

FILE NO. 011755

ORDINANCE NO. 245-01

[Restricted Access to Hydrofluoric Acid.]

Amendment of the whole

Ordinance amending the San Francisco Police Code by adding a new Article 42D to restrict access to products containing hydrofluoric acid in solution and assessing criminal penalties for violation of this Article.

Note: This entire Article is entirely new.
Board amendment additions are double underlined.
Board amendment deletions are ~~strike through~~ normal.

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

Section 1. The San Francisco Police Code is hereby amended by adding a new Article 42D, to read as follows:

ARTICLE 42D

SALE AND DISPLAY OF PRODUCTS CONTAINING HYDROFLUORIC ACID

Sec. 4200D.1 DEFINITIONS.

For the purposes of this Article, the following terms shall have the following meanings:

(a) "Hydrofluoric Acid" means a chemical substance, also known as hydrogen fluoride, fluorohydric acid, or fluoric acid, having a chemical formula of HF and a chemical abstract system number CAS No. 7664-39-3.

(b) "Person" means an individual, trust, firm, joint stock company, corporation.

(c) "Regulated Product" means any product that contains hydrofluoric acid in solution.

Sec. 4200D.2 STORAGE AND DISPLAY OF REGULATED PRODUCTS.

(a) It shall be unlawful for any person who owns, conducts, operates or manages a retail commercial establishment where the regulated products are sold to store or display, or caused to be stored or displayed, such regulated products in an area that is accessible to the

1 public without employee assistance in the regular course of business pending legal sale or
2 other disposition.

3 (b) Nothing herein shall preclude the storage or display of the regulated products in an area
4 viewable by the public so long as such items are not accessible to the public without
5 employee assistance.

6 **Sec. 4200D.3 SALE OF REGULATED PRODUCTS.**

7 (a) It shall be unlawful for any person, except a parent or legal guardian, to sell or give or in
8 any way furnish to another person, who is in fact under the age of 18 years, any regulated
9 products without first obtaining bona fide evidence of majority and identity.

10 (b) For purposes of this Section, "bona fide evidence of majority and identity" is any document
11 evidencing the age and identity of an individual which has been issued by a federal, State or
12 local governmental entity, and includes, but is not limited to, a motor vehicle operator's
13 license or an identification card issued to a member of the armed forces.

14 (c) Regulated Products may be furnished to schools for school-related activities that are part of
15 the instructional program when used under controlled and supervised situations within the
16 classroom or on the site of a supervised project. The instructors shall not permit students to
17 remove the regulated from the supervised site.

18 **Sec. 4200C.3. PENALTY.**

19 Any person who violates this Article shall be guilty of a misdemeanor, punishable by a fine of
20 not more than \$1,000, or by imprisonment in the County Jail for not more than 6 months, or by
21 both fine and imprisonment.

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APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: 
WILLIAM CHAN
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 011755

Date Passed:

Ordinance amending the San Francisco Police Code by adding a new Article 42D to restrict access to products containing hydrofluoric acid in solution and assessing criminal penalties for violation of this Article.

December 3, 2001 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval, Yee

December 10, 2001 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin,
Sandoval, Yee

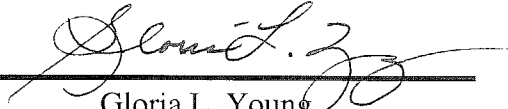
Absent: 1 - Newsom

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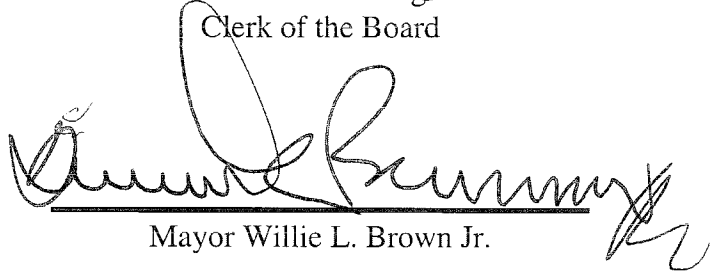
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on **December 10,**
2001 by the Board of Supervisors of the City
and County of San Francisco.

DEC 21 2001

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Willie L. Brown Jr.