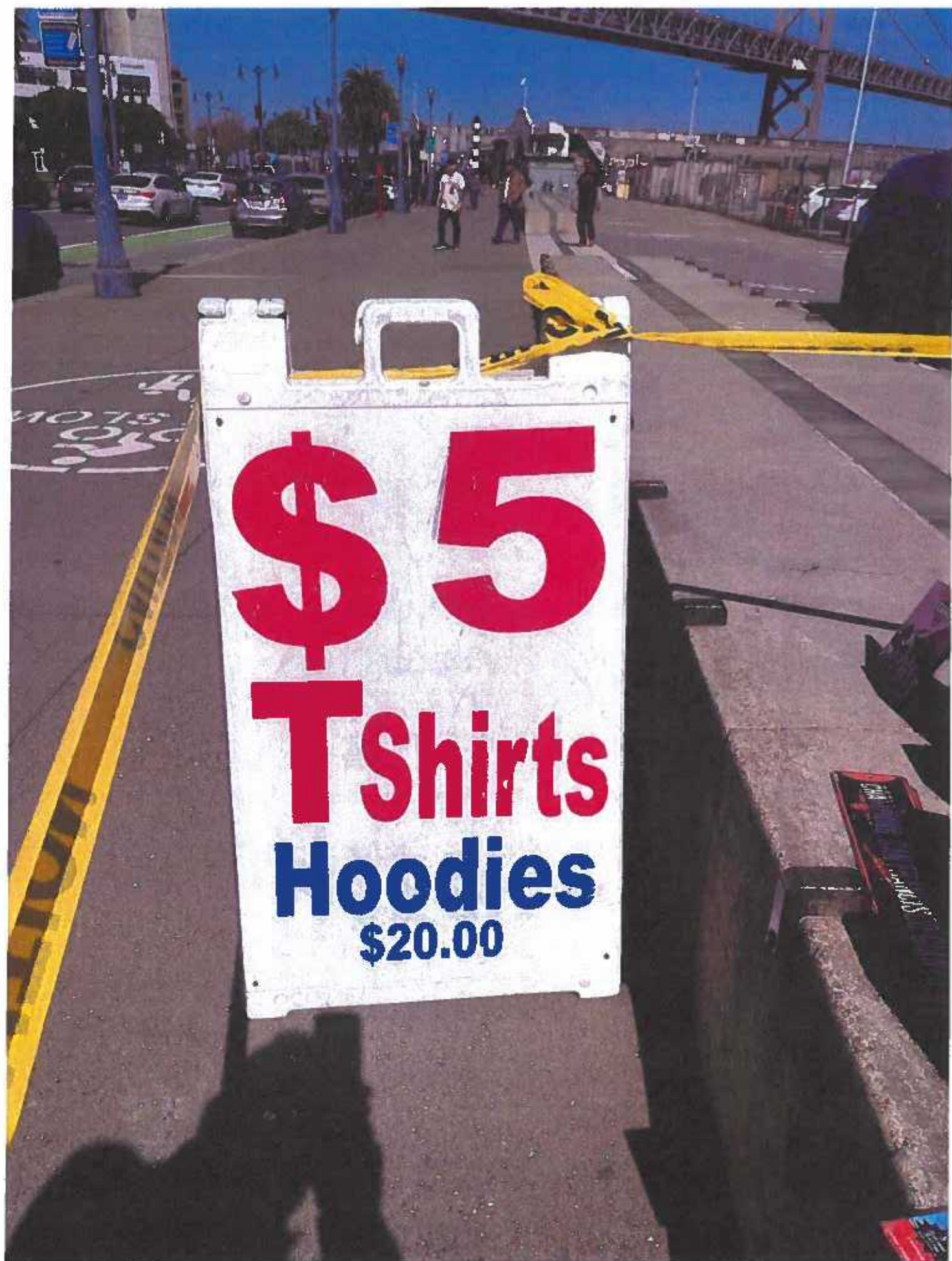
Network: Mar 8, 2025 at 12:10:08 PM PST
107° SW





















MAK

Do it Right!

California





Mobile Vending Program Operation

Operation Recap / After Action Notes
Wednesday July 9th, 2025

Narrative:

On Wednesday, July 9, 2025, I was assigned to an enforcement operation alongside the Port Security Director, the Port Emergency Manager and Mobile Vendor Coordinator #2. Our focus was addressing unpermitted vending activity in the vicinity of Oracle Park. The weather was mild and clear, with temperatures hovering around 63°F at Game Time. The San Francisco Giants were playing the Philadelphia Phillies with a start time of 1245hrs.

The operation was led by the Department of Public Health (DPH) and the San Francisco Fire Department (SFFD), with additional support from the Department of Public Works (DPW), the San Francisco Police Department (SFPD), and Port staff. Our team assembled at the South Beach Harbor Parking Lot at 1800 hours for a joint briefing with representatives from all participating agencies.

- 1) Following the briefing we proceeded on foot to Pier 38, where we made contact with the following permitted vendors:

-
-
-

Violeta and Marc were operating within Permit rules in assigned Vending locations. Elias was not in an authorized vending location and was issued a verbal warning by DPW Personnel and ordered to pack up his merchandise and leave the area.

- 2) We continued walking to Piers 30-32 where we contacted:

-
-
-

* **Savior Micallef, Permit #VDR-00012 Citation Number 07092579/03** ←

All 3 of them were operating in authorized vending locations but were not confined to the 10'x10' area required by the Permit. [REDACTED] was taking up an area of 10'x18', Savior was taking up an area of 12'x12', while [REDACTED] was occupying an area of 11'x18'. DPW Personnel issued each one of them a written citation in violation of Public Works Code 5.9.3.

Mobile Vending Program Operation

Operation Recap / After Action Notes

Wednesday July 9th, 2025

We responded back to the Marina Gate and walked along the walkway to the Lefty O'Doul Gate, continued around China Basin Park, and then back to the immediate area of the Ballpark where we spent the rest of our time.

3) At about 1445hours we observed 4 Hispanic males on the corner of 2nd and King Streets.

Each one of the Men were standing behind hot dog carts. We approached the men and 2 of them grabbed their carts and ran away while the other 2 appeared to be unaware as we walked up to them. Both carts had bacon wrapped hot dogs and vegetables frying on a cooking sheet. DPH personnel assessed the food and deemed it unsafe for consumption. Both of the men pleaded with DPH to let them take their carts and leave, to no avail. One of the men then left the area while the other stayed and gave his name to DPH Personnel as [REDACTED]. There were 2 QR Codes posted on the side of [REDACTED]'s Cart. One was a Venmo Code that came back to the name of [REDACTED] and one unnamed Zelle account. The other cart that was abandon had 2 QR Codes on it. The Venmo account came back to [REDACTED] while the 2nd code was an unnamed Zelle account. DPH completed an Unpermitted Food Vendor Inspection Report. The carts were transported to the storage facility by DPW Personnel, and all food items were discarded.

Recap: DPH seized 2 hot dog carts

DPH completed 1 Unpermitted Food Vendor Inspection Report

DPW issued 3 Vendor Permit Violation Citations Section 5.9.3 of the DPW Code



City and County of San Francisco Public Works
40 South Van Ness Avenue, 3rd Floor San Francisco, CA 94102

Bureau of Street and Mapping
624-771-7000

Date: 09/09/20

Aspiration Time: 12:50 PM

Notification Time: 12:52 PM

Location: EMBARKMENT ON CA 101

Form No. Not available at the time of writing

Complaint: ☒ No

Inspector Judge Number 07 Nov 1981 271 280

Name: GAVIN AGNEW

Category

2000

NOTICE OF VIOLATION: By virtue of the NOTICE OF VIOLATION, which you are receiving in the manner, time and place, officially designated by the City of Chicago, you are hereby notified that you are in violation of the City Ordinance(s) listed below. You are hereby notified that you are in violation of the City Ordinance(s) listed below. You are hereby notified that you are in violation of the City Ordinance(s) listed below.

For further instructions and information, please see reverse side of this notice of violation. Contact Inspector [Name] at [Phone Number] for further instructions and information.

All Code requirements are met.

Description: [Description of violation]

Deadline for correction: [Deadline]

Administrative Penalty or Fine if not corrected: [Penalty]

NOV Date	Code Section Title and Code of Law for applicable code section	Description including date and place violation took place (C.D. - Court District, Permittee shall be in good to permit issuing permit)	Deadline to permit (A, B, C, D, E, or F on scale)	Administrative Penalty in Per U not violated	Sanction Code
	Public Works Code § 5.9 Ordinance	No permit required Refusal to Close Working Projects Failure to Provide Proof of Ownership Access Compliance Display - Occupancy	Immediate	\$100 - 1st \$200 - 2nd \$300 - Each Additional	Re-inspection <input type="checkbox"/> Corrected <input type="checkbox"/> Non-compliant Final Closure
	Exceeding Boundary			\$100	

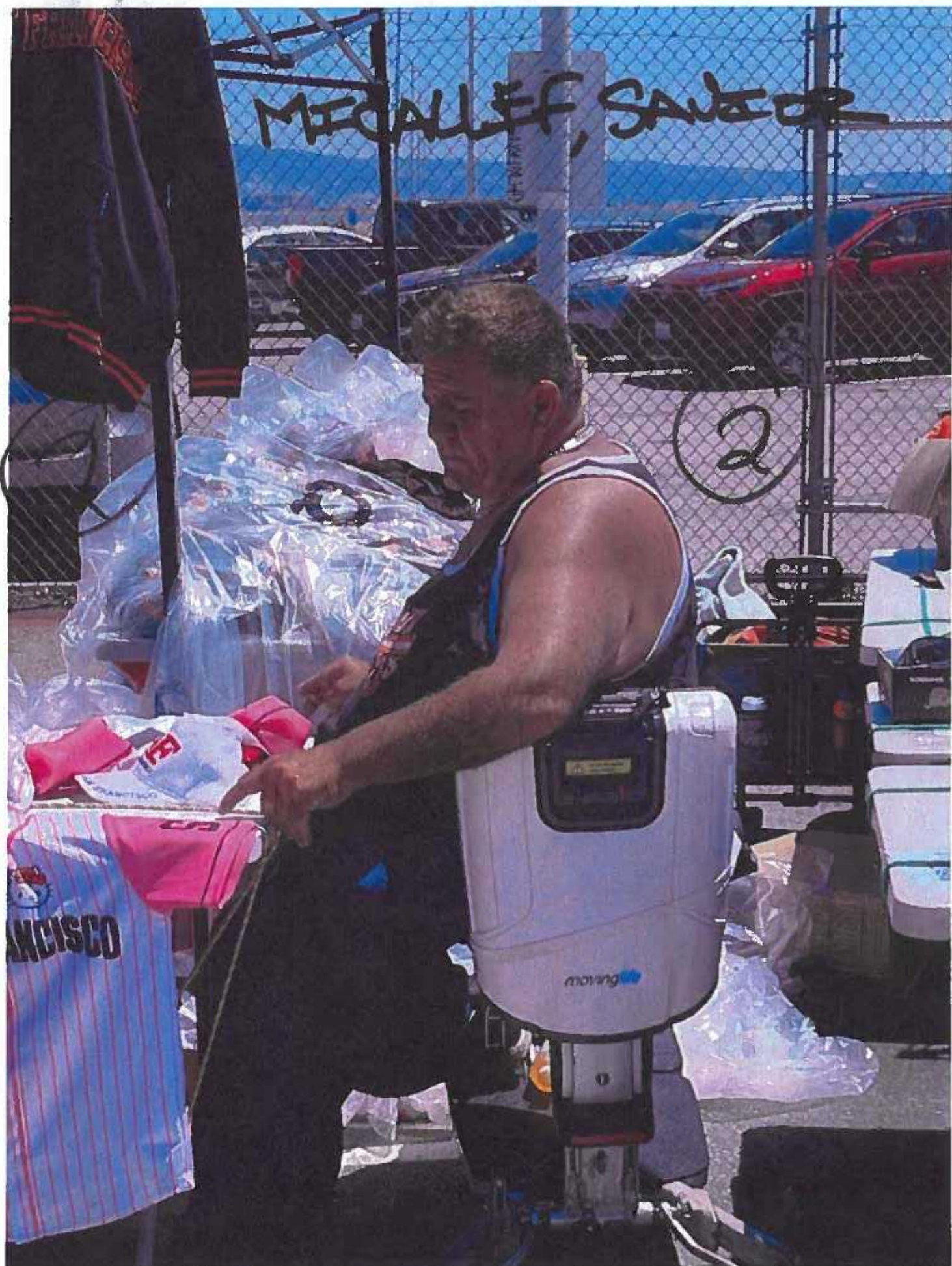
[illegible]

I am over the age of 18 years and am a party
disclosure under penalty of perjury under the laws of the state of California
DT/09 OCT 19 2009
MICALSON

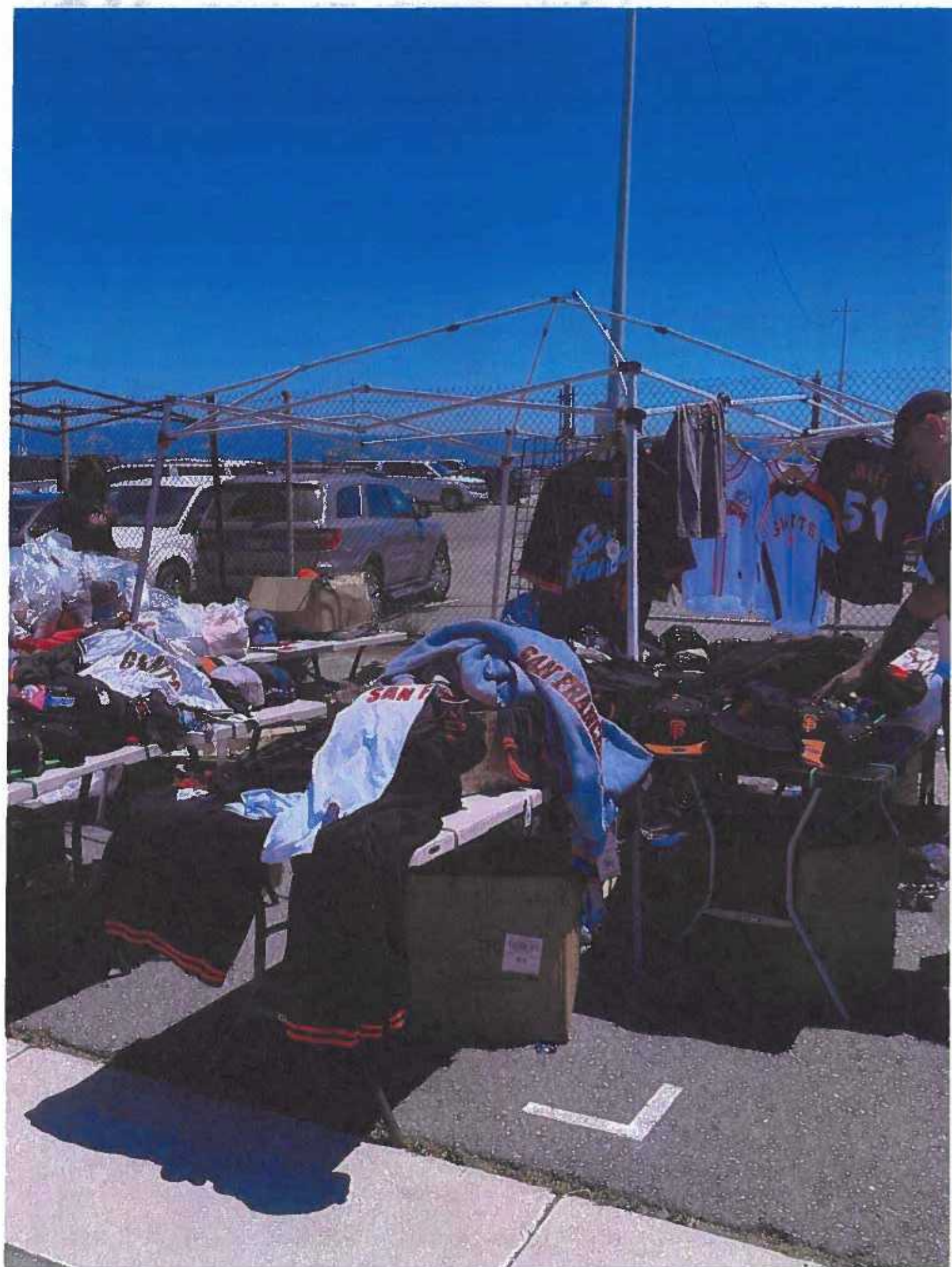
(Mmmta Day) _____
Name(s) of Vigilante: _____
Assigned to: (page Number) _____

(Signature)

BY ORDER OF THE DIRECTOR OF PUBLIC WORKS, LEGISLATIVE FINANCIAL PENALTIES ACCRUED DAILY UNTIL CORRECTIVE ACTION HAS BEEN TAKEN AND FINANCIAL PENALTIES ARE PAID











Mobile Vending Program Operation After Action Notes

- San Francisco Giants vs Los Angeles Dodgers -

Saturday, July 12 2025 and Sunday, July 13, 2025

Today's date, Saturday, July 12, 2025, I was working with members from the SFPD, DPW and the MLB, as listed on the attached sign-in sheet. The skies were blue, it was 62 degrees at 1100hrs, with 23 MPH wind gusts expected and the high today will be 64 degrees.

Our focus today was to address the unpermitted vendors along the Embarcadero, and around the periphery of Oracle Park. On these two days, the San Francisco Giants were playing the Los Angeles Dodgers, and the scheduled game start time was 1305hrs on both days.

Port/DPW/SFPD/MLB personnel conducted a systematic check and assessment of individuals manufacturing, distributing, selling and or offering for sale, counterfeit and or infringing merchandise bearing MLB Marks; in and around Oracle Park and along the Embarcadero north to Pier 45. The actions of the afore mentioned constitute a criminal offense and or a civil infringement, violation and or unfair competition.

Saturday, July 12, 2025:

1130hrs-

At approximately 1130hrs, we responded to Pier 30/32 as we know three of our regular vendors always set up there: Savior Micallef, [REDACTED]. These individuals have been known to sell and or offer for sale, counterfeit and or infringing merchandise bearing MLB Marks in the past. Upon taking a thorough assessment of the individuals' merchandise, some items were seized from each one of them, by MLB personnel. All items taken will be itemized and memorialized in the MLB Report.

Upon our arrival, SFPD saw that Mr. Micallef immediately started removing BB Hats from his display table and placed them into a black bag that was on the ground, behind his display table; they were subsequently seized by MLB Personnel. When I measured Savior Micallef's vending footprint, using my "Meter Man" Roll-A-Tape, I found it to be 20' Wide x 16' Deep, which far exceeded his authorized 10' x 10' footprint. Since Mr. Micallef has been verbally warned, has been given a written warning and he has been cited on several occasions, he was cited again today. DPW issued Mr. Micallef Cite #071225-0013-001, for his 5.9.3 PW Code Violation for non-compliant display as he was selling counterfeit and or infringing merchandise bearing MLB Marks and for having a non-compliant display as it exceeded our regulated 10' x 10' footprint; today's violation carried a \$1,000.00 fine. It was noted that Mr. Micallef's preferred method for payment is Cash App or Venmo; Savior Micallef [REDACTED]

After-Action Notes
SF Giants vs LA Dodgers
Page #2

When I measured [REDACTED] vending footprint, using my "Meter Man" Roll-A-Tape, I also found it to be 20' wide x 16' Deep, which far exceeded his authorized 10' x 10' footprint. Since [REDACTED] has been verbally warned, has been given a written warning and he has been cited for the same violation in the past, he was cited again today.

DPW issued [REDACTED] Cite #071225-003-003, for his 5.9.3 PW Code Violation for having a non-compliant display as he was selling counterfeit and or infringing merchandise bearing MLB Marks and for having a non-compliant display as it exceeded the regulated 10' x 10' size regulation; today's violation carried a \$500.00 fine.

When I measured [REDACTED] vending footprint, using my "Meter Man" Roll-A-Tape, I found it to be within our 10' x 10' footprint guidelines. Since [REDACTED] has been verbally warned, has been given written warnings and he has been cited in the past, he was cited again today. DPW issued [REDACTED] Cite #071225-003-003, for his 5.9.3 PW Code Violation for having a non-compliant display as he was selling counterfeit and or infringing merchandise bearing MLB Marks; today's violation carried a \$500.00 fine. [REDACTED]'s accepted method for payment was not visible.

[REDACTED]' preferred method for payment is Venmo as he had a Venmo QR code placard in his wagon: [REDACTED]

1300hrs-

At approximately 1300hrs, we responded over to Pier 48/Shed A where [REDACTED] as his display area set up. I photographed [REDACTED] merchandise. Although some of [REDACTED] Gray's merchandise displayed, such as "Lilo & Stitch," Disney, "Hello Kitty" by Sanrio and [REDACTED] which is by Warner Brothers, are all counterfeit and or infringing merchandise; no action was taken against him on this date. We left the scene w/o incident.

1325hrs-

At approximately 1325hrs, we responded over to 236 King Street where we saw [REDACTED] [REDACTED] had several tables set up, displaying a variety of baseball related merchandise. Using my "Meter Man" Roll-A-Tape, I measured his area to be 29' long x 8' to the curb. Upon taking a thorough assessment of [REDACTED]'s merchandise, some items were deemed counterfeit and or infringing merchandise bearing MLB Marks so it was seized by MLB personnel. All items taken will be itemized and memorialized in the MLB Report. DPW did not act on the length of [REDACTED] table set up at this time.

1340hrs-

At 1340hrs, we saw 2 hot dog vendors near Lucky Strike Bowl. Upon seeing us, they fled, with their carts, west on 3rd Street and did not return. Unfortunately, they left their vehicle behind and since it was P/U/A in a white Zone Dodge Caravan, Gold, [REDACTED]

SFPD issued the vehicle a citation for the violation: Cite #PD38855423. It should be noted that the VIN on the vehicle was conveniently covered with papers, but no action was taken on it at this time.

1350hrs-

We saw [REDACTED], who was set up and selling his Bobbleheads, near Pier 38. Unfortunately, [REDACTED] was not in a Port designated vending location. It should be noted that [REDACTED] has been verbally warned on numerous occasions. On this date, DPW issued [REDACTED] a written warning for his 5.9.3 PW code violation: Cite #071225-0X13-0X14.

1354hrs-

Next to [REDACTED] Upon taking a thorough assessment of [REDACTED] merchandise, some items were deemed counterfeit and/or infringing merchandise bearing MLB Marks so it was seized by MLB personnel. All items taken will be itemized and memorialized in the MLB Report. No further action was taken.

1420hrs-

We were informed by SFPD that a call for service came out at Pier 33 about individuals selling alcohol; refer to SFPD CAD #251931743 for additional information. We arrived on scene at 1424hrs and the individuals were still there. Upon arrival, I saw [REDACTED] standing behind the table with 2 H/F's ([REDACTED] was cited for the same violation, same location on July 4, 2025 by the SFPD). On the table was a blk/whi tablecloth, plastic cups filled with sliced fruit, 2 bottles of Tajin, alcoholic beverage drink mixes, such as Clamato and Squirt and several bottles of Tequila. The 2 H/F's immediately took the bottles of tequila, threw them into their wagon and fled south along the Embarcadero.

In addition to the afore mentioned, there were several H/F's and H/M's at that location with their respective hot dog carts. Upon seeing us arrive, they fled in all directions. The only things left behind was their garbage. It was so bad that Port personnel were called in to clean the Embarcadero from Alcatraz Landing, north to Pier 35.

As we were assisting by cleaning up the mess and garbage that was left behind, [REDACTED] returned as he wanted the cup of money and the speaker that was left on the table. I gave him both. Since nobody claimed the food items, drink mixes and table (Not even [REDACTED]), it was all disposed of by DPW and Port personnel.

It should be noted that on the table, there was a QR Code for Venmo and Zelle. The Venmo Code was [REDACTED] below that was [REDACTED] and Deposit to my checking [REDACTED]

Sunday, July 13, 2025:

Today's date, Sunday, July 13, 2025, Port Personnel were working with members from the SFPD, and the MLB, as listed on the attached sign-in sheet. The skies were blue, it was 61 degrees at 1100hrs, with 12 MPH wind gusts expected. Many people were already out along the Embarcadero and in attendance at the ball game.

Our focus again on this date was to address the unpermitted vendors along the Embarcadero, and around the periphery of Oracle Park. The San Francisco Giants were playing the Los Angeles Dodgers, and the scheduled game start time was 1305hrs.

Port/SFPD/MLB personnel conducted systematic checks and assessments of individuals manufacturing, distributing, selling and or offering for sale, counterfeit and or infringing merchandise bearing MLB Marks; in and around Oracle Park and along the Embarcadero north to Pier 45. The actions of the afore mentioned constitute criminal offense and or civil infringement, dilution and or unfair competition:

1130hrs-

At approximately 1130hrs, we responded to Pier 30/32 as we know 3 of our regular vendors always set up there: Savior Micallef, [REDACTED]. These individuals have been known to sell and or offer for sale, counterfeit and or infringing merchandise bearing MLB Marks in the past and all 3 were cited on yesterday's date for the afore-mentioned violation.

Upon taking an assessment of the individuals' merchandise, items were seized from all 3 of them, by MLB personnel. All items taken today were deemed counterfeit and or infringing merchandise bearing MLB Marks. All items will be itemized and memorialized in the MLB Report.

1210hrs-

As we were walking past the Hi Dive Bar, which is located at Pier 28 1/2, on the Embarcadero, we saw that they were advertising that they were selling "Beat LA" T-shirts. Upon further inspection of the merchandise, MLB found all the items to be counterfeit and or infringing merchandise bearing MLB Marks and it was seized. MLB spoke with [REDACTED], the bar Manager, the citation was completed, and copies were provided to [REDACTED].

1235hrs-

As we were approaching 3rd St and King St, we saw a H/F and H/M, who had 2 tables set up in front of 200 King Street and they were selling a variety of LA Dodgers merchandise. There was also a wagon full of merchandise next to them and a cooler full of beer under the table.

After-Action Notes
SF Giants vs LA Dodgers
Page #5

Upon further inspection of their merchandise, MLB found some of their items to be counterfeit and or infringing merchandise bearing MLB Marks and it was seized. The individuals now identified as [REDACTED] were cited accordingly by MLB.

The couple stated that they drove up from Los Angeles to sell their merchandise at today's game and didn't know they needed a permit to do so. We explained the process of obtaining a permit and since they did not possess one today, they were instructed to pack up their merchandise and leave the area, to which they complied.

1300hrs-

We continued walking south on King Street when we saw [REDACTED] who is known to us. Mr. Fahey was set up in front of 298 King St (Safeway). Upon the inspection of [REDACTED] merchandise, MLB found some of his items to be counterfeit and or infringing merchandise bearing MLB Marks; it was seized, and he was cited accordingly by MLB.

While conversing with [REDACTED] he presented me with his Business Registration Certificate: #11684809. Although [REDACTED] possessed a Business Reg. Certificate, I learned that he did not renew his Seller's Permit through DPW for this year. I then informed him that he had to shut down for the day and leave the area, to which he complied.

1312hrs-

While walking across the 3rd Street, Lefty O'Doul Bridge, we saw that a B/M set up a table on the S/E side, and he was selling a variety of SF Giants baseball merchandise. Through our conversation, we learned that his name was [REDACTED]. Upon further inspection of their merchandise, MLB found some of his items to be counterfeit and or infringing merchandise bearing MLB Marks and it was seized. Since [REDACTED] did not possess a valid Seller's Permit, he was instructed to pack up his remaining items and leave the area to which he complied.

1338hrs-

While driving past Pier 30/32, we saw a H/M selling a variety of SF Giants BB hats. The H/M, identified as [REDACTED] had a table set up along the promenade and it had a variety of SF Giants hats displayed on it. Upon further inspection of [REDACTED] merchandise, MLB found some of his items to be counterfeit and or infringing merchandise bearing MLB Marks and it was seized. Since [REDACTED] does not possess a valid Seller's Permit, he was told to leave the area to which he complied.

1350hrs-

At 1350hrs, we responded to Pier 33/Alcatraz Landing. Upon arrival, we saw numerous hot dog vendors running away with their carts, in all directions. There was 1 table set up that was selling alcoholic beverages, and they took off running with the tequila bottles, but they left their table and garbage behind. It was a chaotic scene! Once things settled down, Port clean-up crews were called in to haul away the vendors debris that was left behind.

One of the vendors followed the Port Truck to Pier 45 where they attempted to take back some of the discarded property, to no avail.

1400hrs-

Down by Queen's Louisiana Po-Boy Café, (Between Pier 33 -35) there were 2 H/F's selling a variety of merchandise: Sunglasses, Serape's, SF Giants BB Hats, and sweatshirts with SF Giant's logos on them. Where the H/F was set up is not a Port authorized vending location and the H/F does not have a Seller's Permit. While conversing with the H/F, she refused to tell us her name and although she was filming our actions, when I took a picture of her, she became extremely irate but there was no further incident.

Upon inspection of the H/F's merchandise, MLB found some of her items to be counterfeit and or infringing merchandise bearing MLB Marks and it was seized. Upon completion of the MLB paperwork, the H/F refused to sign it nor did she want a copy of it for her records; she refused everything.

Since neither H/F possessed a valid Seller's Permit, they were told to leave the area.

Conclusion:

Due to the SF Giants / LA Dodgers Series taking place at Oracle Park, our team initiated a coordinated operation over the past two days involving several members from the Port, SFPD, DPW and MLB. The primary objective was to target the distribution and sale of counterfeit and infringing merchandise being sold in the area.

Our efforts began with a systematic inspection and thorough assessment of various individuals and establishments suspected of engaging in these illegal activities. The operation yielded significant results, with a substantial quantity of counterfeit and infringing goods seized. This outcome reflects the dedication and persistence of everyone involved in the operation.

Saturday, July 12, 2025

MLB: Citations – 5

MLB: Counterfeit Items Confiscated - 420

DPW: Notice of Violation – 4

SFPD: Citations – 2

Sunday, July 13, 2025

MLB: Citations – 9

MLB: Counterfeit Items Confiscated - 320



July 14, 2025

Chantell Green
Major League Baseball
1271 Avenue of the Americas
New York, NY 10020

Re: MLB 2025 Enforcement
Los Angeles Dodgers vs. San Francisco Giants
Our Ref: 068-2025

Dear Ms. Green:

Pursuant to your request, on July 12 and 13, 2025, BSC Investigator William Eason assisted the San Francisco Port Authority and the San Francisco Police Department with counterfeit merchandise enforcement throughout the San Francisco Bay Area for the San Francisco Giants vs. Los Angeles Dodgers Series. The San Francisco Department of Public Works also assisted in enforcement efforts by providing reconnaissance and intelligence on various vendors throughout the city.

Over the two days, twelve vendors were contacted in the San Francisco Bay Area. Eleven of the twelve vendors were served with cease-and-desist letters and voluntarily surrendered their counterfeit merchandise. One vendor refused to identify themselves and abandoned their counterfeit merchandise.

The vendors were formally identified as follows:

Name:

[REDACTED]

The following items were recovered on July 12, 2025, and July 13, 2025:

Trademark	Type of Product	Am't	Street Value	Total Street Value	MSRP	Total MSRP
MLB	Beanies	19	\$15.00	\$285.00	\$30.00	\$570.00
MLB	Bucket Hats	41	\$20.00	\$820.00	\$40.00	\$1640.00
MLB	Caps	533	\$20.00	\$10,660.00	\$30.00	\$15,990.00
MLB	Hoodies	7	\$20.00	\$140.00	\$43.00	\$301.00
MLB	Nike Jerseys	66	\$50.00	\$3,300.00	\$385.00	\$25,410.00
MLB	Jackets	13	\$50.00	\$650.00	\$150.00	\$1,950.00
MLB	T-Shirts	70	\$20.00	\$1,400.00	\$75.00	\$5,250.00
MLB	Fan Chain	1	\$20.00	\$20.00	\$26.00	\$26.00
MLB	Straw Hats	6	\$20.00	\$120.00	\$44.00	\$264.00
	Total	756		\$17,395.00		\$51,401.00

A total of **756** counterfeit MLB items were recovered, with an estimated street value of **\$17,395.00** and an estimated MSRP of **\$51,401.00**. Brand Security Corporation retained all evidence.

This concludes our game enforcement report. The photos and documents are attached for your review. As always, should you have any questions or comments, I can be reached at (213) 975-0007.

Sincerely,



Heather Holdridge
HMH/ms

Photographs of the counterfeit items recovered.







MECALES, SAVED

Operations - Code Enforcement Division
621.731-3600

Date: 2/12/2003
Inspection Time: 18:20:00
Notification Time: 18:20:00
Location: Pte. Jc-JL
Parade No.:
Crop/Item No.:
Inspector: 803 Phone: 628-271-2002

Clanab Number C7727406

Name: SANTON MICHELLE
 Company: [REDACTED]
 Phone: [REDACTED]

NOTICE OF VIOLATION: By service of this NOTICE OF VIOLATION, which you are receiving as the owner, contractor, official representative, agent or responsible party, you are hereby notified that you are in violation of the City ordinances identified below. For further instructions and notification, please see reverse of this or this notice of violation. Contact Inspector for verification when all City requirements are met.

Case Number	Case Section	Case Description, including location in which violations are observed (e.g., "Mainway entrance, 1st floor shall be located to prevent display outside.")	Display Violations (A, B, C, D, E, or F as noted)	Assessment Penalty as per code provided	Class of Infraction (Category)	Inspector Initials
1	Public Works Code 59.3	<p>Unpermitted Vending</p> <p>Refusal to Cease Vending / Relocation</p> <p>Failure to Provide Proof of Ownership</p> <p>Non-Compliant Display / Obstruction</p>	<p>Introduction</p>	<p>\$250-1st</p> <p>\$500- 2nd</p> <p>\$1000- Each Address</p>	<p>As designated</p> <p>Or Corrected</p> <p>Or Permitted</p> <p>Final Citation</p>	
2					<p>As designated</p> <p>Or Corrected</p> <p>Or Permitted</p> <p>Final Citation</p>	
3					As designated	

Further, high regard for power and status could be interpreted as a desire for status, which is a desire for power. The party may be seeking to perform or promote its agenda in accordance with the high status of its leadership.

Marie Perle's *Winter Market*

I am over the age of 40 years and not a party in this action. I am employed by the City & County of San Francisco in the Office of the District Attorney. I am under penalty of perjury under the laws of the State of California and the City & County of San Francisco that my signature is true.

I personally served ☒ I served via certified mail _____ I served via email _____
 with this Notice of Motion.

Signature: [Signature] Date: 01/18/2009

BY ORDER OF THE DIRECTOR OF PUBLIC WORKS A FINANCIAL PENALTY OF \$1 PER DAY PER INCH OF DEFICIENCY HAS BEEN TAKEN AND VERIFIED BY THE INSPECTOR.



MAJOR LEAGUE BASEBALL
1275 AVENUE OF THE AMERICAS, NEW YORK, NY 10020

To Whom It May Concern:

July 11, 2003 MLB

This letter is being presented on behalf of MLB Advanced Media, L.P., Major League Baseball Properties, Inc., the Office of the Commissioner of Baseball and the 30 MLB Clubs collectively "MLB" in connection with the protection and enforcement of the names, word marks, signs, designs, trade dress and other trademarks and copyrights ("MLB Marks") owned, licensed and/or protected by MLB. Based on the foregoing rights, no one is authorized to manufacture, advertise, distribute, offer for sale and/or sell any products bearing the MLB Marks without the express written permission of the appropriate MLB entity.

You are hereby advised that, under the laws of the State of California, within the United States of America, manufacturing, distributing, selling or offering to sell merchandise under infringing merchandise bearing MLB Marks ("Unauthorized Goods") constitutes a criminal offense under the infringement, either under state or federal law. Consumers of such products are likely to believe that such merchandise is licensed, sponsored or authorized by MLB.

You have been observed distributing, selling or offering to sell Unauthorized Goods in violation of applicable law. MLB has conducted formal investigations and has enforcement action pending at the Unauthorized Goods against your voluntary surrender of the merchandise. If you are again observed distributing, selling or offering to sell such infringing or counterfeit merchandise, we will report you to the relevant authorities and you may be subject to arrest without further warning to you.

At this time, we demand that you and each and every person or company associated with you:

1. Immediately voluntarily surrender to us all your inventory of Unauthorized Goods on hand as of the date;
2. Immediately and permanently discontinue the sale, manufacture, advertisement and distribution of any such products and acknowledge your compliance with this demand by signing two copies of this letter; and
3. Forward us the names and full names of each person or company from which you purchased any of the infringing items that you did not manufacture; the name and address of the manufacturer/distributor of each item purchased; and the price paid for each item.

By signing below, you acknowledge your understanding of and agreement to the terms set forth above, and that your surrender of any infringing or counterfeit merchandise and voluntary surrendering on your part. If you do not agree to the three items set forth above, MLB reserves the right to take the strongest possible legal action against you, which may include pursuing criminal charges against you, litigation and/or seizure of your products by law enforcement authorities.

Nothing in this letter shall be construed as a waiver or relinquishment of any rights, claims or remedies of MLB, all of which are expressly reserved.

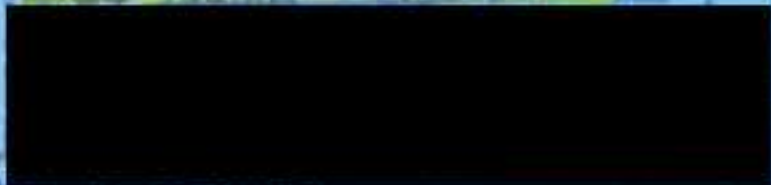
William H. Greenman

William H. Greenman
General Counsel, Intellectual Property

Acknowledged and Accepted Date July 13, 2003

By Bill Green

John Thomas Mitchell



Name

Address

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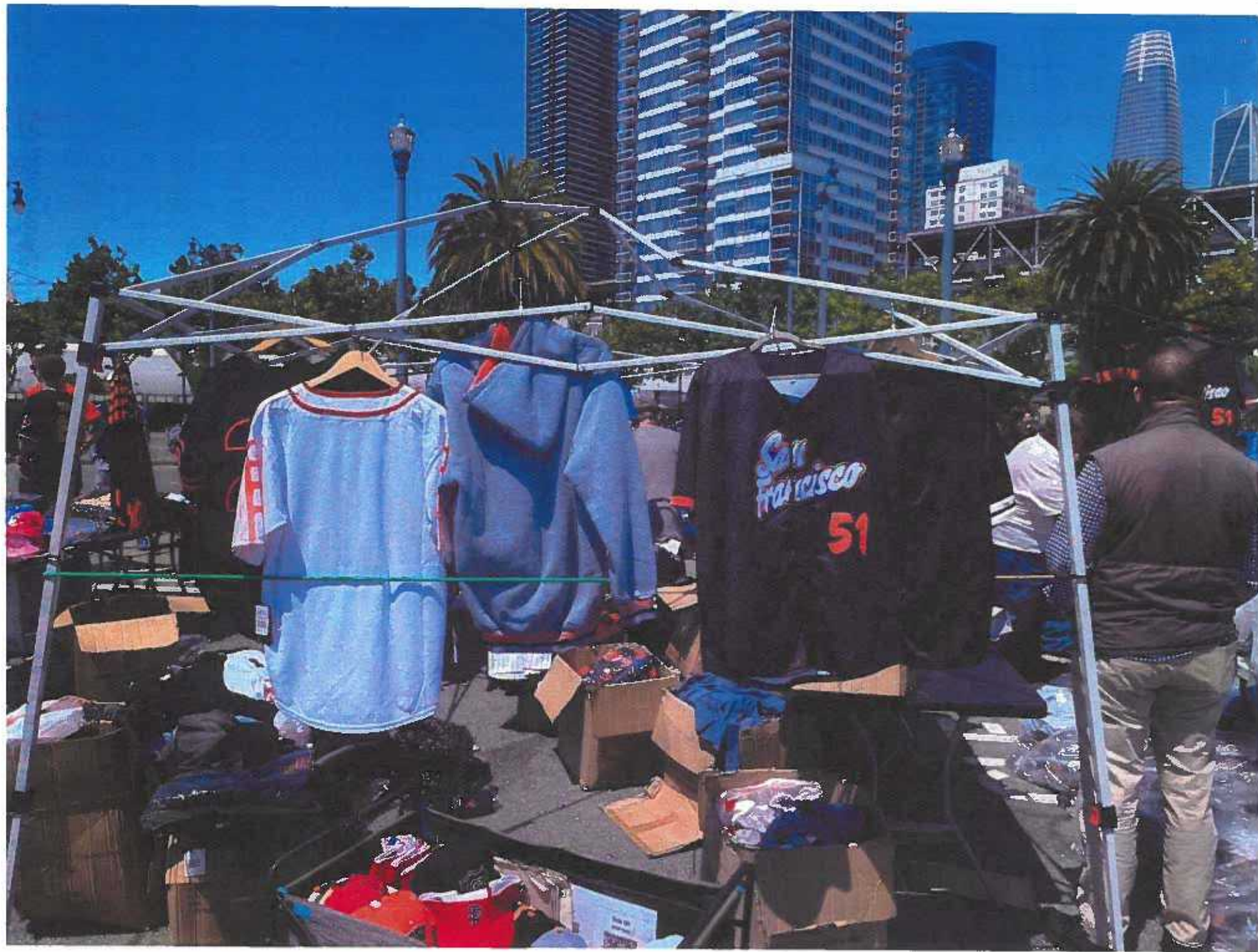
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Send Money, Split Expenses

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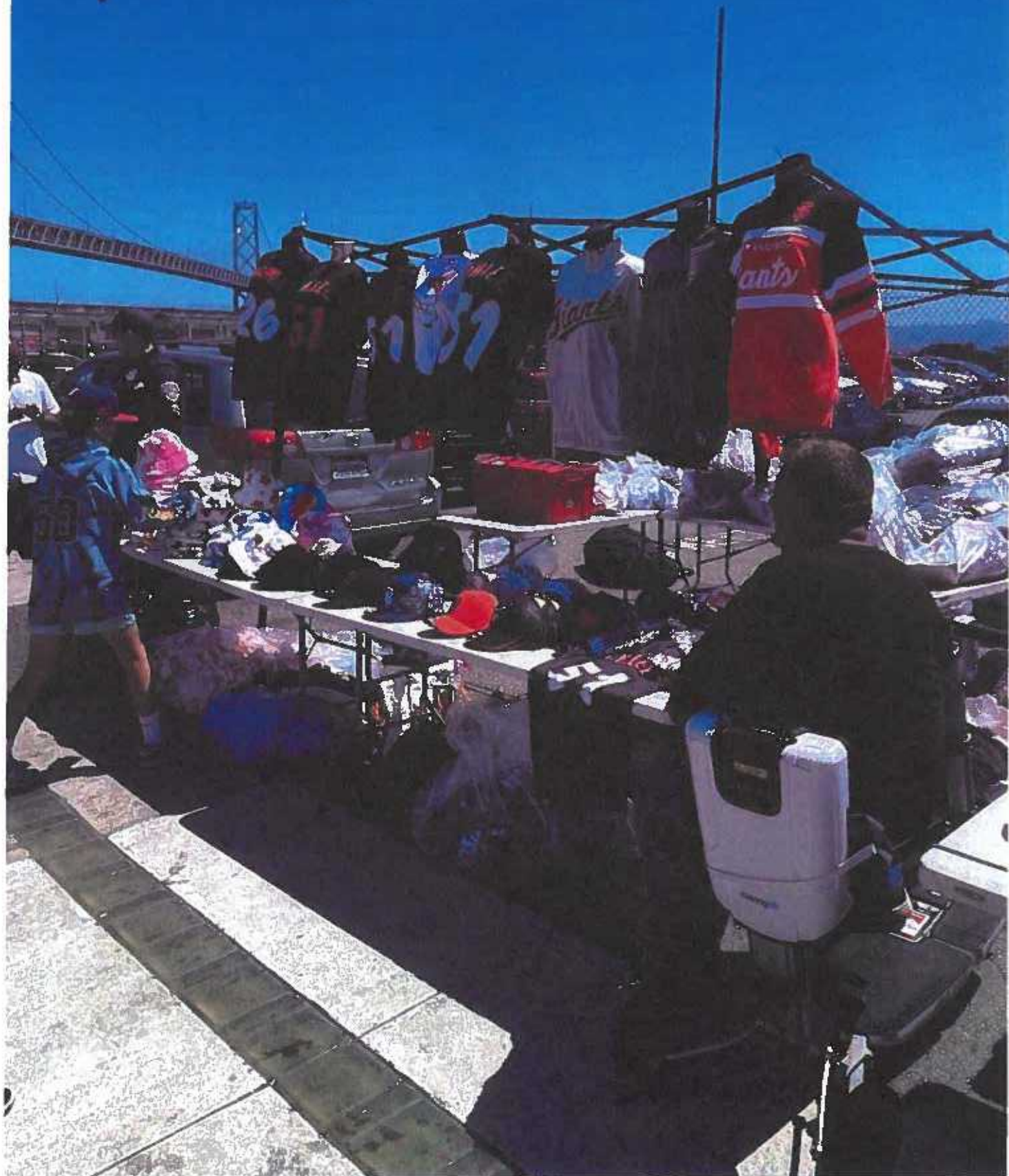


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MECAUEF, SAUER



To Whom It May Concern:

This letter is being submitted on behalf of MLB Advanced Media, L.P., Major League Baseball Properties, Inc., the Office of the Commissioner of Baseball and the MLB Clubs (collectively "MLB") in connection with the protection and enforcement of the MLB trademarks, word marks, logos, designs, trade dress and other indicia and copyrights ("MLB Marks") owned, licensed and/or protected by MLB. Based on the foregoing rights, MLB is authorized to manufacture, advertise, distribute, offer for sale and/or sell any products bearing the MLB Marks without the express written permission of the appropriate MLB entity.

You are hereby advised that, under the laws of the State of _____ and/or the United States of America, manufacturing, distributing, selling or offering to sell products and/or arranging merchandise bearing MLB Marks ("Unauthorized Goods") constitutes a criminal offense and/or civil infringement, and/or unfair competition. Consumers of such products are likely confused that such merchandise is licensed, sponsored or authorized by MLB.

You have been observed distributing, selling or offering to sell Unauthorized Goods in violation of applicable law. MLB has authorized licensed investigators and/or law enforcement to take possession of the Unauthorized Goods upon your voluntary surrender of the merchandise. If you are again observed distributing, selling or offering to sell such infringing or counterfeit merchandise, we will report you to the relevant authorities and you may be subject to arrest without further warning to you.

At this time, we demand that you and each and every person or company associated with you:

1. Immediately voluntarily surrender to us your entire inventory of Unauthorized Goods on hand as of this date;
2. Immediately and permanently discontinue the sale, manufacture, advertisement and distribution of any such products and acknowledge your compliance with this demand by signing two copies of this letter; and
3. Provide to us the names and addresses of each person or company from which you purchased any of the infringing items that you did not manufacture the name and address of the manufacturer/distributor of each item purchased, and the price you paid for each item.

By signing below, you acknowledge your understanding of and agreement to the terms set forth above, and that your surrender of any infringing or counterfeit merchandise was entirely voluntary on your part. If you do not agree to the three points set forth above, MLB reserves the right to take the strongest possible legal action against you, which may include pursuing criminal charges against you, litigation and/or seizure of your products by law enforcement authorities.

Nothing in this letter shall be construed as a waiver or relinquishment of any rights, claims or remedies of MLB, all of which are expressly reserved.

Nicholas H. Eisenman
Nicholas H. Eisenman
Senior Counsel, Intellectual Property

Acknowledged and Accepted: Date: July 13, 2025

By: Bill Farnsworth
SAVING JOURNAL MICHAEL

Address:

Item(s)

No. Description (incl. MLB marks):

No. Description (incl. MLB marks):

Manufacturer/Distributor:

(include company and

individual's names)

Address:

Price Paid:

Sale Price of Item(s):

212.931.7800

www.mlb.com





