

RESTAURANT RULES AND REGULATIONS

The following are the rules and regulations within which Tenant and all Subtenants of the Restaurant Space or any other Subtenant or operator operating a Full-Service Restaurant within the Premises (collectively, "**Restaurant Operator**") shall comply with during the Term.

1. Noise. Sound levels emanating from indoor and/or outdoor activities on the Premises between 10:00 P.M. and 6:00 A.M. daily may not exceed the acceptable noise levels established by the San Francisco Noise Ordinance Police Code, Article 29, except as may be specifically authorized under any special event permit issued by the San Francisco Police Department. Restaurant Operator shall post signs inside the Restaurant Space at appropriate places requesting that patrons leaving the Premises after 10:00 P.M. depart in a quiet, peaceful and orderly fashion and not litter in the neighborhood. Restaurant Operator shall alert the San Francisco Police Department if exiting patrons cause any disturbance.
2. Garbage/Recycling/Composting. All garbage dumpsters and main recycling containers shall be enclosed within an appropriate closet so that such dumpsters and containers are not visible from outside of the buildings, unless directed otherwise by the Port. Garbage dumpsters and recycling containers shall not be moved outside the building in advance of actual collection by a refuse or recycling company. Garbage and recycling pickup shall be arranged such that garbage dumpsters and recycling containers are removed directly from the enclosure, emptied, and replaced at the same time. [No garbage and recycling pickup may occur after 8:00 A.M. or before 10:00 P.M.]
3. Garbage/Recycling/Composting. In accordance with local law, all waste shall be separated into the following:
 - Compost
 - Recycling
 - Trash/Landfill

Restaurant Operator shall ensure that all employees are properly trained to maximize the proper separation of compostables, recyclables, and trash. Restaurant Operator shall provide adequate collection and hauling service of these materials.

Restaurant Operator must provide source separated collection of recyclables, compostables and trash to their employees, contractors and customers. Restaurant Operator must supply appropriate containers, placed in appropriate locations, to make source separation of recyclables, compostables, and trash convenient for the employees, contractors, and customers.

The containers must:

- (1) Be of appropriate number and size in light of the recyclable, compostable, and trash quantities reasonably anticipated to be generated at the location;

(2) Bear appropriate signage and be color coded to identify the type of refuse to be deposited—blue for recyclables, green for compostables, and black for trash and meet any additional design criteria established by regulation; and,

(3) Be placed as close together as possible to provide equally convenient access to users.

(4) Restaurant Operator shall not use the Port's trash cans, or Big Bellys, for the disposal of their trash from the restaurant.

Restaurant Operator shall not put any fats, oils or grease in trash collection containers. Restaurant Operator must provide information and/or training for new employees, and contractors, including custodians, on how to source separate recyclables, compostables, and trash, and must re-educate existing employees, and contractors at least once a year.

4. Litter. Restaurant Operator shall be responsible for undertaking the following measures within the exterior portions of the Premises: (i) keep all hardscape areas and sidewalks between the Premises and The Embarcadero and between the Premises and all adjacent properties reasonably clean of debris and litter; (ii) once each day between thirty minutes after closing and 8:00 A.M. the following morning, collect and dispose of any discarded trash and litter; (iii) remove trash and litter from any landscaped areas within the Premises; and (iv) with the permission of adjacent Port tenants enter upon adjacent properties to remove litter thereon originating on the Premises.
5. Landscaped and Hardscape Areas. Take reasonable precautions to minimize any damage to landscaping and hardscape, if any, from restaurant vendors, service people and patrons.
6. Traffic. Coordinate all vehicular deliveries and pickups to occur at times and in a manner that will not unreasonably impede the flow of traffic on The Embarcadero or interfere with the safe operation of SFMTA vehicles.
7. Advertising/Signage. Restaurant Operator shall place no temporary or promotional advertising, banners or signs on the interior of the windows on the Premises intended to be seen from the adjacent streets or properties except as may be previously approved in writing by the Executive Director or his/her representative.
8. Compliance with Rules. Restaurant Operator shall take commercially reasonable efforts to cause all vendors, service persons and patrons to comply with the applicable Restaurant Rules and Regulations.
9. Changes. The Restaurant Rules and Regulations may be changed from time to time to reflect changing circumstances or Port policies upon mutual consent of the Restaurant Operator and the Executive Director of the Port or as adopted by Port for restaurant operators within Port's jurisdiction.

10. Plumbing System and FOG. It is the Restaurant Operator's sole responsibility to maintain plumbing system.

Restaurant Operator shall be prohibited from:

- installing or using a garbage disposal or garbage grinder.
- disposal of fats, oils and grease or any food waste containing fats, oil or grease directly into drain in the kitchen areas.

Restaurant Operator shall be required to:

- comply with all directives from the SF PUC regarding the FOG program including:
- Use an Automatic Grease Removal Device (AGRD) on all sinks, as required.
- Ensure that all grease removal devices are cleaned at least every 90 days by a grease hauler certified by the California Department of Food and Agriculture.
- Maintain documentation of service and maintenance records.
- Develop and implement a written maintenance program for the sewer lines.

11. These Rules and Regulations are in addition to, and shall not be construed to modify or amend the terms and conditions of the Lease. Port reserves the right at any time and from time to time to change or rescind any one or more or all of these Rules and Regulations or to make such other and further Rules and Regulations as the Port shall determine is in the best interest of the Port, the environment and/or Restaurant Operator, its Agents and Invitees. Upon notice by Port, such revised or new rules shall be binding upon Restaurant Operator.

12. In the event of any conflict between these or any modified rules and regulations and the Lease, the terms and provisions of the Lease shall prevail. Additionally, Tenant shall reimburse the Port for any and all costs related to the maintenance of plumbing and sewer lines.