

ORDINANCE NO. 10201
(New Series)

AN ORDINANCE ADDING ANNEXED TERRITORY, DESIGNATED AS RANCHO MISSION ROAD ANNEXATION, TO COUNCIL DISTRICT NO. 5, PURSUANT TO THE PROVISIONS OF SECTION 5, ARTICLE II OF THE CITY CHARTER.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the area designated as RANCHO MISSION ROAD ANNEXATION in Resolution No. 198606, adopted DEC 9 1969, is hereby added to Council District No. 5, heretofore shown and delineated on that certain map showing the boundary line of said district, as contained in Document No. 727206 on file in the office of the City Clerk of said City, and which district was defined and which map was approved by Ordinance No. 9984 (New Series), of the Ordinances of The City of San Diego, adopted February 27, 1969.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

DEC 16 1969

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

*Received
City Clerk's Office
1969 Dec 3 AM 11:27
San Diego, Calif.*

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 9 1969, and on DEC 16 1969

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10201 Adopted DEC 16 1969

ATTORNEY (5)

- * City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE ADDING ANNEXED TERRITORY,
DESIGNATED AS RANCHO MISSION ROAD ANNEXA-
TION, TO COUNCIL DISTRICT NO. 5, PURSUANT TO
THE PROVISIONS OF SECTION 5, ARTICLE II OF
THE CITY CHARTER

RECEIVED
CITY CLERK'S OFFICE
1969 DEC 29 AM 10:48
SAN DIEGO, CALIF.

ORDINANCE NO. 10201
(NEW SERIES)

AN ORDINANCE ADDING ANNEXED
TERRITORY, DESIGNATED AS
RANCHO MISSION ROAD ANNEXA-
TION, TO COUNCIL DISTRICT NO.
5, PURSUANT TO THE PROVIS-
IONS OF SECTION 5, ARTICLE II
OF THE CITY CHARTER.

BE IT ORDAINED, by the Council
of The City of San Diego, as follows:

Section 1. That the area designated
as RANCHO MISSION ROAD ANNEXA-
TION in Resolution No. 198606,
adopted December 9, 1969, is hereby
added to Council District No. 5, hereto-
fore shown and delineated on that cer-
tain map showing the boundary line
of said district, as contained in Docu-
ment No. 727206 on file in the office
of the City Clerk of said City, and
which district was defined and which
map was approved by Ordinance No.
9984 (New Series), of the Ordinances
of The City of San Diego, adopted Feb-
ruary 27, 1969.

Section 2. This ordinance shall take
effect and be in force on the thirtieth
day from and after its passage.

Introduced on December 9, 1969.

Passed and adopted by the Council
of The City of San Diego on December
16, 1969.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Dec. 26, 1969 U-905

I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the ~~principal clerk of the printer~~ of said newspaper;
that the

ORDINANCE NO. 10201
(NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

December 26, 1969

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on December 26, 1969

Aline Grandier Hornaday

(Signature)

SHOWS CHANGE OF LANGUAGE ADOPTED BY THE FOLLOWING ORDINANCE NO. 10202 (New Series).

OLD LANGUAGE Crossed out
NEW LANGUAGE - Underlined

SEC. 22.1002 ACTING OFFICERS--ADDITIONAL COMPENSATION

A person temporarily performing the duties of an office or position in an acting capacity may receive ~~shall not thereby be entitled to~~ additional compensation beyond that received in of the position regularly held by such person, ~~except that when and during such period there is no regularly appointed incumbent of the office being filled by such person in an acting capacity, or when the incumbent is absent on leave without pay, such person shall receive compensation~~ at a rate not less than the minimum, nor more than the maximum, which a regularly appointed incumbent is entitled to receive. ~~if that rate be greater than the rate attached to the office or position regularly held by such acting officer.~~ Payment of such additional compensation to classified personnel must be approved by the Civil Service Commission.

ORDINANCE NO. 10202
(New Series)

AN ORDINANCE AMENDING CHAPTER II,
ARTICLE 2 OF THE SAN DIEGO MUNICIPAL
CODE BY AMENDING SECTION 22.1002 OF
DIVISION 10, RELATING TO COMPENSATION
FOR TEMPORARY OUT-OF-CLASS ASSIGNMENTS.

BE IT ORDAINED, by the Council of The City of
San Diego, as follows:

Section 1. That Chapter II, Article 2 of the
San Diego Municipal Code be, and the same is hereby
amended by amending Section 22.1002 of Division 10
as follows:

SEC. 22.1002 ACTING OFFICERS--ADDITIONAL COMPENSATION

A person temporarily performing the duties of
an office or position in an acting capacity may
receive additional compensation beyond that received
in the position regularly held by such person, at a
rate not less than the minimum, nor more than the
maximum, which a regularly appointed incumbent is
entitled to receive. Payment of such additional
compensation to classified personnel must be approved
by the Civil Service Commission.

Section 2. This ordinance shall take effect and be
in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By R. Thomas Harris
R. Thomas Harris, Deputy

Passed and adopted by the Council of The City of San Diego on DEC 18 1969,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1969 DEC -5 PM 12:17
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 11 1969, and on DEC 18 1969.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal) By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal) By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10202 Adopted DEC 18 1969

Handwritten mark

16451RP 1

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER II, ARTICLE
2 OF THE SAN DIEGO MUNICIPAL CODE BY AMEND-
ING SECTION 22.1002 OF DIVISION 10, RELATING
TO COMPENSATION FOR TEMPORARY OUT-OF-CLASS
ASSIGNMENTS.

ORDINANCE NO. 10202
(NEW SERIES)

AN ORDINANCE AMENDING
CHAPTER II, ARTICLE 2 OF THE
SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 22.1002 OF
DIVISION 10, RELATING TO COM-
PENSATION FOR TEMPORARY
OUT-OF-CLASS ASSIGNMENTS.
BE IT ORDAINED, by the Council
of The City of San Diego, as follows:
Section 1. That Chapter II, Article
2 of the San Diego Municipal Code be,
and the same is hereby amended by
amending Section 22.1002 of Division
10 as follows:

SEC. 22.1002 ACTING OFFICERS—
ADDITIONAL COMPENSATION

A person temporarily performing
the duties of an office or position in
an acting capacity may receive ad-
ditional compensation beyond that
received in the position regularly
held by such person, at a rate not
less than the minimum, nor more
than the maximum, which a reg-
ularly appointed incumbent is en-
titled to receive. Payment of such
additional compensation to classified
personnel must be approved by the
Civil Service Commission.

Section 2. This ordinance shall take
effect and be in force on the thirtieth
day from and after its passage.
Introduced on December 11, 1969.
Passed and adopted by the Council
of The City of San Diego on Decem-
ber 18, 1969.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Dec. 26, 1969 U-951

RECEIVED
CITY CLERK'S OFFICE
1969 DEC 29 AM 10:48
SAN DIEGO, CALIF.

I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the principal clerk of the printer of said newspaper;
that the

ORDINANCE NO. 10202
(NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

December 26, 1969

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on December 26, 1969


(Signature)

4 3/8" \$ 17.50

ORDINANCE NO. 10203
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF PUEBLO LOT 1224 OF THE PUEBLO LANDS OF SAN DIEGO, AND A PORTION OF MORENA BOULEVARD PROPOSED TO BE CLOSED, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO M-2 ZONE, AS DEFINED BY SECTION 101.0441 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 13456, APPROVED FEBRUARY 15, 1932, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

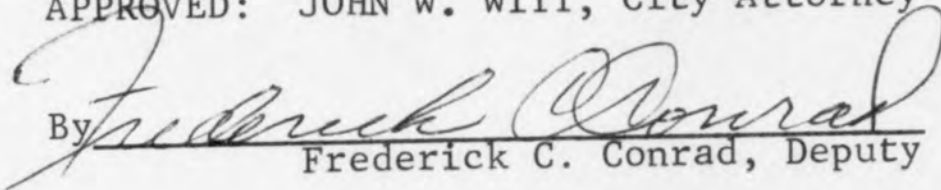
Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Pueblo Lot 1224 of the Pueblo Lands of San Diego, and a portion of Morena Boulevard proposed to be closed, in the City of San Diego, California, designated "M-2" on Zone Map Drawing No. B-2210, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0441 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into M-2 Zone, as described by Section 101.0441, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2210, filed in the office of the City Clerk as Document No. 730059. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 13456, approved February 15, 1932

of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

-2-

FCC:srr
12/2/69
38-69-11

10203

Passed and adopted by the Council of The City of San Diego on DEC 18 1969
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1969 DEC -4 AM 11:39
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

By Elfa J. Hamel Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 11 1969, and on DEC 18 1969.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

10203

Adopted

DEC 18 1969

ORDINANCE NO. 10204
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 15 SOUTH, RANGE 2 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO M-1A ZONE, AS DEFINED BY SECTION 101.0436 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8018 (NEW SERIES), ADOPTED DECEMBER 9, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of the Northwest 1/4 of the Southwest 1/4 of Section 5, Township 15 South, Range 2 West, S.B.B.M., in the City of San Diego, California, designated "M-1A" on Zone Map Drawing No. B-2207, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0436 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into M-1A Zone, as described by Section 101.0436 of the San Diego Municipal Code, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2207, filed in the office of the City Clerk as Document No. 730063. Said zoning shall attach only to those properties included in the subdivision map or maps recorded as provided in this section.

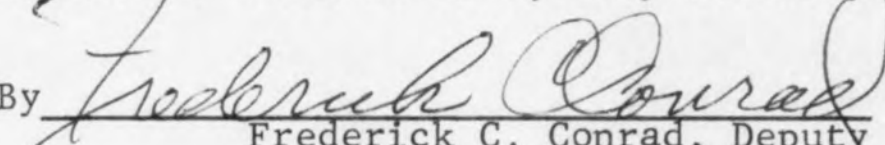
Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1

of this ordinance, Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

-2-

10204

FCC:srr
11/25/69
60-69-25

Passed and adopted by the Council of The City of San Diego on DEC 18 1969,
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1969 DEC -4 AM 11:43
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa D. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 11 1969, and on DEC 18 1969.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa D. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By _____, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>10204</u>	Adopted <u>DEC 18 1969</u>

ORDINANCE NO. 10205
(New Series)

AN ORDINANCE INCORPORATING PORTIONS OF SECTIONS 27, 28, 33, AND 34, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO A-1-10 ZONE, AS DEFINED BY SECTION 101.0404 OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That portions of Sections 27, 28, 33 and 24, Township 14 South, Range 2 West, S.B.B.M., in the City of San Diego, California, within the boundary of the district designated "A-1-10" on that certain Zone Map Drawing No. B-2206 filed in the office of the City Clerk under Document No. 730065, be and it is hereby incorporated into A-1-10 Zone as defined by Section 101.0404 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on DEC 18 1969
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1969 DEC -4 AM 11:39
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 11 1969, and on DEC 18 1969.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
City Clerk of The City of San Diego, California.
By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
City Clerk of The City of San Diego, California.
By _____, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>10205</u>	Adopted <u>DEC 18 1969</u>

ORDINANCE NO. 10206
(New Series)

AN ORDINANCE INCORPORATING PORTIONS OF PUEBLO LOTS 1279, 1291, 1295, 1299 AND 1300 OF THE PUEBLO LANDS OF SAN DIEGO; AND PORTIONS OF BLOCKS 9 AND 16, LEAVITT'S ADDITION, VACATED, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-2A, R-3, R-3A, RV, RP-1A AND C-1A ZONES, AS DEFINED BY SECTIONS 101.0410, 101.0411, 101.0412, 101.0414, 101.0418.5 AND 101.0431, RESPECTIVELY, OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 13294, APPROVED AUGUST 31, 1931, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INSOFAR AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, portions of Pueblo Lots 1279, 1291, 1295, 1299 and 1300 of the Pueblo Lands of San Diego; and portions of Blocks 9 and 16, Leavitt's Addition, vacated, in the City of San Diego, California, designated "R-2A," "R-3," "R-3A," "RV," "RP-1A" and "C-1A" on Zone Map Drawing No. B-2181.2, are subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Sections 101.0410, 101.0411, 101.0412, 101.0414, 101.0418.5 and 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-2A, R-3, R-3A, RV, RP-1A and C-1A Zones, as described by Sections 101.0410, 101.0411, 101.0412, 101.0414, 101.0418.5 and 101.0431, respectively, of the San Diego Municipal Code, the boundary of such zones to be as indicated on Zone Map Drawing No. B-2181.2, filed in the office of the City Clerk as Document No. 730338.

ORDINANCE NO. 10206
(New Series)

AN ORDINANCE INCORPORATING PORTIONS OF PUEBLO LOTS 1279, 1291, 1295, 1299 AND 1300 OF THE PUEBLO LANDS OF SAN DIEGO; AND PORTIONS OF BLOCKS 9 AND 16, LEAVITT'S ADDITION, VACATED, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-2A, R-3, R-3A, RV, RP-1A AND C-1A ZONES, AS DEFINED BY SECTIONS 101.0410, 101.0411, 101.0412, 101.0414, 101.0418.5 AND 101.0431, RESPECTIVELY, OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 13294, APPROVED AUGUST 31, 1931, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, portions of Pueblo Lots 1279, 1291, 1295, 1299 and 1300 of the Pueblo Lands of San Diego; and portions of Blocks 9 and 16, Leavitt's Addition, vacated, in the City of San Diego, California, designated "R-2A," "R-3," "R-3A," "RV," "RP-1A" and "C-1A" on Zone Map Drawing No. B-2181.2, are subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Sections 101.0410, 101.0411, 101.0412, 101.0414, 101.0418.5 and 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-2A, R-3, R-3A, RV, RP-1A and C-1A Zones, as described by Sections 101.0410, 101.0411, 101.0412, 101.0414, 101.0418.5 and 101.0431, respectively, of the San Diego Municipal Code, the boundary of such zones to be as indicated on Zone Map Drawing No. B-2181.2, filed in the office of the City Clerk as Document No. 730338.

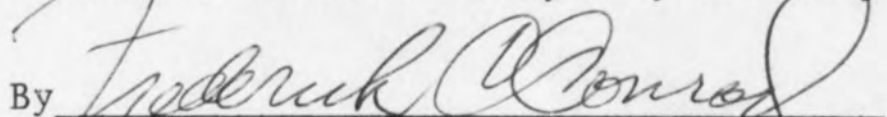
Said zoning shall attach only to those properties included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 13294, approved August 31, 1931, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

DEC 18 1969
DEC 18 1969

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Received
City Clerk's Office
1969 Dec 17 PM 12:21
San Diego, Calif.*

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By *Elfa N. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 11 1969, and on DEC 18 1969.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By *Elfa N. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

10206

Adopted

DEC 18 1969

ORDINANCE NO. 10207
(New Series)

AN ORDINANCE OF THE CITY OF SAN DIEGO GRANTING THE NONEXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE LINES, WIRES, COAXIAL CABLE AND APPURTENANCES FOR TRANSMITTING, DISTRIBUTING AND SUPPLYING RADIO AND TELEVISION ANTENNA SERVICE ALONG, ACROSS AND UPON THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE SOUTH BAY TERRACES AREA OF SAID CITY OF SAN DIEGO.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

GENERAL

Section 1. CITATION OF ORDINANCE.

This ordinance may be cited as the South Bay Terraces Community Antenna Television Franchise Ordinance.

Section 2. RULES OF CONSTRUCTION.

This ordinance shall be construed liberally in order to effectuate its purposes. Unless otherwise specifically prescribed in this ordinance, the following provisions shall govern its interpretation and construction:

(a) When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number.

(b) Time is of the essence of this ordinance. Grantee shall not be relieved of its obligation to comply promptly with any provision of this ordinance by any failure of City to enforce prompt compliance with any of its provisions.

(c) Any right or power conferred, or duty imposed upon any officer, employee, department or board of City is subject to transfer by operation of law to any other officer, employee, department or board of City.

(d) Grantee shall have no recourse whatsoever against City for any loss, cost, expense or damage arising out of any provision or requirement of this ordinance or the enforcement thereof.

(e) This ordinance does not relieve Grantee of any requirement of the City Charter or of any ordinance, rule, regulation or specification of City, including, but not limited to, any requirement relating to street work, street excavation permits, undergrounding of utility facilities, including CATV facilities, or the use, removal or relocation of property in streets.

(f) Provisions of this ordinance shall be construed in accordance with Sections 103, 103.1, 104 and 105 of the Charter of The City of San Diego.

Section 3. PURPOSE AND INTENT.

It is the purpose and intent of this ordinance to grant a franchise to engage in the business of operating a community antenna television system in that portion of the City of San Diego known as South Bay Terraces in a service area particularly described in Section 6 of this ordinance. It is the further purpose and intent of this ordinance that the Grantee of the franchise granted by this ordinance provide the citizens of the City of San Diego living in Grantee's service area the best possible community antenna television service consistent with the state of the art at rates reasonable to both Grantee and its subscribers.

Section 4. DEFINITIONS.

Whenever in this ordinance the following words or phrases are used, they shall mean:

(a) "City" shall mean The City of San Diego, a municipal corporation in the State of California.

(b) "Council" shall mean the City Council of City.

(c) "Franchise" shall mean the right and authority granted by this ordinance to Grantee to construct, maintain and operate a CATV system through use of the public streets, other public rights of way or public places in City.

(d) "Franchise Property" shall mean all property owned, installed or used under authority of this ordinance by Grantee.

(e) "Grantee" shall mean the person to whom the franchise is granted by this ordinance, and any lawful successor or assignee of the original Grantee.

(f) "Street" shall mean the surface, the air space above the surface and the area below the surface of any public street, other public right of way or public place.

(g) "Community Antenna Television System," referred to in this ordinance as "CATV System," shall mean any facility which receives directly or indirectly over the air and amplifies or otherwise modifies the signals transmitting programs broadcast by one or more radio or television stations and distributes such signals by wire or cable to subscribing members of the public who pay for such service. "CATV Service" shall mean any service furnished by a CATV System.

(h) "Subscriber" shall mean any person or entity receiving for any purpose the CATV service of Grantee.

(i) "Service Area" shall mean the area within which Grantee is permitted to serve subscribers under the provisions of this ordinance.

(j) "Total Gross Receipts" shall mean any and all compensation and other consideration collected or

received or in any manner gained or derived by Grantee from the operation of its CATV service within the corporate limits of The City of San Diego as such corporate limits now exist or may be established hereafter.

(k) "Undeveloped Region" shall mean any area in which there exists few or no buildings, streets or other improvements, and in which, in the opinion of the City Manager, the public interest does not require that the coaxial cables of the CATV system be placed underground.

(1) "Master Antenna Facilities" shall mean that portion of the CATV system consisting of the television receiving antennae and structures necessary to support such antennae in a position to receive television broadcast signals.

Section 5. NATURE AND EXTENT OF GRANT.

The franchise granted by this ordinance to South Bay Terraces Antenna System, Inc., Grantee, constitutes authority to use the public streets, other public rights of way or public places in City, to engage in the business of operating a CATV system within the service area described in Section 6 of this ordinance subject to all of the terms and conditions contained in this ordinance. Pursuant to such authority, until lawfully revoked, Grantee may construct, maintain and operate wires, cables, poles, conduits, manholes and other television conductors and equipment necessary for the maintenance and operation of a CATV system.

Grantee shall not engage in the business of selling television or other receivers which make use of signals transmitted by its system, nor shall Grantee engage in the

repair of or sale of parts for such receivers.

Section 6. DESIGNATION OF SERVICE AREA.

The service area referred to in Section 2 of this ordinance is described specifically in Appendix "A," which is attached and hereby incorporated into this ordinance by reference.

Section 7. DURATION OF GRANT.

(a) The franchise shall become effective on the thirtieth (30th) day after the passage of this ordinance, provided prior to that date Grantee has filed with the City Clerk: (1) a written instrument, addressed to the Council, accepting the franchise and agreeing to comply with all the provisions of this ordinance; (2) a surety bond, cash deposit or deposit in any federal or State of California chartered bank or savings and loan association in accordance with the provisions of Section 19 of this ordinance.

(b) The term of the franchise shall be fifteen (15) years commencing on the effective date of the franchise as provided in paragraph (a) of this section; provided, that upon written notice given by City or Grantee to the other not less than one year prior to the fifteenth (15th) anniversary of the effective date, the terms and conditions of this ordinance may be subject to renegotiation for a succeeding fifteen (15)-year term. Renegotiations shall be directed toward effecting alterations in the terms and conditions of the franchise in order to reflect those technical and economic changes which have occurred during the interim period. If renegotiation prior to the end of the term of the franchise does not result in agreement between City and Grantee for continuance of the franchise for a succeeding fifteen (15)-year term, the franchise shall terminate without further action by City at the end of its

first fifteen (15)-year term.

The franchise may be terminated at any time by the City Council in the event the Council finds, after notice and hearing, that:

(1) the Grantee fails to comply with any provision of this ordinance;

(2) any provision of this ordinance becomes invalid or unenforceable and the Council expressly finds that the invalid or unenforceable provision constitutes a consideration material to the grant of the franchise; or

(3) City purchases the property of Grantee, as provided in the Charter of City; provided, however, that Grantee shall be given thirty (30) days' notice of any termination proceedings.

Section 8. LIMITATIONS UPON GRANT.

(a) No privilege or exemption is granted or conferred by this ordinance except those specifically prescribed in it.

(b) The franchise granted by this ordinance is subordinate to any existing public use or any existing franchise or lawful occupancy of any public highway, street, road or other public property for the purpose of erecting, operating and maintaining poles, lines, conduits, cables, gas pipelines and other necessary fixtures used in connection with the purpose of existing franchises or any extension of them.

(c) The franchise granted by this ordinance is a privilege personal to the original Grantee. It cannot in any event be sold, transferred, leased, assigned, or disposed of as a whole, or in part, either by forced sale, merger, consolidation, by operation of law, or otherwise,

without prior consent of City expressed by ordinance, and then only under such conditions as may be prescribed in the consenting ordinance; provided, however, that no such consent shall be required for any transfer in trust, mortgage, or other hypothecation, as a whole, to secure an indebtedness.

(d) In the event that Grantee is a corporation, prior approval of the City Council, expressed by ordinance, shall be required where ownership or control of more than thirty percent (30%) of the voting stock of Grantee is acquired by a person or group of persons acting in concert, none of whom already own or control thirty percent (30%) or more of the voting stock, singularly or collectively. Any such acquisition occurring without prior approval of the City Council shall constitute a failure to comply with a provision of this ordinance within the meaning of subparagraph (1) of paragraph (b) of Section 7 of this ordinance.

Section 9. RIGHTS RESERVED TO CITY.

(a) City provides and reserves to itself every right and power which is required to be reserved or provided in this ordinance by any provision of the Charter of City or of any ordinance of City, and Grantee by its acceptance of this franchise agrees to be bound thereby and to comply with any action or requirement of City in its exercise of any such right or power.

(b) Neither the granting of this franchise nor any provision of this ordinance shall constitute a waiver or bar to the exercise of any governmental right or power of City.

(c) The franchise granted by this ordinance shall be nonexclusive and neither the granting of the franchise nor any of the provisions contained in this

ordinance shall prevent City from granting any identical or similar franchise to any person or corporation other than the Grantee, either within or without the area designated in Section 6.

OPERATION OF SERVICE

Section 10. ESTABLISHMENT OF SERVICE.

Installation of a CATV system shall be commenced within one hundred eighty (180) days after the effective date of this ordinance and extensions and service pursued with due diligence thereafter. Failure to commence within one hundred eighty (180) days and diligently to pursue to completion shall be grounds for termination of the franchise.

Section 11. ABANDONMENT OF SERVICE.

(a) After Grantee has established service pursuant to this ordinance in the franchise area, such service shall not be suspended or abandoned in the whole of or any part of the service area unless the suspension or abandonment is authorized by the City Council.

(b) Whenever Grantee shall file with the City Council a written application alleging that the public interest, convenience and necessity no longer require that Grantee furnish service pursuant to this ordinance in the whole of or in any part of the service area, the City Council, at a public hearing, shall take evidence upon that question and shall make a finding with respect to it. Notice of the hearing shall be given by Grantee in writing to each subscriber in the part of the service area in question at least fifteen (15) days prior to the date scheduled for the hearing. If the City Council shall find that the public interest, convenience and necessity no longer require that Grantee furnish service, the City Council, after hearing as provided herein, shall authorize suspension or abandonment of service upon such reasonable terms and conditions as may be prescribed

by the City Council.

Section 12. REGULATION OF RATES AND SERVICE.

(a) The City Council shall have the power and right at all times for the duration of the franchise granted by this ordinance to require Grantee to conform to reasonable rules and regulations now or hereafter adopted by the City Council, including the power to regulate and establish reasonable rates and charges by Grantee for services rendered under this ordinance. The establishment of such rules and regulations shall be discretionary with the City Council.

(b) Grantee shall:

(1) produce a picture, whether in black and white or in color, that is undistorted, free from ghost images, and accompanied with proper sound on typical standard production television receiver sets in good repair, and as good as the state of the art allows;

(2) provide, maintain and operate facilities which deliver signals of adequate strength to produce good pictures with good sound at all outlets without causing cross-modulation in the cables or interfering with other electrical or electronic systems;

(3) limit failure to a minimum by locating and correcting malfunctions promptly, but in no event longer than twenty-four (24) hours after notice;

(4) upon complaint by a subscriber, make a demonstration satisfactory to the City Manager that a signal is being delivered which is of sufficient strength and quality to meet the

standards set forth in this paragraph;

(5) render efficient service, making repairs promptly and interrupting service only for good cause and for the shortest time possible; such interruptions insofar as possible shall be preceded by notice given to subscribers twenty-four (24) hours in advance and shall occur during periods of minimum use of the system;

(6) maintain an office in the service area described in Section 6 of this ordinance, which office shall be open during all the usual business hours, have a telephone number listed in the directories of The Pacific Telephone and Telegraph Company for the San Diego and North San Diego County extended areas, and be so operated that complaints and requests for repairs or adjustments may be received at any time.

(c) Grantee shall operate the CATV system authorized by this ordinance twenty-four (24) hours per day, seven (7) days per week.

Section 13. UNDERGROUND SYSTEM.

(a) The CATV system to be installed under authority of this ordinance shall be placed underground in all subdivisions which are subject to the provisions of paragraph ⁷ ~~8~~, Section ^{102.0221} ~~102-0701~~ of the San Diego Municipal Code, except as otherwise provided in this section.

(b) Where facilities are required to be installed underground, Grantee may place aboveground the master antenna facilities necessary to operate the system; provided, however, that irrespective of whether the system is above or underground, no master antenna facilities shall be placed in any street.

CER:lm

(c) With approval of the City Manager, expressed in writing, Grantee may place coaxial cables aboveground in undeveloped regions of the service area. The City Manager, in writing, at his sole discretion, may withdraw such permission at any time, after giving Grantee 30 days' notice of his intention to do so.

(d) Under no circumstances may the City Manager grant permission to place aboveground in any street any portion of the CATV system authorized by this ordinance and required by Section ^{102.0221}~~102.0701~~ of the San Diego Municipal Code to be constructed underground.

CER:lm

STREET WORK

Section 14. LOCATION OF FRANCHISE PROPERTY.

Franchise property shall be constructed or installed only at such locations and in such manner as shall be approved by the City Engineer, acting in the exercise of reasonable discretion.

Section 15. REMOVAL OR ABANDONMENT OF FRANCHISE PROPERTY.

(a) In the event that (1) the use of any franchise property is discontinued for any reason for a continuous period of twelve (12) months, (2) franchise property has been installed in any street or other dedicated public right of way without complying with the requirements of this ordinance, or (3) the franchise has been terminated, cancelled or has expired, Grantee, at its expense, shall remove promptly from the street all franchise property other than any which the City Engineer may permit to be abandoned in place. In the event of any such removal, Grantee shall promptly restore to a condition satisfactory to the City Engineer the street or other dedicated public right of way or other public places in City from which the franchise property has been removed.

(b) Franchise property to be abandoned in place shall be abandoned in the manner prescribed by the City Engineer. Upon permanent abandonment of any franchise property in place, Grantee shall submit to the City Manager an instrument, satisfactory in form to the City Attorney, transferring to City the ownership of the franchise property abandoned.

Section 16. CHANGES REQUIRED BY PUBLIC IMPROVEMENTS.

Grantee shall, at its expense, protect, support, temporarily disconnect, relocate in the same street, alley, or public place, or remove from any street, alley or public place, any franchise property when required by the City Engineer by reason of traffic conditions, public safety, street vacation, freeway and street construction, change or establishment of street grade, installation of sewers, drains, water pipes, power lines, signal lines, and tracks or any other type of structures or improvements including but not limited to placing such structures and improvements underground by governmental agencies when acting in a governmental or proprietary capacity, or any other structures or public improvements; provided, however, that Grantee shall in all such cases have the privileges and be subject to the obligations to abandon franchise property in place, as provided in Section 15.

Section 17. FAILURE TO PERFORM STREET WORK.

Upon failure of Grantee to commence, pursue or complete any work required by law or by the provisions of this ordinance to be done in any street, within the time prescribed and to the satisfaction of the City Engineer, the City Engineer may, at his option, cause such work to be done and the Grantee shall pay to the City the cost thereof in the itemized amounts reported by the City Engineer to Grantee, within thirty (30) days after receipt of such itemized report.

COMPENSATION AND GUARANTEE TO THE CITY

Section 18. ANNUAL PAYMENTS TO THE CITY.

(a) By its acceptance of this franchise, Grantee agrees to pay to City annually in lawful money of the United States three percent (3%) of the total gross receipts collected or received, or in any manner gained or derived by Grantee in each calendar year, or portion thereof, during the term of this franchise, from the properties, operations and business referred to in Section 5 of this ordinance.

(b) Checks for all such payments shall be made payable to the City Treasurer, and shall be submitted to the City Treasurer on or before March 1 of each year for the previous calendar year or portion thereof.

(c) Each payment shall be accompanied by a statement, in duplicate, verified by Grantee or by a general officer or other duly authorized representative of Grantee, showing in such form and detail as the City Manager may require from time to time the facts material to a determination of the amount due.

(d) The payment made to City by Grantee pursuant to this section for any calendar year shall be in lieu of any license, fee or business tax prescribed by City for the same period, but only to the extent of such payment.

(e) The amount of the annual payment to the City to be made by Grantee in accordance with this section is subject to renegotiation under the terms of paragraph (b) of Section 7 of this ordinance.

Section 19. FAITHFUL PERFORMANCE BOND.

Grantee shall, within the period specified in paragraph (a) of Section 7, file with the City Clerk and, at all times thereafter, maintain in full force and effect

an acceptable corporate surety bond, in the amount of FIVE THOUSAND DOLLARS (\$5,000), effective for the entire term of the franchise granted by this ordinance, and conditioned that in the event Grantee shall fail to comply with any one or more of the provisions of this ordinance, then there shall be recoverable jointly and severally from the principal and surety of such bond any damages suffered by City as a result thereof, including the full amount of any compensation, indemnification, or cost of removal or abandonment of property as prescribed by Sections 15, 18 or 20 of this ordinance which may be in default, up to the full amount of the bond; the condition to be a continuing obligation for the duration of the franchise granted by this ordinance and thereafter until Grantee has liquidated all of its obligations with City that may have arisen from the acceptance of the franchise by Grantee or from its exercise of any privilege herein granted. In lieu of said bond Grantee may deposit cash with The City of San Diego or in a federal or State of California bank or savings and loan association in the name of The City of San Diego, but with interest reserved to the Grantee, on terms and conditions approved by the City Attorney.

Neither the provisions of this section, any bond accepted by City pursuant thereto nor any damages recovered by City thereunder, nor any withdrawal from any cash deposit shall be construed to excuse faithful performance by Grantee or to limit the liability of Grantee under this ordinance or for damages, either to the full amount of the bond or otherwise.

Section 20. INDEMNIFICATION TO CITY.

Grantee shall indemnify City, its officers and its employees, against all claims, demands, actions, suits and proceedings by others and against all liability to

others, and against any loss, cost and expense resulting therefrom, including reasonable attorneys' fees, arising out of the exercise or enjoyment of the franchise granted by this ordinance, irrespective of the amount of the bond designated in Section 19.

Section 21. INSPECTION OF PROPERTY AND RECORDS.

(a) At all reasonable times Grantee shall permit examination by any duly authorized representative of the City Manager, City Engineer or the City Auditor of all franchise property, together with any appurtenant property of Grantee situated within or without the City. Grantee shall also permit any duly authorized representative of the City Manager, City Engineer or the City Auditor to examine and transcribe any and all maps and other records kept or maintained by Grantee or under its control concerning the operations, affairs, transactions or property of Grantee. If any of such maps or records are not kept in the City, or upon reasonable request made available in the City, and if the City Manager, City Engineer or the City Auditor shall determine that an examination of such maps or records is necessary or appropriate to the performance of any of their duties, then all travel and maintenance expense necessarily incurred in making such examination shall be paid by Grantee.

(b) Grantee shall prepare and furnish to the City Manager, City Engineer or the City Auditor, at the times and in the form prescribed by the City Manager, City Engineer or the City Auditor, such reports with respect to its operations, affairs, transactions or property as may be reasonably necessary or appropriate to the performance of any of the duties of the City Manager, City Engineer or the City Auditor in connection with this ordinance. Such reports may include, but are not limited to, a complete set of records

and plans of all facilities as finally installed within the franchise service area.

Section 22. FILINGS AND COMMUNICATION WITH REGULATORY AGENCIES.

Copies of all petitions, applications and communications of all types submitted by Grantee to the Federal Communications Commission, Securities and Exchange Commission, California Public Utilities Commission, or any other Federal or State regulatory commission or agency having jurisdiction over any matter affecting operation of Grantee's CATV system shall be submitted simultaneously to the City by delivery to the City Clerk who shall advise interested City departments of such filing. A copy of each document filed with the City Clerk in accordance with this section shall be delivered to the City Attorney.

Section 23. FRANCHISE GRANTED UNDER AUTHORITY OF CHARTER.

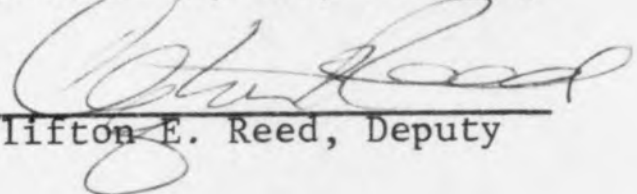
Notwithstanding any other provisions contained herein, this franchise is granted solely and exclusively under Sections 103, 103.1, 104 and 105 of the Charter of The City of San Diego and under no other authority.

Section 24. EFFECTIVE DATE OF ORDINANCE.

This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Clifton E. Reed, Deputy

CER:clh
8/12/69

The franchise service area as referred to in
Section 6 of the attached ordinance is as follows:

Quarter Sections 28, 29, 49, 50, 51, 52, 53,
54, 55, 56, 57, 74, 75, 76, 77, 78, 79, 80,
82, 83 and 100 of Rancho de la Nacion, in the
City of San Diego, County of San Diego, State
of California, according to Map thereof No. 166,
filed in the office of the County Recorder of
said County, all as shown on that map which is
attached as a part of Exhibit "A" on that
letter from South Bay Terraces Antenna System,
Inc., to the Mayor and City Council dated July 14,
1969, on file in the office of the City Clerk
as Document No. 730147.

APPENDIX "A"

Passed and adopted by the Council of The City of San Diego on DEC 30 1969,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 SAN DIEGO, CALIF.

AUTHENTICATED BY: FRANK CURRAN,
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

By Elfa P. Hamel, Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 18 1969, and on DEC 30 1969.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

By Elfa P. Hamel, Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

By _____, Deputy.

(Seal)

Office of the City Clerk, San Diego, California	
Ordinance Number <u>10207</u>	Adopted <u>DEC 30 1969</u>

98

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

AN ORDINANCE ^{IN THE MATTER OF} OF THE CITY OF SAN DIEGO GRANTING THE NONEXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE LINES, WIRES, COAXIAL CABLE AND APPURTENANCES FOR TRANSMITTING, DISTRIBUTING AND SUPPLYING RADIO AND TELEVISION ANTENNA SERVICE ALONG, ACROSS AND UPON THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE SOUTH BAY TERRACES AREA OF SAID CITY OF SAN DIEGO.

ORDINANCE NO. 10207
(NEW SERIES)

AN ORDINANCE OF THE CITY OF SAN DIEGO GRANTING THE NON-EXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE TO LAY AND USE LINES, WIRES, COAXIAL CABLE AND APPURTENANCES FOR TRANSMITTING, DISTRIBUTING AND SUPPLYING RADIO AND TELEVISION ANTENNA SERVICE ALONG, ACROSS AND UPON THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE SOUTH BAY TERRACES AREA OF SAID CITY OF SAN DIEGO.
BE IT ORDAINED, by the Council of The City of San Diego, as follows:
GENERAL

Section 1. CITATION OF ORDINANCE.

This ordinance may be cited as the South Bay Terraces Community Antenna Television Franchise Ordinance.

Section 2. RULES OF CONSTRUCTION.

This ordinance shall be construed liberally in order to effectuate its purposes. Unless otherwise specifically prescribed in this ordinance, the following provisions shall govern its interpretation and construction:

(a) When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number.

(b) Time is of the essence of this ordinance. Grantee shall not be relieved of its obligation to comply promptly with any provision of this ordinance by any failure of City to enforce prompt compliance with any of its provisions.

(c) Any right or power conferred, or duty imposed upon any officer, employee, department or Board of City is subject to transfer by operation of law to any other officer, employee, department or board of City.

(d) Grantee shall have no recourse whatsoever against City for any loss, cost, expense or damage arising out of any provision or requirement of this ordinance or the enforcement thereof.

(e) This ordinance does not relieve Grantee of any requirement of the City Charter or of any ordinance, rule, regulation or specification of City, including, but not limited to, any requirement relating to street work, street excavation permits, undergrounding of utility facilities, including CATV facilities, or the use, removal or relocation of property in streets.

(f) Provisions of this ordinance shall be construed in accordance with Sections 103, 103.1, 104 and 105 of the Charter of The City of San Diego.

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SAN DIEGO, CALIF.

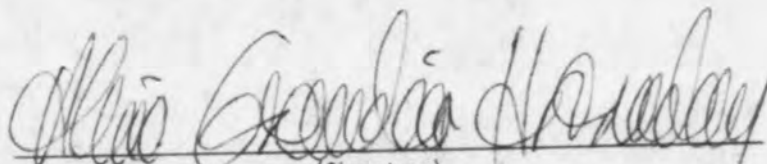
I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am ~~the principal clerk of~~ the printer of said newspaper; that the

ORDINANCE NO. 10207
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

January 8, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on January 8, 1970


(Signature)

Section 3. PURPOSE AND INTENT.
It is the purpose and intent of this ordinance to grant a franchise to engage in the business of operating a community antenna television system in that portion of the City of San Diego known as South Bay Terraces in a service area particularly described in Section 6 of this ordinance. It is the further purpose and intent of this ordinance that the Grantee of the franchise granted by this ordinance provide the citizens of the City of San Diego living in Grantee's service area the best possible community antenna television service consistent with the state of the art at rates reasonable to both Grantee and its subscribers.

Section 4. DEFINITIONS.
Whenever in this ordinance the following words or phrases are used, they shall mean:

- (a) "City" shall mean The City of San Diego, a municipal corporation in the State of California.
- (b) "Council" shall mean the City Council of City.
- (c) "Franchise" shall mean the right and authority granted by this ordinance to Grantee to construct, maintain and operate a CATV system through use of the public streets, other public rights of way or public places in City.
- (d) "Franchise Property" shall mean all property owned, installed or used under authority of this ordinance by Grantee.
- (e) "Grantee" shall mean the person to whom the franchise is granted by this ordinance, and any lawful successor or assignee of the original Grantee.
- (f) "Street" shall mean the surface, the air space above the surface and the area below the surface of any public street, other public right of way or public place.
- (g) "Community Antenna Television System," referred to in this ordinance as "CATV System," shall mean any facility which receives directly or indirectly over the air and amplifies or otherwise modifies the signals transmitting programs broadcast by one or more radio or television stations and distributes such signals by wire or cable to subscribing members of the public who pay for such service. "CATV Service" shall mean any service furnished by a CATV System.
- (h) "Subscriber" shall mean any person or entity receiving for any purpose the CATV service of Grantee.
- (i) "Service Area" shall mean the area within which Grantee is permitted to serve subscribers under the provisions of this ordinance.
- (j) "Total Gross Receipts" shall mean any and all compensation and other consideration collected or received or in any manner gained or derived by Grantee from the operation of its CATV service within the corporate limits of The City of San Diego as such corporate limits now exist or may be established hereafter.
- (k) "Undeveloped Region" shall mean any area in which there exists few or no buildings, streets or other improvements, and in which, in the opinion of the City Manager, the public interest does not require that the coaxial cables of the CATV system be placed underground.
- (l) "Master Antenna Facilities" shall mean that portion of the CATV system consisting of the television receiving antennae and structures necessary to support such antennae in a position to receive television broadcast signals.

Section 5. NATURE AND EXTENT OF GRANT.

The franchise granted by this ordinance to South Bay Terraces Antenna System, Inc., Grantee, constitutes authority to use the public streets, other public rights of way or public places in City, to engage in the business of operating a CATV system within the service area described in Section 6 of this ordinance subject to all of the terms and conditions contained in this ordinance. Pursuant to such authority, until lawfully revoked, Grantee may construct, maintain and operate wires, cables, poles, conduits, manholes and other television conductors and equipment necessary for the maintenance and operation of a CATV system.

Grantee shall not engage in the business of selling television or other receivers which make use of signals transmitted by its system, nor shall Grantee engage in the repair of or sale of parts for such receivers.

Section 6. DESIGNATION OF SERVICE AREA.

The service area referred to in Section 2 of this ordinance is described specifically in Appendix "A," which is attached and hereby incorporated into this ordinance by reference.

Section 7. DURATION OF GRANT.

- (a) The franchise shall become effective on the thirtieth (30th) day after the passage of this ordinance, provided prior to that date Grantee has filed with the City Clerk: (1) a written instrument, addressed to the Council, accepting the franchise and agreeing to comply with all the provisions of this ordinance; (2) a surety bond, cash deposit or deposit in any federal or State of California chartered bank or savings and loan association in accordance with the provisions of Section 19 of this ordinance.
- (b) The term of the franchise shall be fifteen (15) years commencing on the effective date of the franchise as provided in paragraph (a) of this section; provided, that upon written notice given by City or Grantee to the other not less than one year prior to the fifteenth (15th) anniversary of the effective date, the terms and conditions of this ordinance may be subject to renegotiation for a succeeding fifteen (15)-year term. Renegotiations shall be directed toward effecting alterations in the terms and conditions of the franchise in order to reflect those technical and economic changes which have occurred during the interim period. If renegotiation prior to the end of the term of the franchise does not result in agreement between City and Grantee for continuance of the franchise for a succeeding fifteen (15)-year term, the franchise shall terminate without further action by City at the end of its first fifteen (15)-year term.

The franchise may be terminated at any time by the City Council in the event the Council finds, after notice and hearing, that:

- (1) the Grantee fails to comply with any provision of this ordinance;
- (2) any provision of this ordinance becomes invalid or unenforceable and the Council expressly finds that the invalid or unenforceable provision constitutes a consideration material to the grant of the franchise; or
- (3) City purchases the property of Grantee, as provided in the Charter of City; provided, however, that Grantee shall be given thirty (30) days' notice of any termination proceedings.

Section 8. LIMITATIONS UPON GRANT.

- (a) No privilege or exemption is granted or conferred by this ordinance except those specifically prescribed in it.
- (b) The franchise granted by this ordinance is subordinate to any existing public use or any existing franchise or lawful occupancy of any public highway, street, road or other public property for the purpose of erecting, operating and maintaining poles, lines, conduits, cables, gas pipelines and other necessary fixtures used in connection with the purpose of existing franchises or any extension of them.
- (c) The franchise granted by this ordinance is a privilege personal to the original Grantee. It cannot in any event be sold, transferred, leased, assigned, or disposed of as a whole, or in part, either by forced sale, merger, consolidation, by operation of law, or otherwise, without prior consent of City expressed by ordinance, and then only under such conditions as may be prescribed in the consenting ordinance; provided, however, that no such consent shall be required for any transfer in trust, mortgage, or other hypothecation, as a whole, to secure an indebtedness.
- (d) In the event that Grantee is a corporation, prior approval of the City Council, expressed by ordinance, shall be required where ownership or control of more than thirty percent (30%) of the voting stock of Grantee is acquired by a person or group of persons acting in concert, none of whom already own or control thirty percent (30%) or more of the voting stock, singularly or collectively. Any such acquisition occurring without prior approval of the City Council shall constitute a failure to comply with a provision of this ordinance within the meaning of subparagraph (1) of paragraph (b) of Section 7 of this ordinance.

Section 9. RIGHTS RESERVED TO CITY.

- (a) City provides and reserves to itself every right and power which is required to be reserved or provided in this ordinance by any provision of the Charter of City or of any ordinance of City, and Grantee by its acceptance of this franchise agrees to be bound thereby and to comply with any action or requirement of City in its exercise of any such right or power.
- (b) Neither the granting of this franchise nor any provision of this ordinance shall constitute a waiver or bar to the exercise of any governmental right or power of City.

- (c) The franchise granted by this ordinance shall be nonexclusive and neither the granting of the franchise nor any of the provisions contained in this ordinance shall prevent City from granting any identical or similar franchise to any person or corporation other than the Grantee, either within or without the area designated in Section 6.

OPERATION OF SERVICE.

Section 10. ESTABLISHMENT OF SERVICE.

Installation of a CATV system shall be commenced within one hundred eighty (180) days after the effective date of this ordinance and extensions and service pursued with due diligence thereafter. Failure to commence within one hundred eighty (180) days and diligently to pursue to completion shall be grounds for termination of the franchise.

Section 11. ABANDONMENT OF SERVICE.

(a) After Grantee has established service pursuant to this ordinance in the franchise area, such service shall not be suspended or abandoned in the whole or of any part of the service area unless the suspension or abandonment is authorized by the City Council.

(b) Whenever Grantee shall file with the City Council a written application alleging that the public interest, convenience and necessity no longer require that Grantee furnish service pursuant to this ordinance in the whole or in any part of the service area, the City Council, at a public hearing, shall take evidence upon that question and shall make a finding with respect to it. Notice of the hearing shall be given by Grantee in writing to each subscriber in the part of the service area in question at least fifteen (15) days prior to the date scheduled for the hearing. If the City Council shall find that the public interest, convenience and necessity no longer require that Grantee furnish service, the City Council, after hearing as provided herein, shall authorize suspension or abandonment of service upon such reasonable terms and conditions as may be prescribed by the City Council.

Section 12. REGULATION OF RATES AND SERVICE.

(a) The City Council shall have the power and right at all times for the duration of the franchise granted by this ordinance to require Grantee to conform to reasonable rules and regulations now or hereafter adopted by the City Council, including the power to regulate and establish reasonable rates and charges by Grantee for services rendered under this ordinance. The establishment of such rules and regulations shall be discretionary with the City Council.

(b) Grantee shall:

- (1) produce a picture, whether in black and white or in color, that is undistorted, free from ghost images, and accompanied with proper sound on typical standard production television receiver sets in good repair, and as good as the state of the art allows;
- (2) provide, maintain and operate facilities which deliver signals of adequate strength to produce good pictures with good sound at all outlets without causing cross-modulation in the cables or interfering with other electrical or electronic systems;
- (3) limit failure to a minimum by locating and correcting malfunctions promptly, but in no event longer than twenty-four (24) hours after notice;
- (4) upon complaint by a subscriber, make a demonstration satisfactory to the City Manager that a signal is being delivered which is of sufficient strength and quality to meet the standards set forth in this paragraph;
- (5) render efficient service, making repairs promptly and interrupting service only for good cause and for the shortest time possible; such interruptions insofar as possible shall be preceded by notice given to subscribers twenty-four (24) hours in advance and shall occur during periods of minimum use of the system;
- (6) maintain an office in the service area described in Section 6 of this ordinance, which office shall be open during all the usual business hours, have a telephone number listed in the directories of The Pacific Telephone and Telegraph Company for the San Diego and North San Diego County extended areas, and be so operated that complaints and requests for repairs or adjustments may be received at any time.
- (c) Grantee shall operate the CATV system authorized by this ordinance twenty-four (24) hours per day, seven (7) days per week.

Section 13. UNDERGROUND SYSTEM.

(a) The CATV system to be installed under authority of this ordinance shall be placed underground in all subdivisions which are subject to the provisions of paragraph 7, Section 102.0221 of the San Diego Municipal Code, except as otherwise provided in this section.

(b) Where facilities are required to be installed underground, Grantee may place aboveground the master antenna facilities necessary to operate the system; provided, however, that irrespective of whether the system is above or underground, no master antenna facilities shall be placed in any street.

(c) With approval of the City Manager, expressed in writing, Grantee may place coaxial cables aboveground in undeveloped regions of the service area. The City Manager, in writing, at his sole discretion, may withdraw such permission at any time, after giving Grantee 30 days' notice of his intention to do so.

(d) Under no circumstances may the City Manager grant permission to place aboveground in any street any portion of the CATV system authorized by this ordinance and required by Section 102.0221 of the San Diego Municipal Code to be constructed underground.

STREET WORK

Section 14. LOCATION OF FRANCHISE PROPERTY.

Franchise property shall be constructed or installed only at such locations and in such manner as shall be approved by the City Engineer, acting in the exercise of reasonable discretion.

Section 15. REMOVAL OR ABANDONMENT OF FRANCHISE PROPERTY.

(a) In the event that (1) the use of any franchise property is discontinued for any reason for a continuous period of twelve (12) months, (2) franchise property has been installed in any street or other dedicated public right of way without complying with the requirements of this ordinance, or (3) the franchise has been terminated, cancelled or has expired, Grantee, at its expense, shall remove promptly from the street all franchise property other than any which the City Engineer may permit to be abandoned in place. In the event of any such removal, Grantee shall promptly restore to a condition satisfactory to the City Engineer the street or other dedicated public right of way or other public places in City from which the franchise property has been removed.

(b) Franchise property to be abandoned in place shall be abandoned in the manner prescribed by the City Engineer. Upon permanent abandonment of any franchise property in place, Grantee shall submit to the City Manager an instrument, satisfactory in form to the City Attorney, transferring to City the ownership of the franchise property abandoned.

Section 16. CHANGES REQUIRED BY PUBLIC IMPROVEMENTS.

Grantee shall, at its expense, protect, support, temporarily disconnect, relocate in the same street, alley, or public place, or remove from any street, alley or public place, any franchise property when required by the City Engineer by reason of traffic conditions, public safety, street vacation, freeway and street construction, change or establishment of street grade, installation of sewers, drains, water pipes, power lines, signal lines, and tracks or any other type of structures or improvements including but not limited to placing such structures and improvements underground by governmental agencies when acting in a governmental or proprietary capacity, or any other structures or public improvements; provided, however, that Grantee shall in all such cases have the privileges and be subject to the obligations to abandon franchise property in place, as provided in Section 15.

Section 17. FAILURE TO PERFORM STREET WORK.

Upon failure of Grantee to commence, pursue or complete any work required by law or by the provisions of this ordinance to be done in any street, within the time prescribed and to the satisfaction of the City Engineer, the City Engineer may, at his option, cause such work to be done and the Grantee shall pay to the City the cost thereof in the itemized amounts reported by the City Engineer to Grantee, within thirty (30) days after receipt of such itemized report.

COMPENSATION AND GUARANTEE TO THE CITY

Section 18. ANNUAL PAYMENTS TO THE CITY.

(a) By its acceptance of this franchise, Grantee agrees to pay to City annually in lawful money of the United States three percent (3%) of the total gross receipts collected or received, or in any manner gained or derived by Grantee in each calendar year, or portion thereof, during the term of this franchise, from the properties, operations and business referred to in Section 5 of this ordinance.

(b) Checks for all such payments shall be made payable to the City Treasurer, and shall be submitted to the City Treasurer on or before March 1 of each year for the previous calendar year or portion thereof.

(c) Each payment shall be accompanied by a statement, in duplicate, verified by Grantee or by a general officer or other duly authorized representative of Grantee, showing in such form and detail as the City Manager may require from time to time the facts material to a determination of the amount due.

(d) The payment made to the City by Grantee pursuant to this section for any calendar year shall be in lieu of any license, fee or business tax prescribed by City for the same period, but only to the extent of such payment.

(e) The amount of the annual payment to the City to be made by Grantee in accordance with this section is subject to renegotiation under the terms of paragraph (b) of Section 7 of this ordinance.

Section 19. FAITHFUL PERFORMANCE BOND.

Grantee shall, within the period specified in paragraph (a) of Section 7, file with the City Clerk and, at all times thereafter, maintain in full force and effect an acceptable corporate surety bond, in the amount of FIVE THOUSAND DOLLARS (\$5,000), effective for the entire term of the franchise granted by this ordinance, and conditioned that in the event Grantee shall fail to comply with any one or more of the provisions of this ordinance, then there shall be recoverable jointly and severally from the principal and surety of such bond any damages suffered by City as a result thereof, including the full amount of any compensation, indemnification, or cost of removal or abandonment of property as prescribed by Sections 15, 18 or 20 of this ordinance which may be in default, up to the full amount of the bond; the condition to be a continuing obligation for the duration of the franchise granted by this ordinance and thereafter until Grantee has liquidated all of its obligations with City that may have arisen from the acceptance of the franchise by Grantee or from its exercise of any privilege herein granted. In lieu of said bond Grantee may deposit cash with The City of San Diego or in a federal or State of California bank or savings and loan association in the name of The City of San Diego, but with interest reserved to the Grantee, on terms and conditions approved by the City Attorney.

Neither the provisions of this section, any bond accepted by City pursuant thereto nor any damages recovered by City thereunder, nor any withdrawal from any cash deposit shall be construed to excuse faithful performance by Grantee or to limit the liability of Grantee under this ordinance or for damages, either to the full amount of the bond or otherwise.

Section 20. INDEMNIFICATION TO CITY.

Grantee shall indemnify City, its officers and its employees, against all claims, demands, actions, suits and proceedings by others and against all liability to others, and against any loss, cost and expense resulting therefrom, including reasonable attorneys' fees, arising out of the exercise or enjoyment of the franchise granted by this ordinance, irrespective of the amount of the bond designated in Section 19.

Section 21. INSPECTION OF PROPERTY AND RECORDS.

(a) At all reasonable times Grantee shall permit examination by any duly authorized representative of the City Manager, City Engineer or the City Auditor of all franchise property, together with any appurtenant property of Grantee situated within or without the City. Grantee shall also permit any duly authorized representative of the City Manager, City Engineer or the City Auditor to examine and transcribe any and all maps and other records kept or maintained by Grantee or under its control concerning the operations, affairs, transactions or property of Grantee. If any of such maps or records are not kept in the City, or upon reasonable request made available in the City, and if the City Manager, City Engineer or the City Auditor shall determine that an examination of such maps or records is necessary or appropriate to the performance of any of their duties, then all travel and maintenance expense necessarily incurred in making such examination shall be paid by Grantee.

(b) Grantee shall prepare and furnish to the City Manager, City Engineer or the City Auditor, at the times and in the form prescribed by the City Manager, City Engineer or the City Auditor, such reports with respect to its operations, affairs, transactions or property as may be reasonably necessary or appropriate to the performance of any of the duties of the City Manager, City Engineer or the City Auditor in connection with this ordinance. Such reports may include, but are not limited to, a complete set of records and plans of all facilities as finally installed within the franchise service area.

Section 22. FILINGS AND COMMUNICATION WITH REGULATORY AGENCIES.

Copies of all petitions, applications and communications of all types submitted by Grantee to the Federal Communications Commission, Securities and Exchange Commission, California Public Utilities Commission, or any other Federal or State regulatory commission or agency having jurisdiction over any matter affecting operation of Grantee's CATV system shall be submitted simultaneously to the City by delivery to the City Clerk who shall advise interested City departments of such filing. A copy of each document filed with the City Clerk in accordance with this section shall be delivered to the City Attorney.

Section 23. FRANCHISE GRANTED UNDER AUTHORITY OF CHARTER.

Notwithstanding any other provisions contained herein, this franchise is granted solely and exclusively under Sections 103, 103.1, 104 and 105 of the Charter of The City of San Diego and under no other authority.

Section 24. EFFECTIVE DATE OF ORDINANCE.

This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPENDIX "A"

The franchise service area as referred to in Section 6 of the attached ordinance is as follows:

Quarter Sections 28, 29, 49, 50, 51, 52, 53, 54, 55, 56, 57, 74, 75, 76, 77, 78, 79, 80, 82, 83 and 100 of Rancho de la Nacion, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 166, filed in the office of the County Recorder of said County, all as shown on that map which is attached as a part of Exhibit "A" on that letter from South Bay Terraces Antenna System, Inc., to the Mayor and City Council dated July 14, 1969, on file in the office of the City Clerk as Document No. 730147.

Passed and adopted by the Council of The City of San Diego on December 30, 1969, by the following vote:

YEAS—Councilmen: Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, Curran.

NAYS—Councilmen: None.

ABSENT—Councilmen: None.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California,
By ELFA F. HAMEL,
Deputy.

(SEAL)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on December 18, 1969, and on December 30, 1969.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California,
By ELFA F. HAMEL,
Deputy.

(SEAL)

Published Jan. 8, 1970

V-163

ORDINANCE NO. 10208
(New Series)

AN ORDINANCE ADDING ANNEXED TERRITORY, DESIGNATED AS MISSION SAN DIEGO DE ALCALA TRACT NO. 2 ANNEXATION, TO COUNCIL DISTRICT NO. 5, PURSUANT TO THE PROVISIONS OF SECTION 5, ARTICLE II OF THE CITY CHARTER.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the area designated as MISSION SAN DIEGO DE ALCALA TRACT NO. 2 ANNEXATION in Resolution No. 198708, adopted DEC 18 1969, is hereby added to Council District No. 5, heretofore shown and delineated on that certain map showing the boundary line of said district, as contained in Document No. 727206 on file in the office of the City Clerk of said City, and which district was defined and which map was approved by Ordinance No. 9984 (New Series), of the Ordinances of The City of San Diego, adopted February 27, 1969.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on DEC 30 1969
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 CITY CLERK'S OFFICE
 1969 DEC 12 PM 4:02
 SAN DIEGO, CALIF.

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 18 1969, and on DEC 30 1969.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

~~I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.~~

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10208** Adopted **DEC 30 1969**

JH

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE ADDING ANNEXED TERRITORY, DESIGNATED AS MISSION SAN DIEGO DE ALCALA TRACT NO. 2 ANNEXATION, TO COUNCIL DISTRICT NO. 5, PURSUANT TO THE PROVISIONS OF SECTION 5, ARTICLE II OF THE CITY CHARTER

ORDINANCE NO. 10208
(NEW SERIES)

AN ORDINANCE ADDING ANNEXED TERRITORY, DESIGNATED AS MISSION SAN DIEGO DE ALCALA TRACT NO. 2 ANNEXATION, TO COUNCIL DISTRICT NO. 5, PURSUANT TO THE PROVISIONS OF SECTION 5, ARTICLE II OF THE CITY CHARTER.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That the area designated as MISSION SAN DIEGO DE ALCALA TRACT NO. 2 ANNEXATION in Resolution No. 198708, adopted December 18, 1969, is hereby added to Council District No 5, heretofore shown and delineated on that certain map showing the boundary line of said district, as contained in Document No. 727206 on file in the office of the City Clerk of said City, and which district was defined and which map was approved by Ordinance No. 9984 (New Series), of the Ordinances of The City of San Diego, adopted February 27, 1969.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on December 18, 1969.
Passed and adopted by the Council of The City of San Diego on December 30, 1969.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Jan. 8, 1970 V-164

RECEIVED
CITY CLERK'S OFFICE
1970 JAN 12 PM 2:02
SAN DIEGO, CALIF.

I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10208
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

January 8, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on January 8, 1970

Aline Grandier Hornaday
(Signature)

4/4" \$17.00

ORDINANCE NO. 10209
(New Series)

AN ORDINANCE INCORPORATING LOTS 3 THROUGH 15, BLOCK 55, PARADISE HILLS UNIT NO. 3, IN THE CITY OF SAN DIEGO, CALIFORNIA INTO R-2 ZONE, AS DEFINED BY SECTION 101.0409 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 7785 (NEW SERIES), ADOPTED MARCH 6, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, Lots 3 through 15, Block 55, Paradise Hills Unit No. 3, in the City of San Diego, California, designated "R-2" on Zone Map Drawing No. B-27 are subdivided and a final subdivision map or maps there duly recorded and within such subdivision or subdivisions provision is made for the installation of public utilities and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0409 of the Municipal Code shall attach and become applicable to the subdivided land and the said subdivided land shall be incorporated into R-2 Zone, as described by Section 101.0409 of the boundary of such zone to be as indicated on Zone Map Drawing No. B-2204.1, filed in the office of the City Clerk, Ordinance No. 730404. Said zoning shall attach only to the land included in the subdivision map or maps recorded and shown in this section.

Section 2. That in the event the zoning Ordinance No. 730404 shall attach to the said subdivided land described in this ordinance, Ordinance No. 7785 (New Series), adopted March 6, 1958, of the Ordinances of The City of San Diego and it is hereby repealed insofar as it

CORRECTION

**The foregoing document is
rephotographed to insure legibility.**

ORDINANCE NO. _____
(New Series)

10209

AN ORDINANCE INCORPORATING LOTS 3 THROUGH 15, BLOCK 55, PARADISE HILLS UNIT NO. 3, IN THE CITY OF SAN DIEGO, CALIFORNIA INTO R-2 ZONE, AS DEFINED BY SECTION 101.0409 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 7785 (NEW SERIES), ADOPTED MARCH 6, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, Lots 3 through 15, Block 55, Paradise Hills Unit No. 3, in the City of San Diego, California, designated "R-2" on Zone Map Drawing No. B-2204.1, are subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0409 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-2 Zone, as described by Section 101.0409, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2204.1, filed in the office of the City Clerk as Document No. 730404. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 7785 (New Series), adopted March 6, 1958, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

DEC 30 1969

Passed and adopted by the Council of The City of San Diego on
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1969 DEC 24 AM 9:35
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on
DEC 18 1969, and on DEC 30 1969

I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10209** Adopted DEC 30 1969

OLD LANGUAGE - Crossed out
NEW LANGUAGE - Underlined

SHOWS CHANGE OF LANGUAGE
ADOPTED BY THE FOLLOWING
ORDINANCE NO. 10210 (N.S.).

SEC. 23.0802 PERMANENT APPOINTMENT
(Section 2, Rule VII of the Rules of The Civil
Service Commission)

(4) A permanent employee ~~who-is-being-promoted~~
~~from~~ appointed from a promotional eligible list shall
serve a probationary period of six months of active
duty in the position from the date of such promotion,
except that a permanent employee who is appointed to
Police Sergeant from a promotional eligible list shall
serve a probationary period of one year of active duty
in the position from the date of such promotion.

ORDINANCE NO. 10210
(New Series)

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO RULE VII OF THE RULES OF THE CIVIL SERVICE COMMISSION BY AMENDING SECTION 2, AND AMENDING CHAPTER II, ARTICLE 3, DIVISION 8 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 23.0802 RELATING TO PROBATIONARY PERIOD FOR POLICE SERGEANTS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Rule VII of the Rules of the Civil Service Commission and Chapter II, Article 3, Division 8, Section 23.0802 of the San Diego Municipal Code be, and the same are hereby amended to read as follows:

SEC. 23.0802 PERMANENT APPOINTMENT
(Section 2, Rule VII of the Rules of The Civil Service Commission)

Appointment of a person to a position established without limitation as to duration of employment, following his successful completion of the appropriate probationary period hereinafter prescribed, shall be considered a permanent appointment, and said person shall be considered a permanent employee.

(1) The probationary period shall be regarded as a significant part of the examination process for permanent appointment. This period shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his job, and for taking the appropriate action prescribed below whenever, in the opinion

of the appointing authority, any employee does not meet required employment standards.

(a) A permanent employee who does not meet employment standards during the probationary period following promotion shall be returned to his previous position or class during said promotional probationary period, without a hearing.

(b) An employee who has not attained permanent status in any class, and who does not meet employment standards during his probationary period shall be discharged without a hearing; provided that upon recommendation of the appointing authority, the Personnel Director may approve demotion of the employee to an appropriate class, with the understanding that the employee shall commence a new probationary period.

(2) Any person other than a permanent employee being promoted within the same department and occupational group, who accepts appointment to a permanent position from an open eligible list, shall serve a probationary period of one year of active duty in the position from the date of his employment in the permanent position.

(3) A permanent employee who is being promoted within the same department and occupational group from an open eligible list shall serve a probationary period of six months of active duty in the position from the date of such promotion.

(4) A permanent employee appointed from a promotional eligible list shall serve a probationary period of six months of active duty in the position from the date of such promotion, except that a permanent employee who is appointed to Police Sergeant from a promotional eligible list shall serve a probationary period of one year of active duty in the position from the date of such promotion.

(5) It shall be the duty of the appointing authority, during the probationary period of each employee in the Classified Service, to investigate thoroughly the efficiency, conduct, and integrity of such employees, and to determine whether or not he shall be retained in the City service in the class to which he has been appointed.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By R. Thomas Harris
R. Thomas Harris, Deputy

RTH:clh
11/12/69

Passed and adopted by the Council of The City of San Diego on DEC 30 1969,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 23 1969, and on DEC 30 1969.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance
Number

10210

Adopted

DEC 30 1969

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE APPROVING AND ADOPTING AN AMEND-
MENT TO RULE VII OF THE RULES OF THE CIVIL
SERVICE COMMISSION BY AMENDING SECTION 2, AND
AMENDING CHAPTER II, ARTICLE 3, DIVISION 8 OF
THE SAN DIEGO MUNICIPAL CODE BY AMENDING SEC-
TION 23.0802 RELATING TO PROBATIONARY PERIOD
FOR POLICE SERGEANTS

RECEIVED
CITY CLERK'S OFFICE
1970 JAN 12 PM 2:02
SAN DIEGO, CALIF.

ORDINANCE NO. 10210
(NEW SERIES)

AN ORDINANCE APPROVING AND ADOPTING AN AMENDMENT TO RULE VII OF THE RULES OF THE CIVIL SERVICE COMMISSION BY AMENDING SECTION 2, AND AMENDING CHAPTER II, ARTICLE 3, DIVISION 8 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 23.0802 RELATING TO PROBATIONARY PERIOD FOR POLICE SERGEANTS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Rule VII of the Rules of the Civil Service Commission and Chapter II, Article 3, Division 8, Section 23.0802 of the San Diego Municipal Code be, and the same are hereby amended to read as follows:

SEC. 23.0802 PERMANENT APPOINTMENT

(Section 2, Rule VII of the Rules of The Civil Service Commission)

Appointment of a person to a position established without limitation as to duration of employment, following his successful completion of the appropriate probationary period hereinafter prescribed, shall be considered a permanent appointment, and said person shall be considered a permanent employee.

(1) The probationary period shall be regarded as a significant part of the examination process for permanent appointment. This period shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to his job, and for taking the appropriate action prescribed below whenever, in the opinion of the appointing authority, any employee does not meet required employment standards.

(a) A permanent employee who does not meet employment standards during the probationary period following promotion shall be returned to his previous position or class during said promotional probationary period, without a hearing.

(b) An employee who has not attained permanent status in any class, and who does not meet employment standards during his probationary period shall be discharged without a hearing; provided that upon recommendation of the appointing authority, the Personnel Director may approve demotion of the employee to an appropriate class, with the understanding that the employee shall commence a new probationary period.

(2) Any person other than a permanent employee being promoted within the same department and occupational group, who accepts appointment to a permanent position from an open eligible list, shall serve a probationary period of one year of active duty in the position from the date of his employment in the permanent position.

(3) A permanent employee who is being promoted within the same department and occupational group from an open eligible list shall serve a probationary period of six months of active duty in the position from the date of such promotion.

(4) A permanent employee appointed from a promotional eligible list shall serve a probationary period of six months of active duty in the position from the date of such promotion, except that a permanent employee who is appointed to Police Sergeant from a promotional eligible list shall serve a probationary period of one year of active duty in the position from the date of such promotion.

(5) It shall be the duty of the appointing authority, during the probationary period of each employee in the Classified Service, to investigate thoroughly the efficiency, conduct, and integrity of such employees, and to determine whether or not he shall be retained in the City service in the class to which he has been appointed.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.
Introduced on December 23, 1969.
Passed and adopted by the Council of The City of San Diego on December 30, 1969.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Jan. 8, 1970

V-165

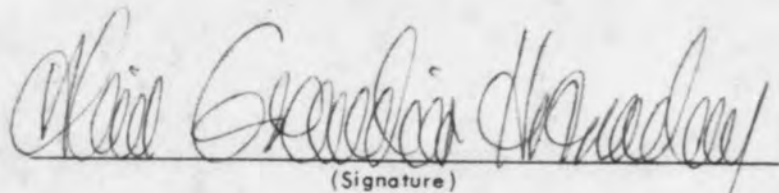
I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal ~~owner~~ printer of said newspaper; that the

ORDINANCE NO. 10210
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

January 8, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on January 8, 1970


(Signature)

ORDINANCE NO. 10211
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF THE SOUTH-EAST 1/4 OF SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 15 SOUTH, RANGE 3 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA INTO M-1A ZONE, AS DEFINED BY SECTION 101.0436 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8018 (NEW SERIES), ADOPTED DECEMBER 9, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

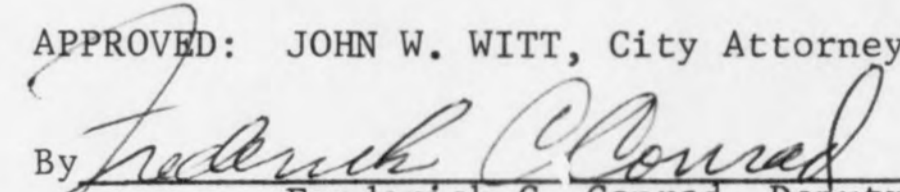
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of the Southeast 1/4 of Southeast 1/4 of Section 1, Township 15 South, Range 3 West, S.B.B.M., in the City of San Diego, California, designated "M-1A" on Zone Map Drawing No. B-2179, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0436 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into M-1A Zone, as described by Section 101.0436, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2179, filed in the office of the City Clerk as Document No. 730243. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 6 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1969 DEC 23 PM 1:42
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 30 1969, and on JAN 6 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10211 Adopted JAN 6 1970

ORDINANCE NO. 10212
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF LOT 48, PARTITION OF RANCHO EX-MISSION, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO A-1-10 AS DEFINED BY SECTION 101.0404, R-3 AS DEFINED BY SECTION 101.0411, AND FC AS DEFINED BY SECTIONS 101.0402, 101.0402.1 AND 101.0402.2, OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 9896 (NEW SERIES) ADOPTED OCTOBER 30, 1968, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That a portion of Lot 48, Partition of Rancho Ex-Mission, in the City of San Diego, California, within the boundaries of that certain 1.1 acre unzoned area, shown on that certain Zone Map Drawing No. B-2212, filed in the office of the City Clerk as Document No. 730249, which area was proposed to be zoned A-1-10 be, and the same is hereby incorporated into A-1-10 Zone as defined by Section 101.0404 of the San Diego Municipal Code. Provided however, that if within two years of the effective date of this ordinance the said described area is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the said subdivided land shall be incorporated into R-3 Zone as described by Section 101.0411 of the San Diego Municipal Code. Said R-3 Zoning shall attach only to those areas included in the subdivision map or maps.

Section 2. That a portion of Lot 48, Partition of Rancho Ex-Mission, in the City of San Diego, California, within the boundaries of that certain 1.4 acre unzoned area, shown on that certain Zone Map Drawing No. B-2212, filed in the office of the City Clerk as Document No. 730249, which area was proposed to

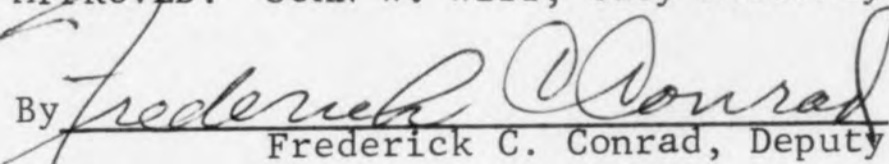
be zoned FC be, and the same is hereby incorporated into FC Zone as defined by Sections 101.0402, 101.0402.1 and 101.0402.2 of the San Diego Municipal Code.

Section 3. That a portion of Lot 48, Partition of Rancho Ex-Mission, in the City of San Diego, California, within the boundaries of that certain 4.3 acre area zoned A-1-10, shown on that certain Zone Map Drawing No. B-2212, filed in the office of the City Clerk as Document No. 730249 be, and the same is hereby incorporated into R-3 Zone as defined by Section 101.0404 of the San Diego Municipal Code.

Section 4. That Ordinance No. 9896 (New Series) adopted October 30, 1968, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as it conflicts with Section 3 of this Ordinance.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 6 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1969 DEC 24 AM 8:22
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa D. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 30 1969, and on JAN 6 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa D. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance
Number

10212

Adopted JAN 6 1970

ORDINANCE NO. 10213
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF PARCEL "A" MISSION VALLEY PROFESSIONAL CENTER, IN THE CITY OF SAN DIEGO, CALIFORNIA INTO C-1A ZONE, AS DEFINED BY SECTION 101.0431 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 1947 (NEW SERIES), ADOPTED OCTOBER 1, 1940, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

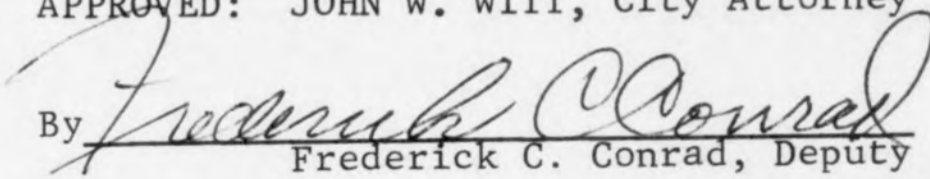
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Parcel "A," Mission Valley Professional Center, in the City of San Diego, California, designated "C-1A" on Zone Map Drawing No. B-2218, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into C-1A Zone, as described by Section 101.0431, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2218, filed in the office of the City Clerk as Document No. 730251. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 1947 (New Series), adopted October 1, 1940, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 6 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1969 DEC 23 PM 1:42
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on DEC 30 1969, and on JAN 6 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10213** Adopted JAN 6 1970

ORDINANCE NO. 10214
(New Series)

ORDINANCE AMENDING CHAPTER VI, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISIONS 9 THROUGH 17 RELATING TO THE
ESTABLISHMENT OF UTILITY IMPROVEMENT
DISTRICTS WITHIN THE CITY.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Chapter VI, Article 1, of the San Diego
Municipal Code be amended by adding Divisions 9 through 17
to read as follows:

DIVISION 9: UTILITY IMPROVEMENT DISTRICTS -
ESTABLISHMENT - INTENT AND PURPOSE

SEC. 61.0901 STATEMENT OF POLICY

The Council hereby finds that in order to provide
an orderly means for installing public works, improve-
ments and facilities in areas within the City, it is
necessary for the City to exercise the powers it has
by virtue of being a home rule city and to provide for
a procedure for the formation of improvement districts
within the City and for the issuance of bonds by the
City on behalf of such improvement districts, said
procedure to be an alternative to any others provided
by, under or pursuant to the Charter of the City and
the general laws of the state. The works, improve-
ments and facilities which may be acquired, constructed,
completed, repaired and financed pursuant to the pro-
visions of this ordinance shall consist of: (i) works,
improvements and facilities for the collection, treat-
ment and disposal of sewage; (ii) works, improvements
and facilities for the production, treatment and
distribution of water; and (iii) works, improvements
and facilities for such other utility services as the

City may now or hereafter have the power to provide.

SEC. 61.0902 CITATION

This Ordinance, consisting of Divisions 9 through 17 of Article 1, Chapter VI, of the San Diego Municipal Code, may be cited as the San Diego Utility Improvement Districts Procedural Ordinance.

DIVISION 10: UTILITY IMPROVEMENT DISTRICTS -
FORMATION

SEC. 61.1001 RESOLUTION FOR FORMATION

Whenever the Council deems it necessary to form an improvement district within the City and to issue bonds which shall be special obligations of and be issued on behalf of such improvement district, for the acquisition, construction, completion, repair or financing of any or all works, improvements and facilities referred to in Division 9 of this ordinance, the Council shall by resolution declare its intention to form an improvement district and to issue such bonds.

SEC. 61.1002 CONTENTS OF RESOLUTION: INTENTION
TO FORM DISTRICT

The resolution of intention shall state that the Council intends to form an improvement district of any portion of the City, which in the opinion of the Council will be benefited by the acquisition and construction of certain improvements and to incur bonded indebtedness by the issuance of bonds on behalf of such improvement district.

SEC. 61.1003 RESOLUTION: PURPOSE OF DEBT: AMOUNT:
PROPERTY TAXABLE TO PAY DEBT

The resolution of intention shall also state:

(a) The purposes for which the proposed bonds are to be issued which may include any or all of the purposes stated in Division 9 hereof.

10214

(b) The estimated cost of the accomplishment of such purposes and the amount of bonds to be issued therefor, which may include incidental expenses, including without limitation, engineering, appraisal, legal fees, land and rights-of-way acquisition, reserve funds and expenses of financing the district and expenses of all proceedings for the authorization, issuance and sale of the bonds.

(c) That the bonds shall not be general obligations of the City, nor shall the credit of the City or the property or revenue of any public utility owned by the City be pledged for the payment thereof; and that the bonds shall be special obligations of and be issued on behalf of the improvement district; and that taxes for the payment of the interest on the bonds and the principal thereof shall be levied exclusively upon the taxable land in the improvement district.

(d) The maximum interest rate which the bonds may bear, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1004 RESOLUTION: DESCRIPTION OF IMPROVEMENT:
MAP OF DISTRICT: AVAILABILITY FOR
INSPECTION

The resolution of intention shall also state that such resolution, together with a general description of the proposed improvement and a map showing the exterior

boundaries of the proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1005 RESOLUTION: TIME AND PLACE OF HEARING:
WHO MAY BE HEARD

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the formation and extent of the proposed improvement district, the proposed improvement, the estimated cost and the amount of bonds to be issued.

(b) That at the time and place specified in the resolution any person interested will be heard; and that any holder of title to taxable land within the proposed improvement district may file with the City Clerk at any time prior to the time set for the hearing thereon written protest to the formation of the proposed improvement district.

SEC. 61.1006 NOTICE OF HEARING: PUBLICATION:
POSTING: MAILING

Notice of the hearing shall be given by publishing a copy of the resolution of intention once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. Such notice shall also be given by posting a copy of the resolution of intention in three (3) public places within the proposed improvement district at least fifteen (15) days before the time fixed for the hearing. Such notice shall also be given by mailing a copy of said resolution of intention at least fifteen (15) days before the time fixed for the

hearing to each holder of title to taxable land within the proposed improvement district as such ownership is shown on the last equalized county assessment roll. The City Clerk shall cause all the above notices to be given.

SEC. 61.1007 TIME AND PLACE: WHO MAY APPEAR:
CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the questions set forth in the resolution of intention. The Council shall hear and pass upon all written protests filed by the holders of title to taxable land within the proposed improvement district. Such protests must be in writing, must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The hearing may be continued from time to time by the Council.

SEC. 61.1008 CHANGES: PURPOSE OF DEBT: AMOUNT:
BOUNDARIES

The Council may change the purposes for which the proposed bonds are to be issued, the estimated cost, or the amount of the bonds. The Council may also change the boundaries of the proposed improvement district, but not so as to include any territory which will not, in its judgment, be benefited by the proposed improvement.

SEC. 61.1009 NOTICE OF INTENTION TO MAKE CHANGE:
PUBLICATION: POSTING: CONTENTS

The purposes, estimated cost, or amount of bonds to be issued or the boundaries of the proposed improvement district shall not be changed by the Council except after adoption by the Council of a resolution declaring its intention to order changes and fixing a time and place for a hearing on said changes. The resolution shall be published, posted and mailed in the same manner as set forth in Section 61.1006 of this Division 10. The resolution shall state the purposes, estimated cost and debt as originally proposed, and as changed if such is the case, and that the exterior boundaries as originally proposed, and as changed if such is the case, are set forth on maps on file with the City Clerk and that the map showing the boundaries as changed, shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1010 HEARING ON CHANGE: WHO MAY APPEAR:
CONTINUANCE

At the time and place fixed in the resolution of intention to make changes the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the matters contained in the resolution. Written protests to the proposed changes may be filed with the City Clerk by the holder of title to taxable land within the proposed improvement district at any time up to the hour set for hearing on said proposed changes. The hearing may be continued from time to time by the Council.

SEC. 61.1011 PROTESTS BY HOLDERS OF TITLE TO
ONE-HALF OF VALUE OF TAXABLE LAND:
RESOLUTION OF NECESSITY TO INCUR DEBT:
CONTENTS

If written protests are filed by the holders of title to one-half of the value of the taxable land within the proposed improvement district, as shown by the last equalized assessment roll of the county, prior to the hearing on the resolution of intention or prior to the hearing on any proposed changes with respect thereto, and if there remain on file protests representing one-half of the value of such taxable land at the time the Council has concluded the hearing on said resolution of intention and any hearing on proposed changes with respect thereto, further proceedings shall not be taken and the Council shall declare the proceedings abandoned. If such protests do not remain on file at the conclusion of said hearing or hearings, the Council shall by resolution determine whether or not it is deemed necessary to form the improvement district and issue bonds which shall be special obligations of and be issued on behalf of the improvement district. If the Council determines that it is necessary to form the improvement district and issue bonds, the resolution shall also state, in accordance with the prior proceedings:

(a) The purposes for which the proposed bonds are to be issued.

(b) The estimated cost of the accomplishment of such purposes and the amount of the proposed bonds.

(c) That the exterior boundaries of the portion of the City which will be benefited by the accomplishment of the purpose are set forth on a

map on file with the City Clerk, which map shall govern for all details as to the extent of the improvement district.

(d) That such portion of the City set forth on the map shall thereupon constitute and be known by the name designated in the resolution.

SEC. 61.1012 DISAPPROVAL OF FORMATION RESOLUTION
FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to constitute the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the formation.

SEC. 61.1013 EFFECTIVE DATE: EFFECT OF DETERMINATIONS
IN RESOLUTION

From and after the date the City Council adopts the resolution forming the improvement district, the area named therein shall constitute the improvement district within the City bearing the name set forth in the resolution. The determinations made in the resolution forming the improvement district shall be final and conclusive.

SEC. 61.1014 EFFECT OF FORMATION ON ELECTION PROCEEDINGS
AND TAX LEVY

After the formation of the improvement district pursuant to this ordinance, the Council may, by resolution, at such time or times as it deems proper, issue bonds on behalf of the improvement district, and thereafter all proceedings shall be limited and shall apply only to the improvement district, and taxes for the payment of the bonds and the interest thereon shall be levied exclusively upon the taxable land in the improvement district.

DIVISION 11: UTILITY IMPROVEMENT DISTRICTS -
ISSUANCE AND SALE OF BONDS

SEC. 61.1101 ISSUANCE BY COUNCIL RESOLUTION

The Council may, by resolution, at such time or times as it deems proper, issue bonds which shall be special obligations of and be issued on behalf of the improvement district for the whole or any part of the total amount authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear until the full amount of such bonds authorized has been issued.

SEC. 61.1102 SERIES OF BONDS, DIFFERENT MATURITY
DATES: MAXIMUM TERM OF SERIES

The full amount of the authorized bonds may be divided into two or more series and different dates fixed for the bonds of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed forty (40) years from the date of the series.

SEC. 61.1103 FORM OF BONDS AND COUPONS: TIME OF
PRINCIPAL PAYMENTS

The Council shall, by resolution, prescribe the form of the bonds and of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five (5) years from the date of the bonds or the date of the bonds of each series, respectively.

SEC. 61.1104 INTEREST RATE: PAYMENT DATES

The bonds shall bear interest at a rate or rates not to exceed the rate specified in the resolution of

intention, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1105 CALL AND REDEMPTION BEFORE MATURITY:
PROVISION IN BOND

The Council may provide for the call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect.

SEC. 61.1106 DENOMINATION

The denomination of the bonds shall be stated in the resolution providing for their issuance.

SEC. 61.1107 PLACE OF PAYMENT

The principal and interest on the bonds shall be payable in lawful money of the United States at the office of the Treasurer of the City or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

SEC. 61.1108 FORM OF BONDS: DATE: NUMBER: SIGNING
AND COUNTERSIGNING: SEAL: MECHANICAL
REPRODUCTION OF SIGNATURES

The bonds shall be dated, numbered consecutively, signed by the Mayor and Treasurer of the City, countersigned by the City Clerk, and the official seal of the City impressed, imprinted or reproduced thereon. The interest coupons of the bonds shall be signed by the Treasurer. All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of the signatures or countersignatures to the bonds shall be manually affixed.

SEC. 61.1109 BONDS OF IMPROVEMENT DISTRICTS:
STATEMENT OF LIMITATION ON LEVY

The bonds shall be special obligations of and be issued on behalf of the improvement district, and shall be designated in accordance with the prior proceedings. Each bond shall state, in substance, that the bond is not a general obligation of the City, nor is the credit of the City or the property or revenue of any public utility owned by the City pledged for its payment; and that the bond is a special obligation of and is issued on behalf of the improvement district; and that taxes levied for the payment of the interest thereon and principal thereof shall be levied exclusively upon the taxable land in the improvement district.

SEC. 61.1110 BIDS FOR BONDS: SALE TO HIGHEST
RESPONSIBLE BIDDER: REJECTION OF BIDS:
READVERTISEMENT: PRIVATE SALE

The bonds shall be sold for such price or prices as the Council in its discretion shall determine, which may be at or less than the par value thereof. Before selling the bonds or any part thereof, the City shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded by resolution to the highest responsible bidder. If no bids are received, or if the Council determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

SEC. 61.1111 PAYMENT OF PROCEEDS INTO CITY TREASURY:
SPECIAL IMPROVEMENT FUNDS: EXPENDITURE
FOR PURPOSE OF DEBT: APPLICATION OF
SURPLUS ON ACCOMPLISHMENT OF PURPOSE

The proceeds from the sale of bonds, except for

premium and accrued interest, if any, shall be paid into the treasury of the City, placed to the credit of a special improvement fund, and expended only for the purpose for which the indebtedness was created. When such purpose has been accomplished, any monies remaining in the special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Premium and accrued interest, if any, shall be paid into the treasury and placed to the credit of the fund to be used for the payment of the principal of and interest on the bonds.

SEC. 61.1112 INTEREST PAID FROM BOND PROCEEDS:
MAXIMUM LIMITATION

Interest on the bonds coming due before the proceeds of a tax levied at the next general tax levy after the sale of the bonds are available, and interest on any bonds coming due before the expiration of one year following completion of the acquisition and construction of the works and improvements for which the bonds were issued, may be paid from the proceeds of the sale of the bonds.

DIVISION 12: UTILITY IMPROVEMENT DISTRICTS -
LEVY OF TAX TO PAY PRINCIPAL AND
INTEREST ON BONDS

SEC. 61.1201 PAYMENT OF PRINCIPAL AND INTEREST

At the time of making the general tax levy after the issuance of the bonds and annually thereafter until the bonds are paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on the bonds as they become due, the Council shall cause a tax to be levied exclusively upon the land in the improvement

district sufficient to pay the interest on the bonds and such part of the principal as will become due before the proceeds of such a tax levied at the next general tax levy will be available. Such tax shall be levied and collected at the same time as other City taxes, and shall be used only for the payment of interest on and principal of the bonds. Taxes for the payment of such bonds shall constitute a lien on all of the taxable land within the improvement district. Such liens shall be of the same force and effect as other liens for City taxes and their collection may be enforced by the same means as provided for the enforcement of liens for other City taxes.

Nothing in this section shall be deemed to prevent the City Council from using any funds of the City which are attributable to the district for payment of such principal and interest, and to the extent that such funds are in the treasury set apart for that purpose, the tax required by this section need not be levied. For purposes of this section the phrase "funds of the City which are attributable to the district" shall only mean grants from other governmental agencies to the City on behalf of the district or revenues raised by operation of the facilities constructed under this ordinance within the district including, but not limited to connection fees, to the extent that said revenues are legally available.

DIVISION 13: UTILITY IMPROVEMENT DISTRICTS -
ANNEXATION BY PETITION

SEC. 61.1301 AUTHORIZATION: CONTIGUITY OF PARCELS
TO BE ANNEXED

Any portion of the City contiguous to an improvement district thereof may be annexed to such improvement district in the manner provided in this ordinance.

SEC. 61.1302 PETITION FOR ANNEXATION: FORM:
FILING

Annexation proceedings may be initiated by petition. A petition, which may consist of any number of separate instruments, shall be filed with the City Clerk.

SEC. 61.1303 SIGNATURES REQUIRED

A petition shall be signed by the holders of title to at least sixty percent (60%) of the area of land in the portion proposed to be annexed to the improvement district, which land shall have an assessed valuation of not less than fifty percent (50%) of the land proposed to be annexed.

SEC. 61.1304 CONTENTS OF PETITION: DESCRIPTION OF
AREA: MAP: TERMS AND CONDITIONS:
PRAYER

The petition for annexation shall contain all of the following:

(a) A description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the area proposed to be annexed.

(b) The terms and conditions upon which petitioners wish the proposed area to be annexed.

(c) A prayer that the Council declare such area to be annexed to the improvement district.

SEC. 61.1305 REIMBURSEMENT OF CITY FOR EXPENSES:
CHECK ACCOMPANYING PETITION

The petition for annexation shall be accompanied by a certified check payable to the order of the City

Treasurer in such amount as may be estimated by the City Clerk as being sufficient to reimburse the City for the expenses of processing and publishing the petition and preparing and making the filings required by law.

SEC. 61.1306 EXAMINATION OF PETITION

Within twenty (20) days of the date of the filing of the petition for annexation, the City Clerk shall examine the petition and determine whether it is signed by the required number of holders of title.

SEC. 61.1307 CERTIFICATE OF RESULT OF EXAMINATION

When the City Clerk has completed his examination of the petition for annexation, he shall attach to it his certificate, properly dated, showing the result of such examination.

SEC. 61.1308 CERTIFICATES OF SUFFICIENCY AND INSUFFICIENCY

If the City Clerk finds from the examination that the petition for annexation is signed by the requisite number of holders of title, he shall certify that the petition is sufficient and shall present the petition to the Council for preliminary approval. If he finds it is not so signed, he shall certify that the petition is insufficient.

SEC. 61.1309 CERTIFICATE OF INSUFFICIENCY:
SUPPLEMENTAL PETITIONS

If the City Clerk certifies in his certificate that the petition for annexation is insufficient, the petition may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate.

SEC. 61.1310 EXAMINATION OF SUPPLEMENTAL PETITIONS:
CERTIFICATES

Within twenty (20) days after the filing of any

supplemental petition or petitions, the City Clerk shall examine them and certify to the result of such examination as provided in Sections 61.1306 to 61.1308, inclusive. If the City Clerk certifies that the petition, together with the supplemental petition, or petitions, as the case may be, is sufficient, he shall present same to the Council for preliminary approval.

SEC. 61.1311 NOTICE OF HEARING ON PETITION:
PUBLICATION: POSTING: MAILING

After the Council has given its preliminary approval by resolution to the petition, together with such supplemental petition or petitions as have been filed, if any, the City Clerk shall cause the publication, posting and mailing as provided in Sections 61.1312 to 61.1315, inclusive, be accomplished without delay. *lm*

SEC. 61.1312 PUBLICATION OF PETITION FOR ANNEXATION:
NOTICE OF TIME AND PLACE OF MEETING

The text of the petition for annexation shall be published once at least ten (10) days prior to the time at which it is to be presented to the Council, in the City Official Newspaper, together with a notice setting the time and place of the meeting at which the petition will be presented. If the petition is contained upon one or more instruments, only one copy of the petition need be published.

SEC. 61.1313 PUBLICATION OF SIGNATURES

No more than five (5) of the names attached to the petition for annexation need appear in the publication of the petition and notice, but the number of signers shall be stated.

SEC. 61.1314 POSTING OF PETITION AND NOTICE

The petition and notice shall also be posted in

three (3) public places in the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1315 MAILING OF PETITION AND NOTICE

The petition and notice shall also be mailed at least fifteen (15) days prior to the hearing to each holder of title to land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1316 HEARING ON PETITION: WHO MAY APPEAR:
CONTINUANCE

The Council shall proceed to hear the petition at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1317 DETERMINATION OF BENEFITS: RESOLUTION
APPROVING ANNEXATION: CONTENTS OF
RESOLUTION

At the conclusion of the hearing, if the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve the annexation and the terms and conditions thereof.

The resolution shall describe the annexed territory, which shall be made by reference to a map on file

with the City Clerk, which map shall govern for all details as to the extent of the annexed area.

SEC. 61.1318 DISAPPROVAL OF ANNEXATION RESOLUTION
FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to be annexed to the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the annexation.

SEC. 61.1319 EFFECTIVE DATE OF ANNEXATION

On and after the date the Council adopts the resolution approving the annexation, the area named therein is added to and forms a part of the improvement district.

SEC. 61.1320 TAXABILITY OF ANNEXED AREA: LIABILITY
FOR OUTSTANDING DEBT

The land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation as if the annexed area had always been a part of the improvement district.

SEC. 61.1321 ENFORCEMENT OF TERMS AND CONDITIONS
OF ANNEXATION

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 14: UTILITY IMPROVEMENT DISTRICTS -
ANNEXATION INITIATED BY THE COUNCIL

SEC. 61.1401 RESOLUTION FOR ANNEXATION TO IMPROVEMENT
DISTRICT: CONTIGUITY OF AREA TO BE
ANNEXED

The Council by resolution may initiate proceedings for the annexation of territory within the City contiguous

to an improvement district to such improvement district.

SEC. 61.1402 CONTENTS OF RESOLUTION

The resolution proposing annexation shall:

(a) Declare that proceedings have been initiated by the Council pursuant to this ordinance to annex territory within the City to an improvement district and the name of the improvement district involved.

(b) State the reason for proposing the annexation.

(c) Set forth a description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk which map shall govern for all details as to the extent of the area proposed to be annexed.

(d) State the terms and conditions of the annexation.

(e) State that the holders of title to any of the land sought to be annexed may file with the City Clerk, at any time prior to the hearing, written protests to the annexation or the annexation upon such terms and conditions.

(f) Fix the time and place of a meeting at which the Council will receive written protests that have heretofore been filed with the City Clerk and hear from any and all persons interested in the proposed annexation.

SEC. 61.1403 PUBLICATION OF ANNEXATION RESOLUTION

The City Clerk shall cause the text of the resolution proposing annexation to be published once at least ten (10) days prior to the time of hearing in the City Official Newspaper.

SEC. 61.1404 POSTING OF ANNEXATION RESOLUTION

The City Clerk shall also cause a copy of the resolution proposing annexation to be posted in three (3) public places within the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1405 MAILING OF RESOLUTION

The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1406 HEARING ON RESOLUTION: WHO MAY APPEAR:
CONTINUANCE

The Council shall proceed with the hearing at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1407 EFFECT OF PROTESTS BY OWNERS OF ONE-HALF
OF VALUE OF TERRITORY TO BE ANNEXED

If, prior to the hearing, written protests have been filed by the holders of title to one-half of the value of the taxable land proposed to be annexed as shown by the last equalized county assessment roll, and have not been withdrawn as provided in Section 61.1408 hereof, further proceedings shall not be taken, and the Council shall terminate the annexation proceedings by a resolution so stating.

SEC. 61. 1408 DETERMINATION OF BENEFITS: RESOLUTION
OF APPROVAL OF ANNEXATION: CONTENTS OF
RESOLUTION

Any written protest may be withdrawn at any time prior to the conclusion of the hearing by the person or

persons who have filed same. If at the conclusion of the hearing there remain on file written protests, if any, which represent less than one-half of the value of the taxable land proposed to be annexed, and, if at the conclusion of the hearing the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve such annexation.

The resolution shall describe the territory annexed which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area. The resolution shall also state the terms and conditions of annexation as theretofore determined by resolution of the Council.

SEC. 61.1409 DISAPPROVAL OF ANNEXATION RESOLUTION
FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that either the area proposed to be annexed to the improvement district will not be benefited thereby or that the improvement district to which the area is proposed to be annexed will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove such annexation.

SEC. 61.1410 EFFECTIVE DATE OF ANNEXATION

On and after the date the City Council adopts the resolution approving the annexation, the area described therein is added to and forms a part of the improvement district.

SEC. 61.1411 TAXABILITY OF ANNEXED AREA: LIABILITY
FOR DEBT OUTSTANDING AT TIME OF
ANNEXATION

The taxable land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation, as if the annexed area had always been a part of the improvement district.

SEC. 61.1412 ENFORCEMENT OF TERMS AND CONDITIONS

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 15: UTILITY IMPROVEMENT DISTRICTS -
EXCLUSION OF TERRITORY

SEC. 61.1501 INITIATION OF PROCEEDINGS

Proceedings to exclude territory from an improvement district formed pursuant to this ordinance may be initiated by the Council upon its own motion, or shall be initiated by the Council upon receipt of a petition for exclusion filed with the City Clerk and signed by not less than the holders of title to at least sixty percent (60%) of the taxable land in the portion proposed to be excluded from the improvement district, which taxable land shall have an assessed valuation of not less than fifty percent (50%) of the taxable land proposed to be excluded, which states reasons such exclusion will be beneficial to the City, the improvement district and the territory to be excluded.

SEC. 61.1502 RESOLUTION OF INTENTION

Upon adoption of said motion to initiate exclusion proceedings or upon receipt of said petition for exclusion, the Council shall adopt a resolution of intention to exclude which shall state:

(a) The method by which said exclusion proceedings were initiated, by motion of the Council or by petition of holders of title to land.

(b) That the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but that taxes for any indebtedness of or for the improvement district contracted following such exclusion will not be levied upon land in the excluded territory following such exclusion.

(c) That following such exclusion, the taxable land in the territory remaining in said improvement district shall continue to be taxed to provide funds for the purposes of said improvement district.

SEC. 61.1503 RESOLUTION: STATEMENT AS TO MAP OF TERRITORY: MAP TO GOVERN DETAILS

The resolution of intention to exclude shall also state that a map showing the exterior boundaries of the proposed territory to be excluded, with relation to the territory remaining in said improvement district, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed exclusion.

SEC. 61.1504 RESOLUTION: STATEMENT AS TO
HEARING

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the proposed exclusion and the effect of such exclusion upon the City, the improvement district and the territory to be excluded.

(b) That at such time and place any person interested will be heard.

SEC. 61.1505 NOTICE OF HEARING

The City Clerk shall cause notice of the hearing to be given by publishing a copy of the resolution of intention to exclude once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution of intention to exclude to be posted in three (3) public places within the area proposed to be excluded and within the affected improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1506 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place so fixed in the resolution of intention to exclude, the Council shall proceed with the hearing. At the hearing, any person interested may appear and present any matters material to the questions set forth in the resolution of intention to exclude. The hearing may be continued from time to time by the Council.

SEC. 61.1507 RESOLUTION AS TO EXCLUSION

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary or desirable to exclude said territory. If so, the resolution shall also state:

(a) The reasons why such exclusion is necessary or desirable.

(b) That the exterior boundaries of the improvement district following such exclusion are set forth on a map on file with the City Clerk, which map shall govern all details as to the extent of said improvement district.

SEC. 61.1508 FINALITY OF DECISION

The determinations made in the resolution of exclusion shall be final and conclusive.

SEC. 61.1509 TAXATION AFTER EXCLUSION

After the exclusion of territory from the improvement district pursuant to this division, the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied, to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but all taxes for any indebtedness of or for the improvement district contracted following such exclusion shall be levied exclusively upon the taxable property remaining in the improvement district.

SEC. 61.1510 EFFECTIVE DATE OF EXCLUSION

On and after the date the City Council adopts the resolution of exclusion, the territory named therein shall be excluded from and no longer form a part of the improvement district.

DIVISION 16: UTILITY IMPROVEMENT DISTRICTS -
DISSOLUTION BY COUNCIL

SEC. 61.1601 RESOLUTION OF INTENTION TO DISSOLVE

Whenever the Council deems it necessary for any improvement district formed pursuant to this ordinance to be dissolved, it shall by resolution declare its intention to dissolve the improvement district.

SEC. 61.1602 CONTENTS OF RESOLUTION

The resolution of intention shall state:

(a) The reason why the improvement district should be dissolved.

(b) That no bonds have been issued for the improvement district or are outstanding and that no other indebtedness or liability of or for the improvement district is outstanding.

(c) That a map showing the exterior boundaries of the improvement district with relation to the territory immediately contiguous thereto is on file with the City Clerk and is available for inspection by any person or persons interested.

(d) The time and place for a hearing by the Council on the question of the dissolution of the improvement district.

(e) That at such time and place any person interested, including all holders of title to property in the City or in the improvement district, will be heard.

SEC. 61.1603 NOTICE OF HEARING: PUBLICATION OF
RESOLUTION: POSTING OF RESOLUTION

The City Clerk shall cause a copy of the resolution to be published once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution

to be posted in three (3) public places within the improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause a copy of the resolution to be mailed at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1604 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the proposed dissolution. The hearing may be continued from time to time by the Council.

SEC. 61.1605 RESOLUTION DETERMINING NECESSITY OF DISSOLUTION: BOUNDARIES: EFFECT OF DETERMINATIONS

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary to dissolve the improvement district. If so, the resolution shall state that the exterior boundaries of the improvement district are set forth on a map on file with the City Clerk and shall declare the improvement district dissolved. The determinations so made shall be final and conclusive.

SEC. 61.1606 EFFECTIVE DATE OF DISSOLUTION

When the resolution declaring an improvement district dissolved is adopted by the City Council, the dissolution of such improvement district is complete.

DIVISION 17: UTILITY IMPROVEMENT DISTRICTS -
MISCELLANEOUS

SEC. 61.1701 DEFINITION: LAST EQUALIZED COUNTY
ASSESSMENT ROLL

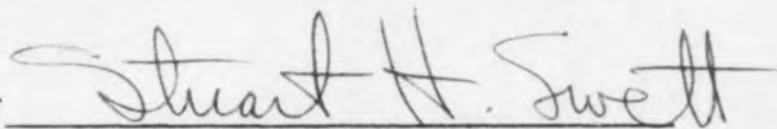
The term, "last equalized county assessment roll," as used in this ordinance means the entire assessment roll for San Diego County as defined and determined by the provisions of Chapter 3 of Part 3 of Division 1 of the Revenue and Taxation Code of the State of California.

SEC. 61.1702 SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this ordinance or the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Stuart H. Swett
Deputy City Attorney

Passed and adopted by the Council of The City of San Diego on JAN 20 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1969 DEC 30 PM 4:15
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 6 1970, and on JAN 20 1970.

I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal) By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal) By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10214 Adopted JAN 20 1970

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
ORDINANCE AMENDING CHAPTER VI, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISIONS 9 THROUGH 17 RELATING TO THE ES-
TABLISHMENT OF UTILITY IMPROVEMENT DISTRICTS
WITHIN THE CITY.

RECEIVED
CITY CLERK'S OFFICE
1970 JAN 30 PM 3:45
SAN DIEGO, CALIF.

ORDINANCE NO. 10214
(NEW SERIES)

ORDINANCE AMENDING CHAPTER VI, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISIONS 9 THROUGH 17 RELATING TO THE ESTABLISHMENT OF UTILITY IMPROVEMENT DISTRICTS WITHIN THE CITY.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter VI, Article 1, of the San Diego Municipal Code be amended by adding Divisions 9 through 17 to read as follows:

DIVISION 9: UTILITY IMPROVEMENT DISTRICTS — ESTABLISHMENT — INTENT AND PURPOSE
SEC. 61.0901 STATEMENT OF POLICY

The Council hereby finds that in order to provide an orderly means for installing public works, improvements and facilities in areas within the City, it is necessary for the City to exercise the powers it has by virtue of being a home rule city and to provide for a procedure for the formation of improvement districts within the City and for the issuance of bonds by the City on behalf of such improvement districts, said procedure to be an alternative to any others provided by, under or pursuant to the Charter of the City and the general laws of the state. The works, improvements and facilities which may be acquired, constructed, completed, repaired and financed pursuant to the provisions of this ordinance shall consist of: (i) works, improvements and facilities for the collection, treatment and disposal of sewage; (ii) works, improvements and facilities for the production, treatment and distribution of water; and (iii) works, improvements and facilities for such other utility services as the City may now or hereafter have the power to provide.

SEC. 61.0902 CITATION
This ordinance, consisting of Divisions 9 through 17 of Article 1, Chapter VI, of the San Diego Municipal Code, may be cited as the San Diego Utility Improvement Districts Procedural Ordinance.

DIVISION 10: UTILITY IMPROVEMENT DISTRICTS — FORMATION
SEC. 61.1001 RESOLUTION FOR FORMATION

Whenever the Council deems it necessary to form an improvement district within the City and to issue bonds which shall be special obligations of and be issued on behalf of such improvement district, for the acquisition, construction, completion, repair or financing of any or all works, improvements and facilities referred to in Division 9 of this ordinance, the Council shall by resolution declare its intention to form an improvement district and to issue such bonds.

SEC. 61.1002 CONTENTS OF RESOLUTION: INTENTION TO FORM DISTRICT

The resolution of intention shall state that the Council intends to form an improvement district of any portion of the City, which in the opinion of the Council will be benefited by the acquisition and construction of certain improvements and to incur bonded indebtedness by the issuance of bonds on behalf of such improvement district.

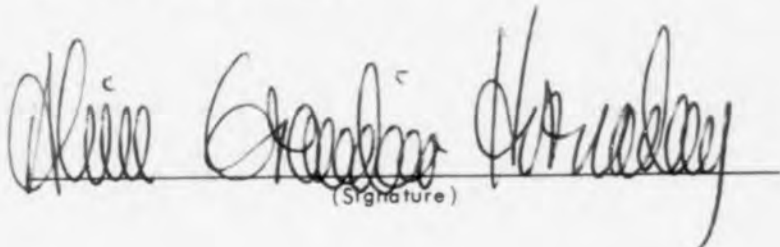
I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10214
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

January 29, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on January 29, 1970


(Signature)

117 5/8" \$470.50

SEC. 61.1003 RESOLUTION: PURPOSE OF DEBT: AMOUNT: PROPERTY TAXABLE TO PAY DEBT

The resolution of intention shall also state:

(a) The purposes for which the proposed bonds are to be issued which may include any or all of the purposes stated in Division 9 hereof.

(b) The estimated cost of the accomplishment of such purposes and the amount of bonds to be issued therefor, which may include incidental expenses, including without limitation, engineering, appraisal, legal fees, land and rights-of-way acquisition, reserve funds and expenses of financing the district and expenses of all proceedings for the authorization, issuance and sale of the bonds.

(c) That the bonds shall not be general obligations of the City, nor shall the credit of the City or the property or revenue of any public utility owned by the City be pledged for the payment thereof; and that the bonds shall be special obligations of and be issued on behalf of the improvement district; and that taxes for the payment of the interest on the bonds and the principal thereof shall be levied exclusively upon the taxable land in the improvement district.

(d) The maximum interest rate which the bonds may bear, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1004 RESOLUTION: DESCRIPTION OF IMPROVEMENT: MAP OF DISTRICT: AVAILABILITY FOR INSPECTION

The resolution of intention shall also state that such resolution, together with a general description of the proposed improvement and a map showing the exterior boundaries of the proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1005 RESOLUTION: TIME AND PLACE OF HEARING: WHO MAY BE HEARD

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the formation and extent of the proposed improvement district, the proposed improvement, the estimated cost and the amount of bonds to be issued.

(b) That at the time and place specified in the resolution any person interested will be heard; and that any holder of title to taxable land within the proposed improvement district may file with the City Clerk at any time prior to the time set for the hearing thereon written protest to the formation of the proposed improvement district.

SEC. 61.1006 NOTICE OF HEARING: PUBLICATION: POSTING: MAILING

Notice of the hearing shall be given by publishing a copy of the resolution of intention once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. Such notice shall also be given by posting a copy of the resolution of intention in three (3) public places within the proposed improvement district at least fifteen (15) days before the time fixed for the hearing. Such notice shall also be given by mailing a copy of said resolution of intention at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the proposed improvement district as such ownership is shown on the last equalized county assessment roll. The City Clerk shall cause all the above notices to be given.

SEC. 61.1007 TIME AND PLACE: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the questions set forth in the resolution of intention. The Council shall hear and pass upon all written protests filed by the holders of title to taxable land within the proposed improvement district. Such protests must be in writing, must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The hearing may be continued from time to time by the Council.

SEC. 61.1008 CHANGES: PURPOSE OF DEBT: AMOUNT: BOUNDARIES

The Council may change the purposes for which the proposed bonds are to be issued, the estimated cost, or the amount of the bonds. The Council may also change the boundaries of the proposed improvement district, but not so as to include any territory which will not, in its judgment, be benefited by the proposed improvement.

SEC. 61.1009 NOTICE OF INTENTION TO MAKE CHANGE: PUBLICATION: POSTING: CONTENTS

The purposes, estimated cost, or amount of bonds to be issued or the boundaries of the proposed improvement district shall not be changed by the Council except after adoption by the Council of a resolution declaring its intention to order changes and fixing a time and place for a hearing on said changes. The resolution shall be published, posted and mailed in the same manner as set forth in Section 61.1006 of this Division 10. The resolution shall state the purposes, estimated cost and debt as originally proposed, and as changed if such is the case, and that the exterior boundaries as originally proposed, and as changed if such is the case, are set forth on maps on file with the City Clerk and that the map showing the boundaries as changed, shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1010 HEARING ON CHANGE: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention to make changes the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the matters contained in the resolution. Written protests to the proposed changes may be filed with the City Clerk by the holder of title to taxable land within the proposed improvement district at any time up to the hour set for hearing on said proposed changes. The hearing may be continued from time to time by the Council.

SEC. 61.1011 PROTESTS BY HOLDERS OF TITLE TO ONE-HALF OF VALUE OF TAXABLE LAND: RESOLUTION OF NECESSITY TO INCUR DEBT: CONTENTS

If written protests are filed by the holders of title to one-half of the value of the taxable land within the proposed improvement district, as shown by the last equalized assessment roll of the county, prior to the hearing on the resolution of intention or prior to the hearing on any proposed changes with respect thereto, and if there remain on file protests representing one-half of the value of such taxable land at the time the Council has concluded the hearing on said resolution of intention and any hearing on proposed changes with respect thereto, further proceedings shall not be taken and the Council shall declare the proceedings abandoned. If such protests do not remain on file at the conclusion of said hearing or hearings, the Council shall by resolution determine whether or not it is deemed necessary to form the improvement district and issue bonds which shall be special obligations of and be issued on behalf of the improvement district. If the Council determines that it is necessary to form the improvement district and issue bonds, the resolution shall also state, in accordance with the prior proceedings:

(a) The purposes for which the proposed bonds are to be issued.

(b) The estimated cost of the accomplishment of such purposes and the amount of the proposed bonds.

(c) That the exterior boundaries of the portion of the City which will be benefited by the accomplishment of the purpose are set forth on a map on file with the City Clerk, which map shall govern for all details as to the extent of the improvement district.

(d) That such portion of the City set forth on the map shall thereupon constitute and be known by the name designated in the resolution.

SEC. 61.1012 DISAPPROVAL OF FORMATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to constitute the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the formation.

SEC. 61.1013 EFFECTIVE DATE: EFFECT OF DETERMINATIONS IN RESOLUTION

From and after the date the City Council adopts the resolution forming the improvement district, the area named therein shall constitute the improvement district within the City bearing the name set forth in the resolution. The determinations made in the resolution forming the improvement district shall be final and conclusive.

SEC. 61.1014 EFFECT OF FORMATION ON ELECTION PROCEEDINGS AND TAX LEVY

After the formation of the improvement district pursuant to this ordinance, the Council may, by resolution, at such time or times as it deems proper, issue bonds on behalf of the improvement district, and thereafter all proceedings shall be limited and shall apply only to the improvement district, and taxes for the payment of the bonds and the interest thereon shall be levied exclusively upon the taxable land in the improvement district.

DIVISION 11: UTILITY IMPROVEMENT DISTRICTS — ISSUANCE AND SALE OF BONDS

SEC. 61.1101 ISSUANCE BY COUNCIL RESOLUTION

The Council may, by resolution, at such time or times as it deems proper, issue bonds which shall be special obligations of and be issued on behalf of the improvement district for the whole or any part of the total amount authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear until the full amount of such bonds authorized has been issued.

SEC. 61.1102 SERIES OF BONDS, DIFFERENT MATURITY DATES: MAXIMUM TERM OF SERIES

The full amount of the authorized bonds may be divided into two or more series and different dates fixed for the bonds of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed forty (40) years from the date of the series.

SEC. 61.1103 FORM OF BONDS AND COUPONS: TIME OF PRINCIPAL PAYMENTS

The Council shall, by resolution, prescribe the form of the bonds and of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five (5) years from the date of the bonds or the date of the bonds of each series, respectively.

SEC. 61.1104 INTEREST RATE: PAYMENT DATES

The bonds shall bear interest at a rate or rates not to exceed the rate specified in the resolution of intention, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1105 CALL AND REDEMPTION BEFORE MATURITY: PROVISION IN BOND

The Council may provide for the call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect.

SEC. 61.1106 DENOMINATION

The denomination of the bonds shall be stated in the resolution providing for their issuance.

SEC. 61.1107 PLACE OF PAYMENT

The principal and interest on the bonds shall be payable in lawful money of the United States at the office of the Treasurer of the City or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

SEC. 61.1108 FORM OF BONDS: DATE: NUMBER: SIGNING AND COUNTERSIGNING: SEAL: MECHANICAL REPRODUCTION OF SIGNATURES

The bonds shall be dated, numbered consecutively, signed by the Mayor and Treasurer of the City, countersigned by the City Clerk, and the official seal of the City impressed, imprinted or reproduced thereon. The interest coupons of the bonds shall be signed by the Treasurer. All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of the signatures or countersignatures to the bonds shall be manually affixed.

SEC. 61.1109 BONDS OF IMPROVEMENT DISTRICTS: STATEMENT OF LIMITATION ON LEVY

The bonds shall be special obligations of and be issued on behalf of the improvement district, and shall be designated in accordance with the prior proceedings. Each bond shall state, in substance, that the bond is not a general obligation of the City, nor is the credit of the City or the property or revenue of any public utility owned by the City pledged for its payment; and that the bond is a special obligation of and is issued on behalf of the improvement district; and that taxes levied for the payment of the interest thereon and principal thereof shall be levied exclusively upon the taxable land in the improvement district.

SEC. 61.1110 BIDS FOR BONDS: SALE TO HIGHEST RESPONSIBLE BIDDER: REJECTION OF BIDS: READVERTISEMENT: PRIVATE SALE

The bonds shall be sold for such price or prices as the Council in its discretion shall determine, which may be at or less than the par value thereof. Before selling the bonds or any part thereof, the City shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded by resolution to the highest responsible bidder. If no bids are received, or if the Council determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

SEC. 61.1111 PAYMENT OF PROCEEDS INTO CITY TREASURY: SPECIAL IMPROVEMENT FUNDS: EXPENDITURE FOR PURPOSE OF DEBT: APPLICATION OF SURPLUS ON ACCOMPLISHMENT OF PURPOSE

The proceeds from the sale of bonds, except for premium and accrued interest, if any, shall be paid into the treasury of the City, placed to the credit of a special improvement fund, and expended only for the purpose for which the indebtedness was created. When such purpose has been accomplished, any monies remaining in the special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Premium and accrued interest, if any, shall be paid into the treasury and placed to the credit of the fund to be used for the payment of the principal of and interest on the bonds.

SEC. 61.1112 INTEREST PAID FROM BOND PROCEEDS: MAXIMUM LIMITATION

Interest on the bonds coming due before the proceeds of a tax levied at the next general tax levy after the sale of the bonds are available, and interest on any bonds coming due before the expiration of one year following completion of the acquisition and construction of the works and improvements for which the bonds were issued, may be paid from the proceeds of the sale of the bonds.

DIVISION 12: UTILITY IMPROVEMENT DISTRICTS — LEVY OF TAX TO PAY PRINCIPAL AND INTEREST ON BONDS

SEC. 61.1201 PAYMENT OF PRINCIPAL AND INTEREST

At the time of making the general tax levy after the issuance of the bonds and annually thereafter until the bonds are paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on the bonds as they become due, the Council shall cause a tax to be levied exclusively upon the land in the improvement district sufficient to pay the interest on the bonds and such part of the principal as will become due before the proceeds of such a tax levied at the next general tax levy will be available. Such tax shall be levied and collected at the same time as other City taxes, and shall be used only for the payment of interest on and principal of the bonds. Taxes for the payment of such bonds shall constitute a lien on all of the taxable land within the improvement district. Such liens shall be of the same force and effect as other liens for City taxes and their collection may be enforced by the same means as provided for the enforcement of liens for other City taxes.

Nothing in this section shall be deemed to prevent the City Council from using any funds of the City which are attributable to the district for payment of such principal and interest, and to the extent that such funds are in the treasury set apart for that purpose, the tax required by this section need not be levied. For purposes of this section the phrase "funds of the City which are attributable to the district" shall only mean grants from other governmental agencies to the City on behalf of the district or revenues raised by operation of the facilities constructed under this ordinance within the district including, but not limited to connection fees, to the extent that said revenues are legally available.

DIVISION 13: UTILITY IMPROVEMENT DISTRICTS — ANNEXATION BY PETITION

SEC. 61.1301 AUTHORIZATION: CONTIGUITY OF PARCELS TO BE ANNEXED

Any portion of the City contiguous to an improvement district thereof may be annexed to such improvement district in the manner provided in this ordinance.

SEC. 61.1302 PETITION FOR ANNEXATION: FORM: FILING

Annexation proceedings may be initiated by petition. A petition, which may consist of any number of separate instruments, shall be filed with the City Clerk.

SEC. 61.1303 SIGNATURES REQUIRED

A petition shall be signed by the holders of title to at least sixty percent (60%) of the area of land in the portion proposed to be annexed to the improvement district, which land shall have an assessed valuation of not less than fifty percent (50%) of the land proposed to be annexed.

SEC. 61.1304 CONTENTS OF PETITION: DESCRIPTION OF AREA: MAP: TERMS AND CONDITIONS: PRAYER

The petition for annexation shall contain all of the following:

(a) A description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the area proposed to be annexed.

(b) The terms and conditions upon which petitioners wish the proposed area to be annexed.

(c) A prayer that the Council declare such area to be annexed to the improvement district.

SEC. 61.1305 REIMBURSEMENT OF CITY FOR EXPENSES: CHECK ACCOMPANYING PETITION

The petition for annexation shall be accompanied by a certified check payable to the order of the City Treasurer in such amount as may be estimated by the City Clerk as being sufficient to reimburse the City for the expenses of processing and publishing the petition and preparing and making the filings required by law.

SEC. 61.1306 EXAMINATION OF PETITION

Within twenty (20) days of the date of the filing of the petition for annexation, the City Clerk shall examine the petition and determine whether it is signed by the required number of holders of title.

SEC. 61.1307 CERTIFICATE OF RESULT OF EXAMINATION

When the City Clerk has completed his examination of the petition for annexation, he shall attach to it his certificate, properly dated, showing the result of such examination.

SEC. 61.1308 CERTIFICATES OF SUFFICIENCY AND INSUFFICIENCY

If the City Clerk finds from the examination that the petition for annexation is signed by the requisite number of holders of title, he shall certify that the petition is sufficient and shall present the petition to the Council for preliminary approval. If he finds it is not so signed, he shall certify that the petition is insufficient.

SEC. 61.1309 CERTIFICATE OF INSUFFICIENCY: SUPPLEMENTAL PETITIONS

If the City Clerk certifies in his certificate that the petition for annexation is insufficient, the petition may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate.

SEC. 61.1310 EXAMINATION OF SUPPLEMENTAL PETITIONS: CERTIFICATES

Within twenty (20) days after the filing of any supplemental petition

or petitions, the City Clerk shall examine them and certify to the result of such examination as provided in Sections 61.1306 to 61.1308, inclusive. If the City Clerk certifies that the petition, together with the supplemental petition, or petitions, as the case may be, is sufficient, he shall present same to the Council for preliminary approval.

SEC. 61.1311 NOTICE OF HEARING ON PETITION: PUBLICATION: POSTING: MAILING

After the Council has given its preliminary approval by resolution to the petition, together with such supplemental petition or petitions as have been filed, if any, the City Clerk shall cause the publication, posting and mailing as provided in Sections 61.1312 to 61.1315, inclusive, to be accomplished without delay.

SEC. 61.1312 PUBLICATION OF PETITION FOR ANNEXATION: NOTICE OF TIME AND PLACE OF MEETING

The text of the petition for annexation shall be published once at least ten (10) days prior to the time at which it is to be presented to the Council, in the City Official Newspaper, together with a notice setting the time and place of the meeting at which the petition will be presented. If the petition is contained upon one or more instruments, only one copy of the petition need be published.

SEC. 61.1313 PUBLICATION OF SIGNATURES

No more than five (5) of the names attached to the petition for annexation need appear in the publication of the petition and notice, but the number of signers shall be stated.

SEC. 61.1314 POSTING OF PETITION AND NOTICE

The petition and notice shall also be posted in three (3) public places in the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1315 MAILING OF PETITION AND NOTICE

The petition and notice shall also be mailed at least fifteen (15) days prior to the hearing to each holder of title to land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1316 HEARING ON PETITION: WHO MAY APPEAR: CONTINUANCE

The Council shall proceed to hear the petition at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1317 DETERMINATION OF BENEFITS: RESOLUTION APPROVING ANNEXATION: CONTENTS OF RESOLUTION

At the conclusion of the hearing, if the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve the annexation and the terms and conditions thereof.

The resolution shall describe the annexed territory, which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area.

SEC. 61.1318 DISAPPROVAL OF ANNEXATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to be annexed to the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the annexation.

SEC. 61.1319 EFFECTIVE DATE OF ANNEXATION

On and after the date the Council adopts the resolution approving the annexation, the area named therein is added to and forms a part of the improvement district.

SEC. 61.1320 TAXABILITY OF ANNEXED AREA: LIABILITY FOR OUTSTANDING DEBT

The land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation as if the annexed area had always been a part of the improvement district.

SEC. 61.1321 ENFORCEMENT OF TERMS AND CONDITIONS OF ANNEXATION

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 14: UTILITY IMPROVEMENT DISTRICTS — ANNEXATION INITIATED BY THE COUNCIL

SEC. 61.1401 RESOLUTION FOR ANNEXATION TO IMPROVEMENT DISTRICT: CONTIGUITY OF AREA TO BE ANNEXED

The Council by resolution may initiate proceedings for the annexation of territory within the City contiguous to an improvement district to such improvement district.

SEC. 61.1402 CONTENTS OF RESOLUTION

The resolution proposing annexation shall:

(a) Declare that proceedings have been initiated by the Council pursuant to this ordinance to annex territory within the City to an improvement district and the name of the improvement district involved.

(b) State the reason for proposing the annexation.

(c) Set forth a description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk which map shall govern for all details as to the extent of the area proposed to be annexed.

(d) State the terms and conditions of the annexation.

(e) State that the holders of title to any of the land sought to be annexed may file with the City Clerk, at any time prior to the hearing, written protests to the annexation or the annexation upon such terms and conditions.

(f) Fix the time and place of a meeting at which the Council will receive written protests that have heretofore been filed with the City Clerk and hear from any and all persons interested in the proposed annexation.

SEC. 61.1403 PUBLICATION OF ANNEXATION RESOLUTION

The City Clerk shall cause the text of the resolution proposing annexation to be published once at least ten (10) days prior to the time of hearing in the City Official Newspaper.

SEC. 61.1404 POSTING OF ANNEXATION RESOLUTION

The City Clerk shall also cause a copy of the resolution proposing annexation to be posted in three (3) public places within the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1405 MAILING OF RESOLUTION

The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1406 HEARING ON RESOLUTION: WHO MAY APPEAR: CONTINUANCE

The Council shall proceed with the hearing at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1407 EFFECT OF PROTESTS BY OWNERS OF ONE-HALF OF VALUE OF TERRITORY TO BE ANNEXED

If, prior to the hearing, written protests have been filed by the holders of title to one-half of the value of the taxable land proposed to be annexed as shown by the last equalized county assessment roll, and have not been withdrawn as provided in Section 61.1408 hereof, further proceedings shall not be taken, and the Council shall terminate the annexation proceedings by a resolution so stating.

SEC. 61.1408 DETERMINATION OF BENEFITS: RESOLUTION OF APPROVAL OF ANNEXATION: CONTENTS OF RESOLUTION

Any written protest may be withdrawn at any time prior to the conclusion of the hearing by the person or persons who have filed same. If at the conclusion of the hearing there remain on file written protests, if any, which represent less than one-half of the value of the taxable land proposed to be annexed, and, if at the conclusion of the hearing the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve such annexation.

The resolution shall describe the territory annexed which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area. The resolution shall also state the terms and conditions of annexation as theretofore determined by resolution of the Council.

SEC. 61.1409 DISAPPROVAL OF ANNEXATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that either the area proposed to be annexed to the improvement district will not be benefited thereby or that the improvement district to which the area is proposed to be annexed will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove such annexation.

SEC. 61.1410 EFFECTIVE DATE OF ANNEXATION

On and after the date the City Council adopts the resolution approving the annexation, the area described therein is added to and forms a part of the improvement district.

SEC. 61.1411 TAXABILITY OF ANNEXED AREA: LIABILITY FOR DEBT OUTSTANDING AT TIME OF ANNEXATION

The taxable land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation, as if the annexed area had always been a part of the improvement district.

SEC. 61.1412 ENFORCEMENT OF TERMS AND CONDITIONS

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 15: UTILITY IMPROVEMENT DISTRICTS — EXCLUSION OF TERRITORY

SEC. 61.1501 INITIATION OF PROCEEDINGS

Proceedings to exclude territory from an improvement district formed pursuant to this ordinance may be initiated by the Council upon its own motion, or shall be initiated by the Council upon receipt of a petition for exclusion filed with the City Clerk and signed by not less than the holders of title to at least sixty percent (60%) of the taxable land in the portion proposed to be excluded from the improvement district, which taxable land shall have an assessed valuation of not less than fifty percent (50%) of the taxable land proposed to be excluded, which states reasons such exclusion will be beneficial to the City, the improvement district and the territory to be excluded.

SEC. 61.1502 RESOLUTION OF INTENTION

Upon adoption of said motion to initiate exclusion proceedings or upon receipt of said petition for exclusion, the Council shall adopt a resolution of intention to exclude which shall state:

(a) The method by which said exclusion proceedings were initiated, by motion of the Council or by petition of holders of title to land.

(b) That the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but that taxes for any indebtedness of or for the improvement district contracted following such exclusion will not be levied upon land in the excluded territory following such exclusion.

(c) That following such exclusion, the taxable land in the territory remaining in said improvement district shall continue to be taxed to provide funds for the purposes of said improvement district.

SEC. 61.1503 RESOLUTION: STATEMENT AS TO MAP OF TERRITORY: MAP TO GOVERN DETAILS

The resolution of intention to exclude shall also state that a map showing the exterior boundaries of the proposed territory to be excluded, with relation to the territory remaining in said improvement district, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed exclusion.

SEC. 61.1504 RESOLUTION: STATEMENT AS TO HEARING

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the proposed exclusion and the effect of such exclusion upon the City, the improvement district and the territory to be excluded.

(b) That at such time and place any person interested will be heard.

SEC. 61.1505 NOTICE OF HEARING

The City Clerk shall cause notice of the hearing to be given by publishing a copy of the resolution of intention to exclude once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution of intention to exclude to be posted in three (3) public places within the area proposed to be excluded and within the affected improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1506 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place so fixed in the resolution of intention to exclude, the Council shall proceed with the hearing. At the hearing, any person interested may appear and present any matters material to the questions set forth in the resolution of intention to exclude. The hearing may be continued from time to time by the Council.

SEC. 61.1507 RESOLUTION AS TO EXCLUSION

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary or desirable to exclude said territory. If so, the resolution shall also state:

(a) The reasons why such exclusion is necessary or desirable.

(b) That the exterior boundaries of the improvement district following such exclusion are set forth on a map on file with the City Clerk, which map shall govern all details as to the extent of said improvement district.

SEC. 61.1508 FINALITY OF DECISION

The determinations made in the resolution of exclusion shall be final and conclusive.

SEC. 61.1509 TAXATION AFTER EXCLUSION

After the exclusion of territory from the improvement district pursuant to this division, the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied, to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but all taxes for any indebtedness of or for the improvement district contracted following such exclusion shall be levied exclusively upon the taxable property remaining in the improvement district.

SEC. 61.1510 EFFECTIVE DATE OF EXCLUSION

On and after the date the City Council adopts the resolution of exclusion, the territory named therein shall be excluded from and no longer form a part of the improvement district.

DIVISION 16: UTILITY IMPROVEMENT DISTRICTS — DISSOLUTION BY COUNCIL

SEC. 61.1601 RESOLUTION OF INTENTION TO DISSOLVE

Whenever the Council deems it necessary for any improvement district formed pursuant to this ordinance to be dissolved, it shall by resolution declare its intention to dissolve the improvement district.

SEC. 61.1602 CONTENTS OF RESOLUTION

The resolution of intention shall state:

(a) The reason why the improvement district should be dissolved.

(b) That no bonds have been issued for the improvement district or are outstanding and that no other indebtedness or liability of or for the improvement district is outstanding.

(c) That a map showing the exterior boundaries of the improvement district with relation to the territory immediately contiguous thereto is on file with the City Clerk and is available for inspection by any person or persons interested.

(d) The time and place for a hearing by the Council on the question of the dissolution of the improvement district.

(e) That at such time and place any person interested, including all holders of title to property in the City or in the improvement district, will be heard.

SEC. 61.1603 NOTICE OF HEARING: PUBLICATION OF RESOLUTION: POSTING OF RESOLUTION

The City Clerk shall cause a copy of the resolution to be published once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution to be posted in three (3) public places within the improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause a copy of the resolution to be mailed at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1604 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the proposed dissolution. The hearing may be continued from time to time by the Council.

SEC. 61.1605 RESOLUTION DETERMINING NECESSITY OF DISSOLUTION: BOUNDARIES: EFFECT OF DETERMINATIONS

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary to dissolve the improvement district. If so, the resolution shall state that the exterior boundaries of the improvement district are set forth on a map on file with the City Clerk and shall declare the improvement district dissolved. The determinations so made shall be final and conclusive.

STRIKE-OUT ORDINANCE

OLD LANGUAGE--STRIKE-OUT TYPE
NEW LANGUAGE--UNDERLINED

SEC. 41.07.2 HEALTH PERMIT FEES--FOOD HANDLING
ESTABLISHMENTS

Every person applying for a permit under the provisions of Division 1, Article 2 of this Chapter, for Food Handling Establishments, shall at the time of making application for the permit pay the following annual fee:

1. For each establishment, other than a vehicle or vending machine, a fee based on the average number of employees during the preceding year or, if in the opinion of the Health Officer said average number does not reflect the number of employees during the year for which the permit is sought with reasonable accuracy, the estimated average number of employees:

1 to 10 employees.	\$10.00	<u>\$15.00</u>
11 to 99 employees	1.00	<u>1.50</u> per employee
100 or more employees.	100.00	<u>150.00</u>

2. For one or two vehicles under the same ownership and operating out of the same establishment. ~~\$10.00~~ 15.00

3. For each vehicle in excess of two under the same ownership and operating out of the same establishment ~~\$10.00~~ \$15.00

4. For each vending machine dispensing milk, ice cream, or milk products or other kinds of perishable foods or beverages, or dispensing unbottled or uncanned liquid foods or beverages, excepting vending machines which dispense unwrapped, nonperishable, nonliquid food products ~~\$-2.00~~ \$ 3.00

5. For each duplicate permit replacing a permit previously issued ~~\$-2.00~~ \$ 3.00

6. For each smorgasbord or buffet-type self-service restaurant, in addition to all other fees. ~~\$10.00~~ \$15.00

In any case where the applicant has failed for a period of thirty (30) days to file the application and obtain the permit required by this Chapter, there shall be added to and collected with the fee a penalty equal to ten percent (10%) of the fee or One Dollar (\$1.00), whichever is the greater; and for each additional month or fraction of a month after the expiration of said 30-day period that the applicant fails to file such application and obtain such permit, there shall be added to and collected with the fee an additional penalty equal to ten percent (10%) of the fee; provided, however, in no event shall the total penalty added to the fee pursuant to this Section be more than sixty percent (60%) of the fee. The imposition of or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalty prescribed by this Chapter or prosecution for violation of this Chapter. Institutions exempt from real property assessments and taxation are exempt from paying the fees established by this Section.

OFFICE OF CITY CLERK
SAN DIEGO, CALIFORNIA

May 27, 1971

Page one of the following Ordinance No. 10215 (New Series)
of the Ordinances of The City of San Diego is a bad copy -
a certified copy follows the roll call sheet.

ch

ORDINANCE NO. 10215
(New Series)

AN ORDINANCE AMENDING CHAPTER IV,
ARTICLE 1 OF THE SAN DIEGO MUNICIPAL
CODE BY AMENDING SECTION 41.07.2 RELATING
TO HEALTH PERMIT FEES FOR FOOD HANDLING
ESTABLISHMENTS.

BE IT ORDAINED, by the Council of The City of
San Diego, as follows:

Section i. That Chapter IV, Article 1 of the San
Diego Municipal Code be, and it is hereby amended by
amending Section 41.07.2 to read as follows:

SEC. 41.07.2 HEALTH PERMIT FEES--FOOD HANDLING
ESTABLISHMENTS

Every person applying for a permit under the
provisions of Division 1, Article 2 of this Chapter,
for Food Handling Establishments, shall at the time
of making application for the permit pay the following
annual fee:

1. For each establishment, other than a vehicle
or vending machine, a fee based on the average number
of employees during the preceding year or, if in the
opinion of the Health Officer said average number does
not reflect the number of employees during the year
for which the permit is sought with reasonable
accuracy, the estimated average number of employees:

1 to 10 employees.	\$15.00
11 to 99 employees	1.50 per employee
100 or more employees.	150.00

2. For one or two vehicles under the same
ownership and operating out of the same establish-
ment. \$15.00

3. For each vehicle in excess of two under the same ownership and operating out of the same establishment \$15.00

4. For each vending machine dispensing milk, ice cream, or milk products or other kinds of perishable foods or beverages, or dispensing unbottled or uncanned liquid foods or beverages, excepting vending machines which dispense unwrapped, nonperishable, nonliquid food products \$ 3.00

5. For each duplicate permit replacing a permit previously issued \$ 3.00

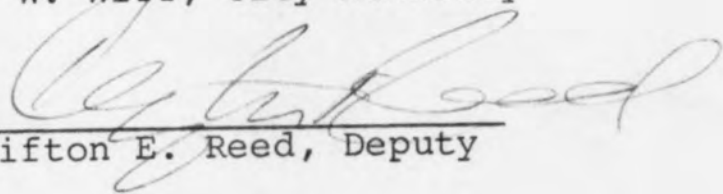
6. For each smorgasbord or buffet-type self-service restaurant, in addition to all other fees. \$15.00

In any case where the applicant has failed for a period of thirty (30) days to file the application and obtain the permit required by this Chapter, there shall be added to and collected with the fee a penalty equal to ten percent (10%) of the fee or One Dollar (\$1.00), whichever is the greater; and for each additional month or fraction of a month after the expiration of said 30-day period that the applicant fails to file such application and obtain such permit, there shall be added to and collected with the fee an additional penalty equal to ten percent (10%) of the fee; provided, however, in no event shall the total penalty added to the fee pursuant to this Section be more than sixty percent (60%) of the fee. The imposition of or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalty prescribed by this Chapter or prosecution for violation of this Chapter. Institutions exempt from real property assessments and taxation are exempt from paying the fees established by this Section.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Clifton E. Reed, Deputy

CER:clh
11/19/69

Passed and adopted by the Council of The City of San Diego on JAN 20 1970
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1969 DEC 30 PM 4:37
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 6 1970, and on JAN 20 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10215** Adopted **JAN 20 1970**

JL

ORDINANCE NO. 10215
(New Series)

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 41.07.2 RELATING TO HEALTH PERMIT FEES FOR FOOD HANDLING ESTABLISHMENTS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter IV, Article 1 of the San Diego Municipal Code be, and it is hereby amended by amending Section 41.07.2 to read as follows:

SEC. 41.07.2 HEALTH PERMIT FEES--FOOD HANDLING ESTABLISHMENTS

Every person applying for a permit under the provisions of Division 1, Article 2 of this Chapter, for Food Handling Establishments, shall at the time of making application for the permit pay the following annual fee:

1. For each establishment, other than a vehicle or vending machine, a fee based on the average number of employees during the preceding year or, if in the opinion of the Health Officer said average number does not reflect the number of employees during the year for which the permit is sought with reasonable accuracy, the estimated average number of employees:

- 1 to 10 employees. \$15.00
- 11 to 99 employees. 1.50 per employee
- 100 or more employees 150.00

2. For one or two vehicles under the same ownership and operating out of the same establishment. \$15.00

OFFICE OF CITY CLERK
SAN DIEGO, CALIFORNIA

2-10-1971 ch

Certification of Copy of Document

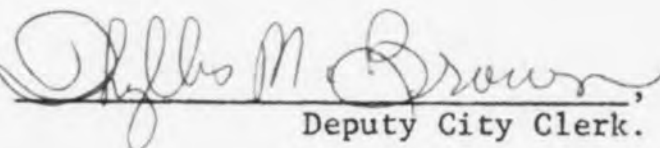
WE HEREBY CERTIFY that the above and foregoing copy of a
portion of Ordinance No. 10215 (New Series) of the Ordinances of
The City of San Diego, being page one of said ordinance,

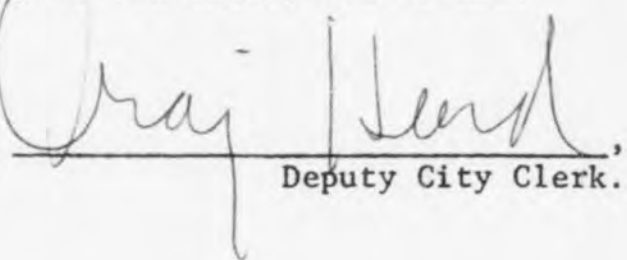
has been compared with the original thereof, and we know, of our own
knowledge, that the foregoing copy is a full, true and correct copy of
said document.

DATED at San Diego, California, May 27, 1971.

EDWARD NIELSEN
~~JOHN LOCKWOOD~~,

City Clerk of The City of San Diego, California.

By ,
Deputy City Clerk.

By ,
Deputy City Clerk.

ch

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER IV, ARTICLE
1, OF THE SAN DIEGO MUNICIPAL CODE BY AMEND-
ING SECTION 41.07.2 RELATING TO HEALTH PER-
MIT FEES FOR FOOD HANDLING ESTABLISHMENTS.

RECEIVED
CITY CLERK'S OFFICE
1970 JUN 30 PM 3:46
SAN DIEGO, CALIF.

ORDINANCE NO. 10215
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 41.07.2 RELATING TO HEALTH PERMIT FEES FOR FOOD HANDLING ESTABLISHMENTS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter IV, Article 1 of the San Diego Municipal Code be, and it is hereby amended by amending Section 41.07.2 to read as follows:
SEC. 41.07.2. HEALTH PERMIT FEES - FOOD HANDLING ESTABLISHMENTS

Every person applying for a permit under the provisions of Division 1, Article 2 of this Chapter, for Food Handling Establishments, shall at the time of making application for the permit pay the following annual fee:

- 1. For each establishment, other than a vehicle or vending machine, a fee based on the average number of employees during the preceding year or, if in the opinion of the Health Officer said average number does not reflect the number of employees during the year for which the permit is sought with reasonable accuracy, the estimated average number of employees:
 - 1 to 10 employees\$15.00
 - 11 to 99 employees 1.50 per employee
 - 100 or more employees 150.00
- 2. For one or two vehicles under the same ownership and operating out of the same establishment\$15.00
- 3. For each vehicle in excess of two under the same ownership and operating out of the same establishment\$15.00
- 4. For each vending machine dispensing milk, ice cream, or milk products or other kinds of perishable foods or beverages, or dispensing unbottled or uncanned liquid foods or beverages, excepting vending machines which dispense unwrapped, nonperishable, nonliquid food products\$ 3.00
- 5. For each duplicate permit replacing a permit previously issued\$ 3.00
- 6. For each smorgasbord or buffet-type self-service restaurant, in addition to all other fees\$15.00

In any case where the applicant has failed for a period of thirty (30) days to file the application and obtain the permit required by this Chapter, there shall be added to and collected with the fee a penalty equal to ten percent (10%) of the fee or One Dollar (\$1.00), whichever is the greater; and for each additional month or fraction of a month after the expiration of said 30-day period that the applicant fails to file such application and obtain such permit, there shall be added to and collected with the fee an additional penalty equal to ten percent (10%) of the fee; provided, however, in no event shall the total penalty added to the fee pursuant to this Section be more than sixty percent (60%) of the fee. The imposition of or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalty prescribed by this Chapter or prosecution for violation of this Chapter. Institutions exempt from real property assessments and taxation are exempt from paying the fees established by this Section.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.
Introduced on January 6, 1970.
Passed and adopted by the Council of The City of San Diego on January 20, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of San Diego, California,
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California,
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Jan. 29, 1970 V-641

I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10215
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

January 29, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California,
on January 29, 1970

Aline Grandier Hornaday
(Signature)

9 1/2" \$38.00

ORDINANCE NO. 10216
(New Series)

AN ORDINANCE INCORPORATING LOT 1, BLOCK 3, LA JOLLA SHORES UNIT NO. 1, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO RP ZONE, AS DEFINED BY SECTION 101.0419 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 4022 (NEW SERIES), ADOPTED APRIL 12, 1949, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

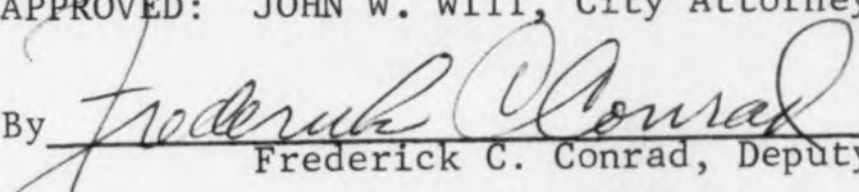
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Lot 1, Block 3, La Jolla Shores Unit No. 1, in the City of San Diego, California, within the boundary of the district designated "RP" on Zone Map Drawing No. B-2219.1, filed in the office of the City Clerk under Document No. 730275 be, and it is hereby incorporated into RP Zone, as such zone is described and defined by Section 101.0419 of the San Diego Municipal Code.

Section 2. That Ordinance No. 4022 (New Series), adopted April 12, 1949, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 22 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1969 DEC 23 PM 1:42
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN,
 Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.
 By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 8 1970, and on JAN 22 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.
 By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

~~I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.~~

(Seal)

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.
 By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10216 Adopted JAN 22 1970

ORDINANCE NO. 10217
(New Series)

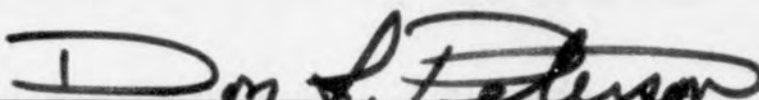
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 7 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 101.0701, 101.0702, 101.0703, 101.0704, 101.0705 AND 101.0706 RELATING TO THE BOARD OF ARCHITECTURAL REVIEW.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, Division 7 of the San Diego Municipal Code be, and it is hereby amended by repealing Sections 101.0701, 101.0702, 101.0703, 101.0704, 101.0705 and 101.0706.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Don S. Peterson, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 27 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN -6 PM 4:09
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 13 1970, and on JAN 27 1970.

I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By _____, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>10217</u>	Adopted <u>JAN 27 1970</u>

JB

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
DIVISION 7 OF THE SAN DIEGO MUNICIPAL CODE
BY REPEALING SECTIONS 101.0701, 101.0702,
101.0703, 101.0704, 101.0705 AND 101.0706
RELATING TO THE BOARD OF ARCHITECTURAL REVIEW

RECEIVED
CITY CLERK'S OFFICE
1970 FEB 11 PM 4:48
SAN DIEGO, CALIF.

ORDINANCE NO. 10217
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, DIVISION 7 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 101.0701, 101.0702, 101.0703, 101.0704, 101.0705 AND 101.0706 RELATING TO THE BOARD OF ARCHITECTURAL REVIEW.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter X, Article 1, Division 7 of the San Diego Municipal Code be, and it is hereby amended by repealing Sections 101.0701, 101.0702, 101.0703, 101.0704, 101.0705 and 101.0706.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 13, 1970.
Passed and adopted by the Council of The City of San Diego on January 27, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Feb. 5, 1970 V-819

I, Aline Grandier Hornaday hereby certify that **The Daily Transcript** is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am ~~the principal clerk~~ of the printer of said newspaper; that the

ORDINANCE NO. 10217 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

February 5, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on February 5, 1970


(Signature)

3 3/8" \$ 13.50

SEC. 72.14 AUTOMOBILE FOR HIRE--ISSUANCE OF
CERTIFICATE

Having declared that the public convenience and necessity require additional automobile for hire service, the Council shall grant certificates of public convenience and necessity to those persons applying therefor who in its opinion are entitled thereto. The Council shall in its discretion determine the number of permits to be granted to any applicant or applicants and shall issue the certificates subject to such conditions as the Council may deem advisable or necessary in the public interest.

No certificate shall be issued to any person who shall not have fully complied with all of the requirements of this article necessary to be complied with before the commencement of the operation of the proposed service.

SEC. 72.18 AUTOMOBILES FOR HIRE--SUSPENSION AND
REVOCATION OF CERTIFICATE

Certificates may be suspended or revoked by the Council at any time in cases:

(a) The Council finds the owner's past record to be unsatisfactory in any particular not disclosed in the application;

(b) The owner fails to operate the automobile or automobiles for hire in accordance with the provisions of this article.

(c) The owner shall cease to operate any automobile for hire for a period of thirty (30) consecutive days without having obtained permission for cessation of such operation from the Council.

(d) The automobile or automobiles for hire are operated at a rate of fare other than that approved by the Council and stated on the certificate and the rate card issued by the Council; and

(e) The Council finds that the owner is operating the vehicle or vehicles for hire in a manner inconsistent with the conditions of his certificate of convenience and necessity.

~~(e)~~(f) For any other reason which the Council may deem warrants suspension or revocation.

ORDINANCE NO. 10218
(New Series)

AN ORDINANCE AMENDING CHAPTER VII,
ARTICLE 2 OF THE SAN DIEGO MUNICIPAL
CODE BY AMENDING SECTIONS 72.14 AND
72.18 RELATING TO ISSUANCE OF CERTIFI-
CATES OF PUBLIC CONVENIENCE AND
NECESSITY.

BE IT ORDAINED, by the Council of The City of
San Diego, as follows:

Section 1. That Chapter VII, Article 2 of the
San Diego Municipal Code be, and the same is hereby
amended by amending Sections 72.14 and 72.18 to read
as follows:

SEC. 72.14 AUTOMOBILE FOR HIRE--ISSUANCE OF
CERTIFICATE

Having declared that the public convenience and
necessity require additional automobile for hire
service, the Council shall grant certificates of
public convenience and necessity to those persons
applying therefor who in its opinion are entitled
thereto. The Council shall in its discretion
determine the number of permits to be granted to
any applicant or applicants and shall issue the
certificates subject to such conditions as the
Council may deem advisable or necessary in the
public interest.

No certificate shall be issued to any person
who shall not have fully complied with all of the
requirements of this article necessary to be complied
with before the commencement of the operation of
the proposed service.

SEC. 72.18 AUTOMOBILES FOR HIRE--SUSPENSION AND
REVOCATION OF CERTIFICATE

Certificates may be suspended or revoked by the
Council at any time in cases:

(a) The Council finds the owner's past record to be unsatisfactory in any particular not disclosed in the application;

(b) The owner fails to operate the automobile or automobiles for hire in accordance with the provisions of this article;

(c) The owner shall cease to operate any automobile for hire for a period of thirty (30) consecutive days without having obtained permission for cessation of such operation from the Council;

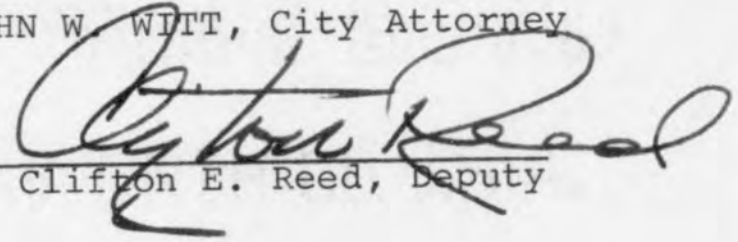
(d) The automobile or automobiles for hire are operated at a rate of fare other than that approved by the Council and stated on the certificate and the rate card issued by the Council;

(e) The Council finds that the owner is operating the vehicle or vehicles for hire in a manner inconsistent with the conditions of his certificate of convenience and necessity; and

(f) For any other reason which the Council may deem warrants suspension or revocation.

Section 2. This ordinance shall take effect and be in force and the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Clifton E. Reed, Deputy

CER:clh
1/7/70

10218

Passed and adopted by the Council of The City of San Diego on JAN 27 1970,
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 JAN -8 AM 10:40
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 13 1970, and on JAN 27 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10218 Adopted JAN 27 1970

JH

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER VII, ARTICLE
2 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 72.14 AND 72.18 RELATING
TO ISSUANCE OF CERTIFICATES OF PUBLIC CON-
VENIENCE AND NECESSITY.

RECEIVED
CITY CLERK'S OFFICE
1970 FEB 11 PM 4:48
SAN DIEGO, CALIF.

ORDINANCE NO. 10218
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 72.14 AND 72.18 RELATING TO ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter VII, Article 2 of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 72.14 and 72.18 to read as follows:

SEC. 72.14. AUTOMOBILE FOR HIRE—ISSUANCE OF CERTIFICATE

Having declared that the public convenience and necessity require additional automobile for hire service, the Council shall grant certificates of public convenience and necessity to those persons applying therefor who in its opinion are entitled thereto. The Council shall in its discretion determine the number of permits to be granted to any applicant or applicants and shall issue the certificates subject to such conditions as the Council may deem advisable or necessary in the public interest.

No certificate shall be issued to any person who shall not have fully complied with all of the requirements of this article necessary to be complied with before the commencement of the operation of the proposed service.

SEC. 72.18. AUTOMOBILES FOR HIRE—SUSPENSION AND REVOCATION OF CERTIFICATE

Certificates may be suspended or revoked by the Council at any time in cases:

- (a) The Council finds the owner's past record to be unsatisfactory in any particular not disclosed in the application;
- (b) The owner fails to operate the automobile or automobiles for hire in accordance with the provisions of this article;
- (c) The owner shall cease to operate any automobile for hire for a period of thirty (30) consecutive days without having obtained permission for cessation of such operation from the Council;
- (d) The automobile or automobiles for hire are operated at a rate of fare other than that approved by the Council and stated on the certificate and the rate card issued by the Council;
- (e) The Council finds that the owner is operating the vehicle or vehicles for hire in a manner inconsistent with the conditions of his certificate of convenience and necessity; and
- (f) For any other reason which the Council may deem warrants suspension or revocation.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage. Introduced on January 13, 1970.

Passed and adopted by the Council of The City of San Diego on January 27, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Feb. 5, 1970 V-820

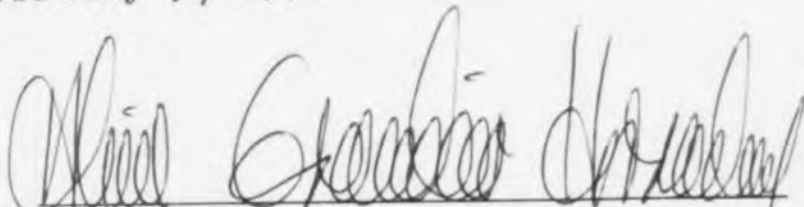
I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10218
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

February 5, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on February 5, 1970


(Signature)

8 1/4" \$ 33.00

ORDINANCE NO. 10219
(New Series)

AN ORDINANCE ESTABLISHING A NEW PARKING
METER ZONE.

BE IT ORDAINED, by the Council of The City of San
Diego, as follows:

Section 1. Pursuant to the authority of Section 22508
of the California Vehicle Code and in accordance with the
provisions of Chapter VIII of the San Diego Municipal Code,
a parking meter zone is hereby established in the follow-
ing location:

East side of HANCOCK STREET, between
Bandini Street (extended) and Coutts Street
(extended).


The above-described meters shall be in parking meter Zone
"B," as described in Section 86.11 of the San Diego Municipal
Code.

Section 2. A parking time limit of two hours shall
be in effect in the above-described location between the
hours of 8:00 A.M. and 6:00 P.M., Sundays and certain holi-
days excepted, as enumerated in Section 86.01 of the San
Diego Municipal Code.

Section 3. The installation of the necessary meters,
signs and markings is hereby authorized to be made in the
above-described location.

Section 4. This ordinance shall take effect and be
in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Jack Katz, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 27 1970
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 JAN -7 PH12:09
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa P. Hanel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 13 1970, and on JAN 27 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa P. Hanel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10219 Adopted JAN 27 1970

[Handwritten mark]

ORDINANCE NO. 10220
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF THE SOUTH-WEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO C-1A ZONE, AS DEFINED BY SECTION 101.0431 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8028 (NEW SERIES), ADOPTED DECEMBER 18, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of the Southwest 1/4 of the Southeast 1/4 of Section 35, Township 18 South, Range 2 West, S.B.B.M., in the City of San Diego, California, designated "C-1A" on Zone Map Drawing No. B-2222, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into C-1A Zone, as described by Section 101.0431, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2222, filed in the office of the City Clerk as Document No. 730346. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8028 (New Series), adopted December 18, 1958, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 29 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN -9 AM 8:35
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until ~~12~~¹² calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 15 1970, and on JAN 29 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal) By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal) By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10220 Adopted JAN 29 1970

99

ORDINANCE NO. 10221
(New Series)

AN ORDINANCE INCORPORATING LOT L, BLOCK 391, HORTON'S ADDITION, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO RP ZONE, AS DEFINED BY SECTION 101.0419 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 2719 (NEW SERIES), ADOPTED SEPTEMBER 28, 1943, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INSOFAR AS THE SAME CONFLICTS HEREWITH.

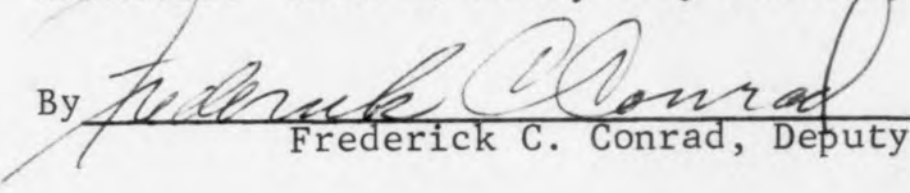
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Lot L, Block 391, Horton's Addition, in the City of San Diego, California, within the boundary of the district designated "RP" on Zone Map Drawing No. B-2228, filed in the office of the City Clerk under Document No. 730348 be, and it is hereby incorporated into RP Zone, as such zone is described and defined by Section 101.0419 of the San Diego Municipal Code.

Section 2. That Ordinance No. 2719 (New Series), adopted September 28, 1943, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 29 1970
 by the following vote:

RECEIVED
 1970 JAN -9 AM 8:35
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until ~~***~~¹² calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 15 1970, and on JAN 29 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10221 Adopted JAN 29 1970

98

ORDINANCE NO. 10222
(New Series)

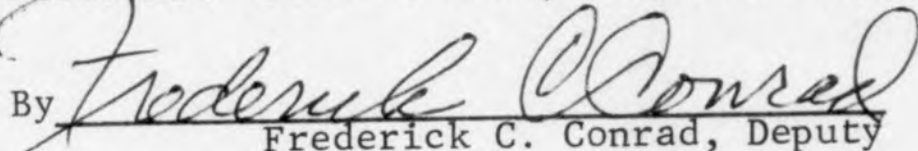
AN ORDINANCE PREZONING A PORTION OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. (MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION), IN THE COUNTY OF SAN DIEGO, CALIFORNIA, INTO A-1-1 ZONE AS DEFINED BY SECTION 101.0404 (C-1A UPON RECORDATION OF MAP OR MAPS, AS DEFINED BY SECTION 101.0431) OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That a portion of the Northwest 1/4 of Section 32, Township 14 South, Range 2 West, S.B.B.M. (Miramar Reservoir Tract No. 4 Annexation), in the County of San Diego, California, within the boundaries of the district designated "A-1-1" on that certain Zone Map Drawing No. B-2224, filed in the office of the City Clerk under Document No. 730352 be, upon annexation to The City of San Diego, incorporated into A-1-1 Zone as defined by Section 101.0404 of the San Diego Municipal Code; provided, however, that if within two years of the effective date of this ordinance the said described area is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the said subdivided land shall be incorporated into C-1A Zone as described by Section 101.0431 of the San Diego Municipal Code. Said C-1A Zoning shall attach only to those areas included in the subdivision map or maps.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, or the effective date of Miramar Reservoir Tract No. 4 Annexation, whichever is later.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 29 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN 12 AM 8:42
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 15 1970, and on JAN 29 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10222 Adopted JAN 29 1970

98

ORDINANCE NO. 10223
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF PARCEL A, LOT 3, NAVAJO SHOPPING CENTER, MAP 4721, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO RP ZONE, AS DEFINED BY SECTION 101.0419 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8340 (NEW SERIES), ADOPTED AUGUST 25, 1960, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

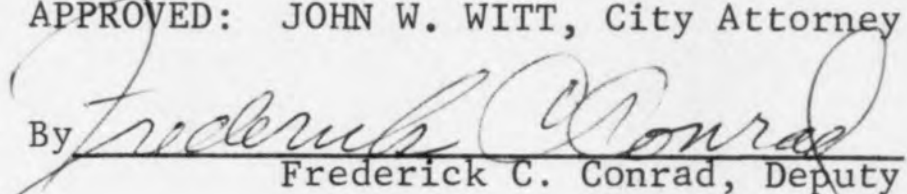
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That a portion of Parcel A, Lot 3, Navajo Shopping Center, Map 4721, in the City of San Diego, California, within the boundary of the district designated "RP" on Zone Map Drawing No. B-2221, filed in the office of the City Clerk under Document No. 730356 be, and it is hereby incorporated into RP Zone, as such zone is described and defined by Section 101.0419 of the San Diego Municipal Code.

Section 2. That Ordinance No. 8340 (New Series), adopted August 25, 1960, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 29 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN -9 AM 8:35
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until ¹² calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 15 1970, and on JAN 29 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

10223

Adopted

JAN 29 1970

JPH

ORDINANCE NO. 10224
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF LOT 19, EX-MISSION LANDS OF SAN DIEGO (HORTON'S PURCHASE), MAP NO. 283, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO M-1A ZONE, AS DEFINED BY SECTION 101.0436 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 35 (NEW SERIES), ADOPTED SEPTEMBER 12, 1932, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INSOFAR AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

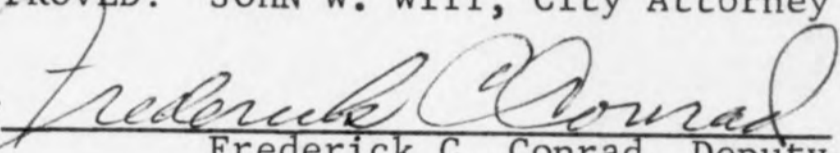
Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Lot 19, Ex-Mission Lands of San Diego (Horton's Purchase), Map No. 283, in the City of San Diego, California, designated "M-1A" on Zone Map Drawing No. B-2205.1, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0436 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into M-1A Zone, as described by Section 101.0436, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2205.1, filed in the office of the City Clerk as Document No. 730358. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 35 (New Series), adopted September 12, 1932, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 29 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN -9 AM 8:36
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN,
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until ¹² calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 15 1970, and on JAN 29 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

(Seal) By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

(Seal) By _____, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number 10224	Adopted <u>JAN 29 1970</u>

JH

ORDINANCE NO. 10225
(New Series)

AN ORDINANCE PREZONING PORTIONS OF LOTS 48, 49, 50, 64 AND 65, RANCHO MISSION OF SAN DIEGO, LOTS 1 AND 2 AND A PORTION OF LOT 3, BLOCK 45, AND LOTS 1, 2 AND 3, UNNUMBERED BLOCK, GRANTVILLE AND OUTLOTS (MISSION SAN DIEGO DE ALCALA ANNEXATION), IN THE COUNTY OF SAN DIEGO, CALIFORNIA INTO A-1-1 ZONE AS DEFINED BY SECTION 101.0404 AND FC ZONE AS DEFINED BY SECTIONS 101.0402, 101.0402.1 AND 101.0402.2, OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That portions of Lots 48, 49, 50, 64 and 65, Rancho Mission of San Diego, Lots 1 and 2 and a portion of Lot 3, Block 45, and Lots 1, 2 and 3, Unnumbered Block, Grantville and Outlots (Mission San Diego De Alcala Annexation), in the County of San Diego, California, within the boundaries of the districts designated "A-1-1" and "FC" on that certain Zone Map Drawing No. B-2225, filed in the office of the City Clerk under Document No. 730354 be, upon annexation to The City of San Diego, incorporated into A-1-1 Zone as defined by Section 101.0404 and FC Zone as defined by Sections 101.0402, 101.0402.1 and 101.0402.2 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, or the effective date of Mission San Diego De Alcala Annexation, whichever is later.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on JAN 29 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN 12 AM 8:42

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 15 1970, and on JAN 29 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

~~I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.~~

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10225 Adopted JAN 29 1970

Handwritten initials

ORDINANCE NO. 10226
(New Series)

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 9551 (NEW SERIES), ADOPTED DECEMBER 8, 1966, AS AMENDED BY ORDINANCE NO. 9951 (NEW SERIES), ADOPTED JANUARY 21, 1969, INCORPORATING A PORTION OF BLOCK 19, AND ALL OF BLOCK 20, MARILOU PARK, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO M-1A ZONE, AS DEFINED BY SECTION 101.0436 OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Section 1 of Ordinance No. 9551 (New Series), adopted December 8, 1966, amended by Ordinance No. 9951 (New Series), adopted January 21, 1969 be, and the same is hereby amended to read as follows:

"Section 1. That in the event that a portion of Block 19, and all of Block 20, Marilou Park, in the City of San Diego, California, designated M-1A on Zone Map Drawing No. B-1641, are subdivided and a final subdivision map thereof duly recorded on or before January 8, 1971, and within such subdivision, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0436 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into M-1A Zone, as described by Section 101.0436 of the San Diego Municipal Code, the boundary of such zone to be as indicated on Zone Map Drawing No. B-1641, filed in the office of the City Clerk as Document No. 701064."

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 

Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on FEB 3 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN 12 PM 3:32
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 20 1970, and on FEB 3 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10226** Adopted FEB 3 1970

91

SHOWS CHANGE OF LANGUAGE ADOPTED BY THE ~~N~~ FOLLOWING ORDINANCE NO. 10227 (New Series).

STRIKE-OUT ORDINANCE

OLD LANGUAGE--Strike-Out Type
NEW LANGUAGE--Underlined

SEC. 31.0305.2 HOUSING AND TRAILER PARK LICENSE - PURPOSE
AND INTENT

It is the purpose and intent of the City Council in amending Sections 31.0305 and 31.0305.1 to provide for the collection of certain housing and trailer park business license fees on a calendar year basis at the same time that housing permit fees are collected, in order to remove the confusion created by the collection of fees for different purposes several times during the calendar year. The businesses enumerated in Sections 31.0305 and 31.0305.1 which are presently licensed shall pay fees on a calendar year basis commencing on January 1, 1963; provided, however, that for such presently licensed businesses the fee for the calendar year 1963 shall be only one-half (1/2) of the normal license fee. Businesses enumerated in Sections 31.0305 and 31.0305.1 commencing after January 1st of each year shall pay license fees prorated on a quarterly basis for the balance of the calendar year. Such license shall not be transferable from one establishment to another or from one location to another; however, if a change of ownership occurs, the new owner may have the license placed in his name without charge by making application to the Housing Director.

ORDINANCE NO. 10227
(New Series)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 1,
DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 31.0305.2 RELATING TO
HOUSING AND TRAILER PARK LICENSES.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Chapter III, Article 1, Division 3 of
the San Diego Municipal Code be amended by amending Section
31.0305.2 to read as follows:

SEC. 31.0305.2 HOUSING AND TRAILER PARK LICENSE - PURPOSE
AND INTENT

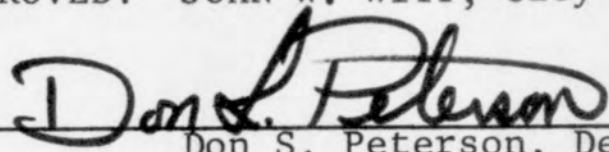
It is the purpose and intent of the City Council in
amending Sections 31.0305 and 31.0305.1 to provide for
the collection of certain housing and trailer park
business license fees on a calendar year basis at the
same time that housing permit fees are collected, in
order to remove the confusion created by the collection
of fees for different purposes several times during the
calendar year. The businesses enumerated in Sections
31.0305 and 31.0305.1 which are presently licensed shall
pay fees on a calendar year basis commencing on January 1,
1963; provided, however, that for such presently licensed
businesses the fee for the calendar year 1963 shall be
only one-half (1/2) of the normal license fee. Businesses
enumerated in Sections 31.0305 and 31.0305.1 commencing
after January 1st of each year shall pay license fees
prorated on a quarterly basis for the balance of the
calendar year. Such license shall not be transferable
from one establishment to another or from one location to

another; however, if a change of ownership occurs, the new owner may have the license placed in his name without charge by making application to the Housing Director.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Don S. Peterson, Deputy

10227

Passed and adopted by the Council of The City of San Diego on FEB 5 1970
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 JAN -9 PM 12:14
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 22 1970, and on FEB 5 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10227** Adopted FEB 5 1970

98

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
ORDINANCE AMENDING CHAPTER III, ARTICLE 1,
DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 31.0305.2 RELATING TO
HOUSING AND TRAILER PARK LICENSES

RECEIVED
CITY CLERK'S OFFICE
1970 FEB 16 AM 11:22
SAN DIEGO, CALIF.

ORDINANCE NO. 10227
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 1, DIVISION 3 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 31.0305.2 RELATING TO HOUSING AND TRAILER PARK LICENSES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows: Section 1. That Chapter III, Article 1, Division 3 of the San Diego Municipal Code be amended by amending Section 31.0305.2 to read as follows:

SEC. 31.0305.2 HOUSING AND TRAILER PARK LICENSE—PURPOSE AND INTENT

It is the purpose and intent of the City Council in amending Sections 31.0305 and 31.0305.1 to provide for the collection of certain housing and trailer park business license fees on a calendar year basis at the same time that housing permit fees are collected, in order to remove the confusion created by the collection of fees for different purposes several times during the calendar year. The businesses enumerated in Sections 31.0305 and 31.0305.1 which are presently licensed shall pay fees on a calendar year basis commencing on January 1, 1963; provided, however, that for such presently licensed businesses the fee for the calendar year 1963 shall be only one-half (1/2) of the normal license fee. Business enumerated in Sections 31.0305 and 31.0305.1 commencing after January 1st of each year shall pay license fees prorated on a quarterly basis for the balance of the calendar year. Such license shall not be transferable from one establishment to another or from one location to another; however, if a change of ownership occurs, the new owner may have the license placed in his name without charge by making application to the Housing Director. Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 22, 1970.
Passed and adopted by the Council of The City of San Diego on February 5, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Feb. 13, 1970 W-41

I Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

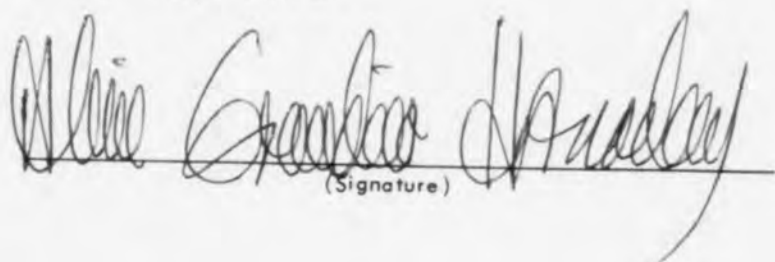
ORDINANCE NO. 10227
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

February 13, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

February 13, 1970


(Signature)

6 1/8" \$24.50

STRIKE-OUT ORDINANCE

OLD LANGUAGE--Strike-Out Type
NEW LANGUAGE--Underlined

SEC. H-301 HOUSING PERMITS REQUIRED

No person or owner shall conduct, manage, operate, engage or work in any Housing Department Regulated Business unless there shall have been procured and be then in effect, a Housing Permit therefor. A separate Housing Permit shall be required for each establishment in every calendar year. The Housing Permit may be issued to either the owner(s), or the operator, as permittee.

SEC. H-305 HOUSING PERMITS - DURATION AND TRANSFER

A Housing Permit may be granted issued at any time during the year, but all Housing Permits shall expire on December 31 in the year in which the same are granted issued.

Housing Permits shall not be transferable from one person establishment to another or from one location to another; however, the permittee for a Housing Permit may be changed without charge upon notification to the Housing Director.

SEC. H-306 HOUSING PERMIT FEES

(a) The annual fee for a Housing Permit required by Section H-304 shall be computed as follows:

(1) For each apartment house or hotel containing not more than six (6) units \$9.00 \$10.00

(2) For each apartment house or hotel containing not less than seven (7), but no more than ten (10) units. \$12.00 \$13.00

(3) For each apartment house or hotel containing not less than eleven (11), but no more than fifteen (15) units. \$14.00 \$15.00

(4) For each apartment house or hotel containing more than fifteen (15) units. \$14.35 \$15.00 plus .40 for each unit in excess of 15

~~(5) -- Change-in-name; transfer of-ownership-or-possession; ----- \$-5.00~~

For the purpose of this Section, a "unit" shall mean each apartment in an apartment house, each sleeping room in a hotel, and each apartment and each hotel sleeping room in a building containing both apartments and hotel sleeping rooms.

Separate apartment house buildings and separate hotel buildings, or combinations thereof, located upon a single parcel of land or contiguous parcels of land under the same ownership, shall be treated as one apartment house or hotel for the purpose of computing the fee prescribed by this Section.

(b) The fee for a Housing Permit shall be charged on a prorated, quarterly basis and shall run from the

quarter of the year during which it is issued through December 31. The fee for a permit shall include the charge for the full quarter during which it is issued. The fee for a Housing Permit shall never be less than \$5.00, however.

(c) In any case, where the applicant operator of a Housing Department Regulated Business has failed for a period of thirty (30) days to file the application and obtain the permit required by this Chapter a Housing Permit, there shall be added to and collected with the inspection permit fee, a penalty equal to ten percent (10%) of the fee. The imposition of or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalty prescribed by this Chapter Code or to prosecution for violation of this Chapter Code.

Annual renewal fees shall be the same as the fee established in this section. -- The failure of the permittee to renew within 30 days after the expiration of the permit for the previous year shall invoke the penalties prescribed for failure to apply for the initial period as stated in this section.

ORDINANCE NO. 10228
(New Series)

AN ORDINANCE AMENDING CHAPTER 3, SECTIONS H-301, H-305 AND H-306 OF THE CITY OF SAN DIEGO HOUSING CODE RELATING TO HOUSING PERMITS AND HOUSING PERMIT LICENSES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter 3, Sections H-301, H-305 and H-306 of The City of San Diego Housing Code be, and the same are hereby amended to read as follows:

SEC. H-301 HOUSING PERMITS REQUIRED

No person or owner shall conduct, manage, operate, engage or work in any Housing Department Regulated Business unless there shall have been procured and be then in effect, a Housing Permit therefor. A separate Housing Permit shall be required for each establishment in every calendar year. The Housing Permit may be issued to either the owner(s), or the operator, as permittee.

SEC. H-305 HOUSING PERMITS - DURATION AND TRANSFER

A Housing Permit may be issued at any time during the year, but all Housing Permits shall expire on December 31 in the year in which the same are issued.

Housing Permits shall not be transferable from one establishment to another or from one location to another; however, the permittee for a Housing Permit may be changed without charge upon notification to the Housing Director.

SEC. H-306 HOUSING PERMIT FEES

(a) The annual fee for a Housing Permit required by Section H-304 shall be computed as follows:

(1) For each apartment house or hotel containing not more than six (6) units \$10.00

(2) For each apartment house or hotel containing not less than seven (7), but no more than ten (10) units. \$13.00

(3) For each apartment house or hotel containing not less than eleven (11), but no more than fifteen (15) units. \$15.00

(4) For each apartment house or hotel containing more than fifteen (15) units. \$15.00 plus
.40 for each unit
in excess of 15.

For the purpose of this Section, a "unit" shall mean each apartment in an apartment house, each sleeping room in a hotel, and each apartment and each hotel sleeping room in a building containing both apartments and hotel sleeping rooms.

Separate apartment house buildings and separate hotel buildings, or combinations thereof, located upon a single parcel of land or contiguous parcels of land under the same ownership, shall be treated as one apartment house or hotel for the purpose of computing the fee prescribed by this Section.

(b) The fee for a Housing Permit shall be charged on a prorated, quarterly basis and shall run from the

quarter of the year during which it is issued through December 31. The fee for a permit shall include the charge for the full quarter during which it is issued. The fee for a Housing Permit shall never be less than \$5.00, however.

(c) In any case, where the operator of a Housing Department Regulated Business has failed for a period of thirty (30) days to file the application and obtain a Housing Permit, there shall be added to and collected with the permit fee, a penalty equal to ten percent (10%) of the fee. The imposition of or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalty prescribed by this Code or to prosecution for violation of this Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Don S. Peterson, Deputy

FEB 5 1970

Passed and adopted by the Council of The City of San Diego on
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 JAN -9 PM 12:17
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 22 1970, and on FEB 5 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10228** Adopted **FEB 5 1970**

Handwritten mark

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

ORDINANCE NO. 10228
AMENDING CHAPTER 3, SECTIONS H-301, H-305
AND H-306 OF THE CITY OF SAN DIEGO HOUSING
CODE RELATING TO HOUSING PERMITS AND

HOUSING PERMIT LICENSES

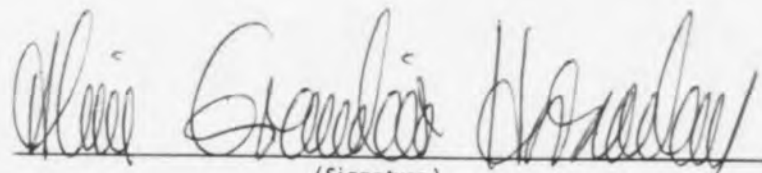
RECEIVED
CITY CLERK'S OFFICE
1970 FEB 16 AM 11:22
SAN DIEGO, CALIF.

I, Aline Grandier Hornaday hereby certify that **The Daily Transcript** is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am ~~the principal clerk~~ of the printer of said newspaper; that the

ORDINANCE NO. 10228
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on
February 13, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California,
on February 13, 1970


(Signature)

13 1/4" \$53.00

ORDINANCE NO. 10228
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER 3, SECTIONS H-301, H-305 AND H-306 OF THE CITY OF SAN DIEGO HOUSING CODE RELATING TO HOUSING PERMITS AND HOUSING PERMIT LICENSES.

BE IT ORDAINED, by the Council of The City of San, Diego, as follows:

Section 1. That Chapter 3, Sections H-301, H-305 and H-306 of The City of San Diego Housing Code be, and the same are hereby amended to read as follows:

SEC. H-301 HOUSING PERMITS REQUIRED

No person or owner shall conduct, manage, operate, engage or work in any Housing Department Regulated Business unless there shall have been procured and be then in effect, a Housing Permit therefor. A separate Housing Permit shall be required for each establishment in every calendar year. The Housing Permit may be issued to either the owner(s), or the operator, as permittee.

SEC. H-305 HOUSING PERMITS — DURATION AND TRANSFER

A Housing Permit may be issued at any time during the year, but all Housing Permits shall expire on December 31 in the year in which the same are issued.

Housing Permits shall not be transferable from one establishment to another or from one location to another; however, the permittee for a Housing Permit may be changed without charge upon notification to the Housing Director.

SEC. H-306 HOUSING PERMIT FEES

(a) The annual fee for a Housing Permit required by Section H-304 shall be computed as follows:

(1) For each apartment house or hotel containing not more than six (6) units\$10.00

(2) For each apartment house or hotel containing not less than seven (7), but no more than ten (10) units\$13.00

(3) For each apartment house or hotel containing not less than eleven (11), but no more than fifteen (15) units\$15.00

(4) For each apartment house or hotel containing more than fifteen (15) units\$15.00 plus

.40 for each unit in excess of 15

For the purpose of this Section, a "unit" shall mean each apartment in an apartment house, each sleeping room in a hotel, and each apartment and each hotel sleeping room in a building containing both apartments and hotel sleeping rooms.

Separate apartment house buildings and separate hotel buildings, or combinations thereof, located upon a single parcel of land or contiguous parcels of land under the same ownership, shall be treated as one apartment house or hotel for the purpose of computing the fee prescribed by this Section.

(b) The fee for a Housing Permit shall be charged on a prorated, quarterly basis and shall run from the quarter of the year during which it is issued through December 31. The fee for a permit shall include the charge for the full quarter during which it is issued. The fee for a Housing Permit shall never be less than \$5.00, however.

(c) In any case, where the operator of a Housing Department Regulated Business has failed for a period of thirty (30) days to file the application and obtain a Housing Permit, there shall be added to and collected with the permit fee, a penalty equal to ten percent (10%) of the fee. The imposition of or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalty prescribed by this Code or to prosecution for violation of this Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 22, 1970.

Passed and adopted by the Council of The City of San Diego on February 5, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL, Deputy.

(SEAL)
Published February 13, 1970

W-42

ORDINANCE NO. 10229
(New Series)

AN ORDINANCE ESTABLISHING A NEW PARKING
METER ZONE.

BE IT ORDAINED, by the Council of The City of San
Diego, as follows:

Section 1. Pursuant to the authority of Section 22508
of the California Vehicle Code and in accordance with the
provisions of Chapter VIII of the San Diego Municipal Code,
a parking meter zone is hereby established in the follow-
ing location:

West side of SECOND AVENUE, between
Upas Street and Walnut Avenue.

The above-described meters shall be in parking meter Zone
"B," as described in Section 86.11 of the San Diego
Municipal Code.

Section 2. A parking time limit of two hours shall
be in effect in the above-described location between the
hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holi-
days excepted, as enumerated in Section 86.01 of the San
Diego Municipal Code.

Section 3. The installation of the necessary meters,
signs and markings is hereby authorized to be made in the
above-described location.

Section 4. This ordinance shall take effect and be
in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz
Jack Katz, Deputy

Passed and adopted by the Council of The City of San Diego on FEB 5 1970 by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 JAN 16 PM 12:09
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN, Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD, City Clerk of The City of San Diego, California. By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 22 1970, and on FEB 5 1970.

I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD, City Clerk of The City of San Diego, California. By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD, City Clerk of The City of San Diego, California. By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10229** Adopted FEB 5 1970

98

ORDINANCE NO. 10230
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF THE SOUTH-WEST 1/4 OF SECTION 36, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA INTO C-1A ZONE, AS DEFINED BY SECTION 101.0431 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8028 (NEW SERIES), ADOPTED DECEMBER 18, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

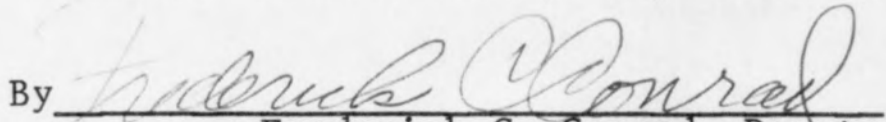
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of the Southwest 1/4 of Section 36, Township 18 South, Range 2 West, S.B.B.M., in the City of San Diego, California, designated "C-1A" on Zone Map Drawing No. B-2233, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into C-1A Zone, as described by Section 101.0431, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2233, filed in the office of the City Clerk as Document No. 730489. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8028 (New Series), adopted December 18, 1958, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

10230

Passed and adopted by the Council of The City of San Diego on FEB 5 1970
 by the following vote:

RECEIVED
 1970 JAN 15 AM 10:40
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 22 1970, and on FEB 5 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10230** Adopted **FEB 5 1970**

JL

ORDINANCE NO. 10231
(New Series)

AN ORDINANCE AMENDING ORDINANCE NO. 10053 (NEW SERIES), AS AMENDED BY ORDINANCE NO. 10088 (NEW SERIES), TO ELIMINATE THE UNCLASSIFIED POSITION OF SPECIAL PROJECTS DIRECTOR AND TO CREATE THE UNCLASSIFIED POSITIONS OF PARKS AND PUBLIC FACILITIES DIRECTOR AND ASSISTANT PARKS AND PUBLIC FACILITIES DIRECTOR, AND ESTABLISH SCHEDULES OF COMPENSATION THEREFOR.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. Ordinance No. 10053 (New Series) of the ordinances of The City of San Diego, as amended by Ordinance No. 10088 (New Series), is hereby amended to eliminate the unclassified position of Special Projects Director.

Section 2. Ordinance No. 10053 (New Series) of the ordinances of The City of San Diego, as amended by Ordinance No. 10088 (New Series), is hereby amended to create and establish the unclassified positions of Parks and Public Facilities Director and Assistant Parks and Public Facilities Director.

Section 3. As the schedule of compensation for the positions created in Section 2 hereof, the following standard rate number of the Table of Standard Rates of pay established and adopted by Ordinance No. 10053 (New Series), as amended by Ordinance No. 10088 (New Series), of the ordinances of said City are hereby adopted:

	<u>Standard Rate No.</u>
Parks and Public Facilities Director	54.5
Assistant Parks and Public Facilities Director	48.5

Section 4. The position of Parks and Public Facilities Director shall be inserted in Exhibit C of Ordinance

No. 10053 (New Series), as amended by Ordinance No. 10088 (New Series), between the positions of "Public and Employee Affairs Director" and "Assistant City Attorney."

Section 5. The position of Assistant Parks and Public Facilities Director shall be inserted in Exhibit C of Ordinance No. 10053 (New Series), as amended by Ordinance No. 10088 (New Series), between the positions of "Assistant Community Development Director" and "Citizens Assistance Director."

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By R. Thomas Harris
R. Thomas Harris, Deputy

10231

RTH:K

1-20-70

Passed and adopted by the Council of The City of San Diego on FEB 10 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN 21 PM 12:13
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 27 1970, and on FEB 10 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number

10231

Adopted

FEB 10 1970

Handwritten mark

ATTORNEY (5)

*City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING ORDINANCE NO. 10053
(NEW SERIES), AS AMENDED BY ORDINANCE
NO. 10088 (NEW SERIES), TO ELIMINATE THE
UNCLASSIFIED POSITION OF SPECIAL PROJECTS

DIRECTOR AND TO CREATE THE UNCLASSIFIED POSITIONS
OF PARKS AND PUBLIC FACILITIES DIRECTOR AND
ASSISTANT PARKS AND PUBLIC FACILITIES DIRECTOR,
AND ESTABLISH SCHEDULES OF COMPENSATION THEREFOR

RECEIVED
CITY OF SAN DIEGO'S OFFICE
1970 FEB 24 PM 3:36
SAN DIEGO, CALIF.

I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am ~~the principal clerk of~~ the printer of said newspaper;
that the


ORDINANCE NO. 10231 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

February 19, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on

February 19, 1970


(Signature)

9" \$36.00
\$32.00

ORDINANCE NO. 10231
(NEW SERIES)

AN ORDINANCE AMENDING ORDINANCE NO. 10053 (NEW SERIES), AS AMENDED BY ORDINANCE NO. 10088 (NEW SERIES), TO ELIMINATE THE UNCLASSIFIED POSITION OF SPECIAL PROJECTS DIRECTOR AND TO CREATE THE UNCLASSIFIED POSITIONS OF PARKS AND PUBLIC FACILITIES DIRECTOR AND ASSISTANT PARKS AND PUBLIC FACILITIES DIRECTOR, AND ESTABLISH SCHEDULES OF COMPENSATION THEREFOR.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. Ordinance No. 10053 (New Series) of the ordinances of The City of San Diego, as amended by Ordinance No. 10088 (New Series), is hereby amended to eliminate the unclassified position of Special Projects Director.

Section 2. Ordinance No. 10053 (New Series) of the ordinances of The City of San Diego, as amended by Ordinance No. 10088 (New Series), is hereby amended to create and establish the unclassified positions of Parks and Public Facilities Director and Assistant Parks and Public Facilities Director.

Section 3. As the schedule of compensation for the positions created in Section 2 hereof, the following standard rate number of the Table of Standard Rates of pay established and adopted by Ordinance No. 10053 (New Series), as amended by Ordinance No. 10088 (New Series), of the ordinances of said City are hereby adopted:

	Standard Rate No.
Parks and Public Facilities Director	54.5
Assistant Parks and Public Facilities Director	48.5

Section 4. The position of Parks and Public Facilities Director shall be inserted in Exhibit C of Ordinance No. 10053 (New Series), as amended by Ordinance No. 10088 (New Series), between the positions of "Public and Employee Affairs Director" and "Assistant City Attorney."

Section 5. The position of Assistant Parks and Public Facilities Director shall be inserted in Exhibit C of Ordinance No. 10053 (New Series), as amended by Ordinance No. 10088 (New Series), between the positions of "Assistant Community Development Director" and "Citizens Assistance Director."

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 27, 1970.

Passed and adopted by the Council of The City of San Diego on February 10, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL, Deputy.

(SEAL)
Published February 19, 1970

W-152

OLD LANGUAGE--STRIKE-OUTS

NEW LANGUAGE--UNDERLINED

SEC. 22.1801 CITY DEPARTMENTS

(a) [Paragraph (a) remains the same.]

(b) The following are the departments of the City of San Diego within the meaning of the Charter and ordinances of said City:

Airports
Auditor and Comptroller
Budget
Citizens Assistance
City Attorney
City Clerk
City Council
City Manager
City Retirement
City Treasurer
Civil Service
Community Development
Data Processing
Employee Services
Engineering
Fire
Inspection
Legislative Representation
Library
Mayor
Parks and Public Facilities
Planning
Police
Property
Public and Employee Affairs
Public Relations
Public Works
Purchasing
Recreation
~~Social-Service~~
~~Special-Projects~~
Utilities

ORDINANCE NO. 10232
(New Series)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, DIVISION 18 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 22.1801 ELIMINATING THE SPECIAL PROJECTS DEPARTMENT AND SOCIAL SERVICE DEPARTMENT AND CREATING A NEW DEPARTMENT OF PARKS AND PUBLIC FACILITIES.

BE IT ORDAINED, by the Council of The City of San Diego as follows:

Section 1. That Chapter II, Article 2, Division 18 of the San Diego Municipal Code, be and the same is hereby amended by amending Section 22.1801 to read as follows:

SEC. 22.1801 CITY DEPARTMENTS

(a) Purpose and Intent. It is the purpose and intent of the City Council to enumerate the existing departments of the City because of repeated reference in City legislation and operation to such departments.

(b) The following are the departments of the City of San Diego within the meaning of the Charter and ordinances of said City:

Airports
Auditor and Comptroller
Budget
Citizens Assistance
City Attorney
City Clerk
City Council
City Manager
City Retirement
City Treasurer
Civil Service
Community Development
Data Processing
Employee Services
Engineering
Fire
Inspection
Legislative Representation
Library
Mayor
Parks and Public Facilities
Planning
Police

Property
Public and Employee Affairs
Public Relations
Public Works
Purchasing
Recreation
Utilities

Section 2. This ordinance shall take effect and
be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By R. Thomas Harris
R. Thomas Harris, Deputy

RTH:K
1-20-70

10232

Passed and adopted by the Council of The City of San Diego on FEB 10 1970,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN 21 PM 12:15
 SAN DIEGO, CALIF.

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 27 1970, and on FEB 10 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal) By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal) By _____, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number 10232	Adopted FEB 10 1970

*City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2,
DIVISION 18 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 22.1801 ELIMINATING THE
SPECIAL PROJECTS DEPARTMENT AND SOCIAL SERVICE

DEPARTMENT AND CREATING A NEW DEPARTMENT OF
PARKS AND PUBLIC FACILITIES

RECEIVED
CITY CLERK'S OFFICE
1970 FEB 20 PM 2:34
SAN DIEGO, CALIF.

ORDINANCE NO. 10232
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, DIVISION 18 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 22.1801 ELIMINATING THE SPECIAL PROJECTS DEPARTMENT AND SOCIAL SERVICE DEPARTMENT AND CREATING A NEW DEPARTMENT OF PARKS AND PUBLIC FACILITIES.

BE IT ORDAINED, by the Council of The City of San Diego as follows:
Section 1. That Chapter II, Article 2, Division 18 of the San Diego Municipal Code, be and the same is hereby amended by amending Section 22.1801 to read as follows:

SEC. 22.1801 CITY DEPARTMENTS

(a) Purpose and Intent. It is the purpose and intent of the City Council to enumerate the existing departments of the City because of repeated reference in City legislation and operation to such departments.

(b) The following are the departments of the City of San Diego within the meaning of the Charter and ordinances of said City:

- Airports
- Auditor and Comptroller
- Budget
- Citizens Assistance
- City Attorney
- City Clerk
- City Council
- City Manager
- City Retirement
- City Treasurer
- Civil Service
- Community Development
- Data Processing
- Employee Services
- Engineering
- Fire
- Inspection
- Legislative Representation
- Library
- Mayor
- Parks and Public Facilities
- Planning
- Police
- Property
- Public and Employee Affairs
- Public Relations
- Public Works
- Purchasing
- Recreation
- Utilities

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 27, 1970.

Passed and adopted by the Council of The City of San Diego on February 10, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Feb. 19, 1970 W-153

I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10232
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

February 19, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

February 19, 1970

Aline Grandier Hornaday
(Signature)

ORDINANCE NO. 10233
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF LOT 31, PARTITION OF RANCHO MISSION OF SAN DIEGO, IN THE CITY OF SAN DIEGO, CALIFORNIA INTO RP-1A ZONE, AS DEFINED BY SECTION 101.0418.5 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8411 (NEW SERIES), ADOPTED DECEMBER 17, 1960, AND ORDINANCE NO. 8536 (NEW SERIES), ADOPTED OCTOBER 26, 1961, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INSOFAR AS THEY CONFLICT HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

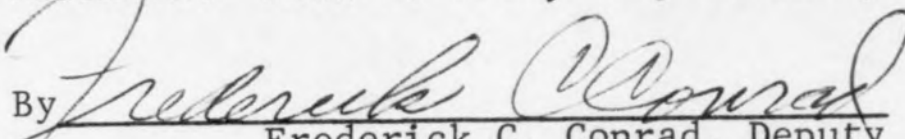
Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Lot 31, Partition of Rancho Mission of San Diego, in the City of San Diego, California, designated "RP-1A" on Zone Map Drawing No. B-2230, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0418.5 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into RP-1A Zone, as described by Section 101.0418.5, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2230, filed in the office of the City Clerk as Document No. 730344. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8411 (New Series), adopted December 17, 1960, and Ordinance No. 8536 (New Series), adopted

October 26, 1961, of the Ordinances of The City of San Diego
be, and they are hereby repealed insofar as they conflict
herewith.

Section 3. This ordinance shall take effect and be in
force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

FEB 12 1970

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 JAN -9 AM 8:35
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa F. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until ~~10~~¹² calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 29 1970, and on FEB 12 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa F. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number.....

10233

Adopted

FEB 12 1970

ORDINANCE NO. 10234
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF THE EAST 1/2 OF SECTION 26, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO C-1A ZONE, AS DEFINED BY SECTION 101.0431 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 7606 (NEW SERIES), ADOPTED SEPTEMBER 26, 1957, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

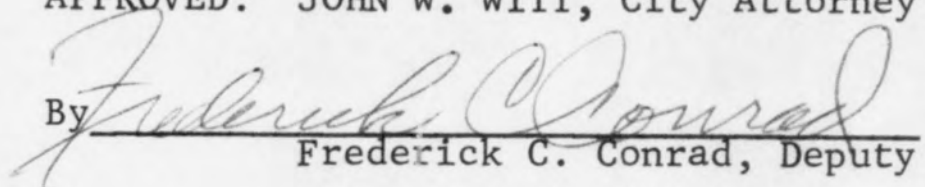
Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of the East 1/2 of Section 26, Township 18 South, Range 2 West, S.B.B.M., in the City of San Diego, California, designated "C-1A" on Zone Map Drawing No. B-2215, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provisions is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into C-1A Zone, as described by Section 101.0431, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2215, filed in the office of the City Clerk as Document No. 730511. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 7606 (New Series), adopted September 26, 1957, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

FEB 12 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

RECEIVED
1970 JAN 22 PM 3:10
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until ¹² ~~six~~ calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 29 1970, and on FEB 12 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10234 Adopted FEB 12 1970

98

ORDINANCE NO. 10235
(New Series)

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 2 OF THE SAN DIEGO MUNICIPAL CODE BY ADOPTING THE NATIONAL ELECTRICAL CODE, 1968 EDITION, BY RENUMBERING, REPEALING AND AMENDING SECTIONS OF AND ADDING SECTIONS TO THE ELECTRICAL CODE.

WHEREAS, a committee composed of representatives of the electrical industry in the San Diego area have studied the 1968 Edition of the National Electrical Code, as promulgated by the National Fire Protection Association, and have recommended adoption thereof with suggested amendments; and

WHEREAS, such amendments reflect the construction industry's practices and experiences in the metropolitan area; and

WHEREAS, the Board of Appeals and Advisors recommended adoption of the 1968 Edition of the National Electrical Code with these amendments; and

WHEREAS, the 1968 Edition of the National Electrical Code, with amendments, has been adopted by the cities of Chula Vista, National City, La Mesa, and El Cajon; and

WHEREAS, the U. S. Department of Housing and Urban Development requires cities desiring to obtain approval of their "Workable Program" to have complete and up-to-date codes covering electrical work; and

WHEREAS, this requirement would be satisfied by the adoption of the 1968 Edition of the National Electrical Code and recommended amendments; and

WHEREAS, The City of San Diego is desirous of promoting uniformity between neighboring cities in the metropolitan area to better regulate the electrical industry in general and promote consistency where practical and for the public's benefit; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Chapter IX, Article 2, Divisions 1 and 6
of the San Diego Municipal Code be, and the same are hereby
amended by renumbering the following sections as indicated
below:

<u>OLD SECTION NO.</u>	<u>TITLE</u>	<u>NEW SECTION NO.</u>
92.0101.10	DEFINITIONS	92.0700
92.0101.13	MEANS OF IDENTIFICATION OF GROUNDED CONDUCTORS	92.0701
92.0101.14	BRANCH CIRCUITS - EXCEPTIONS	92.0702
92.0101.15	FEEDERS - COMMON NEUTRAL FEEDER	92.0703
92.0101.16	CALCULATION OF FEEDER LOADS	92.0704
92.0101.17	INSTALLATION OF SERVICE-ENTRANCE CONDUCTORS - WIRING METHOD	92.0706
92.0101.18	INSTALLATION OF SERVICE-ENTRANCE CONDUCTORS - NATIONAL ELECTRICAL CODE SECTIONS NOT APPLICABLE	92.0707
92.0101.19	BONDING JUMPERS	92.0709
92.0101.20	GROUNDING ELECTRODES - WATER PIPE	92.0710
92.0101.21	GROUNDING CONDUCTOR CONNECTIONS - ATTACHMENT TO ELECTRODES	92.0711
92.0101.22	OPEN WIRING ON INSULATORS - NATIONAL ELECTRICAL CODE ARTICLE NOT APPLICABLE	92.0714
92.0101.23	RIGID METAL CONDUIT - WET LOCATIONS	92.0717
92.0101.24	RIGID METAL CONDUIT - REAMING	92.0718
92.0101.25	NUMBER OF CONDUCTORS IN CONDUIT	92.0719
92.0101.26	RIGID NONMETALLIC CONDUIT	92.0720
92.0101.27	ELECTRICAL METALLIC TUBING - WET LOCATIONS	92.0721

<u>OLD SECTION NO.</u>	<u>TITLE</u>	<u>NEW SECTION NO.</u>
92.0101.28	SWITCHES - ACCESSIBILITY AND GROUPING	92.0722
92.0101.29	TRANSFORMERS - LOCATION	92.0609
92.0101.30	TRANSFORMERS - DISCONNECTING MEANS	92.0609.10
92.0102	DUTIES OF DIRECTOR OF BUILDING INSPECTION	92.0101.16
92.0103	AUTHORITY OF DIRECTOR OF BUILDING INSPECTION	92.0101.15
92.0105	INTERPRETATION	92.0101.10
92.0106	BOARD OF APPEALS AND ADVISORS	92.0101.14
92.0107	RESPONSIBILITY	92.0101.13
92.0108	PROHIBITIONS	92.0101.18
92.0606	SERVICE DISCONNECTING MEANS	92.0708
92.0609	WIRING METHODS	92.0715
92.0615	DIRECT BURIAL CABLE	92.0716
92.0621	TRAILER PARKS - ADOPTION OF CALIFORNIA ADMINISTRATIVE CODE	92.0101.17

Section 2. That Chapter IX, Article 2, Division 6 of the San Diego Municipal Code be, and the same is hereby amended by repealing Section 92.0623: SWIMMING POOLS - GROUNDING CONDUCTOR.

Section 3. That Chapter IX, Article 2, Divisions 1, 3, 4, 6, and 7 of the San Diego Municipal Code be, and the same are hereby amended by amending Sections 92.0101, 92.0101.14, 92.0301, 92.0303, 92.0309, 92.0401, 92.0608, 92.0612, 92.0613, 92.0622, 92.0708, 92.0715, 92.0720, and 92.0722 as renumbered in Section 1 above to read as follows:

SEC. 92.0101 STANDARDS FOR INSTALLATIONS AND MATERIALS;
NATIONAL ELECTRICAL CODE ADOPTED

(a) The National Electrical Code, 1968 Edition, a USA Standard, published by the National Fire Protection Association, three printed copies of which are filed in

the office of the City Clerk as Official Document No. 730870 be, and the same is hereby adopted as part of the Municipal Code of The City of San Diego, except as hereinafter modified, amended, repealed, or deleted; and by reference thereto is made a part hereof as though fully set out herein.

(b) The requirements of the National Electrical Code shall apply to all residential, commercial, and industrial installations. All electrical installations that are under the jurisdiction of the California Division of Industrial Safety shall also comply with requirements of Title 24, Part 3, of the California Administrative Code.

SEC. 92.0101.14 BOARD OF APPEALS AND ADVISORS

When a question involving the interpretation of the intent and purpose of any provisions of this Article or the suitability of alternate materials and types of construction is presented to the Director of Building Inspection, he may request the Board of Appeals and Advisors to investigate such matters under the procedure established in Section 91.01 of this Code.

SEC. 92.0301 PERMITS REQUIRED

(a) No electric wiring, devices, appliances or equipment shall be installed within or on any building, structure or premises nor shall any alteration or addition be made in any such existing wiring, devices, appliances or equipment without first securing a permit therefor from the Inspection Department, except as stated in Section 92.0302.

(b) Permits shall be obtained before or at the time work is started, except in cases where emergency or urgent necessity can be shown to exist provided a permit is obtained

within twenty-four (24) hours, exclusive of Saturdays, Sundays, and holidays.

(c) A separate permit must be obtained for construction pole or where a temporary meter is required for construction purposes.

(d) A separate permit shall be required for each building or structure which stands alone, except garages which are accessory to dwellings and both are located on the same premises.

(e) Permits for privately-owned conduits or other materials in public places and in and across streets and alleys may be issued only after approval has been granted for the installation, by the City Council. All work shall be done in accordance with law and special regulations applicable thereto.

(f) Except as provided in Sections 92.0303 and 92.0304, permits shall be issued only to contractors licensed by the State of California to engage in the business or act in the capacity of a contractor relating to electrical installations.

SEC. 92.0303 SPECIAL OWNER'S PERMIT

The Director of Building Inspection may issue to a property owner or his duly assigned agent a permit authorizing said individual to install, alter, change, or repair electrical wiring in, or about his own property.

The permittee shall be subject to all rules and regulations applicable to electrical wiring in the City of San Diego.

SEC. 92.0309 APPLICATION FOR PERMIT

(a) Application for a permit, describing the work to be done, shall be made in writing to the Director of

Building Inspection. The application shall be accompanied by such plans, specifications, and schedules as may be necessary to determine whether the installation as described will be in conformity with the requirements of this article. If it shall be found that the installation as described will in general conform with the requirements of this article, and if the applicant has complied with all provisions of this article, a permit for such installation shall be issued; provided, however, that the issuance of the permit shall not be taken as permission to violate any of the requirements of this article.

(b) Electrical plans shall be submitted for the following types of installations:

1. All commercial and industrial installations.
2. Apartment buildings containing three (3) or more units and having electric heating cables.
3. Apartment buildings containing four (4) or more units but having no electric heating cables.

Submitted plans shall show a single line diagram of service, feeders, conduit, and wire sizes. Electrical calculations shall accompany all submitted plans.

SEC. 92.0401 FEE SCHEDULE

(a) The fees prescribed in this article must be paid to The City of San Diego for each electrical installation for which a permit is required by this Section and must be paid before any such permit is issued, except as hereinafter provided.

(b) Whenever it shall be necessary to make an extra inspection trip because the applicant for any permit gives an incorrect address or wrong location in obtaining a permit required by this article, a fee of Two Dollars (\$2.00)

shall be paid for correcting the address or location given in such permit.

(c) The fee for an electric wiring inspection requested by an owner of his premises, shall be Seven Dollars (\$7.00) per hour or a minimum of Five Dollars (\$5.00) for any fraction of an hour.

(d) For each inspection trip made necessary by reason of deficient or defective work, a fee of Three Dollars (\$3.00) shall be paid by the permittee.

(e) There shall be a fee of Two Dollars (\$2.00) for each permit issued (not refundable) in addition to the following fees:

1. For each lighting, small appliance, or general purpose 2-wire branch circuit, not including lighting fixtures or motors rated larger than 1/5 H.P. connected thereto. (Not more than 15 utilization outlets permitted per lighting or general purpose branch circuit.) For the purpose of this Section a multi-wire branch circuit contains as many 2-wire branch circuits as there are ungrounded conductors.

(a) 0-20 amps, fee per circuit

1 - 10 circuits each.	\$1.50
11 - 30 circuits each.	1.25
31 - 50 circuits each.	1.00
51 - 70 circuits each.75
71 - 90 circuits each.50
91 - 100 circuits each25
Over 100 circuits each20

(b) 30 amps branch circuit each. 2.50

(c) 40 amps branch circuit each. 3.00

(d) 50 amps branch circuit each. 3.50

2. Lighting fixtures including porcelain lamp holders each.10

3. Festoon lighting, temporary lighting for carnivals, fairs, etc., Christmas tree lots and similar locations. 5.00

4. Motors, generators, transformers, etc., including circuit wiring and controls thereto.

(a) For each H.P., KW, or KV-A or fraction thereof per unit not over five (5).50

For each additional H.P., KW, KV-A or fraction thereof.20

(b) Maximum fee to be paid for any one piece of equipment shall not exceed Twenty-Five Dollars (\$25.00). For the purpose of this Section, equipment such as transformers, capacitors, rectifiers, etc., which are electrically interconnected and operate as one unit shall be considered to be a single unit.

5. Heating, laundry, and cooking equipment, etc., including circuit wiring and controls thereto.

(a) For each KW or KV-A or fraction thereof per unit not over five (5).25

Per unit over 5 KW, KV-A or fraction thereof15

(b) Maximum fee to be paid for any one piece of equipment shall not exceed Twenty-Five Dollars (\$25.00).

6. Inspection of equipment, materials exempt from testing laboratory approval (Mun. Code Section 92.1104) at applicant's request. 10.00

7. The fees for gas tube lighting, neon and/or incandescent lamp signs, shall be as follows:

(a) Neon signs:

For not to exceed one (1) sign including two (2) transformers and/or sign flashers. 3.00
 For each additional transformer and/or sign flasher therefor.50
 For each additional sign on same building. 1.50

(b) Permit fees for gaseous tube outline lighting, decorative lighting and/or formed for advertising purposes shall be based on the following:

First two (2) transformers and/or flashers therefor 3.00
 For each additional transformer and/or flasher.50
 For each sign requiring inspection before erection 5.00

(c) Incandescent lamp signs:

For each incandescent lamp sign including sign flashers 2.00
 1 to 10 lamp holders for each sign.25
 11 to 25 lamp holders for each sign50

26 to 50 lamp holders for each sign . .	1.00
51 to 100 lamp holders for each sign. .	2.00
101 to 200 lamp holders for each sign .	3.00
Over 200 lamp holders for each sign . .	5.00

8. Fees for busways, trolley ducts

and similar equipment shall be based on the following schedule:

Each 20-foot section or major fraction thereof for busway or trolley duct operating at a maximum of 120-240 volts single phase.25
---	-----

Each 20-foot section or major fraction thereof for busway or trolley duct operating at a maximum of 240 volts 3 phase50
---	-----

Each 20-foot section or major fraction thereof for busways or trolley duct operating at a maximum of 600 volts 3 phase	1.50
--	------

9. Fees for service installation.

(a) For each service installation not exceeding 600 volts, including one (1) electric meter, the fee shall be as follows:

(1) Size of entrance

conductors (copper or equivalent aluminum)

Not larger than No. 1 AWG.	1.00
Not larger than No. 4/0 AWG.	1.75
Not larger than 500 MCM AWG.	2.75
Not larger than 1000 MCM AWG	4.00
Larger than 1000 MCM AWG	5.00
For each service meter exceeding one (1).25

(b) For each set of service entrance conductors operating at more than 600 volts 5.00

(c) Each construction pole wiring assembly 3.00

(d) Each temporary service other than construction 3.00

10. Fee for each feeder installed, replaced, relocated or reinstalled in any commercial and/or industrial premises, shall be as follows:

(a) Size of feeder conductor (copper or equivalent aluminum):
Not larger than No. 1 AWG50
Not larger than No. 4/0 AWG 1.75
Not larger than 500 MCM AWG 2.50
Larger than 500 MCM AWG 4.50

(b) For the purpose of this Section, the meaning of the term "Feeder" shall be to mean any single set of electrical conductors exceeding ten (10) feet in length and used to serve more than one set of fuses or circuit breakers.

11. Fee for installing, replacing, relocating, or reinstalling a switchboard or for addition to an existing switchboard, shall be as follows:

(a) 0 - 600 volts:
First switchboard section 4.50
Each additional switchboard section . . 2.50

(b) Over 600 volts:

First switchboard section 10.00
Each additional switchboard
section 5.00

(c) For the purpose of this

Section, a switchboard section shall mean any portion of a complete switchboard which is assembled or connected together with an adjacent portion at the place of installation.

12. Fees for underfloor duct or cellular metal floor raceway shall be as follows:

Each one thousand (1000) square feet of gross floor area or major fraction thereof.25

13. Outlets added to existing circuits, each15

14. For inspection of electrical installation or equipment for which no fee is herein prescribed:

Time per hour. 7.00
Minimum fee. 3.50

15. In no case shall the additional fee prescribed herein be less than 1.50

SEC. 92.0608 CIRCUIT CARDS

A complete schedule of circuits, showing the number and arrangement of outlets on each circuit, shall be posted at the service equipment location prior to request for rough wiring inspection. Circuit cards furnished by the Inspection Department shall be used for this purpose. In lieu of a circuit card, an approved wiring plan may be used.

SEC. 92.0612 TEMPORARY WIRING FOR CONSTRUCTION PURPOSES

Temporary wiring used on construction sites, where persons are employed under the provisions of the State of California Workmen's Compensation Insurance, shall be installed in conformance with the California Administrative Code, Title 24, Part 3 (Basic Electrical Regulations).

SEC. 92.0613 USE OF NONMETALLIC CONDUIT

(a) Where ducts or conduits cross under public property they shall be installed to a depth determined by the City Engineer.

(b) Galvanized heavy wall metal elbows shall be used to turn up conduit above the ground level. Approved fittings shall be used when connecting metal conduits to nonferrous conduits.

(c) All nonmetallic conduit joints which are factory-made or machine-made in the field, need not be coated with a water proofing compound before sleeve couplings are made. All coupled joints shall be tightly fitted.

(d) Direct earth burial types of nonmetallic conduits or ducts shall be installed in earth reasonably free of stones or other debris which may cause damage to said conduits or ducts, unless suitable means are provided to protect them against damage.

(e) Nonmetallic underground conduit runs, when not encased in concrete and having a radius less than thirty-six (36) inches, shall turn through heavy wall steel elbows. Such steel elbows shall be painted with an asphaltic base preparation or equivalent protective coating against corrosion.

SEC. 92.0622 WIRING IN EXISTING OR RELOCATED BUILDINGS OR STRUCTURES

(a) The provisions contained in Section 92.0101 of this Code shall apply to all existing or relocated buildings

or structures in addition to the requirements of this Section.

(b) All buildings or structures moved into the City from other outside areas shall have their wiring conform to the provisions of this article, unless deemed otherwise by the Director of Building Inspection.

(c) All relocated buildings or structures shall have service equipment conform to the provisions of Section 92.0708, if service equipment is relocated.

(d) Additions to or alterations in old wiring shall be made in compliance with the provisions of this article.

(e) Outlets added to existing branch circuits, including existing outlets, shall be rated at not less than one and one-half (1-1/2) amperes each. Circuits to which outlets have been added shall not contain outlets whose number will exceed 80 percent of the branch circuit rating.

(f) Each room in a relocated dwelling shall be provided with not less than two (2) convenience outlets equally spaced. Receptacles which are a part of a fixture or switch outlet shall not count.

SEC. 92.0708 SERVICE DISCONNECTING MEANS

Division J, Article 230 of the National Electrical Code is hereby amended by repealing Sections 70(b) and 70(g). In Division K, repeal Exception No. 4 of Section 90.

A service switch shall be provided for each set of service entrance conductors. It shall be located at the nearest readily accessible point to the entrance of the service entrance conductors.

Exception. Service entrance conductors of less than 300 volts may supply more than one individual service switch provided:

(a) All service switches shall be grouped at the nearest readily accessible point of entrance and shall be accessible at all times to all consumers.

(b) Not more than one service switch of this group is for the same class of service for the same consumer.

(c) Where the number of service switches at the same location exceeds six (6), the entire current shall be taken through one main, fusible switch or circuit breaker.

In a multiple occupancy building, each occupant shall have access to his disconnecting means. A multiple occupancy building shall have service equipment for the same class of service grouped in a common, accessible place, except when more than one service is permitted in accordance with Section 230-2. The total number of service switches for each class of service shall not exceed six (6) for each set of service drop or underground conductors.

SEC. 92.0715 WIRING METHODS

(a) Nonmetallic wiring methods may be used only in residential-type dwellings when such buildings do not exceed two (2) stories in height. Nonmetallic wiring methods are not permitted within Fire Zone No. 1

(b) Article 334 of the National Electrical Code is hereby amended as follows:

Type AC cable is not permitted for use in general wiring except that it may be fished through inaccessible areas when necessary to install wiring without causing disturbance to the finish of any portion of a building or structure.

SEC. 92.0720 RIGID NONMETALLIC CONDUIT

Section 2, Article 347, of the National Electrical Code is hereby amended by adding a new subparagraph (g) to read as follows:

(g) Ducts placed under a concrete floor located within the walls of a building shall be not less than six (6) inches beneath the bottom of the floor slab. When deemed necessary, the Director of Building Inspection may allow or require other means of protection against physical damage to nonmetallic raceways.

SEC. 92.0722 SWITCHES - ACCESSIBILITY AND GROUPING

Section 8, Article 380, of the National Electrical Code is hereby amended as follows:

(a) Switches and circuit breakers, so far as practicable, shall be readily accessible and shall be grouped. They shall be installed so that the top of a fuse or the center of the grip of the operating handle of the switch, circuit breaker, or other control device, when in its highest position, will not be more than six and one-half (6-1/2) feet above the floor or working platform.

(b) Snap switches used to control lighting branch circuits operating in excess of 150 volts to ground shall not be grouped in a common enclosure unless a permanent metal barrier is installed between every two switches.

(c) All switch outlet plates shall be permanently engraved with the branch circuit voltage if such voltage exceeds 150 volts to ground.

Section 4. That Chapter IX, Article 2, Division 6 of the San Diego Municipal Code be, and the same is hereby amended by adding Section 92.0624 to read as follows:

SEC. 92.0624 LOW VOLTAGE LIGHTING SYSTEMS

(a) Low voltage lighting systems, other than portable types, which are served from a supply source in excess of twenty-five (25) volts and/or fifty (50) volts-amps shall comply with all regulations applicable to general wiring methods.

(b) Underground conductors installed for low voltage lighting systems, other than portable types, shall be buried at a depth not less than ten (10) inches and shall be Type UF or equivalent.

(c) Transformers for use with low voltage lighting systems and which do not have current limiting characteristics shall be provided with suitable overcurrent protection and such protection may be in the primary or secondary side.

Section 5. That Chapter IX, Article 2 of the San Diego Municipal Code be, and the same is hereby amended by amending the title of Division 7, and by adding Sections 92.0705, 92.0713, 92.0723, 92.0724 and 92.0725 to read as follows:

DIVISION 7

MODIFICATIONS TO NATIONAL ELECTRICAL CODE

SEC. 92.0705 CLEARANCE OF SERVICE DROPS

Section 24(a), Article 230, of the National Electrical Code is hereby amended by adding the following:

Exception No. 3. In no case shall a service head be placed more than eighteen (18) inches back of the

exterior wall facing the utilities serving line unless deemed impractical by the serving agency.

SEC. 92.0713 CONTINUOUS RIGID CABLE SUPPORTS -
NATIONAL ELECTRICAL CODE

Article 318, of the National Electrical Code shall not be applicable to the San Diego Municipal Code.

SEC. 92.0723 MOBILE HOMES - NATIONAL ELECTRICAL CODE
ARTICLE NOT APPLICABLE

Article 550 of the National Electrical Code shall not be applicable to the San Diego Municipal Code.

SEC. 92.0724 HIGH VOLTAGE - WIRING METHOD

Section 3, Article 710, of the National Electrical Code is hereby amended to read as follows:

(a) Aboveground Conductors. They shall be installed in rigid metal conduit, in other approved raceways if encased in not less than three (3) inches of concrete, or as open runs of metal armored cable approved for the voltage and purpose.

In locations accessible to qualified persons only, open runs of nonmetallic sheathed cable, bare conductors, and bare bus bars may also be used.

(b) Underground Conductors. Conductors shall be installed in rigid metal conduit or in other approved raceway encased in not less than three (3) inches of concrete envelope. All such conductors shall be buried at not less than thirty (30) inches below finish grade and this depth shall apply to top of concrete envelope.

All high voltage conduits or ducts shall be maintained at a depth not less than six (6) inches below other utilities when such utilities are buried twenty-four (24) inches or less below the finish grade.

SEC. 92.0725 RADIO AND TELEVISION EQUIPMENT -
NATIONAL ELECTRICAL CODE ARTICLE
NOT APPLICABLE

Article 810 of the National Electrical Code shall not be applicable to the San Diego Municipal Code.

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Don S. Peterson, Deputy

DSP:s1
1/22/70

10235

FEB 12 1970

Passed and adopted by the Council of The City of San Diego on _____, by the following vote:

RECEIVED
CITY CLERK'S OFFICE

1970 JAN 26 AM 8:56

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 29 1970, and on FEB 12 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10235** Adopted **FEB 12 1970**

9A

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 2
OF THE SAN DIEGO MUNICIPAL CODE BY ADOPTING
THE NATIONAL ELECTRICAL CODE, 1968 EDITION,
BY RENUMBERING, REPEALING AND AMENDING SECTIONS

OF AND ADDING SECTIONS TO THE ELECTRICAL CODE

RECEIVED
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1970 FEB 24 PM 3:36
SAN DIEGO, CALIF.

I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am ~~the principal clerk of~~ the printer of said newspaper;
that the

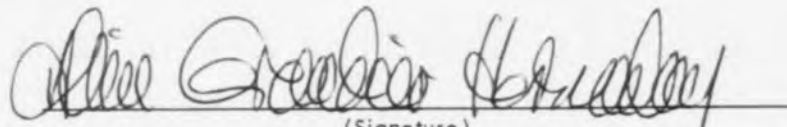
ORDINANCE NO. 10235 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

February 20, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on

February 20, 1970


(Signature)

84" \$ 336.00

ORDINANCE NO. 10235
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 2 OF THE SAN DIEGO MUNICIPAL CODE BY ADOPTING THE NATIONAL ELECTRICAL CODE, 1968 EDITION, BY RENUMBERING, REPEALING AND AMENDING SECTIONS OF AND ADDING SECTIONS TO THE ELECTRICAL CODE.

WHEREAS, a committee composed of representatives of the electrical industry in the San Diego area have studied the 1968 Edition of the National Electrical Code, as promulgated by the National Fire Protection Association, and have recommended adoption thereof with suggested amendments; and

WHEREAS, such amendments reflect the construction industry's practices and experiences in the metropolitan area; and

WHEREAS, the Board of Appeals and Advisors recommended adoption of the 1968 Edition of the National Electrical Code with these amendments; and

WHEREAS, the 1968 Edition of the National Electrical Code, with amendments, has been adopted by the cities of Chula Vista, National City, La Mesa, and El Cajon; and

WHEREAS, the U. S. Department of Housing and Urban Development requires cities desiring to obtain approval of their "Workable Program" to have complete and up-to-date codes covering electrical work; and

WHEREAS, this requirement would be satisfied by the adoption of the 1968 Edition of the National Electrical Code and recommended amendments; and

WHEREAS, The City of San Diego is desirous of promoting uniformity between neighboring cities in the metropolitan area to better regulate the electrical industry in general and promote consistency where practical and for the public's benefit; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter IX, Article 2, Divisions 1 and 6 of the San Diego Municipal Code be, and the same are hereby amended by renumbering the following sections as indicated below:

OLD SECTION NO.	TITLE	NEW SECTION NO.
92.0101.10	DEFINITIONS	92.0700
92.0101.13	MEANS OF IDENTIFICATION OF GROUNDED CONDUCTORS	92.0701
92.0101.14	BRANCH CIRCUITS — EXCEPTIONS	92.0702
92.0101.15	FEEDERS — COMMON NEUTRAL FEEDER	92.0703
92.0101.16	CALCULATION OF FEEDER LOADS	92.0704
92.0101.17	INSTALLATION OF SERVICE-ENTRANCE CONDUCTORS — WIRING METHOD	92.0706
92.0101.18	INSTALLATION OF SERVICE-ENTRANCE CONDUCTORS — NATIONAL ELECTRICAL CODE SECTIONS NOT APPLICABLE	92.0707
92.0101.19	BONDING JUMPERS	92.0709
92.0101.20	GROUNDING ELECTRODES — WATER PIPE	92.0710
92.0101.21	GROUNDING CONDUCTOR CONNECTIONS — ATTACHMENT TO ELECTRODES	92.0711
92.0101.22	OPEN WIRING ON INSULATORS — NATIONAL ELECTRICAL CODE ARTICLE NOT APPLICABLE	92.0714
92.0101.23	RIGID METAL CONDUIT — WET LOCATIONS	92.0717
92.0101.24	RIGID METAL CONDUIT — REAMING	92.0718
92.0101.25	NUMBER OF CONDUCTORS IN CONDUIT	92.0719
92.0101.26	RIGID NONMETALLIC CONDUIT	92.0720
92.0101.27	ELECTRICAL METALLIC TUBING — WET LOCATIONS	92.0721
92.0101.28	SWITCHES — ACCESSIBILITY AND GROUPING	92.0722
92.0101.29	TRANSFORMERS — LOCATION	92.0609
92.0101.30	TRANSFORMERS — DISCONNECTING MEANS	92.0609.10
92.0102	DUTIES OF DIRECTOR OF BUILDING INSPECTION	92.0101.16
92.0103	AUTHORITY OF DIRECTOR OF BUILDING INSPECTION	92.0101.15
92.0105	INTERPRETATION	92.0101.10
92.0106	BOARD OF APPEALS AND ADVISORS	92.0101.14
92.0107	RESPONSIBILITY	92.0101.13
92.0108	PROHIBITIONS	92.0101.18
92.0606	SERVICE DISCONNECTING MEANS	92.0708
92.0609	WIRING METHODS	92.0715
92.0615	DIRECT BURIAL CABLE	92.0716
92.0621	TRAILER PARKS — ADOPTION OF CALIFORNIA ADMINISTRATIVE CODE	92.0101.17

Section 2. That Chapter IX, Article 2, Division 6 of the San Diego Municipal Code be, and the same is hereby amended by repealing Section 92.0623: SWIMMING POOLS — GROUNDING CONDUCTOR.

Section 3. That Chapter IX, Article 2, Divisions 1, 3, 4, 6, and 7 of the San Diego Municipal Code be, and the same are hereby amended by amending Sections 92.0101, 92.0101.14, 92.0301, 92.0303, 92.0309, 92.0401, 92.0608, 92.0612, 92.0613, 92.0622, 92.0708, 92.0715, 92.0720, and 92.0722 as renumbered in Section 1 above to read as follows:

SEC. 92.0101 STANDARDS FOR INSTALLATIONS AND MATERIALS; NATIONAL ELECTRICAL CODE ADOPTED

(a) The National Electrical Code, 1968 Edition, a USA Standard, published by the National Fire Protection Association, three printed copies of which are filed in the office of the City Clerk as Official Document No. 730870 be, and the same is hereby adopted as part of the Municipal Code of The City of San Diego, except as hereinafter modified, amended, repealed, or deleted; and by reference thereto is made a part hereof as though fully set out herein.

(b) The requirements of the National Electrical Code shall apply to all residential, commercial, and industrial installations. All electrical installations that are under the jurisdiction of the California Division of Industrial Safety shall also comply with requirements of Title 24, Part 3, of the California Administrative Code.

SEC. 92.0101.14 BOARD OF APPEALS AND ADVISORS

When a question involving the interpretation of the intent and purpose of any provisions of this Article or the suitability of alternate materials and types of construction is presented to the Director of Building Inspection, he may request the Board of Appeals and Advisors to investigate such matters under the procedure established in Section 91.01 of this Code.

SEC. 92.0301 PERMITS REQUIRED

(a) No electric wiring, devices, appliances or equipment shall be installed within or on any building, structure or premises nor shall any alteration or addition be made in any such existing wiring, devices, appliances or equipment without first securing a permit therefor from the Inspection Department, except as stated in Section 92.0302.

(b) Permits shall be obtained before or at the time work is started, except in cases where emergency or urgent necessity can be shown to exist provided a permit is obtained within twenty-four (24) hours, exclusive of Saturdays, Sundays, and holidays.

(c) A separate permit must be obtained for construction pole or where a temporary meter is required for construction purposes.

(d) A separate permit shall be required for each building or structure which stands alone, except garages which are accessory to dwellings and both are located on the same premises.

(e) Permits for privately-owned conduits or other materials in public places and in and across streets and alleys may be issued only after approval has been granted for the installation, by the City Council. All work shall be done in accordance with law and special regulations applicable thereto.

(f) Except as provided in Sections 92.0303 and 92.0304, permits shall be issued only to contractors licensed by the State of California to engage in the business or act in the capacity of a contractor relating to electrical installations.

SEC. 92.0303 SPECIAL OWNER'S PERMIT

The Director of Building Inspection may issue to a property owner or his duly assigned agent a permit authorizing said individual to install, alter, change, or repair electrical wiring in, or about his own property.

The permittee shall be subject to all rules and regulations applicable to electrical wiring in the City of San Diego.

SEC. 92.0309 APPLICATION FOR PERMIT

(a) Application for a permit, describing the work to be done, shall be made in writing to the Director of Building Inspection. The application shall be accompanied by such plans, specifications, and schedules as may be necessary to determine whether the installation as described will be in conformity with the requirements of this article. If it shall be found that the installation as described will in general conform with the requirements of this article, and if the applicant has complied with all provisions of this article, a permit for such installation shall be issued; provided, however, that the issuance of the permit shall not be taken as permission to violate any of the requirements of this article.

(b) Electrical plans shall be submitted for the following types of installations:

1. All commercial and industrial installations.
2. Apartment buildings containing three (3) or more units and having electric heating cables.
3. Apartment buildings containing four (4) or more units but having no electric heating cables.

Submitted plans shall show a single line diagram of service, feeders, conduit, and wire sizes. Electrical calculations shall accompany all submitted plans.

SEC. 92.0401 FEE SCHEDULE

(a) The fees prescribed in this article must be paid to The City of San Diego for each electrical installation for which a permit is required by this Section and must be paid before any such permit is issued, except as hereinafter provided.

(b) Whenever it shall be necessary to make an extra inspection trip because the applicant for any permit gives an incorrect address or wrong location in obtaining a permit required by this article, a fee of Two Dollars (\$2.00) shall be paid for correcting the address or location given in such permit.

(c) The fee for an electric wiring inspection requested by an owner of his premises, shall be Seven Dollars (\$7.00) per hour or a minimum of Five Dollars (\$5.00) for any fraction of an hour.

(d) For each inspection trip made necessary by reason of deficient or defective work, a fee of Three Dollars (\$3.00) shall be paid by the permittee.

(e) There shall be a fee of Two Dollars (\$2.00) for each permit issued (not refundable) in addition to the following fees:

1. For each lighting, small appliance, or general purpose 2-wire branch circuit, not including lighting fixtures or motors rated larger than 1/5 H.P. connected thereto. (Not more than 15 utilization outlets permitted per lighting or general purpose branch circuit.) For the purpose of this Section a multi-wire branch circuit contains as many 2-wire branch circuits as there are ungrounded conductors.

(a) 0-20 amps, fee per circuit	
1 - 10 circuits each	\$1.50
11 - 30 circuits each	1.25
31 - 50 circuits each	1.00
51 - 70 circuits each	.75
71 - 90 circuits each	.50
91 - 100 circuits each	.25
Over 100 circuits each	.20

- (b) 30 amps branch circuit each
- (c) 40 amps branch circuit each
- (d) 50 amps branch circuit each

2. Lighting fixtures including porcelain lamp holders each
3. Festoon lighting, temporary lighting for carnivals, fairs, etc., Christmas tree lots and similar locations
4. Motors, generators, transformers, etc., including circuit wiring and controls thereto.

(a) For each H.P., KW, or KV-A or fraction thereof per unit not over five (5)

For each additional H.P., KW, KV-A or fraction thereof

(b) Maximum fee to be paid for any one piece of equipment shall not exceed Twenty-Five Dollars (\$25.00). For the purpose of this Section, equipment such as transformers, capacitors, rectifiers, etc., which are electrically interconnected and operate as one unit shall be considered to be a single unit.

5. Heating, laundry, and cooking equipment, etc., including circuit wiring and controls thereto.

(a) For each KW or KV-A or fraction thereof per unit not over five (5)

Per unit over 5 KW, KV-A or fraction thereof

(b) Maximum fee to be paid for any one piece of equipment shall not exceed Twenty-Five Dollars (\$25.00).

6. Inspection of equipment, materials exempt from testing laboratory approval (Mun. Code Section 92.1104) at applicant's request

7. The fees for gas tube lighting, neon and/or incandescent lamp signs, shall be as follows:

(a) Neon signs:

For not to exceed one (1) sign including two (2) transformers and/or sign flashers

For each additional transformer and/or sign flasher therefor

For each additional sign on same building

(b) Permit fees for gaseous tube outline lighting, decorative lighting and/or formed for advertising purposes shall be based on the following:

First two (2) transformers and/or flashers therefor

For each additional transformer and/or flasher

For each sign requiring inspection before erection

(c) Incandescent lamp signs:

For each incandescent lamp sign including sign flashers

1 to 10 lamp holders for each sign

11 to 25 lamp holders for each sign

26 to 50 lamp holders for each sign

51 to 100 lamp holders for each sign

101 to 200 lamp holders for each sign

Over 200 lamp holders for each sign

8. Fees for busways, trolley ducts and similar equipment shall be based on the following schedule:

Each 20-foot section or major fraction thereof for busway or trolley duct operating at a maximum of 120-240 volts single phase

Each 20-foot section or major fraction thereof for busway or trolley duct operating at a maximum of 240 volts 3 phase

Each 20-foot section or major fraction thereof for busways or trolley duct operating at a maximum of 600 volts 3 phase

9. Fees for service installation.

(a) For each service installation not exceeding 600 volts, including one (1) electric meter, the fee shall be as follows:

(1) Size of entrance conductors (copper or equivalent aluminum)

Not larger than No. 1 AWG

Not larger than No. 4/0 AWG

Not larger than 500 MCM AWG

Not larger than 1000 MCM AWG

Larger than 1000 MCM AWG

For each service meter exceeding one (1)

(b) For each set of service entrance conductors operating at more than 600 volts

(c) Each construction pole wiring assembly

(d) Each temporary service other than construction

10. Fee for each feeder installed, replaced, relocated or reinstalled in any commercial and/or industrial premises, shall be as follows:

(a) Size of feeder conductor (copper or equivalent aluminum):

Not larger than No. 1 AWG

Not larger than No. 4/0 AWG

Not larger than 500 MCM AWG

Larger than 500 MCM AWG

(b) For the purpose of this Section, the meaning of the term "Feeder" shall be to mean any single set of electrical conductors exceeding ten (10) feet in length and used to serve more than one set of fuses or circuit breakers.

11. Fee for installing, replacing, relocating, or reinstalling a switchboard or for addition to an existing switchboard, shall be as follows:

(a) 0-600 volts:
First switchboard section 4.50
Each additional switchboard section 2.50

(b) Over 600 volts:
First switchboard section 10.00
Each additional switchboard section 5.00

(c) For the purpose of this Section, a switchboard section shall mean any portion of a complete switchboard which is assembled or connected together with an adjacent portion at the place of installation.

12. Fees for underfloor duct or cellular metal floor raceway shall be as follows:

Each one thousand (1000) square feet of gross floor area or major fraction thereof25

13. Outlets added to existing circuits, each15

14. For inspection of electrical installation or equipment for which no fee is herein prescribed:

Time per hour 7.00

Minimum fee 3.50

15. In no case shall the additional fee prescribed herein be less than 1.50

SEC. 92.0608 CIRCUIT CARDS

A complete schedule of circuits, showing the number and arrangement of outlets on each circuit, shall be posted at the service equipment location prior to request for rough wiring inspection. Circuit cards furnished by the Inspection Department shall be used for this purpose. In lieu of a circuit card, an approved wiring plan may be used.

SEC. 92.0612 TEMPORARY WIRING FOR CONSTRUCTION PURPOSES

Temporary wiring used on construction sites, where persons are employed under the provisions of the State of California Workmen's Compensation Insurance, shall be installed in conformance with the California Administrative Code, Title 24, Part 3 (Basic Electrical Regulations).

SEC. 92.0613 USE OF NONMETALLIC CONDUIT

(a) Where ducts or conduits cross under public property they shall be installed to a depth determined by the City Engineer.

(b) Galvanized heavy wall metal elbows shall be used to turn up conduit above the ground level. Approved fittings shall be used when connecting metal conduits to nonferrous conduits.

(c) All nonmetallic conduit joints which are factory-made or machine-made in the field, need not be coated with a water proofing compound before sleeve couplings are made. All coupled joints shall be tightly fitted.

(d) Direct earth burial types of nonmetallic conduits or ducts shall be installed in earth reasonably free of stones or other debris which may cause damage to said conduits or ducts, unless suitable means are provided to protect them against damage.

(e) Nonmetallic underground conduit runs, when not encased in concrete and having a radius less than thirty-six (36) inches, shall turn through heavy wall steel elbows. Such steel elbows shall be painted with an asphaltic base preparation or equivalent protective coating against corrosion.

SEC. 92.0622 WIRING IN EXISTING OR RELOCATED BUILDINGS OR STRUCTURES

(a) The provisions contained in Section 92.0101 of this Code shall apply to all existing or relocated buildings or structures in addition to the requirements of this Section.

(b) All buildings or structures moved into the City from other outside areas shall have their wiring conform to the provisions of this article, unless deemed otherwise by the Director of Building Inspection.

(c) All relocated buildings or structures shall have service equipment conform to the provisions of Section 92.0708, if service equipment is relocated.

(d) Additions to or alterations in old wiring shall be made in compliance with the provisions of this article.

(e) Outlets added to existing branch circuits, including existing outlets, shall be rated at not less than one and one-half (1½) amperes each. Circuits to which outlets have been added shall not contain outlets whose number will exceed 80 percent of the branch circuit rating.

(f) Each room in a relocated dwelling shall be provided with not less than two (2) convenience outlets equally spaced. Receptacles which are a part of a fixture or switch outlet shall not count.

SEC. 92.0708 SERVICE DISCONNECTING MEANS

Division J, Article 230 of the National Electrical Code is hereby amended by repealing Sections 70(b) and 70(g). In Division K, repeal Exception No. 4 of Section 90.

A service switch shall be provided for each set of service entrance conductors. It shall be located at the nearest readily accessible point to the entrance of the service entrance conductors.

Exception. Service entrance conductors of less than 300 volts may supply more than one individual service switch provided:

(a) All service switches shall be grouped at the nearest readily accessible point of entrance and shall be accessible at all times to all consumers.

(b) Not more than one service switch of this group is for the same class of service for the same consumer.

(c) Where the number of service switches at the same location exceeds six (6), the entire current shall be taken through one main, fusible switch or circuit breaker.

In a multiple occupancy building, each occupant shall have access to his disconnecting means. A multiple occupancy building shall have service equipment for the same class of service grouped in a common, accessible place, except when more than one service is permitted in accordance with Section 230-2. The total number of service switches for each class of service shall not exceed six (6) for each set of service drop or underground conductors.

SEC. 92.0715 WIRING METHODS

(a) Nonmetallic wiring methods may be used only in residential-type dwellings when such buildings do not exceed two (2) stories in height. Nonmetallic wiring methods are not permitted within Fire Zone No. 1.

(b) Article 334 of the National Electrical Code is hereby amended as follows:

Type AC cable is not permitted for use in general wiring except that it may be fished through inaccessible areas when necessary to install wiring without causing disturbance to the finish of any portion of a building or structure.

SEC. 92.0720 RIGID NONMETALLIC CONDUIT

Section 2, Article 347, of the National Electrical Code is hereby amended by adding a new subparagraph (g) to read as follows:

(g) Ducts placed under a concrete floor located within the walls of a building shall be not less than six (6) inches beneath the bottom of the floor slab. When deemed necessary, the Director of Building Inspection may allow or require other means of protection against physical damage to nonmetallic raceways.

SEC. 92.0722 SWITCHES—ACCESSIBILITY AND GROUPING

Section 8, Article 380, of the National Electrical Code is hereby amended as follows:

(a) Switches and circuit breakers, so far as practicable, shall be readily accessible and shall be grouped. They shall be installed so that the top of a fuse or the center of the grip of the operating handle of the switch, circuit breaker, or other control device, when in its highest position, will not be more than six and one-half (6½) feet above the floor or working platform.

(b) Snap switches used to control lighting branch circuits operating in excess of 150 volts to ground shall not be grouped in a common enclosure unless a permanent metal barrier is installed between every two switches.

(c) All switch outlet plates shall be permanently engraved with the branch circuit voltage if such voltage exceeds 150 volts to ground.

Section 4, That Chapter IX, Article 2, Division 6 of the San Diego Municipal Code be, and the same is hereby amended by adding Section 92.0624 to read as follows:

SEC. 92.0624 LOW VOLTAGE LIGHTING SYSTEMS

(a) Low voltage lighting systems, other than portable types, which are served from a supply source in excess of twenty-five (25) volts and/or fifty (50) volts-amps shall comply with all regulations applicable to general wiring methods.

(b) Underground conductors installed for low voltage lighting systems, other than portable types, shall be buried at a depth not less than ten (10) inches and shall be Type UF or equivalent.

(c) Transformers for use with low voltage lighting systems and which do not have current limiting characteristics shall be provided with suitable overcurrent protection and such protection may be in the primary or secondary side.

Section 5, That Chapter IX, Article 2 of the San Diego Municipal Code be, and the same is hereby amended by amending the title of Division 7, and by adding Sections 92.0705, 92.0713, 92.0723, 92.0724 and 92.0725 to read as follows:

DIVISION 7

MODIFICATIONS TO NATIONAL ELECTRICAL CODE

SEC. 92.0705 CLEARANCE OF SERVICE DROPS

Section 24(a), Article 230, of the National Electrical Code is hereby amended by adding the following:

Exception No. 3. In no case shall a service head be placed more than eighteen (18) inches back of the exterior wall facing the utilities serving line unless deemed impractical by the serving agency.

SEC. 92.0713 CONTINUOUS RIGID CABLE SUPPORTS—NATIONAL ELECTRICAL CODE

Article 318, of the National Electrical Code shall not be applicable to the San Diego Municipal Code.

SEC. 92.0723 MOBILE HOMES—NATIONAL ELECTRICAL CODE ARTICLE NOT APPLICABLE

Article 550 of the National Electrical Code shall not be applicable to the San Diego Municipal Code.

SEC. 92.0724 HIGH VOLTAGE—WIRING METHOD

Section 3, Article 710, of the National Electrical Code is hereby amended to read as follows:

(a) Aboveground Conductors. They shall be installed in rigid metal conduit, in other approved raceways if encased in not less than three (3) inches of concrete, or as open runs of metal armored cable approved for the voltage and purpose.

In locations accessible to qualified persons only, open runs of nonmetallic sheathed cable, bare conductors, and bare bus bars may also be used.

(b) Underground Conductors. Conductors shall be installed in rigid metal conduit or in other approved raceway encased in not less than three (3) inches of concrete envelope. All such conductors shall be buried at not less than thirty (30) inches below finish grade and this depth shall apply to top of concrete envelope. All high voltage conduits or ducts shall be maintained at a depth not less than six (6) inches below other utilities when such utilities are buried twenty-four (24) inches or less below the finish grade.

SEC. 92.0725 RADIO AND TELEVISION EQUIPMENT—NATIONAL ELECTRICAL CODE ARTICLE NOT APPLICABLE

Article 810 of the National Electrical Code shall not be applicable to the San Diego Municipal Code.

Section 6. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 29, 1970.

Passed and adopted by the Council of The City of San Diego on February 12, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL, Deputy.

(SEAL)
Published February 20, 1970

W-212

ORDINANCE NO. 10236
(New Series)

AN ORDINANCE INCORPORATING LOTS 29 AND 30, BLOCK 221, PACIFIC BEACH, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-4 ZONE, AS DEFINED BY SECTION 101.0413 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 5831 (NEW SERIES), ADOPTED OCTOBER 29, 1953, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, Lots 29 and 30, Block 221, Pacific Beach, in the City of San Diego, California, designated "R-4" on Zone Map Drawing No. B-2183, is subdivided and a final parcel map thereof duly recorded, the provisions of Section 101.0413 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-4 Zone, as described by Section 101.0413 of the San Diego Municipal Code, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2183, filed in the office of the City Clerk as Document No. 730437.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 5831 (New Series), adopted October 29, 1953, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on FEB 17 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 JAN 22 PM 3:17
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.
 By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on FEB 3 1970, and on FEB 17 1970.

I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.
 By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.
 By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10236 Adopted FEB 17 1970

ORDINANCE NO. 10237
(New Series)

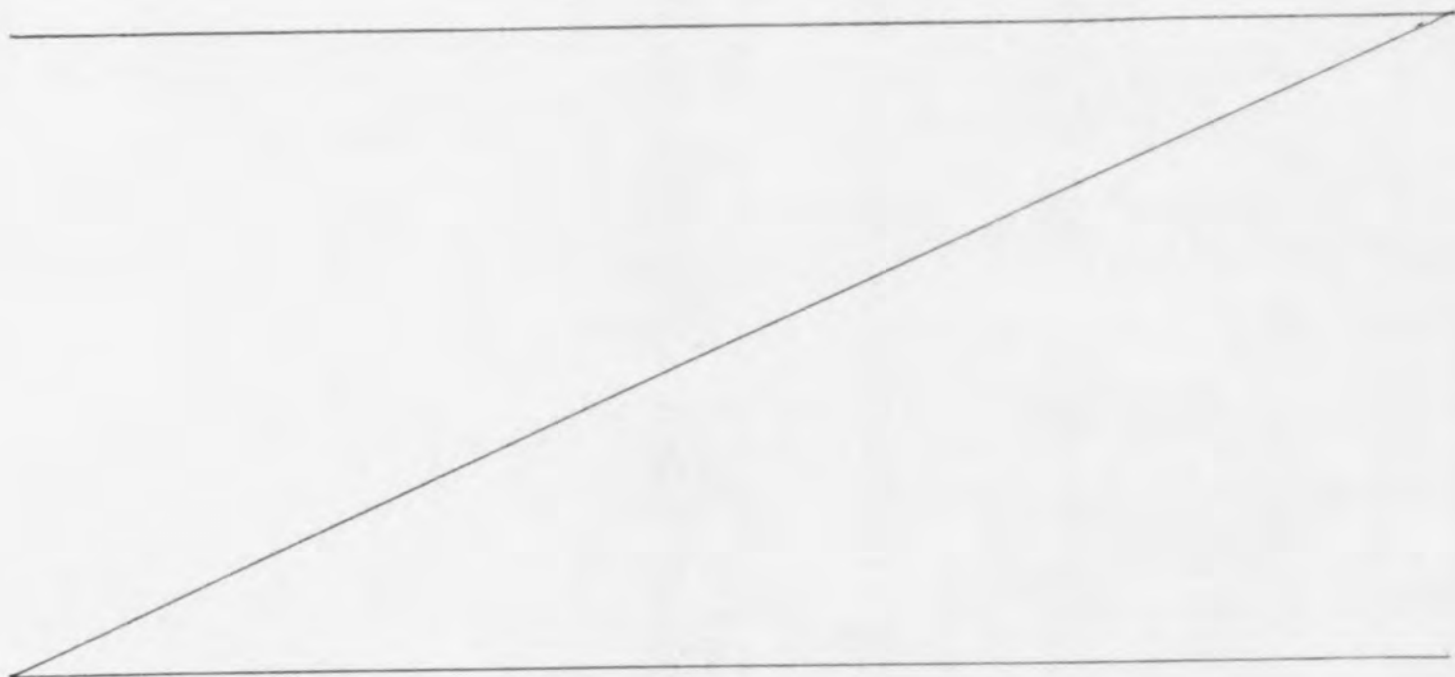
AN ORDINANCE APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION."

WHEREAS, a petition has heretofore been filed with the Council of The City of San Diego for the annexation to said City of certain uninhabited territory designated as "MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION" pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939; and

WHEREAS, all of the provisions of said Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the City Council of The City of San Diego hereby approves the annexation to The City of San Diego of that certain territory in the County of San Diego, State of California, designated as "MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION" and more particularly described as follows:



MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION

All that unincorporated territory in the County of San Diego, State of California, being portions of Sections 29 and 32, Township 14 South, Range 2 West, San Bernardino Base and Meridian, according to the Government Survey thereof, and all Streets and Roads lying within the following described boundaries:

Beginning at an intersection of the boundary of The City of San Diego, established by Resolution Number 195459, adopted December 5, 1968, by the Council of The City Of San Diego, being also the South line of said Section 32, with a portion of the boundary of The City Of San Diego, established by Ordinance Number 7987 (New Series), adopted October 7, 1958, by the Council of The City Of San Diego, being also the Easterly right of way line of State Highway XI-SD-77-A, as said Highway existed on October 7, 1958, according to Plats thereof on file in the State Division of Highways Office in said San Diego County;

1. Thence Northerly and Easterly along said City Boundary established by Ordinance Number 7987 (New Series), the following courses:

a. Northerly along said Easterly right of way line of State Highway XI-SD-77-A, to the Northerly line of said Section 29;

b. Easterly along said Northerly line of Section 29, to the Easterly line of said Section 29, being also a portion of the boundary of The City Of San Diego, established by Resolution Number 195510,

adopted December 12, 1968, by the Council of The City Of San Diego;

2. Thence along said City Boundary established by Resolution Number 195510, the following courses:

a. Southerly along said Easterly line of Section 29, to the Southerly line of said Section 29;

b. Westerly along said Southerly line of Section 29, being also the Northerly line of said Section 32, to the Westerly line of the North Half of the Northeast Quarter of said Section 32;

c. Southerly along said Westerly line of the North Half of the Northeast Quarter of Section 32, to the Southerly line of said North Half of the Northeast Quarter of Section 32;

d. Easterly along said Southerly line of the North Half of the Northeast Quarter of Section 32, to the Westerly boundary of Parcel 4-A, in said Section 32, conveyed to The City Of San Diego, a municipal corporation, by Deed recorded November 17, 1959, in Book 7996, Page 559, of Official Records of San Diego County;

e. Southerly along the boundary of said Parcel 4-A, the following courses:

(1) South 6° 44' 09" West, 570.29 feet;

(2) South 5° 35' 01" East, 163.73 feet;

(3) South 84° 42' 00" West, 95.65 feet;

(4) South 5° 39' 04" East, 948.38 feet to the Southerly line of said Northeast Quarter of Section 32;

3. Thence leaving said City Boundary established by Resolution Number 195510, and proceeding Westerly along said Southerly line of the Northeast Quarter of Section 32, to the Westerly line of the Southeast Quarter of said Section 32;

4. Thence Southerly along said Westerly line of the Southeast Quarter of Section 32, to an intersection with a portion of said boundary of The City Of San Diego, established by Resolution Number 195459;

5. Thence along said City Boundary established by Resolution Number 195459, the following courses:

a. South $65^{\circ} 19' 23''$ West, 110.20 feet;

b. South $74^{\circ} 32' 47''$ West, 173.31 feet to the beginning of a tangent 740.00 foot radius curve concave Southeasterly;

c. Southwesterly along said curve 331.23 feet through a central angle of $25^{\circ} 38' 45''$, to the beginning of a reverse 500.00 foot radius curve concave Northwesterly;

d. Southwesterly along said curve 208.61 feet through a central angle of $23^{\circ} 54' 19''$, to a tangent line;

e. South $72^{\circ} 48' 21''$ West, 539.51 feet along said tangent line to the West line of the East Half of the Southwest Quarter of said Section 32;

f. South $00^{\circ} 19' 40''$ East, 1790.84 feet along said West line of the East Half of the Southwest Quarter of Section 32, to the Southerly line of said Section 32;

g. North $89^{\circ} 38' 07''$ West along said Southerly
line of Section 32, to the point of beginning.

OFFICE OF CITY CLERK
SAN DIEGO, CALIFORNIA

2-10-1971 ch

Certification of Copy of Document

WE HEREBY CERTIFY that the above and foregoing copy of a
portion of Ordinance No. 10237 (New Series) of the
Ordinances of The City of San Diego, being a description
of land annexed to said City, known and designated as
"MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION,"
has been compared with the original thereof, and we know, of our own
knowledge, that the foregoing copy is a full, true and correct copy of
said document.

DATED at San Diego, California, May 27, 1971.

EDWARD NIELSEN

~~JOHN BOGARD~~

City Clerk of The City of San Diego, California.

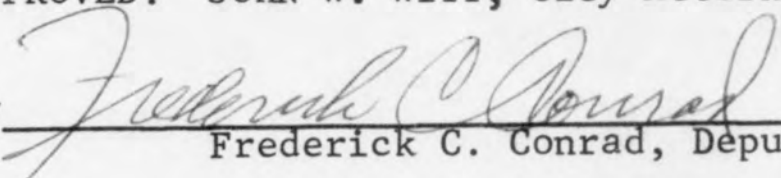
By Thylls M. Brown,
Deputy City Clerk.

By Craig Head,
Deputy City Clerk.

ch

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on FEB 17 1970,
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on FEB 3 1970, and on FEB 17 1970.

I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10237** Adopted FEB 17 1970

* City of San Diego
City Clerk
202 West C Street
San Diego, California

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE APPROVING THE ANNEXATION TO THE
CITY OF SAN DIEGO OF CERTAIN UNINHABITED
TERRITORY IN THE COUNTY OF SAN DIEGO, STATE
OF CALIFORNIA, KNOWN AND DESIGNATED AS
"MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION."

RECEIVED
CITY CLERK'S OFFICE
1970 MAR -3 AM 10:12
SAN DIEGO, CALIF.

ORDINANCE NO. 10237
(NEW SERIES)

AN ORDINANCE APPROVING THE
ANNEXATION TO THE CITY OF
SAN DIEGO OF CERTAIN UNIN-
HABITED TERRITORY IN THE
COUNTY OF SAN DIEGO, STATE
OF CALIFORNIA, KNOWN AND
DESIGNATED AS "MIRAMAR
RESERVOIR TRACT NO. 4 AN-
NEXATION."

WHEREAS, a petition has hereto-
fore been filed with the Council of
The City of San Diego for the annexa-
tion to said City of certain uninhabited
territory designated as "MIRAMAR
RESERVOIR TRACT NO. 4 ANNEXA-
TION" pursuant to the provisions of
the Annexation of Uninhabited Terri-
tory Act of 1939; and

WHEREAS, all of the provisions of
said Annexation of Uninhabited Terri-
tory Act of 1939, as amended, have
been complied with; NOW, THERE-
FORE,

BE IT ORDAINED, by the Council
of The City of San Diego, as follows:

Section 1. That the City Council of
The City of San Diego hereby ap-
proves the annexation to The City of
San Diego of that certain territory in
the County of San Diego, State of
California, designated as "MIRAMAR
RESERVOIR TRACT NO. 4 ANNEXA-
TION" and more particularly described
as follows:

MIRAMAR RESERVOIR TRACT
NO. 4 ANNEXATION

All that unincorporated territory in
the County of San Diego, State of
California, being portions of Sections
29 and 32, Township 14 South, Range
2 West, San Bernardino Base and
Meridian, according to the Govern-
ment Survey thereof, and all Streets
and Roads lying within the following
described boundaries:

Beginning at an intersection of the
boundary of The City of San Diego,
established by Resolution Number
195459, adopted December 5, 1968, by
the Council of The City of San Diego,
being also the South line of said
Section 32, with a portion of the
boundary of The City of San Diego,
established by Ordinance Number 7987
(New Series), adopted October 7,
1958, by the Council of The City of
San Diego, being also the Easterly
right of way line of State Highway
XI-SD-77-A, as said Highway existed
on October 7, 1958, according to Plats
thereof on file in the State Division
of Highways Office in said San Diego
County:

1. Thence Northerly and Easterly
along said City Boundary established
by Ordinance Number 7987 (New
Series), the following courses:

a. Northerly along said Easterly
right of way line of State Highway
XI-SD-77-A, to the Northerly line
of said Section 29;

b. Easterly along said Northerly line
of Section 29, to the Easterly line
of said Section 29, being also a
portion of the boundary of The City
of San Diego, established by Resolu-
tion Number 195510, adopted Decem-
ber 12, 1968, by the Council of The
City of San Diego;

2. Thence along said City Boundary
established by Resolution Number
195510, the following courses:

a. Southerly along said Easterly line
of Section 29, to the Southerly line
of said Section 29;

b. Westerly along said Southerly
line of Section 29, being also the
Northerly line of said Section 32, to
the Westerly line of the North Half
of the Northeast Quarter of said
Section 32;

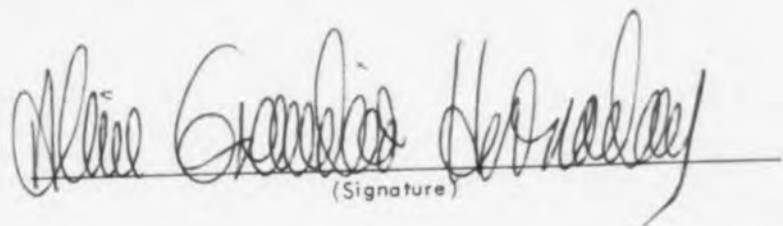
I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the principal clerk of the printer of said newspaper;
that the

ORDINANCE NO. 10237

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

February 26, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on February 26, 1970


(Signature)

18 1/8" \$72.50

c. Southerly along said Westerly line of the North Half of the Northeast Quarter of Section 32, to the Southerly line of said North Half of the Northeast Quarter of Section 32;
d. Easterly along said Southerly line of the North Half of the Northeast Quarter of Section 32, to the Westerly boundary of Parcel 4-A, in said Section 32, conveyed to The City of San Diego, a municipal corporation, by Deed recorded November 17, 1959, in Book 7996, Page 559, of Official Records of San Diego County;

e. Southerly along the boundary of said Parcel 4-A, the following courses:

- (1) South 6° 44' 09" West, 570.29 feet;
- (2) South 5° 35' 01" East, 163.73 feet;
- (3) South 84° 42' 00" West, 95.65 feet;
- (4) South 5° 39' 04" East, 948.38 feet to the Southerly line of said Northeast Quarter of Section 32;

3. Thence leaving said City Boundary established by Resolution Number 195510, and proceeding Westerly along said Southerly line of the Northeast Quarter of Section 32, to the Westerly line of the Southeast Quarter of said Section 32;

4. Thence Southerly along said Westerly line of the Southeast Quarter of Section 32, to an intersection with a portion of said boundary of The City of San Diego, established by Resolution Number 195459;

5. Thence along said City Boundary established by Resolution Number 195459, the following courses:

a. South 65° 19' 23" West, 110.20 feet;

b. South 74° 32' 47" West, 173.31 feet to the beginning of a tangent 740.00 foot radius curve concave Southeasterly;

c. Southwesterly along said curve 331.23 feet through a central angle of 25° 38' 45", to the beginning of a reverse 500.00 foot radius curve concave Northwesterly;

d. Southwesterly along said curve 208.61 feet through a central angle of 23° 54' 19", to a tangent line;

e. South 72° 48' 21" West, 539.51 feet along said tangent line to the West line of the East Half of the Southwest Quarter of said Section 32;

f. South 00° 19' 40" East, 1790.84 feet along said West line of the East Half of the Southwest Quarter of Section 32, to the Southerly line of said Section 32;

g. North 89° 38' 07" West along said Southerly line of Section 32, to the point of beginning.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Passed and adopted by the Council of The City of San Diego on February 17, 1970, by the following vote:

YEAS: Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Curran.

NAYS: None.

ABSENT: Schaefer.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on February 3, 1970, and on February 17, 1970.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)

Published Feb. 26, 1970

W-345

ORDINANCE NO. 10238

(New Series)

AN ORDINANCE ADDING ANNEXED TERRITORY, DESIGNATED AS "MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION," TO COUNCIL DISTRICT NO. 1, PURSUANT TO THE PROVISIONS OF SECTION 5, ARTICLE II OF THE CITY CHARTER.

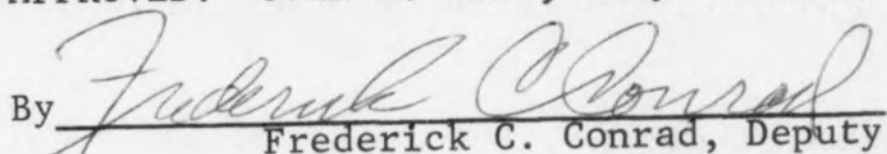
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the area designated as "MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION" in Ordinance No. 10237 (New Series), adopted February 17, 1970, is hereby added to Council District No. 1, heretofore shown and delineated on that certain map showing the boundary line of said district, as contained in Document No. 727206 on file in the office of the City Clerk of said City, and which district was defined and which map was approved by Ordinance No. 9984 (New Series), of the Ordinances of The City of San Diego, adopted February 27, 1969.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on FEB 17 1970,
 by the following vote:

RECEIVED
 1970 JAN 28 PM 4:48
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN,
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.
 By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on FEB 3 1970, and on FEB 17 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.
 By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.
 By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10238 Adopted FEB 17 1970

99

ATTORNEY (5)

* City of San Diego
City Clerk
202 West C Street
San Diego, California

RECEIVED
CITY CLERK'S OFFICE
1970 MAR -3 AM 10:12
SAN DIEGO, CALIF.

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE ADDING ANNEXED TERRITORY, DESIGNATED AS
"MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION,"
TO COUNCIL DISTRICT NO. 1, PURSUANT TO THE
PROVISIONS OF SECTION 5, ARTICLE II OF THE
CITY CHARTER.

ORDINANCE NO. 10238
(NEW SERIES)

AN ORDINANCE ADDING ANNEXED
TERRITORY, DESIGNATED AS
"MIRAMAR RESERVOIR TRACT
NO. 4 ANNEXATION," TO COUN-
CIL DISTRICT NO. 1, PURSUANT
TO THE PROVISIONS OF SECTION
5, ARTICLE II OF THE CITY
CHARTER.

BE IT ORDAINED, by the Council
of The City of San Diego, as follows:
Section 1. That the area designated
as "MIRAMAR RESERVOIR TRACT
NO. 4 ANNEXATION," in Ordinance
No. 10237 New Series, adopted Febru-
ary 17, 1970, is hereby added to Coun-
cil District No. 1, heretofore shown
and delineated on that certain map
showing the boundary line of said
district, as contained in Document No.
727206 on file in the office of the City
Clerk of said City, and which district
was defined and which map was ap-
proved by Ordinance No. 9984 (New
Series), of the Ordinances of The City
of San Diego, adopted February 27,
1969.

Introduced on February 3, 1970.
Passed and adopted by the Council
of The City of San Diego on February
17, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

Published Feb. 26, 1970 W-346

I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the principal clerk of the printer of said newspaper;
that the

ORDINANCE NO. 10238

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

February 26, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on February 26, 1970

Aline Grandier Hornaday
(Signature)

3 7/8" \$15.50

OFFICE OF CITY CLERK
SAN DIEGO, CALIFORNIA

May 27, 1971

Population--Based Park Service Districts of the City of
San Diego, mentioned on page 2 (Sec. 102.0801) of the
following Ordinance No. 10239 (New Series) is Tag No.
10501, Document No. 730958.

ch

ORDINANCE NO. 10239
(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE, BY ADDING DIVISION 8 AND SECTIONS 102.0800 THROUGH 102.0810, RELATING TO THE ESTABLISHMENT OF REGULATIONS FOR CONTRIBUTION OF LANDS AND/OR PAYMENT OF FEES FOR PARK AND RECREATIONAL FACILITIES IN SUBDIVISIONS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 2, of the San Diego Municipal Code be amended by adding Division 8, and Sections 102.0800 through 102.0810, to read as follows:

DIVISION 8

ACQUISITION AND DEVELOPMENT OF PARK
AND RECREATIONAL FACILITIES

SEC. 102.0800 PURPOSE AND INTENT

In 1965, the Legislature of the State of California amended the Subdivision Map Act (Section 11500 et seq. of the Business and Professions Code) so as to enable cities and counties to require either the contribution of land, the payment of fees, or a combination of both, for park or recreational purposes, as a condition of approval of a subdivision map.

Before a city or county may avail itself of said Act, it must have adopted a general plan containing a recreational element with definite principles and standards for the park and recreational facilities to serve the residents of the city or county.

The City Council of The City of San Diego has adopted a general plan containing such recreational element.

It is the intent of this Division to provide for the implementation of those provisions of the Subdivision Map

Act referred to above, and it is further the intent of this Division that the cost of land and improvements for population-based parks to serve the future inhabitants of subdivisions shall be borne by such subdivisions.

It is also the intent of this Division to provide that neighborhood parks shall be developed before community parks are developed.

SEC. 102.0801 ADOPTION OF PARK SERVICE
 DISTRICTS MAP

The City Council does hereby adopt a map entitled, "Population-Based Park Service Districts of the City of San Diego." Lands contributed by, and fees collected from subdividers of land within a given park service district delineated on this map shall be allocated for park and recreational purposes within the said district.

SEC. 102.0802 APPLICATION

The provisions of this Division shall apply to all subdivisions and parcel maps which increase the number of permissible dwelling units as such are defined in Chapter X, Article 2 of the San Diego Municipal Code, except industrial subdivisions and subdivisions for which tentative subdivision maps have been filed within thirty (30) days after the effective date of this Division.

SEC. 102.0803 RELATION OF LAND REQUIRED
 TO POPULATION DENSITY

The Progress Guide and General Plan for the City of San Diego adopted on July 20, 1967 by the San Diego City Council states:

The standards for population-based parks discussed previously require a total of approximately 2.8 acres per 1,000 residents. In terms of actual land procurement, however, this figure could be reduced to approximately 1.5 acres per 1,000 residents if all parks are located adjacent to schools.

SEC. 102.0804 POPULATION DENSITY

Population density for the purpose of this division shall be determined in accordance with the 1960 census of population and housing for the City of San Diego, as follows:

1. Single family dwelling units and duplexes contain 3.7 persons per dwelling unit.
2. Multiple family dwelling units contain 2.5 persons per dwelling unit.

R-1 lands shall be computed at one dwelling unit per lot. R-2 zoned lands shall be estimated at 10 dwelling units per acre. All other residentially-zoned land shall be estimated at 22 dwelling units per acre and all commercially-zoned land permitting residential development shall be computed at 25 dwelling units per acre.

SEC. 102.0805 SUBDIVIDERS MUST PROVIDE PARK AND RECREATIONAL FACILITIES

Every subdivider who subdivides lands shall contribute lands or pay a fee or contribute lands and pay a fee as set forth in this Division for the purpose of providing park and recreational facilities to serve residents of such subdivisions.

1. The subdivider shall be assessed a fee of \$100 per dwelling unit for R-1 and R-2 development and a fee of \$75 per dwelling unit for all other units as provided in Section 102.0804. These fees are intended to substantially represent the cost of acquiring land and developing population-based park and recreation facilities to

serve the future inhabitants of this subdivision. The fair market value of acceptable park lands contributed shall be credited against these fees.

"Fair market value" shall be determined as of the time of filing the final map in accordance with the following:

- a. The fair market value as determined by the City Council based upon the then assessed value, modified to equal market value in accordance with current practice of the County Assessor; or
 - b. If the subdivider objects to such evaluation he may, at his expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the City, which appraisal may be accepted by the City Council if found reasonable.
2. Park land required in accordance with the terms of this Division shall be as follows:

R-1 Lots	242 sq. ft. of usable park land per lot.
R-2 Zoned Land	2,420 sq. ft. of usable park land per residential acre.
All Other Residentially-Zoned Land	3,594 sq. ft. of usable park land per residential acre.
Commercially-Zoned Land Permitting Residential	4,074 sq. ft. of usable park land per commercial acre.

These amounts of land shall be contributed at the time of filing of the final map. If, in the judgment of the City, suitable land does not exist within the subdivision, or for subdivisions containing 50 lots or less, the City will collect the fee in cash.

3. Costs, population density, age distribution and local conditions change over the years and the specified formula for the payment of fees for acquisition of park sites as stated herein is subject to periodic review and amendment by the City Council.

SEC. 102.0806 CREDIT FOR PRIVATE PARK AND RECREATION FACILITIES

Where private usable land is provided for park and recreational purposes, such areas may be credited against the requirement for the payment of fees for park and recreation purposes or contribution of land and payment of fees as provided in Section 102.0805 hereof, provided the City Council, applying such criteria as usability, public access, proposed improvements and permanency, finds it is in the public interest to do so.

SEC. 102.0807 LIMITATIONS ON USE OF LAND AND FEES

The fees received under this Division, together with earned interest thereon, shall be used only for the purpose of providing park and recreational facilities to serve subdivisions within the boundaries of the population-based park service district in which the subject developments are located.

SEC. 102.0808 TIME OF PARK COMMENCEMENT

The City will acquire the land as soon as possible, and start improvements on population-based park sites at or before the time building permits have been issued covering at least 80% of the available residential building sites within a park service district.

SEC. 102.0809 COLLECTION AND DISTRIBUTION OF FEES - MAINTENANCE OF PARK SERVICE DISTRICTS MAP

1. Prior to the acceptance of a final map, any required fees shall have been paid to the City. Any land to be contributed for purposes outlined in this section shall be deeded to the City and shown on such map.
2. The City Manager shall be responsible for the following:
 - a. Distribution of fees as set forth in Section 102.0805 herein; and
 - b. Maintenance of and revisions to the map entitled, "Population-Based Park Service Districts of the City of San Diego," which map shall be presented to the City Council at least annually for review and ratification.

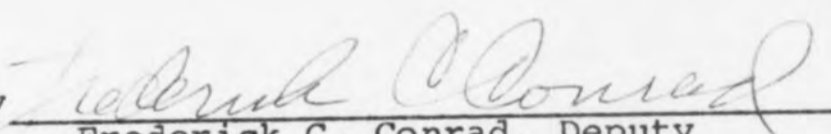
SEC. 102.0810 SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Division or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this Division or the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

RECEIVED
CITY CLERK'S OFFICE
1970 FEB 13 AM 8:50
SAN DIEGO, CALIF. 94

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

FCC:sl
Page 2 Rev. 2/12/70

FEB 19 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

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1970 JAN 30 PM 12:07

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel* Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on **FEB 19 1970** and on **FEB 5 1970**.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By *Elfa J. Hamel*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10239** Adopted **FEB 19 1970**

98

ATTORNEY (S)

* City of San Diego
City Clerk
202 West C Street
San Diego, California

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, OF
THE SAN DIEGO MUNICIPAL CODE, BY ADDING,
DIVISION 8 AND SECTIONS 102.0800 THROUGH
102.0810, RELATING TO THE ESTABLISHMENT
OF REGULATIONS FOR CONTRIBUTION OF LANDS
AND/OR PAYMENT OF FEES FOR PARK AND
RECREATIONAL FACILITIES IN SUBDIVISIONS.

RECEIVED
CITY CLERK'S OFFICE
1970 MAR -3 AM 10:11
SAN DIEGO, CALIF.

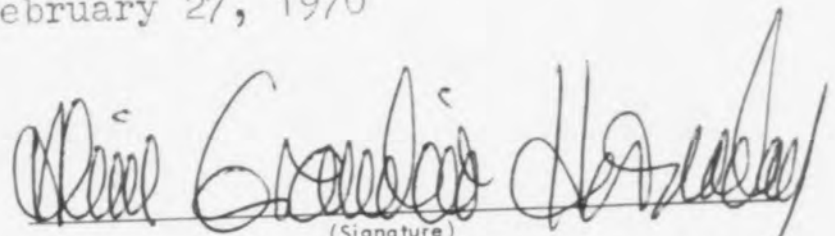
I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the ~~principal clerk of the~~ printer of said newspaper;
that the

ORDINANCE NO. 10239
(NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

February 27, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on February 27, 1970


(Signature)

30" \$120.00

ORDINANCE NO. 10239
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE, BY ADDING DIVISION 8 AND SECTIONS 102.0800 THROUGH 102.0810, RELATING TO THE ESTABLISHMENT OF REGULATIONS FOR CONTRIBUTION OF LANDS AND/OR PAYMENT OF FEES FOR PARK AND RECREATIONAL FACILITIES IN SUBDIVISIONS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 2, of the San Diego Municipal Code be amended by adding Division 8, and Sections 102.0800 through 102.0810, to read as follows:

DIVISION 8
ACQUISITION AND DEVELOPMENT OF PARK
AND RECREATIONAL FACILITIES

SEC. 102.0800 PURPOSE AND INTENT

In 1965, the Legislature of the State of California amended the Subdivision Map Act (Section 11500 et seq. of the Business and Professions Code) so as to enable cities and counties to require either the contribution of land, the payment of fees, or a combination of both, for park or recreational purposes, as a condition of approval of a subdivision map.

Before a city or county may avail itself of said Act, it must have adopted a general plan containing a recreational element with definite principles and standards for the park and recreational facilities to serve the residents of the city or county.

The City Council of The City of San Diego has adopted a general plan containing such recreational element.

It is the intent of this Division to provide for the implementation of those provisions of the Subdivision Map Act referred to above, and it is further the intent of this Division that the cost of land and improvements for population-based parks to serve the future inhabitants of subdivisions shall be borne by such subdivisions.

It is also the intent of this Division to provide that neighborhood parks shall be developed before community parks are developed.

SEC. 102.0801 ADOPTION OF PARK SERVICE DISTRICTS MAP

The City Council does hereby adopt a map entitled, "Population-Based Park Service Districts of the City of San Diego." Lands contributed by, and fees collected from subdividers of land within a given park service district delineated on this map shall be allocated for park and recreational purposes within the said district.

SEC. 102.0802 APPLICATION

The provisions of this Division shall apply to all subdivisions and parcel maps which increase the number of permissible dwelling units as such are defined in Chapter X, Article 2 of the San Diego Municipal Code, except industrial subdivisions and subdivisions for which tentative subdivision maps have been filed within thirty (30) days after the effective date of this Division.

SEC. 102.0803 RELATION OF LAND REQUIRED TO POPULATION DENSITY

The Progress Guide and General Plan for the City of San Diego adopted on July 20, 1967 by the San Diego City Council states:

The standards for population-based parks discussed previously require a total of approximately 2.8 acres per 1,000 residents. In terms of actual land procurement, however, this figure could be reduced to approximately 1.5 acres per 1,000 residents if all parks are located adjacent to schools.

SEC. 102.0804 POPULATION DENSITY

Population density for the purpose of this division shall be determined in accordance with the 1960 census of population and housing for the City of San Diego, as follows:

1. Single family dwelling units and duplexes contain 3.7 persons per dwelling unit.
2. Multiple family dwelling units contain 2.5 persons per dwelling unit.

R-1 lands shall be computed at one dwelling unit per lot. R-2 zoned lands shall be estimated at 10 dwelling units per acre. All other residentially-zoned land shall be estimated at 22 dwelling units per acre and all commercially-zoned land permitting residential development shall be computed at 25 dwelling units per acre.

SEC. 102.0805 SUBDIVIDERS MUST PROVIDE PARK AND RECREATIONAL FACILITIES

Every subdivider who subdivides lands shall contribute lands or pay a fee or contribute lands and pay a fee as set forth in this Division for the purpose of providing park and recreational facilities to serve residents of such subdivisions.

1. The subdivider shall be assessed a fee of \$100 per dwelling unit for R-1 and R-2 development and a fee of \$75 per dwelling unit for all other units as provided in Section 102.0804. These fees are intended to substantially represent the cost of acquiring land and developing population-based park and recreation facilities to serve the future inhabitants of the subdivision. The fair market value of acceptable park lands contributed shall be credited against these fees.

"Fair market value" shall be determined as of the time of filing the final map in accordance with the following:

- a. The fair market value as determined by the City Council based upon the then assessed value, modified to equal market value in accordance with current practice of the County Assessor; or
- b. If the subdivider objects to such evaluation he may, at his expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the City, which appraisal may be accepted by the City Council if found reasonable.

2. Park land required in accordance with the terms of this Division shall be as follows:

R-1 Lots	242 sq. ft. of usable park land per lot.
R-2 Zoned Land	2,420 sq. ft. of usable park land per residential acre.
All Other Residentially-Zoned Land	3,594 sq. ft. of usable park land per residential acre.
Commercially-Zoned Land Permitting Residential	4,074 sq. ft. of usable park land per commercial acre.

These amounts of land shall be contributed at the time of filing of the final map. If, in the judgment of the City, suitable land does not exist within the subdivision, or for subdivisions containing 50 lots or less, the City will collect the fee in cash.

3. Costs, population density, age distribution and local conditions change over the years and the specified formula for the payment of fees for acquisition of park sites as stated herein is subject to periodic review and amendment by the City Council.

SEC. 102.0806. CREDIT FOR PRIVATE PARK AND RECREATION FACILITIES

Where private usable land is provided for park and recreational purposes, such areas may be credited against the requirement for the payment of fees for park and recreation purposes or contribution of land and payment of fees as provided in Section 102.0805 hereof, provided the City Council, applying such criteria as usability, public access, proposed improvements and permanency, finds it is in the public interest to do so.

SEC. 102.0807. LIMITATIONS ON USE OF LAND AND FEES

The fees received under this Division, together with earned interest thereon, shall be used only for the purpose of providing park and recreational facilities to serve subdivisions within the boundaries of the population-based park service district in which the subject developments are located.

SEC. 102.0808. TIME OF PARK COMMENCEMENT

The City will acquire the land as soon as possible, and start improvements on population-based park sites at or before the time building permits have been issued covering at least 80% of the available residential building sites within a park service district.

SEC. 102.0809. COLLECTION AND DISTRIBUTION OF FEES — MAINTENANCE OF PARK SERVICE DISTRICTS MAP

1. Prior to the acceptance of a final map, any required fees shall have been paid to the City. Any land to be contributed for purposes outlined in this section shall be deeded to the City and shown on such map.
2. The City Manager shall be responsible for the following:
 - a. Distribution of fees as set forth in Section 102.0805 herein; and
 - b. Maintenance of and revisions to the map entitled, "Population-Based Park Service Districts of the City of San Diego," which map shall be presented to the City Council at least annually for review and ratification.

SEC. 102.0810. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Division or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this Division or the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on February 5, 1970.

Passed and adopted by the Council of The City of San Diego on February 19, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL, Deputy.

ORDINANCE NO. **10240**
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 14 SOUTH, RANGE 4 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA INTO C-1A ZONE, AS DEFINED BY SECTION 101.0431 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8018 (NEW SERIES), ADOPTED DECEMBER 9, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

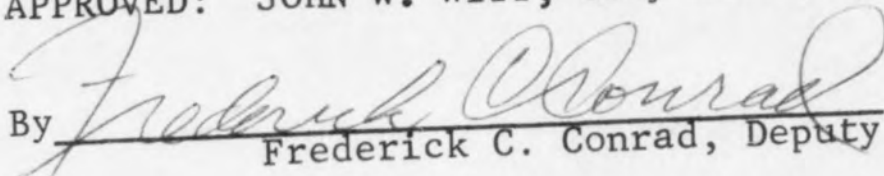
BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of the Northeast 1/4 of the Northeast 1/4 of Section 25, Township 14 South, Range 4 West, S.B.B.M., in the City of San Diego, California, designated "C-1A" on Zone Map Drawing No. B-2236, is subdivided and a final subdivision map thereof duly recorded and within such subdivision, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into C-1A Zone, as described by Section 101.0431, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2236, filed in the office of the City Clerk as Document No. 730569.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of The City of San Diego be, and the same is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

-2-

FCC:srr
1/28/70
60-69-31

10240

FEB 19 1970

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hainel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on
FEB 5 1970, and on FEB 19 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hainel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance
Number

10240

Adopted

FEB 19 1970

ORDINANCE NO. 10241
(New Series)

AN ORDINANCE INCORPORATING PORTIONS OF LOTS 1 AND 2, SECTION 10, TOWNSHIP 15 SOUTH, RANGE 3 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA INTO M-1A ZONE, AS DEFINED BY SECTION 101.0436 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8018 (NEW SERIES), ADOPTED DECEMBER 9, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, portions of Lots 1 and 2, Section 10, Township 15 South, Range 3 West, S.B.B.M., in the City of San Diego, California, designated "M-1A" on Zone Map Drawing No. B-2237 are subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0436 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into M-1A Zone, as described by Section 101.0436, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2237, filed in the office of the City Clerk as Document No. 730567. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of The City of San Diego be, and the same is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick C. Conrad*
Frederick C. Conrad, Deputy

-2-

FCC:srr
1/27/70
60-69-32

10241

FEB 19 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa D. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on FEB 5 1970, and on FEB 19 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa D. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10241** Adopted FEB 19 1970

ORDINANCE NO. 10242
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF LOT 46, PARTITION OF RANCHO EX-MISSION OF SAN DIEGO AND A PORTION OF VILLA LOT 89, NORMAL HEIGHTS, IN THE CITY OF SAN DIEGO, CALIFORNIA INTO RP-1A ZONE, AS DEFINED BY SECTION 101.0418.5 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8411 (NEW SERIES), ADOPTED DECEMBER 27, 1960, AND ORDINANCE NO. 13594, ADOPTED AUGUST 15, 1932, OF THE ORDINANCES OF THE CITY OF SAN DIEGO IN SO FAR AS THE SAME CONFLICT HEREWITH.

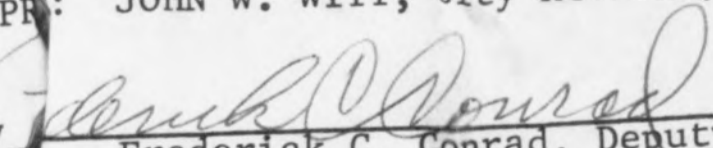
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Lot 46, Partition of Rancho Ex-Mission of San Diego and a portion of Villa Lot 89, Normal Heights, in the City of San Diego, California, designated "RP-1A" on Zone Map Drawing No. B-2238.1 are subdivided and a final subdivision map thereof duly recorded and within such subdivision, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0418.5 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into RP-1A Zone, as described by Section 101.0418.5, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2238.1, filed in the office of the City Clerk as Document No. 730550.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8411 (New Series), adopted December 27, 1960, and Ordinance No. 13594, adopted August 15, 1932, of the Ordinances of The City of San Diego be, and the same is hereby repealed insofar as they conflict herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPR: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

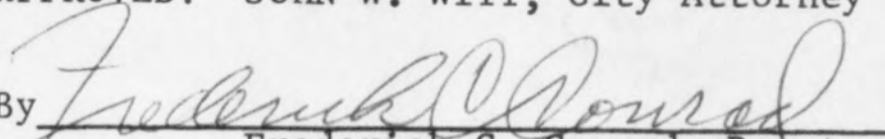
CORRECTION

**The foregoing document is
rephotographed to insure legibility.**

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on FEB 19 1970
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

(Seal)

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

By Elfa Z. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on FEB 5 1970, and on FEB 19 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa Z. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance
Number

10242

Adopted FEB 19 1970

99

ORDINANCE NO. 10243

AN ORDINANCE INCORPORATING LOTS 4 THROUGH 7, BLOCK 245, UNIVERSITY HEIGHTS, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-3 ZONE, AS DEFINED BY SECTION 101.0411 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 12988, APPROVED OCTOBER 20, 1930, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

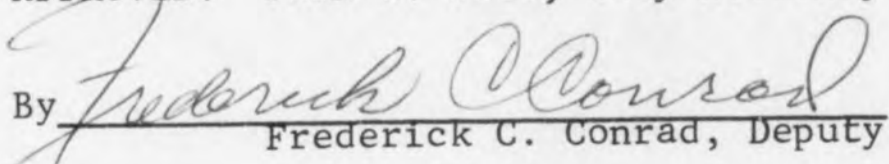
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, Lots 4 through 7, Block 245, University Heights, in the City of San Diego, California, designated "R-3" on Zone Map Drawing No. B-2243, are subdivided and a final parcel map or maps thereof duly recorded, the provisions of Section 101.0411 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-3 Zone, as described by Section 101.0411 of the San Diego Municipal Code, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2243, filed in the office of the City Clerk as Document No. 730561. Said zoning shall attach only to those areas included in the parcel map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 12988, approved October 20, 1930, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on FEB 19 1970
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 FEB 13 AM 11:45
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 5 1970

FEB 19 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10243** Adopted FEB 19 1970

ORDINANCE NO. 10244
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF SECTION 36, TOWNSHIP 14 SOUTH, RANGE 3 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-2A AND C-1A ZONES, AS DEFINED BY SECTIONS 101.0410 AND 101.0431, RESPECTIVELY, OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8018 (NEW SERIES), ADOPTED DECEMBER 9, 1958, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

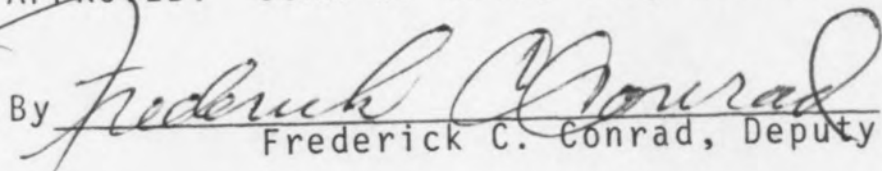
Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Section 36, Township 14 South, Range 3 West, S.B.B.M., in the City of San Diego, California, designated "R-2A" and "C-1A" on Zone Map Drawing No. B-2149.2, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Sections 101.0410 and 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-2A and C-1A Zones, as described by Sections 101.0410 and 101.0431, respectively, of the San Diego Municipal Code, the boundary of such zones to be as indicated on Zone Map Drawing No. B-2149.2, filed in the office of the City Clerk as Document No. 729377. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

FEB 19 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1969 SEP -8 PM 12:22
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on SEP 4 1969, and on FEB 19 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10244 Adopted FEB 19 1970

ORDINANCE NO. 10245
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF SECTION 24, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-1-5 AND C-1A ZONES, AS DEFINED BY SECTIONS 101.0407 AND 101.0431, RESPECTIVELY, OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 7606 (NEW SERIES), ADOPTED SEPTEMBER 26, 1957, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Section 24, Township 18 South, Range 2 West, S.B.B.M., in the City of San Diego, California, designated "R-1-5" and "C-1A" on Zone Map Drawing No. B-2159, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Sections 101.0407 and 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-1-5 and C-1A Zones, as described by Sections 101.0407 and 101.0431, respectively, of the San Diego Municipal Code, the boundary of such zones to be as indicated on Zone Map Drawing No. B-2159, filed in the office of the City Clerk as Document No. 730900. Said zoning shall attach only to those properties included in the subdivision map or maps recorded as provided in this section.

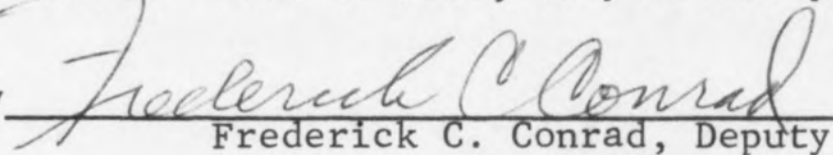
Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 7606 (New Series), adopted

September 26, 1957, of the Ordinances of The City of San Diego
be, and it is hereby repealed insofar as the same conflicts
herewith.

Section 3. This ordinance shall take effect and be in
force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

-2-

FEB 24 1970

Passed and adopted by the Council of The City of San Diego on
by the following vote:

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1970 FEB 18 AM 11:50

SAN DIEGO, CALIF.

Councilmen
Helen Cobb
Sam T. Loftin
Henry L. Landt
Leon L. Williams
Floyd L. Morrow
Bob Martinet
Allen Hitch
Mike Schaefer
Mayor Frank Curran

Yeas	Nays	Excused	Absent
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 10 1970

FEB 24 1970

I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10245** Adopted FEB 24 1970

ORDINANCE NO. 10246
(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0430.1 RELATING TO THE C-1 ZONE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be amended by adding Section 101.0430.1 to read as follows:

SEC. 101.0430.1 C-1 ZONE

A. PURPOSE AND INTENT

The C-1 Zone is primarily intended to accommodate establishments providing a full range of consumer goods and services. In addition, this zone permits wholesaling and warehousing activities on a limited scale.

Zone C-1 is adaptable to most older commercial centers as well as to various strip commercial developments.

B. PERMITTED USES

In the C-1 Zone, no building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

1. Any use permitted in the CA Zone.
2. Retailing of goods and dispensing of services from the following establishments:
 - a. Feed stores.
 - b. Funeral parlors.
 - c. Ice delivery stations.
 - d. Moving and household storage facilities.
 - e. Newspaper plants.

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- f. Pawn shops.
 - g. Radio and television broadcasting studios.
 - h. Transportation terminals.
 - i. Storage garages.
 - j. Wedding chapels.
3. The following service commercial uses, provided that the floor area of any establishment does not exceed 5,000 square feet:
- a. Cleaning and dyeing works (including rugs, carpets and upholstery if entirely within an enclosed building with not more than ten employees).
 - b. Custom shops for curtains, draperies, floor coverings, upholstery and wearing apparel.
 - c. Laundries (if entirely within an enclosed building with not more than ten employees).
 - d. Lithography shops.
 - e. Plumbing shops (provided that any open storage areas are completely enclosed by walls, or buildings, or a combination thereof, not less than six feet in height, and provided also there shall be no outdoor storage of merchandise, materials, equipment or other goods, to a height greater than that of any enclosing wall or building).
4. Wholesaling or warehousing of goods and merchandise (provided that the floor area occupied for such use per establishment does not exceed 5,000 square feet).
5. Outdoor advertising display signs subject to the following limitations:

- a. If freestanding, the height shall not exceed 50 feet measured vertically from the base at ground level to the apex of the sign.
 - b. If on a roof, the height shall not exceed 15 feet measured vertically from the highest point of the roof to the apex of the sign.
6. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of this zone. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.
7. Accessory uses for any of the foregoing permitted uses, including the following signs:
- a. Wall signs as defined in Section 95.0101 provided that no such sign shall project above the nearest parapet or eave of the building to which affixed.
 - b. One single or double-faced freestanding sign facing or adjacent to each street abutting the property.
 - c. Wall signs on interior walls which project through, and not more than ten feet above, the roof of the building.
 - d. Roof signs as defined in Section 95.0101 provided they do not exceed a height of 15 feet measured vertically from the highest point of the roof to the apex of the sign.

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- e. One directional sign located at each driveway entering or leaving the premises.
- f. One wall or freestanding sign for each street frontage designating the premises for sale, rent or lease.
- g. The height of any freestanding sign shall not exceed the height of the highest building on the premises or 50 feet measured vertically from the base at ground level to the apex of said sign, whichever is higher.
- h. Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights, except that any portion of a freestanding sign may rotate at a maximum speed of eight revolutions per minute.

C. SPECIAL REGULATIONS

All accessory uses shall be located in the same building as the permitted use or uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, patio or other similar area.

D. PROPERTY DEVELOPMENT REGULATIONS

No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used nor shall any premises be used unless the lot or premises and buildings shall comply with the following regulations and standards:

1. Minimum Lot Dimensions.

- a. Area - 5,000 square feet.
- b. Street frontage - 50 feet.
- c. Width - 50 feet.
- d. Exception. Any lot which qualifies under the definition of a lot as set forth in this Code and which does not comply in all respects with the minimum lot dimensions specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this zone.

2. Minimum Yards - Lots That Abut Residential Zones.

If any portion of the rear lot line abuts residentially zoned property, a ten-foot rear yard adjoining said lot line shall be provided.

3. Maximum Floor Area Ratio.

The maximum floor area ratio shall be six.

4. Regulations for Residential Development.

All buildings, improvements, or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall be located above the ground floor and shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-4 Zone as set forth in Section 101.0413. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to

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SAN DIEGO, CALIF.

the buildings or portions thereof to be occupied by the commercial uses.

5. Other applicable property development regulations are contained in Division 6 of this Article.

E. OFF-STREET PARKING REGULATIONS

1. Every premises used for one or more of the permitted uses listed in paragraph "B" above, shall be provided with a minimum of off-street parking spaces on the same lot or premises (except as otherwise provided in Division 8) as follows:
 - a. For apartments, multiple dwellings and group dwellings, one parking space for each dwelling unit containing not more than one bedroom and one and one-half parking spaces for each dwelling unit containing two or more bedrooms.
 - b. For hotels, motels, one parking space for each guest room or suite.
 - c. For private clubs and similar establishments, one parking space for each guest room or one parking space for each 400 square feet of gross floor area, whichever is greater.
 - d. For theaters, other than drive-in theaters, and places of assembly not otherwise provided for in this section, one parking space for each three fixed seats, or one space for each 21 square feet of floor area where there are no fixed seats.
 - e. For other permitted uses, one parking space for each 400 square feet of gross floor area.
2. Where ambiguity exists in the application of these off-street parking requirements or where any use

not specified in paragraph "B" above is found to be a permitted use, the off-street parking requirements shall be consistent with that for similar uses in this zone.

3. All off-street parking facilities shall be constructed, operated and maintained in compliance with Division 8 of this Article.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

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1970 FEB 18 AM 11:55
SAN DIEGO, CALIF.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick C. Conrad*
Frederick C. Conrad, Deputy

FCC:sl
Rev. pages 1, 3, 5
2-17-70

FEB 24 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

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1970 FEB -9 PM 12:21

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 10 1970

FEB 24 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10246** Adopted FEB 24 1970

ATTORNEY (S)

* CITY OF SAN DIEGO
202 "C" Street
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
SECTION 101,0430.1 RELATING TO THE C-1 ZONE

RECEIVED
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1970 MAR 11 PM 4:59
SAN DIEGO, CALIF.

I, **Aline Grandier Hornaday** hereby certify
that **The Daily Transcript** is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the ~~principal clerk of the~~ printer of said newspaper;
that the

ORDINANCE NO. 10246 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

March 6, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on March 6, 1970


(Signature)

29 1/2" \$118.00

ORDINANCE NO. 10246
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0430.1 RELATING TO THE C-1 ZONE.
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be amended by adding Section 101.0430.1 to read as follows:

SEC. 101.0430.1 C-1 ZONE

A. PURPOSE AND INTENT

The C-1 Zone is primarily intended to accommodate establishments providing a full range of consumer goods and services. In addition, this zone permits wholesaling and warehousing activities on a limited scale. Zone C-1 is adaptable to most older commercial centers as well as to various strip commercial developments.

B. PERMITTED USES

In the C-1 Zone, no building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

1. Any use permitted in the CA Zone.
2. Retailing of goods and dispensing of services from the following establishments:
 - a. Feed stores.
 - b. Funeral parlors.
 - c. Ice delivery stations.
 - d. Moving and household storage facilities.
 - e. Newspaper plants.
 - f. Pawn shops.
 - g. Radio and television broadcasting studios.
 - h. Transportation terminals.
 - i. Storage garages.
 - j. Wedding chapels.
3. The following service commercial uses, provided that the floor area of any establishment does not exceed 5,000 square feet:
 - a. Cleaning and dyeing works (including rugs, carpets and upholstery if entirely within an enclosed building with not more than ten employees).
 - b. Custom shops for curtains, draperies, floor coverings, upholstery and wearing apparel.
 - c. Laundries (if entirely within an enclosed building with not more than ten employees).
 - d. Lithography shops.
 - e. Plumbing shops (provided that any open storage areas are completely enclosed by walls, or buildings, or a combination thereof, not less than six feet in height, and provided also there shall be no outdoor storage of merchandise, materials, equipment or other goods, to a height greater than that of any enclosing wall or building).
4. Wholesaling or warehousing of goods and merchandise (provided that the floor area occupied for such use per establishment does not exceed 5,000 square feet).
5. Outdoor advertising display signs subject to the following limitations:
 - a. If freestanding, the height shall not exceed 50 feet measured vertically from the base at ground level to the apex of the sign.
 - b. If on a roof, the height shall not exceed 15 feet measured vertically from the highest point of the roof to the apex of the sign.
6. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of this zone. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.
7. Accessory uses for any of the foregoing permitted uses, including the following signs:
 - a. Wall signs as defined in Section 95.0101 provided that no such sign shall project above the nearest parapet or eave of the building to which affixed.
 - b. One single or double-faced freestanding sign facing or adjacent to each street abutting the property.
 - c. Wall signs on interior walls which project through, and not more than ten feet above, the roof of the building.
 - d. Roof signs as defined in Section 95.0101 provided they do not exceed a height of 15 feet measured vertically from the highest point of the roof to the apex of the sign.
 - e. One directional sign located at each driveway entering or leaving the premises.
 - f. One wall or freestanding sign for each street frontage designating the premises for sale, rent or lease.
 - g. The height of any freestanding sign shall not exceed the height of the highest building on the premises or 50 feet measured vertically from the base at ground level to the apex of said sign, whichever is higher.
 - h. Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights, except that any portion of a freestanding sign may rotate at a maximum speed of eight revolutions per minute.

C. SPECIAL REGULATIONS

All accessory uses shall be located in the same building as the permitted use or uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, patio or other similar area.

D. PROPERTY DEVELOPMENT REGULATIONS

No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used nor shall any premises be used unless the lot or premises and buildings shall comply with the following regulations and standards:

1. Minimum Lot Dimensions.
 - a. Area — 5,000 square feet.
 - b. Street frontage — 50 feet.
 - c. Width — 50 feet.
 - d. Exception. Any lot which qualifies under the definition of a lot as set forth in this Code and which does not comply in all respects with the minimum lot dimensions specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this zone.
2. Minimum Yards — Lot: That Abut Residential Zones.

If any portion of the rear lot line abuts residentially zoned property, a ten-foot rear yard adjoining said lot line shall be provided.
3. Maximum Floor Area Ratio.

The maximum floor area ratio shall be six.
4. Regulations for Residential Development.

All buildings, improvements, or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall be located above the ground floor and shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-4 Zone as set forth in Section 101.0413. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.
5. Other applicable property development regulations are contained in Division 6 of this Article.

E. OFF-STREET PARKING REGULATIONS

1. Every premises used for one or more of the permitted uses listed in paragraph "B" above, shall be provided with a minimum of off-street parking spaces on the same lot or premises (except as otherwise provided in Division 8) as follows:
 - a. For apartments, multiple dwellings and group dwellings, one parking space for each dwelling unit containing not more than one bedroom and one and one-half parking spaces for each dwelling unit containing two or more bedrooms.
 - b. For hotels, motels, one parking space for each guest room or suite.
 - c. For private clubs and similar establishments, one parking space for each guest room or one parking space for each 400 square feet of gross floor area, whichever is greater.
 - d. For theaters, other than drive-in theaters, and places of assembly not otherwise provided for in this section, one parking space for each three fixed seats, or one space for each 21 square feet of floor area where there are no fixed seats.
 - e. For other permitted uses, one parking space for each 400 square feet of gross floor area.
 2. Where ambiguity exists in the application of these off-street parking requirements or where any use not specified in paragraph "B" above is found to be a permitted use, the off-street parking requirements shall be consistent with that for similar uses in this zone.
 3. All off-street parking facilities shall be constructed, operated and maintained in compliance with Division 8 of this Article.
- Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.
Introduced on February 10, 1970.
Passed and adopted by the Council of The City of San Diego on February 24, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL, Deputy.

(SEAL)
Published March 6, 1970

W-503

ORDINANCE NO. 10247
(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0430 REGULATING USES IN THE C-1S ZONE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be amended by adding Section 101.0430 to read as follows:

SEC. 101.0430 C-1S Zone

A. PURPOSE AND INTENT

The C-1S Zone is primarily intended to accommodate establishments providing a full range of consumer goods and services. In addition, this zone permits wholesaling and warehousing activities on a limited scale.

Zone C-1S is adaptable to most older commercial centers as well as to various strip commercial developments, where both off-street parking and relatively restrictive sign regulations are desired or are called for in adopted plans.

B. PERMITTED USES

In the C-1S Zone no building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

1. Any use permitted in the C-1 Zone except outdoor advertising display signs.
2. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent

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of this zone. The adopted resolution embodying such finding shall be filed in the office of the City Clerk.

3. Accessory uses for any of the foregoing permitted uses, including the following signs:

a. Signs on the faces of buildings are permitted provided that no such signs shall project above the nearest parapet or eave of the building to which the signs are attached. The aggregate sign area for each street frontage on a given premises shall not exceed one square foot for each linear foot of street frontage or 25 square feet, whichever is larger. In addition, the following identification signs shall be permitted:

(1) One single or double-faced freestanding sign located adjacent to each entrance or exit driveway to a parking lot. Such signs shall not exceed 12 square feet in area nor a height of 12 feet measured vertically from the base at ground level to the apex of the sign.

(2) One sign on the exterior wall at each side or rear entrance to a store, shop or place of business provided that no such sign shall project above the nearest parapet or eave of the building to which it is attached and, provided further, that no such sign shall be attached to the perimeter framing of the building or

to the face of canopies or porch roofs. No such sign shall have an area exceeding 12-1/2 square feet or one-half square foot for each linear foot of street frontage of the premises, whichever is larger.

- b. For each street frontage of the premises, one sign attached to the wall or one freestanding sign designating the premises for sale, rent or lease is permitted, provided such sign has a maximum area of eight square feet and a height, if freestanding, not exceeding 12 feet measured vertically from the base at ground level to the apex of the sign.
- c. Where the face of the building sets back from the property line in excess of 20 feet, single or double-faced freestanding signs (in addition to those on the building) are permitted, provided that:
 - (1) No part of such signs shall extend over public property or have a height exceeding 20 feet measured vertically from the base at ground level to the apex of the sign.
 - (2) The total area of all such signs on any street frontage of the premises shall not exceed four-tenths of a square foot per linear foot of street frontage or 37-1/2 square feet, whichever is smaller.
- d. Any sign located on property zoned C-1S, not in compliance with paragraph "B.3" herein,

shall be removed within three years from the effective date of the ordinance establishing the C-1S Zone on said property.

- e. Signs permitted in paragraph "B.3" herein which are attached to walls or the face of a building shall be parallel to the wall or the face of the building and shall project not more than 16 inches therefrom.
- f. Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights.
- g. All signs, except signs designating the premises for sale, rent or lease, shall refer only to the permitted uses as set forth in Section 95.0305, subsections 2 and 3.

C. SPECIAL REGULATIONS

All accessory uses shall be located in the same building as the permitted use or uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, patio or other similar area.

D. PROPERTY DEVELOPMENT REGULATIONS

No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used nor shall any premises be used unless the lot or premises and buildings shall comply with the following regulations and standards:

- 1. Minimum Lot Dimensions.
 - a. Area - 5,000 square feet.
 - b. Street frontage - 50 feet.
 - c. Width - 50 feet.

d. Exception. Any lot which qualifies under the definition of a lot as set forth in this Code and which does not comply in all respects with the minimum lot dimensions specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this zone.

2. Minimum Yards - Lots That Abut Residential Zones.

If any portion of the rear lot line abuts residentially zoned property, a ten-foot rear yard adjoining said lot line shall be provided.

3. Maximum Floor Area Ratio.

The maximum floor area ratio shall be six.

4. Regulations for Residential Development.

All buildings, improvements, or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall be located above the ground floor and shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-4 Zone as set forth in Section 101.0413. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.

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SAN DIEGO, CALIF

5. Other applicable property development regulations are contained in Division 6 of this Article.

E. OFF-STREET PARKING REGULATIONS

1. Every premises used for one or more of the permitted uses listed in paragraph "B" above, shall be provided with a minimum of off-street parking spaces on the same lot or premises (except as otherwise provided in Division 8) as follows:
 - a. For apartments, multiple dwellings and group dwellings, one parking space for each dwelling unit containing not more than one bedroom and one and one-half parking spaces for each dwelling unit containing two or more bedrooms.
 - b. For hotels, motels, one parking space for each guest room or suite.
 - c. For private clubs and similar establishments, one parking space for each guest room or one parking space for each 400 square feet of gross floor area, whichever is greater.
 - d. For theaters, other than drive-in theaters, and places of assembly not otherwise provided for in this section, one parking space for each three fixed seats, or one space for each 21 square feet of floor area where there are no fixed seats.
 - e. For other permitted uses, one parking space for each 400 square feet of gross floor area.
2. Where ambiguity exists in the application of these off-street parking requirements or where any use not specified in paragraph "B" above is found to

be a permitted use, the off-street parking requirements shall be consistent with that for similar uses in this zone.

3. All off-street parking facilities shall be constructed, operated and maintained in compliance with Division 8 of this Article.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

[Handwritten signature]
RECEIVED
CITY CLERK'S OFFICE
1970 FEB 18 AM 11:55
SAN DIEGO, CALIF.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick C. Conrad*
Frederick C. Conrad, Deputy

FCC:sl
Rev. pages 1, 5
2-17-70

Passed and adopted by the Council of The City of San Diego on FEB 24 1970
by the following vote:

RECEIVED
CITY CLERK
1970 FEB -9 PM 12:21
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 10 1970, and on FEB 24 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number 10247	Adopted FEB 24 1970

11

ATTORNEY (S)

* CITY OF SAN DIEGO
202 "C" Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
SECTION 101.0430 REGULATING USES IN THE
C-1S ZONE

RECEIVED
CITY CLERK'S OFFICE
1970 MAR 11 PM 4:59
SAN DIEGO, CALIF.

I, **Aline Grandier Hornaday** hereby certify
that **The Daily Transcript** is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the ~~principal clerk of the~~ printer of said newspaper;
that the

ORDINANCE NO. 10247 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

March 6, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on **March 6, 1970**

Aline Grandier Hornaday
(Signature)

28 1/4" \$113.00

ORDINANCE NO. 10247
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 101.0430 REGULATING USES IN THE C-1S ZONE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be amended by adding Section 101.0430 to read as follows:

SEC. 101.0430 C-1S ZONE

A. PURPOSE AND INTENT

The C-1S Zone is primarily intended to accommodate establishments providing a full range of consumer goods and services. In addition, this zone permits wholesaling and warehousing activities on a limited scale.

Zone C-1S is adaptable to most older commercial centers as well as to various strip commercial developments, where both off-street parking and relatively restrictive sign regulations are desired or are called for in adopted plans.

B. PERMITTED USES

In the C-1S Zone no building or improvement, or portion thereof, shall be erected, constructed, converted, established, altered or enlarged, nor shall any premises be used except for one or more of the following purposes:

1. Any use permitted in the C-1 Zone except outdoor advertising display signs.
2. Any other use which the Planning Commission may find to be similar in character to the uses, including accessory uses, enumerated in this section and consistent with the purpose and intent of this zone. The adopted resolution embodying such findings shall be filed in the office of the City Clerk.
3. Accessory uses for any of the foregoing permitted uses, including the following signs:
 - a. Signs on the faces of buildings are permitted provided that no such signs shall project above the nearest parapet or eave of the building to which the signs are attached. The aggregate sign area for each street frontage on a given premises shall not exceed one square foot for each linear foot of street frontage or 25 square feet, whichever is larger. In addition, the following identification signs shall be permitted:
 - (1) One single or double-faced freestanding sign located adjacent to each entrance or exit driveway to a parking lot. Such signs shall not exceed 12 square feet in area nor a height of 12 feet measured vertically from the base at ground level to the apex of the sign.
 - (2) One sign on the exterior wall at each side or rear entrance to a store, shop or place of business provided that no such sign shall project above the nearest parapet or eave of the building to which it is attached and, provided further, that no such sign shall be attached to the perimeter framing of the building or to the face of canopies or porch roofs. No such sign shall have an area exceeding 12½ square feet or one-half square foot for each linear foot of street frontage of the premises, whichever is larger.
 - b. For each street frontage of the premises, one sign attached to the wall or one freestanding sign designating the premises for sale, rent or lease is permitted, provided such sign has a maximum area of eight square feet and a height, if freestanding, not exceeding 12 feet measured vertically from the base at ground level to the apex of the sign.
 - c. Where the face of the building sets back from the property line in excess of 20 feet, single or double-faced freestanding signs (in addition to those on the building) are permitted, provided that:
 - (1) No part of such signs shall extend over public property or have a height exceeding 20 feet measured vertically from the base at ground level to the apex of the sign.
 - (2) The total area of all such signs on any street frontage of the premises shall not exceed four-tenths of a square foot per linear foot of street frontage or 37½ square feet, whichever is smaller.
 - d. Any sign located on property zoned C-1S, not in compliance with paragraph "B.3" herein, shall be removed within three years from the effective date of the ordinance establishing the C-1S Zone on said property.
 - e. Signs permitted in paragraph "B.3" herein which are attached to walls or the face of a building shall be parallel to the wall or the face of the building and shall project not more than 16 inches therefrom.
 - f. Signs permitted herein may be lighted; however, none shall contain visibly moving parts or be illuminated by flashing lights.
 - g. All signs, except signs designating the premises for sale, rent or lease, shall refer only to the permitted uses as set forth in Section 95.0305, subsections 2 and 3.

C. SPECIAL REGULATIONS

All accessory uses shall be located in the same building as the permitted use or uses which they serve. There shall be no entrance to any such accessory uses except through a foyer, court, lobby, patio or other similar area.

D. PROPERTY DEVELOPMENT REGULATIONS

No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used nor shall any premises be used unless the lot or premises and buildings shall comply with the following regulations and standards:

1. Minimum Lot Dimensions.
 - a. Area — 5,000 square feet.
 - b. Street frontage — 50 feet.
 - c. Width — 50 feet.
 - d. Exception. Any lot which qualifies under the definition of a lot as set forth in this Code and which does not comply in all respects with the minimum lot dimensions specified herein may nevertheless be used as permitted and otherwise regulated by the provisions applicable to this zone.
2. Minimum Yards — Lots That Abut Residential Zones.

If any portion of the rear lot line abuts residentially zoned property, a ten-foot rear yard adjoining said lot line shall be provided.
3. Maximum Floor Area Ratio.

The maximum floor area ratio shall be six.
4. Regulations for Residential Development.

All buildings, improvements, or portions thereof, erected, constructed, converted, established, altered or enlarged in this zone which are designed or intended for living purposes shall be located above the ground floor and shall observe minimum front, side and rear yards and maximum coverage and density as required in the R-4 Zone as set forth in Section 101.0413. In those cases where the premises are occupied or proposed to be occupied by both commercial and residential uses, the minimum front, side and rear yards and maximum coverage and density shall be determined and computed without regard to the buildings or portions thereof to be occupied by the commercial uses.
5. Other applicable property development regulations are contained in Division 6 of this Article.

E. OFF-STREET PARKING REGULATIONS

1. Every premises used for one or more of the permitted uses listed in paragraph "B" above, shall be provided with a minimum of off-street parking spaces on the same lot or premises (except as otherwise provided in Division 8) as follows:
 - a. For apartments, multiple dwellings and group dwellings, one parking space for each dwelling unit containing not more than one bedroom and one and one-half parking spaces for each dwelling unit containing two or more bedrooms.
 - b. For hotels, motels, one parking space for each guest room or suite.
 - c. For private clubs and similar establishments, one parking space for each guest room or one parking space for each 400 square feet of gross floor area, whichever is greater.
 - d. For theaters, other than drive-in theaters, and places of assembly not otherwise provided for in this section, one parking space for each three fixed seats, or one space for each 21 square feet of floor area where there are no fixed seats.
 - e. For other permitted uses, one parking space for each 400 square feet of gross floor area.
2. Where ambiguity exists in the application of these off-street parking requirements or where any use not specified in paragraph "B" above is found to be a permitted use, the off-street parking requirements shall be consistent with that for similar uses in this zone.
3. All off-street parking facilities shall be constructed, operated and maintained in compliance with Division 8 of this Article.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on February 10, 1970.
Passed and adopted by the Council of The City of San Diego on February 24, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL, Deputy.

(SEAL)
Published March 6, 1970

W-504

ORDINANCE NO. 10248
(New Series)

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 9834 (NEW SERIES), ADOPTED JULY 9, 1968, INCORPORATING A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M., IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-1-5, R-2A, R-3 AND C-1A ZONES, AS DEFINED BY SECTIONS 101.0407, 101.0410, 101.0411 AND 101.0431, RESPECTIVELY OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, a request has been received to extend the time on Ordinance No. 9834 (New Series), adopted July 9, 1968; and

WHEREAS, the Planning Department, the Planning Commission and the City Engineer have no objection to this extension;

NOW, THEREFORE,

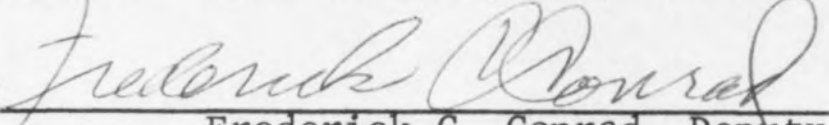
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

"Section 1. That in the event that, a portion of the Northwest Quarter of Section 26, Township 18 South, Range 2 West, S.B.B.M., in the City of San Diego, California, designated "R-1-5," "R-2A," "R-3" and "C-1A" on Zone Map Drawing No. B-1901.1, is subdivided and a final subdivision map or maps thereof duly recorded on or before August 8, 1971, and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Sections 101.0407, 101.0410, 101.0411 and 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-1-5, R-2A, R-3 and C-1A Zones, as described by Sections 101.0407, 101.0410, 101.0411 and 101.0431, respectively, of the San Diego Municipal Code, the boundary of such zones to be as

indicated on Zone Map Drawing No. B-1901.1, filed in
the office of the City Clerk as Document No. 724393."

Section 2. This ordinance shall take effect and be in
force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

-2-

FCC:srr
2/2/70
48-68-4

10248

FEB 26 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

RECEIVED
CITY CLERK'S OFFICE

1970 FEB -6 AM 11:50

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 12 1970

FEB 26 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10248 Adopted _____

FEB 26 1970

199

ORDINANCE NO. 10249
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF UNNUMBERED PUEBLO LOT, MISCELLANEOUS MAP 36, IN THE CITY OF SAN DIEGO, CALIFORNIA INTO R-3 ZONE, AS DEFINED BY SECTION 101.0411 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 1947 (NEW SERIES), ADOPTED OCTOBER 1, 1940, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

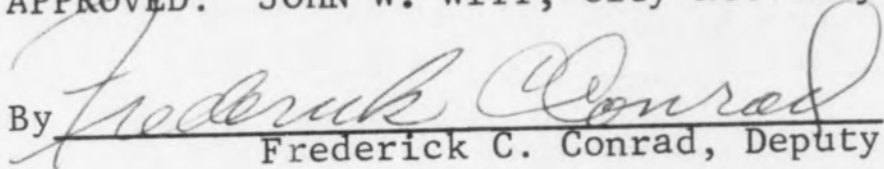
Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Unnumbered Pueblo Lot, Miscellaneous Map 36, in the City of San Diego, California, designated "R-3" on Zone Map Drawing No. B-2250, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0411 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated in R-3 Zone, as described by Section 101.0411, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2250, filed in the office of the City Clerk as Document No. 730658. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 1947 (New Series), adopted October 1, 1940,

of the Ordinances of The City of San Diego be, and the same is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 10 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 FEB 12 AM 11:04
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa F. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 19 1970, and on MAR 10 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa F. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10249** Adopted MAR 10 1970

[Handwritten initials]

ORDINANCE NO. 10250
(New Series)

AN ORDINANCE ADDING ANNEXED TERRITORY, DESIGNATED AS "ALPHA TRACT ANNEXATION," TO COUNCIL DISTRICT NO. 4, PURSUANT TO THE PROVISIONS OF SECTION 5, ARTICLE II OF THE CITY CHARTER.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the area designated as "ALPHA TRACT ANNEXATION" in Resolution No. 199157, adopted February 24, 1970, is hereby added to Council District No. 4, heretofore shown and delineated on that certain map showing the boundary line of said district, as contained in Document No. 727206 on file in the office of the City Clerk of said City, and which district was defined and which map was approved by Ordinance No. 9984 (New Series), of the Ordinances of The City of San Diego, adopted February 27, 1969.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

MAR 10 1970

Passed and adopted by the Council of The City of San Diego on _____, by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 24 1970

MAR 10 1970

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

RECEIVED
CITY CLERK'S OFFICE
1970 FEB -5 PM 5:00
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
Ordinance Number 10250	Adopted MAR 10 1970

Handwritten initials

ATTORNEY (S)

* CITY OF SAN DIEGO
202 "C" Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE ADDING ANNEXED TERRITORY,
DESIGNATED AS "ALPHA TRACT ANNEXATION,"
TO COUNCIL DISTRICT NO. 4, PURSUANT TO THE
PROVISIONS OF SECTION 5. ARTICLE II OF THE
CITY CHARTER

RECEIVED
CITY CLERK'S OFFICE
1970 MAR 24 AM 11:14
SAN DIEGO, CALIF.

ORDINANCE NO. 10250
(NEW SERIES)

AN ORDINANCE ADDING ANNEXED
TERRITORY, DESIGNATED AS
"ALPHA TRACT ANNEXATION,"
TO COUNCIL DISTRICT NO. 4,
PURSUANT TO THE PROVISIONS
OF SECTION 5, ARTICLE II OF
THE CITY CHARTER.

BE IT ORDAINED, by the Council
of The City of San Diego, as follows:

Section 1. That the area designated
as "ALPHA TRACT ANNEXATION"
in Resolution No. 199157, adopted Feb-
ruary 24, 1970, is hereby added to
Council District No. 4, heretofore
shown and delineated on that certain
map showing the boundary line of
said district, as contained in Document
No. 727206 on file in the office of the
City Clerk of said City, and which dis-
trict was defined and which map was
approved by Ordinance No. 9984 (New
Series), of the Ordinances of The City
of San Diego, adopted February 27,
1969.

Section 2. This ordinance shall take
effect and be in force on the thirtieth
day from and after its passage.

Introduced on February 24, 1970.

Passed and adopted by the Council
of The City of San Diego on March
10, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Mar. 20, 1970 W-802

I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the ~~principal clerk of the~~ printer of said newspaper;
that the

ORDINANCE NO. 10250 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

March 20, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on March 20, 1970


(Signature)

4" \$16.00

ORDINANCE NO. 10251
(New Series)

AN ORDINANCE INCORPORATING LOTS 315 AND 316, FULTON HEIGHTS UNIT NO. 7, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-3 ZONE, AS DEFINED BY SECTION 101.0411 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8747 (NEW SERIES), ADOPTED NOVEMBER 1, 1962, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Lots 315 and 316, Fulton Heights Unit No. 7, in the City of San Diego, California, within the boundary of the district designated "R-3" on Zone Map Drawing No. B-2231, filed in the office of the City Clerk under Document No. 730817 be, and they are hereby incorporated into R-3 Zone, as such zone is described and defined by Section 101.0411 of the San Diego Municipal Code.

Section 2. That Ordinance No. 8747 (New Series), adopted November 1, 1962, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 12 1970,
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa D. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

FEB 26 1970

MAR 12 1970

, and on MAR 12 1970, and on MAR 12 1970,
I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa D. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10251 Adopted MAR 12 1970

ORDINANCE NO. 10252
(New Series)

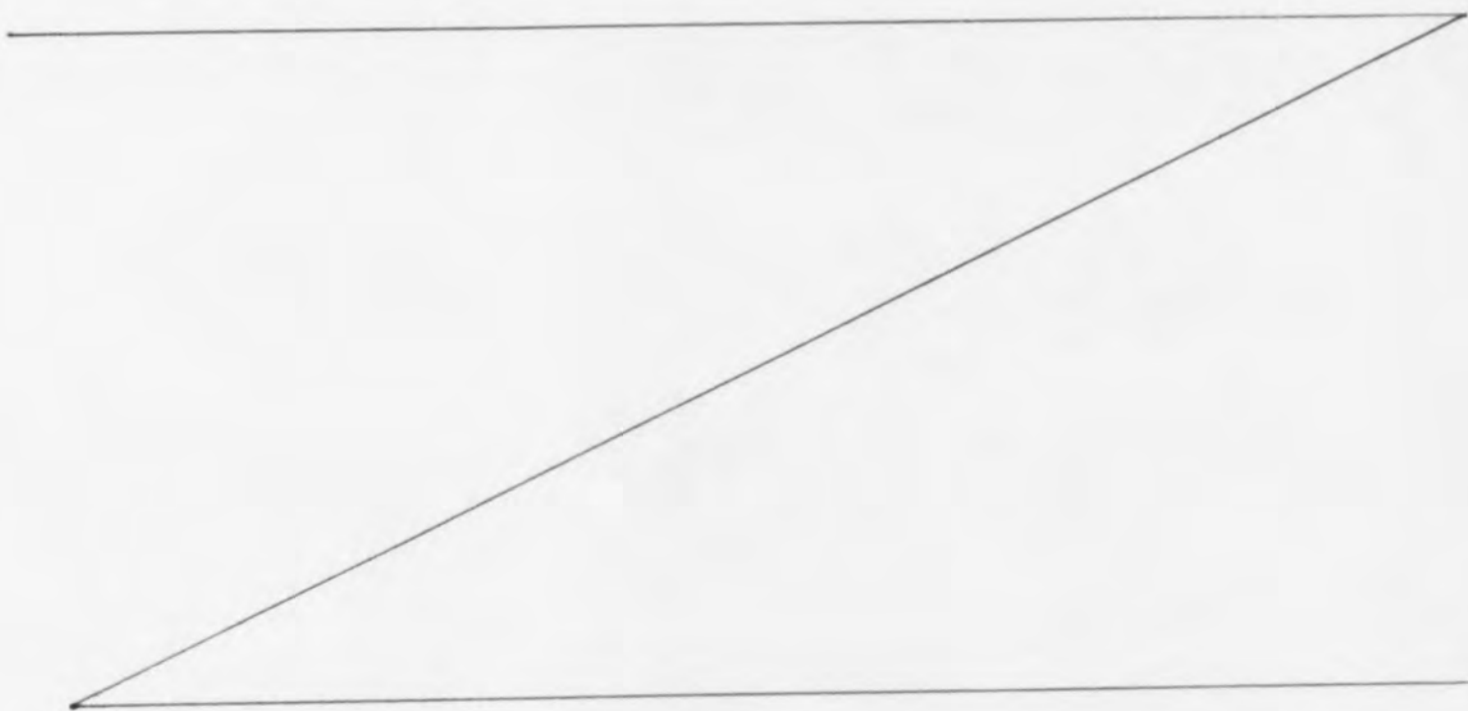
AN ORDINANCE APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "CARMEL VALLEY ANNEXATION."

WHEREAS, a petition has heretofore been filed with the Council of The City of San Diego for the annexation to said City of certain uninhabited territory designated as CARMEL VALLEY ANNEXATION pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939; and

WHEREAS, all of the provisions of said Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the City Council of The City of San Diego hereby approves the annexation to The City of San Diego of that certain territory in the County of San Diego, State of California, designated as CARMEL VALLEY ANNEXATION and more particularly described as follows:



CARMEL VALLEY ANNEXATION

All that unincorporated territory in the County of San Diego, State of California, being portions of Sections 16, 20, 21, 29, and Fractional Section 28, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to the Government Survey thereof, lying within the following described boundaries:

Beginning at an intersection of the Northerly right-of-way line of Old Survey Number 57, according to Plats thereof on file in the County Engineer's Office of said county, and the Westerly line of said Section 16, being also a point on the boundary of The City Of San Diego, established by Ordinance Number 7987 (New Series), adopted October 7, 1958, by the Council of The City Of San Diego;

1. Thence Southerly, Westerly, and Easterly along said City Boundary established by Ordinance Number 7987 (New Series), the following courses:

- a. Southerly along the Westerly line of said Section 16, being also the Easterly line of Section 17, Township 14 South, Range 3 West, San Bernardino Base and Meridian, to the Southeast corner of said Section 17, being also the Northeast corner of said Section 20;
- b. Westerly along the North line of said Section 20, to the West line of said Section 20;
- c. Southerly along said West line of Section 20, to the East-West centerline of the Southwest Quarter of said Section 20;

- d. Easterly along said East-West centerline of the Southwest Quarter of Section 20, to the North-South centerline of said Section 20;
- e. Southerly along said North-South centerline of Section 20, and the North-South centerline of said Section 29, to the East-West centerline of said Section 29;
- f. Easterly along said East-West centerline of Section 29, to the East line of said Section 29, being also the West line of said Section 28;

2. Thence leaving said City Boundary established by Ordinance Number 7987 (New Series), and proceeding Easterly, Northerly, and Westerly along a portion of the Boundary of The City Of San Diego, established by Ordinance Number 8975 (New Series), adopted March 5, 1964, by the Council of The City Of San Diego, the following courses:

- a. Easterly along the South line of the North Half of said Fractional Section 28, to the East line of the West Half of the Northeast Quarter of said Fractional Section 28;
- b. Northerly along said East line of the West Half of the Northeast Quarter of Fractional Section 28, and along the East line of the West Half of the Southeast Quarter of said Section 21, to the East-West centerline of said Section 21;

- c. Westerly along said East-West centerline of Section 21, to the North-South centerline of said Section 21;
- d. Northerly along said North-South centerline of Section 21, to the South line of the Northeast Quarter of the Northwest Quarter of said Section 21;
- e. Westerly along said South line of the Northeast Quarter of the Northwest Quarter of Section 21, to the East line of the West Half of said Northeast Quarter of the Northwest Quarter of Section 21;
- f. Northerly along said East line of the West Half of the Northeast Quarter of the Northwest Quarter of Section 21, to the North line of said Section 21, being also the South line of said Section 16;
- g. Westerly along said South line of Section 16, to the East line of the West Half of the West Half of said Section 16;
- h. Northerly along said East line of the West Half of the West Half of Section 16, to said Northerly right-of-way line of Old Survey Number 57;

3. Thence leaving said City Boundary established by Ordinance Number 8975 (New Series), and proceeding Westerly along said Northerly right-of-way line of Old Survey Number 57, to the point of beginning.

OFFICE OF CITY CLERK
SAN DIEGO, CALIFORNIA

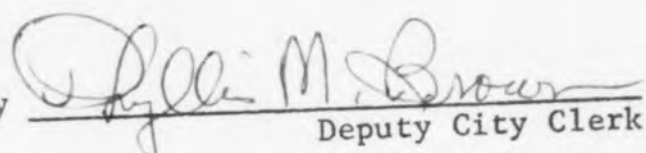
2-10-1971 ch

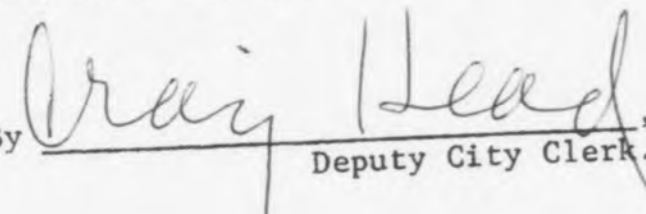
Certification of Copy of Document

WE HEREBY CERTIFY that the above and foregoing copy of a
portion of Ordinance No. 10252 (New Series) of the
Ordinances of The City of San Diego, being the description
of land annexed to said City, known and designated as the
"CARMEL VALLEY ANNEXATION,"
has been compared with the original thereof, and we know, of our own
knowledge, that the foregoing copy is a full, true and correct copy of
said document.

DATED at San Diego, California, June 2, 1971.

JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.

By ,
Deputy City Clerk.

By ,
Deputy City Clerk.

ch

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 26 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 FEB 26 PM 3:19
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 12 1970

MAR 26 1970

, and on

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10252** Adopted MAR 26 1970

JH

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "CARMEL VALLEY ANNEXATION."

RECEIVED
CITY ENGINEER'S OFFICE
1970 APR - 7 AM 11:34
SAN DIEGO, CALIF.

ORDINANCE NO. 10252
(NEW SERIES)

AN ORDINANCE APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "CARMEL VALLEY ANNEXATION."

WHEREAS, a petition has heretofore been filed with the Council of The City of San Diego for the annexation to said City of certain uninhabited territory designated as CARMEL VALLEY ANNEXATION pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939; and

WHEREAS, all of the provisions of said Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the City Council of The City of San Diego hereby approves the annexation to The City of San Diego of that certain territory in the County of San Diego, State of California, designated as CARMEL VALLEY ANNEXATION and more particularly described as follows:

CARMEL VALLEY ANNEXATION

All that unincorporated territory in the County of San Diego, State of California, being portions of Sections 16, 20, 21, 29, and Fractional Section 28, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to the Government Survey thereof, lying within the following described boundaries:

Beginning at an intersection of the Northerly right-of-way line of Old Survey Number 57, according to Plats thereof on file in the County Engineer's Office of said County, and the Westerly line of said Section 16, being also a point on the boundary of The City of San Diego, established by Ordinance Number 7987 (New Series), adopted October 7, 1958, by the Council of The City of San Diego:

1. Thence Southerly, Westerly, and Easterly along said City Boundary established by Ordinance Number 7987 (New Series), the following courses:

- a. Southerly along the Westerly line of said Section 16, being also the Easterly line of Section 17, Township 14 South, Range 3 West, San Bernardino Base and Meridian, to the Southeast corner of said Section 17, being also the Northeast corner of said Section 20;
- b. Westerly along the North line of said Section 20, to the West line of said Section 20;
- c. Southerly along said West line of Section 20, to the East-West centerline of the Southwest Quarter of said Section 20;
- d. Easterly along said East-West centerline of the Southwest Quarter of Section 20, to the North-South centerline of said Section 20;
- e. Southerly along said North-South centerline of Section 20, and the North-South centerline of said Section 29, to the East-West centerline of said Section 29;
- f. Easterly along said East-West centerline of Section 29, to the East line of said Section 29, being also the West line of said Section 28;

I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the ~~principal~~ printer of said newspaper; that the

ORDINANCE NO. 10252 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

April 3, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on April 3, 1970


(Signature)

17 1/4" \$69.00

ORDINANCE NO. 10253
(New Series)

AN ORDINANCE ADDING ANNEXED TERRITORY, DESIGNATED AS "CARMEL VALLEY ANNEXATION," TO COUNCIL DISTRICT NO. 1, PURSUANT TO THE PROVISIONS OF SECTION 5, ARTICLE II OF THE CITY CHARTER.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the area designated as "CARMEL VALLEY ANNEXATION" in Ordinance No. 10252, (N. S.), adopted March 26, 1970, is hereby added to Council District No. 1, heretofore shown and delineated on that certain map showing the boundary line of said district, as contained in Document No. 727206 on file in the office of the City Clerk of said City, and which district was defined and which map was approved by Ordinance No. 9984 (New Series), of the Ordinances of The City of San Diego, adopted February 27, 1969.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 26 1970
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 12 1970

MAR 26 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

RECEIVED
 CITY CLERK'S OFFICE
 1970 FEB -5 PM 4:53
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Ordinance Number **10253** Adopted MAR 26 1970

JJ

ATTORNEY (S)

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE ADDING ANNEXED TERRITORY,
DESIGNATED AS "CARMEL VALLEY ANNEXATION,"
TO COUNCIL DISTRICT NO. 1, PURSUANT TO THE
PROVISIONS OF SECTION 5, ARTICLE II OF THE
CITY CHARTER

RECEIVED
CITY CLERK'S OFFICE
1970 APR -7 AM 11:10
SAN DIEGO, CALIF.

ORDINANCE NO. 10253
(NEW SERIES)

AN ORDINANCE ADDING ANNEXED
TERRITORY, DESIGNATED AS
"CARMEL VALLEY ANNEXATION,"
TO COUNCIL DISTRICT NO. 1,
PURSUANT TO THE PROVISIONS
OF SECTION 5, ARTICLE II OF
THE CITY CHARTER.

BE IT ORDAINED, by the Council
of The City of San Diego, as follows:
Section 1. That the area designated
as "CARMEL VALLEY ANNEXATION"
in Ordinance No. 10252, (N.S.), adopted
March 26, 1970, is hereby added to
Council District No. 1, heretofore
shown and delineated on that certain
map showing the boundary line of said
district, as contained in Document No.
727206 on file in the office of the
City Clerk of said City, and which
district was defined and which map
was approved by Ordinance No. 9984
(New Series), of the Ordinances of
The City of San Diego, adopted Feb-
ruary 27, 1969.

Section 2. This ordinance shall take
effect and be in force on the thirtieth
day from and after its passage.
Introduced on March 12, 1970.
Passed and adopted by the Council
of The City of San Diego on March
26, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Apr. 3, 1970 X-270

I, Aline Grandier Hornaday hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the ~~principal clerk of the~~ printer of said newspaper;
that the

ORDINANCE NO. 10253 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

April 3, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on April 3, 1970

Aline Grandier Hornaday
(Signature)

4" \$16.00

ORDINANCE NO. 10254
(New Series)

AN ORDINANCE INCORPORATING LOTS 21 THROUGH 24, BLOCK 8, FRARY HEIGHTS AND UNNUMBERED LOT N, SOUTH GURWELL HEIGHTS, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO C-1A ZONE, AS DEFINED BY SECTION 101.0431 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 12820, APPROVED APRIL 28, 1930, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

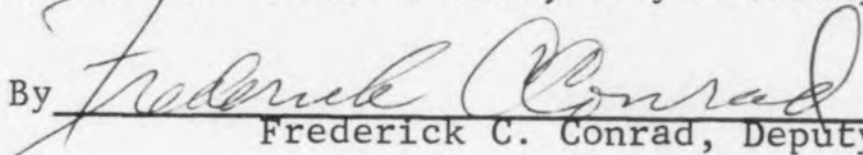
Section 1. That in the event that, within two years of the effective date of this ordinance, Lots 21 through 24, Block 8, Frary Heights and Unnumbered Lot N, South Gurwell Heights, in the City of San Diego, California, designated "C-1A" on Zone Map Drawing No. B-2254, are subdivided and a final parcel map thereof duly recorded, the provisions of Section 101.0431 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into C-1A Zone, as described by Section 101.0431, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2254, filed in the office of the City Clerk as Document No. 730824.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 12820, approved April 28, 1930, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 26 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE

1970 MAR -5 AM 11:58
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 12 1970, and on MAR 26 1970

I ~~FURTHER CERTIFY that said ordinance was read in full~~ prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10254 Adopted MAR 26 1970

Handwritten mark

ORDINANCE NO. 10255
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF LOT 44, RANCHO MISSION OF SAN DIEGO (RANCHO MISSION ROAD TRACT ANNEXATION), IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO A-1-1 ZONE AS DEFINED BY SECTION 101.0404 (R-3 AND C-1A UPON RECORDATION OF MAP OR MAPS, AS DEFINED BY SECTIONS 101.0411 AND 101.0431 RESPECTIVELY) OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That a portion of Lot 44, Rancho Mission of San Diego (Rancho Mission Road Tract Annexation), in the City of San Diego, California, within the boundary of the district designated "A-1-1" on that certain Zone Map Drawing No. 2241.1, filed in the office of the City Clerk under Document No. 731085 be, and it is hereby incorporated into A-1-1 Zone as defined by Section 101.0404 of the San Diego Municipal Code; provided, however, that if within two years of the effective date of this ordinance the said described area is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the said subdivided land shall be incorporated into R-3 and C-1A zones as described by Section 101.0411 and Section 101.0431 respectively of the San Diego Municipal Code. Said R-3 and C-1A Zoning shall attach only to those areas included in the subdivision map or maps.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 26 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 MAR -5 AM 11:57
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 12 1970

MAR 26 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10255 Adopted MAR 26 1970

JH

ORDINANCE NO. 10256
(New Series)

AN ORDINANCE INCORPORATING LOT 11, BLOCK 251, PACIFIC BEACH SUBDIVISION, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO RP ZONE, AS DEFINED BY SECTION 101.0419 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 119 (NEW SERIES), ADOPTED JANUARY 3, 1933, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, IN SO FAR AS THE SAME CONFLICTS HEREWITH.

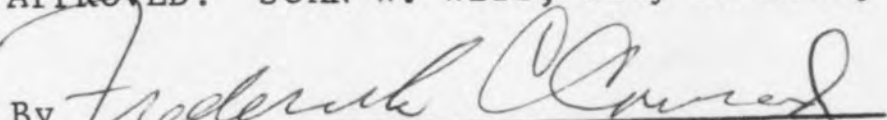
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, Lot 11, Block 251, Pacific Beach Subdivision, in the City of San Diego, California, designated "RP" on Zone Map Drawing No. B-2256, is subdivided and a final parcel map thereof duly recorded, and provided the conditions as required by the City Engineer in Document No. 730827 are met, the provisions of Section 101.0419 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into RP Zone, as described by Section 101.0419, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2256, filed in the office of the City Clerk as Document No. 730828.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 119 (New Series), adopted January 3, 1933, of the Ordinances of The City of San Diego be, and it is hereby repealed insofar as the same conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 26 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE

1970 MAR -5 AM 11:58

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 12 1970

MAR 26 1970

I ~~FURTHER CERTIFY~~ that said ordinance was read in full prior to its final passage.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10256 Adopted MAR 26 1970

Handwritten mark

Revised

#103

RECEIVED
CITY CLERK'S OFFICE
1970 APR 13 AM 10:32
SAN DIEGO, CALIF

ORDINANCE NO. 10257
(New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 1 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 18, SECTIONS 61.1800 THROUGH 61.1823 ESTABLISHING ADDITIONAL POWERS AND PROCEDURES IN CONNECTION WITH THE CREATION OF A PARKING AND BUSINESS IMPROVEMENT AREA.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VI, Article 1 of the San Diego Municipal Code be amended by adding Division 18, Sections 61.1800 through 61.1823 to read as follows:

DIVISION 18

SAN DIEGO PARKING AND BUSINESS IMPROVEMENT AREA PROCEDURAL ORDINANCE

SEC. 61.1800 PURPOSE AND INTENT

The purpose and intent of this division is to establish a method of providing funds for acquisition by lease or purchase of public off-street parking facilities and structures designed to serve and be of benefit to the area so established through creation of one or more parking and business improvement areas. This method is not exclusive. The division incorporates the Parking and Business Improvement Area Law of 1965. (California Streets and Highways Code, Sections 36000 et seq.) It also supplements the 1965 law with certain other provisions. In any case of conflict between this division and the law incorporated herein, the language of this division controls.

SEC. 61.1801 IMPLEMENTATION

It is contemplated that one method of accomplishing the purpose set forth in Section 61.1800 hereof will be the leasing by City of facilities and structures from the Parking Authority of The City of San Diego.

GENERAL PROVISIONS AND INCORPORATIONS

SEC. 61.1802 CITATION OF DIVISION

This division may be cited as the San Diego Parking and Business Improvement Area Procedural Ordinance.

SEC. 61.1803 RULES OF CONSTRUCTION

This division shall be liberally construed in order to effectuate its purposes. No error, irregularity, informality and no neglect or omission of any officer, in any procedure taken under this division which does not directly affect the jurisdiction of the Council to order the work or improvement, shall void or invalidate such proceeding or any assessment or the cost of the work done thereunder. The exclusive remedy of any person affected or aggrieved thereby shall be by appeal to the Council in accordance with the provisions of this division and so much of said Law as may be incorporated herein.

SEC. 61.1804 INCORPORATION OF THE PARKING AND
BUSINESS IMPROVEMENT AREA LAW OF 1965

The Parking and Business Improvement Area Law of 1965, herein called "said Law," is hereby adopted and referred to and made part of this division with the same force and effect as if specifically set forth in full with the additions, deletions and changes as may be herein set forth.

SEC. 61.1805 APPLICATION OF THIS DIVISION

(a) The additional powers and procedures established by this division shall apply and be used only where the uses, as referred to in Section 36021(c) and Section 36025(g) of said Law, to which the additional revenue derived from the proceeds of the ad valorem

assessment hereinafter mentioned shall be put, are stated to be, and are limited to the acquisition by lease or purchase of public off-street parking facilities and structures designed to serve and to be of benefit to the area established. In the proceedings any description of the uses which is substantially in accordance with the foregoing shall be valid.

(b) In the proceedings for the establishment of a parking and business improvement area under said Law, provision may be made for the levy and collection of an annual ad valorem assessment upon the taxable real property located within the area, for the allowance of annual credits against the annual ad valorem assessments levied, and for the allowance of similar credits against the additional business license taxes levied.

SEC. 61.1806 DIVISION SUPERIOR

The provisions of this division shall be controlling to the extent that they are in conflict with any of the provisions of said Law.

SEC. 61.1807 NONEXCLUSIVENESS OF DIVISION

This division is not exclusive. The Council shall have the power to adopt other procedures or to follow procedures now in effect and hereinafter provided for or prescribed by the General Laws of the State. The procedures set forth herein are alternative to any other procedure established by ordinance or by the General Law.

SEC. 61.1808 INCORPORATION EFFECT

When provisions of the General Law or acts are incorporated in this division, such incorporation shall

be interpreted to mean the wording of the General Law or acts then in effect at the time the Council adopts the resolution declaring its intention to form a parking district under this division unless the Council shall provide otherwise.

SEC. 61.1809 DEFINITION OF ORDINANCE

Wherever the term "ordinance" is used in said Law or the General Law, it shall be interpreted to mean resolution.

SEC. 61.1810 SEVERABILITY CLAUSE

If any section or part of this division be, for any reason, held unconstitutional or invalid by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this division, but such remaining portion shall be and remain in full force and effect.

MODIFICATION OF PROVISIONS OF SAID LAW

SEC. 61.1811 INITIATION OF PROCEEDINGS BY COUNCIL

The Council may initiate proceedings under this division for the formation of an area by adopting a resolution to establish such area. Such procedure may be initiated even though no petition or inadequate petitions have been received from the owners of assessable land within the proposed area.

SEC. 61.1812 RESOLUTION OF INTENTION--CONTENTS

In cases where the additional powers and procedures established by this division are used, the resolution of intention to establish an area, in addition to the matters specified in Section 36021 of said Law, shall contain:

(a) A statement that it is proposed to provide for the levy and collection of an annual ad valorem assessment upon taxable real property located within the area;

(b) The proposed uses to which the proceeds of the ad valorem assessment shall be put;

(c) The proposed limit, if any, on the rate of the ad valorem assessment which shall be expressed in terms of a dollars and cents rate upon each one hundred dollars of assessed valuation of the taxable real property;

(d) The proposed limit, if any, on the number of years during which such ad valorem assessment may be levied;

(e) A general statement of the proposed credits, if any, which will be allowed annually against the ad valorem assessment levied; and

(f) A general statement of the proposed credits, if any, which will be allowed annually against the additional business license taxes levied.

SEC. 61.1813 NOTICE

In addition to the notices prescribed by Section 36022 of said Law, notice of the hearing shall be given by mailing a copy of the resolution of intention to each person to whom taxable real property in the proposed area is assessed as shown on the last equalized county assessment roll, at his address as shown on said roll, and to each person having any interest in any taxable real property in the proposed area whose name and address and a designation of the

land in which he is interested is on file in the office of the City Clerk. Such mailing shall be completed at least ten days prior to the hearing.

SEC. 61.1814 MAJORITY PROTEST

In addition to the majority protest provision contained in Section 36023 of said Law, the proceedings, insofar as they relate to the levy and collection of an ad valorem assessment, shall terminate if, prior to the hour fixed for hearing, written protest has been filed with the City Clerk by owners of taxable real property in the proposed area having an assessed valuation of more than one-half of the total assessed valuation of all taxable real property in the proposed area. Any written protest made under said Section 36023 or under this section may be withdrawn in writing at any time before a determination is made as to whether or not a majority protest exists and a written protest so withdrawn shall not be counted in determining whether or not a majority protest exists under Section 36023 or under this section.

SEC. 61.1815 CHANGES OF BOUNDARIES--CONTINUANCE OF HEARING

At the hearing the City Council may change the boundaries of the proposed area, the rate or amount of additional business license tax, the limit on the rate of ad valorem assessment, the limit on the number of years during which it may be levied, or the credits to be allowed against the ad valorem assessment or additional business license tax or both. Any such change shall be made in the manner prescribed in Section 36024 of said Law and upon the notice prescribed in Section 36022 of said Law and Section 61.1813 herein.

SEC. 61.1816 ESTABLISHMENT OF AREA

After a resolution of intention to establish an area has been adopted as required by and in compliance with the provisions of said Law and this division, the Council shall adopt a resolution establishing said area.

SEC. 61.1817 RESOLUTION ESTABLISHING PROPOSED AREA--CONTENTS

In cases where the additional powers and procedures established by this division are used, the resolution establishing the area, in addition to the matters prescribed by Section 36025 of said Law, shall contain:

(a) Provision for the levy and collection of an annual ad valorem assessment upon the taxable real property located within the area;

(b) The uses to which the proceeds of the ad valorem assessment shall be put;

(c) The limits, if any, on the rate of ad valorem assessment and the years during which it may be levied;

(d) A statement of the annual credits, if any, which will be allowed against the ad valorem assessment levied or against the additional business license taxes levied, or both; and

(e) A statement of the procedure to be used in computing, claiming, allowing and effectuating any credits to be allowed.

SEC. 61.1818 ADDITIONS TO AREA

The resolution establishing the area may also provide a method whereby additional real property may

be later annexed to and included within the area with the consent of the owner thereof and the terms and conditions applying to any such inclusion. Such provisions may include a requirement that as a condition to such inclusion, the owner must pay to the City all or a prescribed portion of the prior ad valorem assessments which would have been levied upon the property, and the prior additional business license taxes which would have been payable by the business located thereon (taking into account credits which would have been allowed) if the real property had been part of the area upon its initial establishment.

SEC. 61.1819 ASSESSED VALUE

For all purposes, "assessed value" wherever used or referred to under this division and said Law shall mean the total assessed value of both land and improvements.

SEC. 61.1820 TAXABLE REAL PROPERTY

The term "taxable real property" as used in this division means land and improvements on land which are subject to general ad valorem property taxes levied by the City.

SEC. 61.1821 LEVYING AND COLLECTING ASSESSMENT

Unless the resolution establishing the area, as originally adopted or as later amended, provides otherwise, all ad valorem assessments levied under the authority of this division shall be levied, collected and enforced in the same manner, at the same times, and with the same penalties and interest as in the case of general ad valorem property taxes levied by the City. If the City is unable to provide a system

whereby the applicable credits against the ad valorem assessment will be reflected upon and deducted from the tax bills, the City Council shall provide by resolution a procedure under which the amount of the credit will be refunded promptly to the person who paid the assessment.

SEC. 61.1822 FILING OF AREA BOUNDARIES

When an area has been established with provision made for the levy and collection of an annual ad valorem assessment, the City Clerk shall immediately file with the County Assessor of San Diego County and with the State Board of Equalization a statement of such establishment setting forth the local description of the boundaries of such area, together with a map or plat indicating such boundaries, all as required by Section 54900 et seq. of the Government Code.

SEC. 61.1823 DISPOSAL OF AREA PROPERTY

The Council may sell or lease any property acquired for business and improvement area purposes, including property acquired for business and improvement area purposes by the Parking Authority of The City of San Diego and transferred to the City, whenever it has determined that the property is no longer needed for that public use. Before making such determination, the Council shall hold a public hearing thereon and shall give notice of such hearing published pursuant to Section 6061 of the Government Code in a newspaper circulated in the City at least ten (10) days before such hearing. The notice shall contain a general description of the property as to which the determination is proposed to be made. The determination shall not be made if prior to the hour fixed for the hearing

the owners of more than one-half of the area of the lands within the district have filed with the City Clerk written objections to the proposed determination.

The proceeds of such sale or lease shall be used for only the following purposes and in the following order of priority:

(a) For the purchase of other off-street parking places within the district, or for the improvement, addition or extension of existing parking places in the district.

(b) For making refunds to the then owner of each parcel of real property included within the district and which has been assessed in the proportion which the total assessment levied upon such parcel bears to the total of all such assessments. The aggregate amount of any such refund, however, shall in no event exceed the total payments made by such owner or his predecessor in interest on any assessment or reassessment levied in proceedings taken under this division and creating such district. Any such proceeds remaining after the appropriate distribution shall be credited to the General Fund of The City of San Diego.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz
Jack Katz, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 31 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE

1970 FEB 16 PM 1:55

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 17 1970, and on MAR 31 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10257 Adopted MAR 31 1970

Handwritten mark

ATTORNEY (S)

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 1
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISION 18, SECTIONS 61.1800 THROUGH 61.1823
ESTABLISHING ADDITIONAL POWERS AND PROCEDURES

IN CONNECTION WITH THE
CREATION OF A PARKING
AND BUSINESS IMPROVEMENT
AREA

RECEIVED
CITY CLERK'S OFFICE
1970 APR 10 PM 3:36
SAN DIEGO, CALIF.

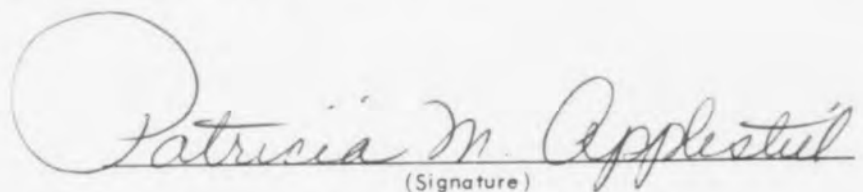
I, Patricia M. Appelstill hereby certify
that **The Daily Transcript** is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the principal clerk of the printer of said newspaper;
that the

ORDINANCE NO. 10257 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

April 9, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on April 9, 1970


(Signature)

44 3/4" \$179.00

ORDINANCE NO. 10257
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 1 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISION 18, SECTIONS 61.1800 THROUGH 61.1823 ESTABLISHING ADDITIONAL POWERS AND PROCEDURES IN CONNECTION WITH THE CREATION OF A PARKING AND BUSINESS IMPROVEMENT AREA.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter VI, Article 1 of the San Diego Municipal Code be amended by adding Division 18, Sections 61.1800 through 61.1823 to read as follows:

DIVISION 18

SAN DIEGO PARKING AND BUSINESS
IMPROVEMENT AREA PROCEDURAL ORDINANCE

SEC. 61.1800 PURPOSE AND INTENT

The purpose and intent of this division is to establish a method of providing funds for acquisition by lease or purchase of public off-street parking facilities and structures designed to serve and be of benefit to the area so established through creation of one or more parking and business improvement areas. This method is not exclusive. The division incorporates the Parking and Business Improvement Area Law of 1965. (California Streets and Highways Code, Sections 36000 et seq.) It also supplements the 1965 law with certain other provisions. In any case of conflict between this division and the law incorporated herein, the language of this division controls.

SEC. 61.1801 IMPLEMENTATION

It is contemplated that one method of accomplishing the purpose set forth in Section 61.1800 hereof will be the leasing by City of facilities and structures from the Parking Authority of The City of San Diego.

GENERAL PROVISIONS AND INCORPORATIONS

SEC. 61.1802 CITATION OF DIVISION

This division may be cited as the San Diego Parking and Business Improvement Area Procedural Ordinance.

SEC. 61.1803 RULES OF CONSTRUCTION

This division shall be liberally construed in order to effectuate its purposes. No error, irregularity, informality and no neglect or omission of any officer, in any procedure taken under this division which does not directly affect the jurisdiction of the Council to order the work or improvement, shall void or invalidate such proceeding or any assessment or the cost of the work done thereunder. The exclusive remedy of any person affected or aggrieved thereby shall be by appeal to the Council in accordance with the provisions of this division and so much of said Law as may be incorporated herein.

SEC. 61.1804 INCORPORATION OF THE PARKING AND BUSINESS
IMPROVEMENT AREA LAW OF 1965

The Parking and Business Improvement Area Law of 1965, herein called "said Law," is hereby adopted and referred to and made part of this division with the same force and effect as if specifically set forth in full with the additions, deletions and changes as may be herein set forth.

SEC. 61.1805 APPLICATION OF THIS DIVISION

(a) The additional powers and procedures established by this division shall apply and be used only where the uses, as referred to in Section 36021 (c) and Section 36025 (g) of said Law, to which the additional revenue derived from the proceeds of the ad valorem assessment hereinafter mentioned shall be put, are stated to be, and are limited to the acquisition by lease or purchase of public off-street parking facilities and structures designed to serve and to be of benefit to the area established. In the proceedings any description of the uses which is substantially in accordance with the foregoing shall be valid.

(b) In the proceedings for the establishment of a parking and business improvement area under said Law, provision may be made for the levy and collection of an annual ad valorem assessment upon the taxable real property located within the area, for the allowance of annual credits against the annual ad valorem assessments levied, and for the allowance of similar credits against the additional business license taxes levied.

SEC. 61.1806 DIVISION SUPERIOR

The provisions of this division shall be controlling to the extent that they are in conflict with any of the provisions of said Law.

SEC. 61.1807 NONEXCLUSIVENESS OF DIVISION

This division is not exclusive. The Council shall have the power to adopt other procedures or to follow procedures now in effect and hereinafter provided for or prescribed by the General Laws of the State. The procedures set forth herein are alternative to any other procedure established by ordinance or by the General Law.

SEC. 61.1808 INCORPORATION EFFECT

When provisions of the General Law or acts are incorporated in this division, such incorporation shall be interpreted to mean the wording of the General Law or acts then in effect at the time the Council adopts the resolution declaring its intention to form a parking district under this division unless the Council shall provide otherwise.

SEC. 61.1809 DEFINITION OF ORDINANCE

Whenever the term "ordinance" is used in said Law or the General Law, it shall be interpreted to mean resolution.

SEC. 61.1810 SEVERABILITY CLAUSE

If any section or part of this division be, for any reason, held unconstitutional or invalid by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this division, but such remaining portion shall be and remain in full force and effect.

MODIFICATION OF PROVISIONS OF SAID LAW

SEC. 61.1811 INITIATION OF PROCEEDINGS BY COUNCIL

The Council may initiate proceedings under this division for the formation of an area by adopting a resolution to establish such area. Such procedure may be initiated even though no petition or inadequate petitions have been received from the owners of accessible land within the proposed area.

SEC. 61.1812 RESOLUTION OF INTENTION—CONTENTS

In cases where the additional powers and procedures established by this division are used, the resolution of intention to establish an area, in addition to the matters specified in Section 36021 of said Law, shall contain:

(a) A statement that it is proposed to provide for the levy and collection of an annual ad valorem assessment upon taxable real property located within the area;

(b) The proposed uses to which the proceeds of ad valorem assessment shall be put;

(c) The proposed limit, if any, on the rate of the ad valorem assessment which shall be expressed in terms of a dollars and cents rate upon each one hundred dollars of assessed valuation of the taxable real property;

(d) The proposed limit, if any, on the number of years during which such ad valorem assessment may be levied;

(e) A general statement of the proposed credits, if any, which will be allowed annually against the ad valorem assessment levied; and

(f) A general statement of the proposed credits, if any, which will be allowed annually against the additional business license taxes levied.

SEC. 61.1813 NOTICE

In addition to the notices prescribed by Section 36022 of said Law, notice of the hearing shall be given by mailing a copy of the resolution of intention to each person to whom taxable real property in the proposed area is assessed as shown on the last equalized county assessment roll, at his address as shown on said roll, and to each person having any interest in any taxable real property in the proposed area whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk. Such mailing shall be completed at least ten days prior to the hearing.

SEC. 61.1814 MAJORITY PROTEST

In addition to the majority protest provision contained in Section 36023 of said Law, the proceedings, insofar as they relate to the levy and collection of an ad valorem assessment, shall terminate if, prior to the hour fixed for hearing, written protest has been filed with the City Clerk by owners of taxable real property in the proposed area having an assessed valuation of more than one-half of the total assessed valuation of all taxable real property in the proposed area. Any written protest made under said Section 36023 or under this section may be withdrawn in writing at any time before a determination is made as to whether or not a majority protest exists and a written protest so withdrawn shall not be counted in determining whether or not a majority protest exists under Section 36023 or under this section.

SEC. 61.1815 CHANGES OF BOUNDARIES—CONTINUANCE OF HEARING

At the hearing the City Council may change the boundaries of the proposed area, the rate or amount of additional business license tax, the limit on the rate of ad valorem assessment, the limit on the number of years during which it may be levied, or the credits to be allowed against the ad valorem assessment or additional business license tax or both. Any such change shall be made in the manner prescribed in Section 36024 of said Law and upon the notice prescribed in Section 36022 of said Law and Section 61.1813 herein.

SEC. 61.1816 ESTABLISHMENT OF AREA

After a resolution of intention to establish an area has been adopted as required by and in compliance with the provisions of said Law and this division, the Council shall adopt a resolution establishing said area.

SEC. 61.1817 RESOLUTION ESTABLISHING PROPOSED AREA—

CONTENTS

In cases where the additional power and procedures established by this division are used, the resolution establishing the area, in addition to the matters prescribed by Section 36025 of said Law, shall contain:

- (a) Provision for the levy and collection of an annual ad valorem assessment upon the taxable real property located within the area;
- (b) The uses to which the proceeds of the ad valorem assessment shall be put;
- (c) The limits, if any, on the rate of ad valorem assessment and the years during which it may be levied;
- (d) A statement of the annual credits, if any, which will be allowed against the ad valorem assessment levied or against the additional business license taxes levied, or both; and
- (e) A statement of the procedure to be used in computing, claiming, allowing and effectuating any credits to be allowed.

SEC. 61.1818 ADDITIONS TO AREA

The resolution establishing the area may also provide a method whereby additional real property may be later annexed to and included within the area with the consent of the owner thereof and the terms and conditions applying to any such inclusion. Such provisions may include a requirement that as a condition to such inclusion, the owner must pay to the City all or a prescribed portion of the prior ad valorem assessments which would have been levied upon the property, and the prior additional business license taxes which would have been payable by the business located thereon (taking into account credits which would have been allowed) if the real property had been part of the area upon its initial establishment.

SEC. 61.1819 ASSESSED VALUE

For all purposes, "assessed value" wherever used or referred to under this division and said Law shall mean the total assessed value of both land and improvements.

SEC. 61.1820 TAXABLE REAL PROPERTY

The term "taxable real property" as used in this division means land and improvements on land which are subject to general ad valorem property taxes levied by the City.

SEC. 61.1821 LEVYING AND COLLECTING ASSESSMENT

Unless the resolution establishing the area, as originally adopted or as later amended, provides otherwise, all ad valorem assessments levied under the authority of this division shall be levied, collected and enforced in the same manner, at the same times, and with the same penalties and interest as in the case of general ad valorem property taxes levied by the City. If the City is unable to provide a system whereby the applicable credits against the ad valorem assessment will be reflected upon and deducted from the tax bills, the City Council shall provide by resolution a procedure under which the amount of the credit will be refunded promptly to the person who paid the assessment.

SEC. 61.1822 FILING OF AREA BOUNDARIES

When an area has been established with provision made for the levy and collection of an annual ad valorem assessment, the City Clerk shall immediately file with the County Assessor of San Diego County and with the State Board of Equalization a statement of such establishment setting forth the local description of the boundaries of such area, together with a map or plat indicating such boundaries, all as required by Section 54900 et seq. of the Government Code.

SEC. 61.1823 DISPOSAL OF AREA PROPERTY

The Council may sell or lease any property acquired for business and improvement area purposes, including property acquired for business and improvement area purposes by the Parking Authority of The City of San Diego and transferred to the City, whenever it has determined that the property is no longer needed for that public use. Before making such determination, the Council shall hold a public hearing thereon and shall give notice of such hearing published pursuant to Section 6061 of the Government Code in a newspaper circulated in the City at least ten (10) days before such hearing. The notice shall contain a general description of the property as to which the determination is proposed to be made. The determination shall not be made if prior to the hour fixed for the hearing the owners of more than one-half of the area of the lands within the district have filed with the City Clerk written objections to the proposed determination.

The proceeds of such sale or lease shall be used for only the following purposes and in the following order of priority:

- (a) For the purchase of other off-street parking places within the district, or for the improvement, addition or extension of existing parking places in the district.
- (b) For making refunds to the then owner of each parcel of real property included within the district and which has been assessed in the proportion which the total assessment levied upon such parcel bears to the total of all such assessments. The aggregate amount of any such refund, however, shall in no event exceed the total payments made by such owner or his predecessor in interest on any assessment or reassessment levied in proceedings taken under this division and creating such district. Any such proceeds remaining after the appropriate distribution shall be credited to the General Fund of the City of San Diego.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on March 17, 1970.
Passed and adopted by the Council of The City of San Diego on March 31, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL, Deputy.

SHOWS CHANGE OF LANGUAGE ADOPTED BY THE FOLLOWING ORDINANCE NO. 10258 (New Series).

STRIKE-OUT - Old Language

UNDERLINE - New Language

SEC. 37.0105 EXEMPTION - GOVERNMENTAL AGENCIES

Any deed, instrument or writing to which ~~the~~ the United States or any agency or instrumentality thereof, any state or territory, or political subdivision thereof, ~~or the District of Columbia shall not be liable for~~ is a party shall be exempt from any tax imposed pursuant to this ordinance ~~with respect to any deed, instrument, or writing to which it is a party, but the tax may be collected by assessment from any other party liable therefor.~~ when the exempt agency is acquiring title.

RECEIVED
CITY CLERK'S OFFICE

1970 MAR 11 AM 10:31

SAN DIEGO, CALIF.

db

ORDINANCE NO. 10258
(New Series)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 7, DIVISION 1, SECTION 37.0105, OF THE SAN DIEGO MUNICIPAL CODE RELATING TO DOCUMENTARY TRANSFER TAX ON THE SALE OF REAL PROPERTY.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Section 37.0105 of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

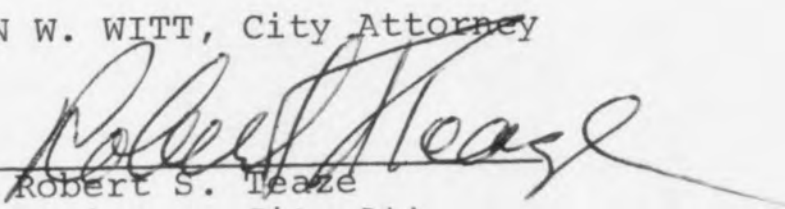
SEC. 37.0105 EXEMPTION - GOVERNMENTAL AGENCIES

Any deed, instrument or writing to which the United States or any agency or instrumentality thereof, any state or territory, or political subdivision thereof, is a party shall be exempt from any tax imposed pursuant to this ordinance when the exempt agency is acquiring title.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Robert S. Teaze
Assistant City Attorney

Passed and adopted by the Council of The City of San Diego on MAR 31 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 MAR 16 AM 9:55

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 17 1970

MAR 31 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10258** Adopted **MAR 31 1970**

J

ATTORNEY (S)

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 7, DIVISION 1, SECTION 37,0105, OF THE SAN DIEGO MUNICIPAL CODE RELATING TO DOCUMENTARY TRANSFER TAX ON THE SALE OF REAL PROPERTY

RECEIVED
CITY CLERK'S OFFICE
1970 APR 10 PM 3:35
SAN DIEGO, CALIF.

ORDINANCE NO. 10258
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 7, DIVISION 1, SECTION 37,0105, OF THE SAN DIEGO MUNICIPAL CODE RELATING TO DOCUMENTARY TRANSFER TAX ON THE SALE OF REAL PROPERTY.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Section 37,0105 of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

SEC. 37,0105 EXEMPTION — GOVERNMENTAL AGENCIES

Any deed, instrument or writing to which the United States or any agency or instrumentality thereof, any state or territory, or political subdivision thereof, is a party shall be exempt from any tax imposed pursuant to this ordinance when the exempt agency is acquiring title.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on March 17, 1970.

Passed and adopted by the Council of The City of San Diego on March 31, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Apr. 9, 1970 X-358

I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10258 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

April 9, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California,

on April 9, 1970

Patricia M. Applestill
(Signature)

3 7/8" \$ 15.50

RE THE FOLLOWING ORDINANCE NO. 10259 (New Series).

OLD LANGUAGE--Strike-outs
NEW LANGUAGE--Underlined

Section 143. CONTRIBUTIONS.

The retirement system herein provided for shall be conducted on a contributory plan~~7-the-City-contributing jointly-with-the-employees-affected-thereunder~~. Employees shall contribute according to the actuarial tables adopted by the Board of Administration for normal retirement allowances, except that employees shall, with the approval of the Board, have the option to contribute more than required for normal allowances, and thereby be entitled to receive the proportionate amount of increased allowances paid for by such additional contributions. The City shall contribute ~~annually~~ an amount substantially equal to that required of the employees for normal retirement allowances, as certified by the actuary, but shall not be required to contribute in excess of that amount, except in the case of financial liabilities accruing under any new retirement plan or revised retirement plan because of past service of the employees. The mortality, service, experience or other table calculated by the actuary and the valuation determined by him and approved by the Board shall be conclusive and final, and any retirement system established under this article shall be based thereon.

RE THE FOLLOWING ORDINANCE NO. 10259 (New Series).

OLD LANGUAGE--Strike-outs
NEW LANGUAGE--Underlined

Section 148.2 AUTHORITY TO ESTABLISH RECIPROCITY
BETWEEN CITY EMPLOYEES' RETIREMENT
SYSTEM AND OTHER PUBLIC EMPLOYEE
RETIREMENT SYSTEMS.

Notwithstanding any of the provisions of this
Article IX to the contrary, the Council may, with the
approval of a majority of all active members of the City
Employees' Retirement System, adopt an ordinance providing
reciprocal modification of rights and benefits between
the City Employees' Retirement System and other public
employee retirement systems.

ORDINANCE NO. **10259**
(New Series)

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL ELECTION TO BE HELD IN THE CITY ON JUNE 2, 1970, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY TWO PROPOSITIONS AMENDING THE CHARTER OF THE CITY OF SAN DIEGO, AND CONSOLIDATING SUCH ELECTION WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, at a meeting held on March 31, 1970, the City Council of The City of San Diego adopted Resolution No.

199404 requesting the Board of Supervisors of the County of San Diego to order the consolidation of a special municipal election to be held on June 2, 1970, with the Statewide Primary Election to be held on the same date; and

WHEREAS, the Board of Supervisors of the County of San Diego is expected to grant the request and order the consolidation of the two elections; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, California, as follows:

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on June 2, 1970; and, pursuant to the provisions of Section 223 of the Charter of The City of San Diego and the provisions of Section 8 of Article XI of the Constitution of the State of California, the Council of The City of San Diego being the legislative body thereof, hereby proposes and submits to the qualified voters of the City at such special municipal election, the following two propositions amending the Charter of The City of San Diego:

PROPOSITION _____

Amend Section 143 of Article IX of the Charter of The City of San Diego to read as follows:

"Section 143. CONTRIBUTIONS.

The retirement system herein provided for shall be conducted on a contributory plan. Employees shall contribute according to the actuarial tables adopted by the Board of Administration for normal retirement allowances, except that employees shall, with the approval of the Board, have the option to contribute more than required for normal allowances, and thereby be entitled to receive the proportionate amount of increased allowances paid for by such additional contributions. The City shall contribute an amount substantially equal to that required of the employees for normal retirement allowances, as certified by the actuary, but shall not be required to contribute in excess of that amount, except in the case of financial liabilities accruing under any new retirement plan or revised retirement plan because of past service of the employees. The mortality, service, experience or other table calculated by the actuary and the valuation determined by him and approved by the Board shall be conclusive and final, and any retirement system established under this article shall be based thereon."

PROPOSITION _____

Add Section 148.2 to Article IX of the Charter of The City of San Diego to read as follows:

"Section 148.2 AUTHORITY TO ESTABLISH RECIPROCITY BETWEEN CITY EMPLOYEES' RETIREMENT SYSTEM AND OTHER PUBLIC EMPLOYEE RETIREMENT SYSTEMS.

Notwithstanding any of the provisions of this Article IX to the contrary, the Council may, with the approval of a majority of all active members of the City Employees' Retirement System, adopt an ordinance

10259

providing reciprocal modification of rights and benefits between the City Employees' Retirement System and other public employee retirement systems."

Section 2. These propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this special municipal election shall be open at 7 a.m. (local time) on June 2, 1970, and shall remain open continuously until 8 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in Section 14436 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the Statewide Primary Election; and since the Board of Supervisors of the County of San Diego is hereby authorized to canvass returns of this election; and since only one form of ballot is authorized, the method of voting upon these propositions shall be as provided in the Elections Code of the State of California; and, on the ballots to be used at this special municipal election, in addition to any other matters required by law, there shall be printed substantially the following:

MARK DOTS (●) ON THE BALLOT ONLY WITH RUBBER STAMP:
NEVER WITH PEN OR PENCIL.

(ABSENTEE BALLOTS MAY BE MARKED WITH PEN AND INK
OR PENCIL.)

INSTRUCTIONS TO VOTERS

To vote on any measure, stamp a dot (●) in the voting square after the word "YES" or after the word "NO." All marks, except the dot (●) are forbidden and make the ballot void.

If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.

10259

On absentee voter's ballots mark a dot (●) with pen or pencil.

CITY OF SAN DIEGO PROPOSITIONS

<p>PROPOSITION _____ . CITY OF SAN DIEGO CHARTER AMENDMENT. AMEND SECTION 143 OF THE CHARTER OF THE CITY OF SAN DIEGO.</p>	<p>YES</p>	
<p>Amend Section 143 to delete language which prevents The City of San Diego from using alternate methods of funding its contributions for the retirement of members of the City Employees' Retirement System.</p>	<p>NO</p>	

<p>PROPOSITION _____ . CITY OF SAN DIEGO CHARTER AMENDMENT. ADD NEW SECTION 148.2 TO THE CHARTER OF THE CITY OF SAN DIEGO.</p>	<p>YES</p>	
<p>Add new Section 148.2 to grant the City Council the power to adopt an ordinance providing for the establishment of reciprocal rights and benefits between the City Employees' Retirement System and members of other public employee retirement systems, provided that the Council first obtains the approval of a majority of all active members of the City Employees' Retirement System.</p>	<p>NO</p>	

Section 5. A dot (●) placed in the voting square after the word "YES," in the manner hereinbefore provided, shall be counted in favor of the adoption of the proposition. A dot (●) placed in the voting square after the word "NO," in the manner hereinbefore provided, shall be counted against the adoption of the proposition.

Section 6. The special municipal election called for June 2, 1970, in the City of San Diego is hereby ordered consolidated with the Statewide Primary Election to be held on the same date. Within the City of San Diego the precincts, polling places and officers of the election for the special municipal election shall be the same as those provided for

in the Statewide Primary Election, all as set forth in the List of Election Officers and Polling Places for the Primary Election proposed to be published in the San Diego Union.

Section 7. The Board of Supervisors of the County of San Diego is hereby authorized to canvass the returns of the special municipal election and these elections shall be held in all respects as if there were only one election, and within the City only one form of ballot shall be used. The Board of Supervisors shall certify the results of the canvass of the returns of this special municipal election to the Council of The City of San Diego which shall then declare the results of the election.

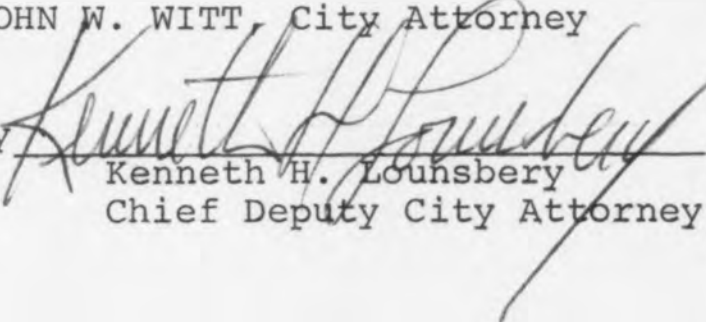
Section 8. Each of the propositions submitted by this ordinance shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure as provided in Section 10231 of the Elections Code of the State of California.

Section 9. Except as otherwise provided in this ordinance, the special municipal election shall be conducted as provided by law for other municipal elections of the City.

Section 10. The City Clerk shall cause this ordinance to be published once in the official newspaper not less than 40 nor more than 60 days before the date of the election. No other notice of the election need be given.

Section 11. This ordinance shall take effect on March 31, 1970, being the day of its introduction and passage.

APPROVED: JOHN W. WITT, City Attorney

BY 
Kenneth H. Lounsbery
Chief Deputy City Attorney

Passed and adopted by the Council of The City of San Diego on MAR 31 1970,
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 MAR 25 PM 2:33

SAN DIEGO, CALIF

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on MAR 31 1970, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

By Elfa P. Hamel, Deputy.

Office of the City Clerk, San Diego, California

ATTORNEY (S)

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE OF THE CITY OF SAN DIEGO,
CALIFORNIA, ORDERING, CALLING, PROVIDING FOR
AND GIVING NOTICE OF A SPECIAL ELECTION TO
BE HELD IN THE CITY ON JUNE 2, 1970, FOR THE
PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS
~~OF THE CITY TWO PROPOSITIONS AMENDING THE~~
CHARTER OF THE CITY OF SAN DIEGO, AND
CONSOLIDATING SUCH
ELECTION TO BE HELD ON
THE SAME DATE

RECEIVED
CITY CLERK'S OFFICE
1970 APR 10 PM 3:35
SAN DIEGO, CALIF.

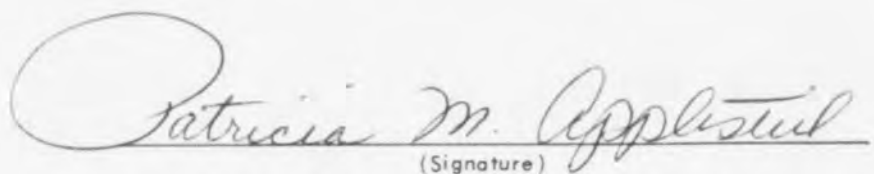
I, Patricia M. Applestill hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the principal clerk of the printer of said newspaper;
that the

ORDINANCE NO. 10259 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

April 9, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on April 9, 1970


(Signature)

29 1/2 " \$118.00

ORDINANCE NO. 10259
(NEW SERIES)

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL ELECTION TO BE HELD IN THE CITY ON JUNE 2, 1970, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY TWO PROPOSITIONS AMENDING THE CHARTER OF THE CITY OF SAN DIEGO, AND CONSOLIDATING SUCH ELECTION WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE SAME DATE. WHEREAS, at a meeting held on March 31, 1970, the City Council of The City of San Diego adopted Resolution No. 199404 requesting the Board of Supervisors of the County of San Diego to order the consolidation of a special municipal election to be held on June 2, 1970, with the Statewide Primary Election to be held on the same date; and

WHEREAS, the Board of Supervisors of the County of San Diego is expected to grant the request and order the consolidation of the two elections; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, California, as follows:

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on June 2, 1970; and, pursuant to the provisions of Section 223 of the Charter of The City of San Diego and the provisions of Section 8 of Article XI of the Constitution of the State of California, the Council of The City of San Diego being the legislative body thereof, hereby proposes and submits to the qualified voters of the City at such special municipal election, the following two propositions amending the Charter of The City of San Diego:

PROPOSITION

Amend Section 143 of Article IX of the Charter of The City of San Diego to read as follows:

"Section 143. CONTRIBUTIONS.

The retirement system herein provided for shall be conducted on a contributory plan. Employees shall contribute according to the actuarial tables adopted by the Board of Administration for normal retirement allowances, except that employees shall, with the approval of the Board, have the option to contribute more than required for normal allowances, and thereby be entitled to receive the proportionate amount of increased allowances paid for by such additional contributions. The City shall contribute an amount substantially equal to that required of the employees for normal retirement allowances, as certified by the actuary, but shall not be required to contribute in excess of that amount, except in the case of financial liabilities accruing under any new retirement plan or revised retirement plan because of past service of the employees. The mortality, service, experience or other table calculated by the actuary and the valuation determined by him and approved by the Board shall be conclusive and final, and any retirement system established under this article shall be based thereon."

PROPOSITION

Add Section 148.2 to Article IX of the Charter of The City of San Diego to read as follows:

"Section 148.2 AUTHORITY TO ESTABLISH RECIPROCITY BETWEEN CITY EMPLOYEES' RETIREMENT SYSTEM AND OTHER PUBLIC EMPLOYEE RETIREMENT SYSTEMS.

Notwithstanding any of the provisions of this Article IX to the contrary, the Council may, with the approval of a majority of all active members of the City Employees' Retirement System, adopt an ordinance providing reciprocal modification of rights and benefits between the City Employees' Retirement System and other public employee retirement systems."

Section 2. These propositions shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this special municipal election shall be open at 7:00 a.m. (local time) on June 2, 1970, and shall remain open continuously until 8 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in Section 14436 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the Statewide Primary Election; and since the Board of Supervisors of the County of San Diego is hereby authorized to canvass returns of this election; and since only one form of ballot is authorized, the method of voting upon these propositions shall be as provided in the Elections Code of the State of California; and, on the ballots to be used at this special municipal election, in addition to any other matters required by law, there shall be printed substantially the following:

**MARK DOTS (●) ON THE BALLOT ONLY WITH RUBBER STAMP:
NEVER WITH PEN OR PENCIL.
(ABSENTEE BALLOTS MAY BE MARKED WITH PEN AND INK OR
PENCIL.)**

INSTRUCTIONS TO VOTERS

To vote on any measure, stamp a dot (●) in the voting square after the word "YES" or after the word "NO." All marks, except the dot (●) are forbidden and make the ballot void.
 If you wrongly stamp, tear or deface this ballot, return it to the inspector of election and obtain another.
 On absentee voter's ballots mark a dot (●) with pen or pencil.

CITY OF SAN DIEGO PROPOSITIONS

PROPOSITION — CITY OF SAN DIEGO CHARTER AMENDMENT. AMEND SECTION 143 OF THE CHARTER OF THE CITY OF SAN DIEGO. Amend Section 143 to delete language which prevents The City of San Diego from using alternate methods of funding its contributions for the retirement of members of the City Employees' Retirement System.	YES	
	NO	
PROPOSITION — CITY OF SAN DIEGO CHARTER AMENDMENT. ADD NEW SECTION 148.2 TO THE CHARTER OF THE CITY OF SAN DIEGO. Add new Section 148.2 to grant the City Council the power to adopt an ordinance providing for the establishment of reciprocal rights and benefits between the City Employees' Retirement System and members of other public employee retirement systems, provided that the Council first obtains the approval of a majority of all active members of the City Employees' Retirement System.	YES	
	NO	

Section 5. A dot (●) placed in the voting square after the word "YES," in the manner hereinbefore provided, shall be counted in favor of the adoption of the proposition. A dot (●) placed in the voting square after the word "NO," in the manner hereinbefore provided, shall be counted against the adoption of the proposition.

Section 6. The special municipal election called for June 2, 1970, in the City of San Diego is hereby ordered consolidated with the Statewide Primary Election to be held on the same date. Within the City of San Diego the precincts, polling places and officers of the election for the special municipal election shall be the same as those provided for in the Statewide Primary Election, all as set forth in the List of Election Officers and Polling places for the Primary Election proposed to be published in the **San Diego Union**.

Section 7. The Board of Supervisors of the County of San Diego is hereby authorized to canvass the returns of the special municipal election and these elections shall be held in all respects as if there were only one election, and within the City only one form of ballot shall be used. The Board of Supervisors shall certify the results of the canvass of the returns of this special municipal election to the Council of The City of San Diego which shall then declare the results of the election.

Section 8. Each of the propositions submitted by this ordinance shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure as provided in Section 10231 of the Elections Code of the State of California.

Section 9. Except as otherwise provided in this ordinance, the special municipal election shall be conducted as provided by law for other municipal elections of the City.

Section 10. The City Clerk shall cause this ordinance to be published once in the official newspaper not less than 40 nor more than 60 days before the date of the election. No other notice of the election need be given.

Section 11. This ordinance shall take effect on March 31, 1970, being the day of its introduction and passage.

Passed and adopted by the Council of The City of San Diego on March 31, 1970, by the following vote:

YEAS: Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, Curran.

NAYS: None.

ABSENT: None.

AUTHENTICATED BY:

FRANK CURRAN,
 Mayor of The City of San Diego, California.
 JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.
 By ELFA F. HAMEL, Deputy.

(Seal)
 I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on March 31, 1970, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.
 By ELFA F. HAMEL, Deputy.

ORDINANCE NO. 10260
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF RANCHO SAN BERNARDO, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-2A ZONE, AS DEFINED BY SECTION 101.0410 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 9827 (NEW SERIES), ADOPTED JUNE 20, 1968, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

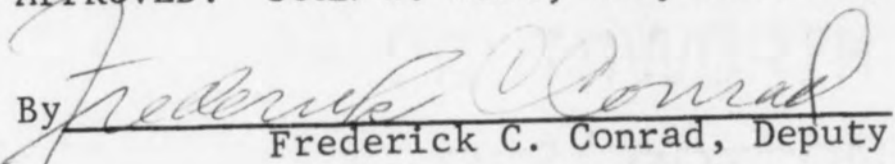
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Rancho San Bernardo, in the City of San Diego, California, designated "R-2A" on Zone Map Drawing No. B-2247, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0410 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-2A Zone, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2247, filed in the office of the City Clerk as Document No. 731002. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 9827 (New Series), adopted June 20, 1968, of the Ordinances of The City of San Diego be, and the same is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on APR 7 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 APR 12 PM 3:28
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 19 1970, and on APR 7 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10260** Adopted **APR 7 1970**

ORDINANCE NO. 10261
(New Series)

AN ORDINANCE PREZONING PORTIONS OF SECTIONS 29 AND 32, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. (MIRAMAR RESERVOIR TRACT NO. 4 ANNEXATION), IN THE COUNTY OF SAN DIEGO, CALIFORNIA INTO A-1-10 ZONE AS DEFINED BY SECTION 101.0404 OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That portions of Sections 29 and 32, Township 14 South, Range 2 West, S.B.B.M. (Miramar Reservoir Tract No. 4 Annexation), in the County of San Diego, California, within the boundary of the district designated "A-1-10" on that certain Zone Map Drawing No. B-2264, filed in the office of the City Clerk under Document No. 731004 be, upon annexation to The City of San Diego, incorporated into A-1-10 Zone as defined by Section 101.0404 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 

Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on APR 7 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 APR 12 PM 3:26

SAN DIEGO, CALIF. 98

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 19 1970, and on APR 7 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10261** Adopted APR 7 1970

98

ORDINANCE NO. 10262
(New Series)

AN ORDINANCE PREZONING PORTIONS OF SECTIONS 16, 20, 21, 29 AND A PORTION OF FRACTIONAL SECTION 28, TOWNSHIP 14 SOUTH, RANGE 3 WEST, S.B.B.M. (CARMEL VALLEY ANNEXATION), IN THE COUNTY OF SAN DIEGO, CALIFORNIA INTO A-1-10 ZONE AS DEFINED BY SECTION 101.0404, OF THE SAN DIEGO MUNICIPAL CODE.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That portions of Sections 16, 20, 21, 29 and a portion of Fractional Section 28, Township 14 South, Range 3 West, S.B.B.M. (Carmel Valley Annexation), in the County of San Diego, California, within the boundary of the district designated "A-1-10" on that certain Zone Map Drawing No. B-2263, filed in the office of the City Clerk under Document No. 730998 be, upon annexation to The City of San Diego, incorporated into A-1-10 Zone as defined by Section 101.0404 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on APR 7 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE

1970 MAR 12 PM 3:26

SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 19 1970

APR 7 1970

I ~~FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10262** Adopted APR 7 1970

ORDINANCE NO. 10263
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF LOT 48, RANCHO MISSION OF SAN DIEGO, IN THE CITY OF SAN DIEGO, CALIFORNIA INTO R-3 ZONE, AS DEFINED BY SECTION 101.0411 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 10199 (NEW SERIES), ADOPTED DECEMBER 2, 1969, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, IN SO FAR AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Lot 48, Rancho Mission of San Diego, in the City of San Diego, California, designated "R-3" on Zone Map Drawing No. B-2246, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0411 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-3 Zone, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2246, filed in the office of the City Clerk as Document No. 731000. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 10199 (New Series), adopted December 2, 1969, of the Ordinances of The City of San Diego be, and the same is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

-2-

FCC:srr
3/10/70
42-69-18

10263

16451RP1

Passed and adopted by the Council of The City of San Diego on APR 7 1970,
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 MAR 12 PM 3:25
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN

Mayor of The City of San Diego, California.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on
MAR 19 1970

APR 7 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD

City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10263 Adopted APR 7 1970

ORDINANCE NO. 10264
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF RANCHO DE LOS PENASQUITOS, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-2A ZONE, AS DEFINED BY SECTION 101.0410 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8782 (NEW SERIES), ADOPTED JANUARY 31, 1963, AND ORDINANCE NO. 8831 (NEW SERIES), ADOPTED MAY 16, 1963, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THEY CONFLICT HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Rancho de Los Penasquitos, in the City of San Diego, California, designated "R-2A" on Zone Map Drawing No. C-278.1, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0410 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-2A Zone, as described by Section 101.0410, the boundary of such zone to be as indicated on Zone Map Drawing No. C-278.1, filed in the office of the City Clerk as Document No. 731006. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8782 (New Series), adopted January 31, 1963, and Ordinance No. 8831 (New Series), adopted May 16, 1963, of the Ordinances of The City of San Diego be, and they are hereby repealed insofar as they conflict herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

-2-

FCC:srr
3/10/70
45-69-2

10264

Passed and adopted by the Council of The City of San Diego on APR 7 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 MAR 12 PM 3:25
 SAN DIEGO, CALIF

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 19 1970

APR 7 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10264** Adopted APR 7 1970

99

ORDINANCE NO. 10265
(New Series)

AN ORDINANCE INCORPORATING PORTIONS OF PUEBLO LOTS 1202 AND 1203 OF THE PUEBLO LANDS OF SAN DIEGO, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-3 AND RP-1A ZONES, AS DEFINED BY SECTIONS 101.0411 AND 101.0418.5, RESPECTIVELY, OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 3907 (NEW SERIES), ADOPTED OCTOBER 26, 1948, AND ORDINANCE NO. 13457 APPROVED FEBRUARY 15, 1932, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THEY CONFLICT HEREWITH.

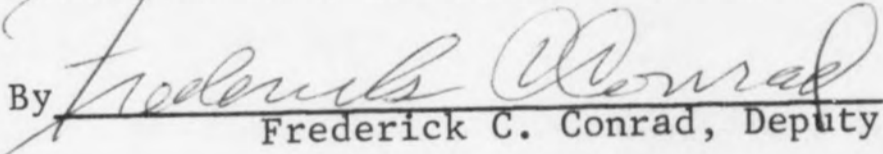
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, portions of Pueblo Lots 1202 and 1203 of the Pueblo Lands of San Diego, in the City of San Diego, California, designated "R-3" and "RP-1A" on Zone Map Drawing No. B-2260.1, are subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Sections 101.0411 and 101.0418.5 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-3 and RP-1A Zones, as described by Sections 101.0411 and 101.0418.5, respectively, the boundary of such zones to be as indicated on Zone Map Drawing No. B-2260.1, filed in the office of the City Clerk as Document No. 731008. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 3907 (New Series), adopted October 26, 1948, and Ordinance No. 13457, approved February 15, 1932, of the Ordinances of The City of San Diego be, and they are hereby repealed insofar as they conflict herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

-2-

FCC:srr
3/10/70
35-70-1

10265

Passed and adopted by the Council of The City of San Diego on APR 7 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 MAR 12 PM 3:26

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 19 1970

APR 7 1970

, and on _____

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10265 Adopted APR 7 1970

ORDINANCE NO. 10266
(New Series)

AN ORDINANCE INCORPORATING A PORTION OF RANCHO SAN BERNARDO, IN THE CITY OF SAN DIEGO, CALIFORNIA INTO R-5 ZONE, AS DEFINED BY SECTION 101.0418 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 8782 (NEW SERIES), ADOPTED JANUARY 31, 1963, OF THE ORDINANCES OF THE CITY OF SAN DIEGO, INsofar AS THE SAME CONFLICTS HEREWITH.

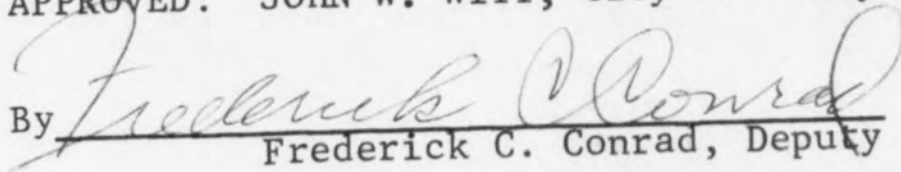
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that, within two years of the effective date of this ordinance, a portion of Rancho San Bernardo, in the City of San Diego, California, designated "R-5" on Zone Map Drawing No. B-2259, is subdivided and a final subdivision map or maps thereof duly recorded and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0418 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into R-5 Zone, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2259, filed in the office of the City Clerk as Document No. 731010. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said subdivided land described in Section 1 of this ordinance, Ordinance No. 8782 (New Series), adopted January 31, 1963, of the Ordinances of The City of San Diego be, and the same is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

APR 7 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 MAR 12 PM 3:29
SAN DIEGO, CALIF

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 19 1970

APR 7 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10266** Adopted APR 7 1970

ORDINANCE NO. 10267
(New Series)

AN ORDINANCE AMENDING CHAPTER VIII,
ARTICLE 4 OF THE SAN DIEGO MUNICIPAL
CODE BY ADDING SECTION 84.14.1 ESTAB-
LISHING A LOAD LIMIT OF THREE TONS
RATED CAPACITY ON AN UNNAMED ROAD IN
SAN PASQUAL VALLEY BETWEEN SAN
PASQUAL ROAD AND STATE HIGHWAY 78.

BE IT ORDAINED, by the Council of The City of San
Diego, as follows:

Section 1. That Chapter VIII, Article 4 of the San
Diego Municipal Code be amended by adding Section 84.14.1
to read as follows:

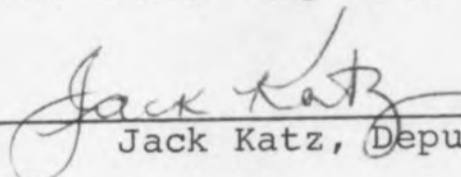
SEC. 84.14.1 VEHICLE LOAD LIMIT

It is hereby declared to be unlawful to
transport by any commercial vehicle or by any
vehicle a load in excess of three tons rated
capacity upon that unnamed road in San Pasqual
Valley between San Pasqual Road and State
Highway 78 as shown on map on file in the
office of the City Clerk as Document
No. 731455.

Section 2. This ordinance shall not take effect and
be in force until appropriate signs are erected indicating
the road affected by the ordinance and in no event sooner
than the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Jack Katz, Deputy

Passed and adopted by the Council of The City of San Diego on APR 7 1970
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 MAR -4 PM 12:37
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on MAR 24 1970, and on APR 7 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>10267</u>	Adopted <u>APR 7 1970</u>

ATTORNEY (S)

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 84.14.1 ESTABLISHING A LOAD LIMIT OF THREE TONS RATED CAPACITY ON AN UNNAMED ROAD IN SAN PASQUAL VALLEY BETWEEN SAN PASQUAL ROAD AND STATE HIGHWAY 78.

RECEIVED
CITY CLERK'S OFFICE
1970 APR 17 PM 4:59
SAN DIEGO, CALIF.

ORDINANCE NO. 10267
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 84.14.1 ESTABLISHING A LOAD LIMIT OF THREE TONS RATED CAPACITY ON AN UNNAMED ROAD IN SAN PASQUAL VALLEY BETWEEN SAN PASQUAL ROAD AND STATE HIGHWAY 78.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That Chapter VIII, Article 4 of the San Diego Municipal Code be amended by adding Section 84.14.1 to read as follows:

SEC. 84.14.1 VEHICLE LOAD LIMIT

It is hereby declared to be unlawful to transport by any commercial vehicle or by any vehicle a load in excess of three tons rated capacity upon that unnamed road in San Pasqual Valley between San Pasqual Road and State Highway 78 as shown on map on file in the office of the City Clerk as Document No. 731455.

Section 2. This ordinance shall not take effect and be in force until appropriate signs are erected indicating the road affected by the ordinance and in no event sooner than the thirtieth day from and after its passage.

Introduced on March 24, 1970.
Passed and adopted by the Council of The City of San Diego on April 7, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of San Diego, California,
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California,
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Apr. 16, 1970 X-541

I, **Patricia M. Applestill** hereby certify that **The Daily Transcript** is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10267 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

April 16, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California,
on April 16, 1970

Patricia M. Applestill
(Signature)

4 1/2" \$18.00

ORDINANCE NO. 10268
(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1 OF THE SAN DIEGO MUNICIPAL CODE, BY REPEALING SECTIONS 101.0901 THROUGH 101.0919, AND AMENDING DIVISION 9, PLANNED DEVELOPMENTS AND SECTION 101.0900, RELATING TO PLANNED RESIDENTIAL DEVELOPMENTS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be, and it is hereby amended by repealing the following Sections:

SEC. 101.0901	SAME - CONDITIONAL USE PERMIT THEREFOR - CHARACTERIZATION
SEC. 101.0902	SAME - APPLICATION
SEC. 101.0903	SAME - HEARING ON APPLICATION
SEC. 101.0904	SAME - DECISION OF PLANNING COMMISSION
SEC. 101.0905	SAME - MINIMUM AREA
SEC. 101.0906	SAME - DESIGN CRITERIA
SEC. 101.0907	SAME - MINIMUM REQUIREMENTS
SEC. 101.0908	SAME - DEVIATION FROM MINIMUM REQUIREMENTS
SEC. 101.0909	SAME - COMBINED PROCEEDINGS
SEC. 101.0910	SAME - TENTATIVE MAP TO SHOW RESERVATION FOR OPEN SPACE
SEC. 101.0911	SAME - SUBDIVISION - TENTATIVE MAP - CONDITIONS TO WAIVER OF SUBDIVISION REGULATIONS
SEC. 101.0912	SAME - FINAL MAP - CONDITIONS TO APPROVAL - AMENDED MAP
SEC. 101.0913	SAME - CERTIFICATE OF OCCUPANCY
SEC. 101.0914	SAME - FAILURE TO MAINTAIN
SEC. 101.0915	SAME - REPAIR BY CITY ENGINEER - ASSESSMENT - NOTICE

SEC. 101.0916 SAME - CONTENTS OF NOTICE
SEC. 101.0917 SAME - ASSESSMENT REPORT -
HEARING
SEC. 101.0918 SAME - NOTICE OF LIEN -
RECORDATION
SEC. 101.0919 SAME - ASSESSMENT LIEN -
INTEREST - PRIORITY -
CONSTRUCTIVE NOTICE

Section 2. That Chapter X, Article 1, of the San Diego Municipal Code be amended by amending Division 9 and Section 101.0900 to read as follows:

DIVISION 9

PLANNED DEVELOPMENTS

SEC. 101.0900 PLANNED RESIDENTIAL
DEVELOPMENTS

A. PURPOSE AND INTENT

The purposes of the Planned Residential Development regulations are to facilitate development of areas designated for residential use in adopted community plans; to encourage imaginative and innovative planning of residential neighborhoods offering a wide variety of dwelling unit types and site arrangements with well-integrated community facilities and services; and to permit greater flexibility in design of residential neighborhoods than is possible through strict application of conventional zoning and subdivision regulations.

B. DEFINITION

A Planned Residential Development is a predominantly residential development improved in accordance with an overall project plan and is characterized by the following:

1. The density regulations of the zone in which the Planned Residential Development is located are

applied to the total area of the Planned Residential Development rather than separately to individual lots or building sites.

2. The right to use and enjoy any privately owned common open areas and recreational facilities provided on the site of the Planned Residential Development shall be coupled with the severality interests of the owners of the dwelling units. Ownership may be of lots or condominiums or both.
3. A Planned Residential Development may include accessory commercial, office and recreational facilities limited in size and capacity to the needs of the occupants of the development and their guests.

C. PLANNED RESIDENTIAL DEVELOPMENT PERMIT

The Planning Commission may permit, by Planned Residential Development Permit, a Planned Residential Development in any residential zone including interim residential zones. Such permit shall be subject to all the conditions and regulations set forth in this Section.

D. APPLICATION

Application for a permit for a Planned Residential Development shall be made to the Planning Commission through the Planning Department in accordance with the procedures set forth in this Section, as follows:

1. Application for a Planned Residential Development Permit may be made by the record owner or owners of the property on which the development is proposed to be

constructed. Application shall be filed with the Planning Department upon forms provided by it and shall state fully the circumstances and conditions relied upon as grounds for the application and shall be accompanied by adequate plans and a legal description of the property involved and an explanation and description of the proposed use.

2. A deposit equal to that charged for a conditional use permit under Section 101.0204.1 shall be paid when application for a Planned Residential Development Permit is made.
3. The application shall be filed with the Planning Commission through the Planning Department in accordance with the procedures set forth in Division 5 of this Article.
4. The application shall be accompanied by a tentative map which shall be filed with the Planning Department in accordance with procedures set forth in Article 2 of this Chapter.
5. The application shall be accompanied by a plot plan showing the following:
 - a. Location, name and width of existing and proposed streets, alleys, easements and interior pedestrian ways, including all abutting streets and streets proposed to provide primary access to the proposed development from a major street or freeway.
 - b. Location of existing and proposed buildings and structures.
 - c. General plan for proposed landscaping and permanent watering system.

- d. Proposed off-street parking facilities including the location, number and dimensions of private and public parking spaces, aisles and driveways.
 - e. Height, type and location of proposed walls and fences.
 - f. Grading plan showing existing topography and proposed finished grades.
 - g. A tabulation of the various dwelling types proposed, showing the average site area for each type of dwelling and the overall average dwelling site area.
 - h. A tabulation of all open spaces shown on the plot plan indicating the square footage and the various grades thereof.
6. The application shall be accompanied by drawings in sufficient detail to indicate the design of proposed buildings.
 7. If the applicant contemplates the construction of a Planned Residential Development in increments, the application shall so state and shall include a proposed construction schedule.
 8. If the applicant proposes to provide open areas and recreational facilities to be used by the occupants of two or more dwelling units he shall so state in his application and the application shall include a plan, acceptable to the City, for the preservation and maintenance of the common elements of the property, until said project is terminated by either the Planning Commission, the City Council, or both.

E. HEARING ON APPLICATION

If the Planning Director determines that the application is complete, the Planning Commission shall set the matter for public hearing at the earliest practicable date. The public hearing shall be noticed and held in accordance with the provisions of this Section. Notice of time and place and purpose of such hearing shall be given as follows:

1. By at least one publication in the official newspaper of The City of San Diego, not less than 10 days prior to the date of the hearing.
2. By mailing notices at least 10 days prior to the date of such hearing to all record owners of property within 300 feet of the exterior boundaries of the property involved. The last known name and address of each owner as shown on the records of the County Assessor may be used for the aforementioned notice. Where property within 300 feet of the exterior boundaries of the property involved in the application is contiguous to and under the same ownership as the subject property, the owners of the property adjoining and within 300 feet of the exterior boundaries of the additional property owned by the applicant shall be notified in the same manner as herein provided.

F. DECISION OF THE PLANNING COMMISSION

1. After the public hearing, the Planning Commission may, by resolution, grant a Planned Residential

Development Permit if it finds from the evidence presented at the hearing that all the following facts exist:

- a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community.
 - b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
 - c. That all design criteria set forth in paragraph J and all minimum standards set forth in paragraph K of this Section will be met.
 - d. That the granting of this Permit will not adversely affect the Progress Guide and General Plan for the City of San Diego or any adopted Community Plan or the adopted plan of any governmental agency.
2. In granting such Permit, the Planning Commission may impose such conditions as it deems necessary and desirable to protect the public health, safety or welfare in accordance with the purpose and intent of the zoning regulations.
 3. In granting or denying a Permit, the Planning Commission shall make a written finding which shall

specify facts relied upon by said Planning Commission in rendering its decision and in attaching conditions and safeguards, and shall fully set forth wherein the facts and circumstances fulfill or fail to fulfill the requirements of this Section.

4. A copy of this written finding of fact shall be filed with the City Clerk, the Planning Director, the Zoning Administrator and the Director of Building Inspection and shall be mailed to the applicant.
5. The decision of the Planning Commission shall be final on the eleventh day following its filing with the City Clerk, except when appeal is taken to the City Council, as provided in this Section.

G. APPEAL FROM DECISION OF THE PLANNING COMMISSION

1. An appeal from any decision of the Planning Commission regarding a Planned Residential Development Permit may be taken to the City Council within ten days after the decision of the Planning Commission has been filed with the City Clerk. The appeal may be taken by the applicant, any governmental body or agency, or any person receiving notice of the public hearing pursuant to paragraph E.2. of this Section. The appeal shall be in writing and filed in duplicate with the City Clerk upon forms provided by him, and shall specify wherein there was error in the decision of the Planning Commission. If an appeal is filed within the time specified, it shall automatically stay proceedings in the matter until a determination is made by the City Council.
2. Upon the filing of the appeal, the City Clerk shall set the matter for public hearing. He shall give

notice of the time, place and purpose of such hearing in the manner as provided in this Section. In addition, the City Clerk shall send the Planning Commission a duplicate copy of the appeal and request the Commission to transmit to the City Council a copy of its decision, findings, minutes of the hearing and all other evidence, maps, papers and exhibits upon which the Planning Commission made its decision.

3. Upon the hearing of the appeal, the City Council may by resolution affirm, reverse or modify in whole or in part any determination of the Planning Commission, subject to the same limitations as are placed upon the Planning Commission by law and the provisions of this Code. The resolution must contain a finding of fact showing wherein the the proposed Planned Residential Development meets or fails to meet the requirements herein. The Clerk shall transmit a copy of the resolution and finding of fact to the Planning Director and the Zoning Administrator, and shall mail a copy to the applicant.

H. FAILURE TO UTILIZE PLANNED RESIDENTIAL DEVELOPMENT PERMIT

Any Planned Residential Development Permit granted by the City as herein provided shall be conditioned upon the privileges granted being utilized within 18 months after the effective date thereof. Failure to utilize such Permit within this 18-month period, will automatically void the same, unless an extension of time has been granted by the Planning Commission as set forth in paragraph I of this Section. Construction must actually

be commenced within the stated period and must be diligently prosecuted to completion. If the City should find that there has been no construction substantial in character performed under said Permit, or that there has been a lapse of work for six months, the Permit shall be void.

I. EXTENSION OF TIME TO A PLANNED RESIDENTIAL DEVELOPMENT PERMIT

The Planning Commission may, by resolution, grant an extension of time up to two years on the time limit contained in a currently valid Planned Residential Development Permit. To initiate a request for extension of time, the property owner or owners shall file a written application with the Planning Commission in the office of the Planning Department, prior to the expiration of the Planned Residential Development Permit. The Planning Commission shall hear the request at a noticed public hearing in accordance with procedures set forth in paragraph E of this Section and may grant the extension of time if it finds from the evidence submitted during the public hearing that there has been no material change of circumstances since the permit was originally granted.

The decision of the Planning Commission may be appealed as provided in paragraph G of this Section.

J. DESIGN CRITERIA

The Planned Residential Development shall observe the following design criteria:

1. The overall plan shall be comprehensive, embracing land, buildings, landscaping and their inter-relationships and shall conform in all respects

to all adopted plans of all governmental agencies for the area in which the proposed development is located.

2. The plan shall provide for adequate open space, circulation, off-street parking, and pertinent amenities. Buildings, structures and facilities in the parcel shall be well integrated, oriented and related to the topographic and natural landscape features of the site.
3. The proposed development shall be compatible with existing and planned land use, and with circulation patterns on adjoining properties. It shall not constitute a disruptive element to the neighborhood and community.
4. The internal street system shall not be a dominant feature in the overall design, rather it should be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities.
5. Common areas and recreational facilities (if provided) shall be located so as to be readily accessible to the occupants of the dwelling units and shall be well related to any common open spaces provided.
6. Architectural harmony within the development and within the neighborhood and community shall be obtained so far as practicable.

K. MINIMUM DEVELOPMENTAL STANDARDS

A Planned Residential Development shall comply with all the following developmental standards:

1. Density. The number of dwelling units to be built on the property shall not exceed that set forth in the following table:

<u>ZONE</u>	<u>MAXIMUM PERMITTED DWELLING UNITS</u>
R-1-40	$\frac{\text{Sq. Ft. of Land Area}}{40,000 \text{ sq. ft.}}$
R-1-20	$\frac{\text{Sq. Ft. of Land Area}}{20,000 \text{ sq. ft.}}$
R-1-15	$\frac{\text{Sq. Ft. of Land Area}}{15,000 \text{ sq. ft.}}$
R-1-10	$\frac{\text{Sq. Ft. of Land Area}}{10,000 \text{ sq. ft.}}$
R-1-8	$\frac{\text{Sq. Ft. of Land Area}}{8,000 \text{ sq. ft.}}$
R-1-6	$\frac{\text{Sq. Ft. of Land Area}}{6,000 \text{ sq. ft.}}$
R-1-5	$\frac{\text{Sq. Ft. of Land Area}}{5,000 \text{ sq. ft.}}$
R-2	$\frac{\text{Sq. Ft. of Land Area}}{3,000 \text{ sq. ft.}}$
R-2A	$\frac{\text{Sq. Ft. of Land Area}}{1,500 \text{ sq. ft.}}$
R-3	$\frac{\text{Sq. Ft. of Land Area}}{1,000 \text{ sq. ft.}}$
RV	$\frac{\text{Sq. Ft. of Land Area}}{1,000 \text{ sq. ft.}}$
R-3A	$\frac{\text{Sq. Ft. of Land Area}}{600 \text{ sq. ft.}}$
R-4	$\frac{\text{Sq. Ft. of Land Area}}{400 \text{ sq. ft.}}$
R-4C	$\frac{\text{Sq. Ft. of Land Area}}{200 \text{ sq. ft.}}$

If the property involved is composed of land falling in two or more residential zones, the number of dwelling units permitted in the development shall be the sum of the dwelling units permitted in each of the residential zones. Within a Planned Residential Development, the

permitted number of dwelling units may be distributed without regard to the underlying zoning.

2. Open Space. The open space provided on the property shall not be less than that shown in the following table:

<u>ZONE</u>	<u>TOTAL REQUIRED O.S. PER D.U. (sq. ft.)</u>	<u>REQUIRED USABLE O.S. PER D.U. (sq. ft.)</u>
R-1-40	28,000	14,000
R-1-20	12,000	6,000
R-1-15	9,000	4,500
R-1-10	6,000	3,000
R-1-8	4,800	2,400
R-1-6	3,600	1,800
R-1-5	3,000	1,500
R-2	1,800	900
R-2A	900	450
R-3	500	250
RV	500	250
R-3A	300	150
R-4	200	100
R-4C	100	50

If the property involved is composed of land falling in two or more residential zones, the amount of open space required in the development shall be the sum of the open space required in each of the residential zones. Within a Planned Residential Development, the required open space may be distributed without regard to the underlying zoning.

The usable open space as determined from the above table shall be composed of moderately level land having an overall grade not exceeding 10 percent and shall not include land occupied by buildings, structures, streets, driveways or parking areas. The usable open space may, however, be occupied by recreational facilities, excluding buildings, including the following:

Swimming pools, golf courses, tennis, basketball, volley ball and badminton courts, open handball courts, children's play areas and accompanying equipment, baseball diamonds, shuffleboard courts, croquet and lawn bowling facilities, walks and riding trails, picnic and barbeque facilities and any other use which the Planning Commission may find to be similar in character to the uses enumerated in this paragraph and consistent with the purpose and intent of this Section.

That portion of the required total open space not designated as usable open space may be occupied by any improvement except buildings. Areas not occupied by improvements may be landscaped or left in their natural state. Areas left in a natural state shall be kept free of litter and debris and shall at no time constitute a health, safety or fire hazard.

All or any part of the required total open space may be owned in common by the occupants of the development. If open space is to be owned in common, provision acceptable to the City shall be made for its preservation and maintenance.

3. Utilities. Public utility systems and service facilities shall be located underground within the boundaries of the development as provided for in Section 102.0221 of this Code.
4. Antennas. Only television and radio antennas which are located indoors or which are designed to serve all the occupants of the development shall be permitted.
5. Landscaping. All usable open space not occupied by recreational facilities shall be landscaped and provided with a permanent underground watering system.
6. Private Streets, Alleys, Walkways and Parking Areas. All streets, alleys, walkways and parking areas within the development which are not dedicated to public use shall be improved in accordance with standards established by the City Engineer. Provision acceptable to the City shall be made for the preservation and maintenance of all such streets, alleys, walkways, and parking areas.

L. DEVIATIONS FROM MINIMUM STANDARDS

Deviation from the requirements of this Section may be granted by the Planning Commission or City Council as follows:

1. Deviations from any of the design criteria in paragraph J and standards set forth in paragraph K, of this Section, except the minimum standards regarding density and total required open space, may be granted by either the Planning Commission, or by the City Council on appeal, upon a written finding that facts set forth in paragraph L.2. below exist. No deviations shall be granted from the minimum requirements for density or total open space.
2. The Planning Commission, or the City Council on appeal, may grant a deviation only when it shall appear from the applicant's statement or from the evidence presented at the public hearing that all the following facts exist:
 - a. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the requirements deprives such property of privileges enjoyed by other property in the vicinity under identical zone classification.

- b. Any deviation granted will assure that the adjustment thereby authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which property is situated because of the conditions imposed.
 - c. That the granting of the deviation does not adversely affect the Progress Guide and General Plan for the City of San Diego or the adopted plan of any governmental agency.
3. No deviation from the requirements that utilities be located underground shall be granted except as provided in Section 102.0221 of this Code.

M. COMBINED PROCEEDINGS

All proceedings with regard to a tentative map submitted with an application for a Planned Residential Development Permit shall be combined with the proceedings for the Permit.

N. TENTATIVE MAP TO SHOW RESERVATION FOR OPEN SPACE

The tentative map submitted with the application for a Planned Residential Development Permit shall show land reserved as an open space easement if such open space is to be provided for the common use of the occupants of the Planned Residential Development.

O. SUBDIVISION - TENTATIVE MAP - CONDITIONS TO WAIVER OF SUBDIVISION REGULATIONS

The Planning Commission may approve a tentative map which provides for a division of the parcel into two or more

lots though the map may not comply with the provisions of Chapter X, Article 2 of this Code pertaining to minimum requirements for streets, lots and block design and the provisions of this Code requiring that each lot be connected directly to the City sewer system. If common open spaces are reserved in accordance with the provisions of paragraph N of this Section, approval of the tentative map shall be conditioned upon The City of San Diego being granted an easement in a form acceptable to the City, limiting the future use of common open spaces and preserving them as open spaces.

P. FINAL MAP - CONDITIONS TO APPROVAL - AMENDED MAP

Building permits shall not be issued for any construction within the proposed Planned Residential Development unless a final approved map has been recorded or waiver of such recordation has been granted by the Planning Commission or City Council. A final map which deviates from the conditions imposed by the Permit issued for the Planned Residential Development shall not be approved.

A final map which provides for common open spaces shall not be approved unless the special requirements of paragraph O of this Section have been fulfilled and the provisions of Chapter X, Article 2 of this Code, which are consistent with the provisions of this Section, have been satisfied.

Q. CERTIFICATE OF OCCUPANCY

A certificate of occupancy shall not be issued for any structure in a Planned Residential Development until all improvements required by the permit have been completed to the satisfaction of the City Engineer and the Department of Building Inspection.

R. FAILURE TO MAINTAIN

1. All commonly owned land, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to so maintain shall be, and the same is hereby declared to be, unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.
2. In addition to any other remedy provided by law for the abatement, removal and enjoinder of such public nuisance, the City Engineer, may, after giving notice, cause the necessary work of maintenance or repair to be done, and the costs thereof shall be assessed against the owner or owners of the project.
3. The notice shall be in writing and mailed to all persons whose names appear on the last equalized assessment roll as owners of real property within the project, at the address shown on said assessment roll. Notice shall also be sent to any person known to the City Engineer to be responsible for the maintenance or repair of the common areas and facilities of the project under an indenture or agreement. The City Engineer shall also cause at least one copy of such notice to be posted in a conspicuous place on the premises. No assessment shall be held invalid for failure to post or mail or correctly address any notice if this Section has been substantially complied with.

4. The notice shall particularly specify the work required to be done and shall state that if said work is not commenced within five days after receipt of such notice and diligently and without interruption prosecuted to completion, The City of San Diego shall cause such work to be done, in which case the cost and expense of such work, including incidental expenses incurred by the City, will be assessed against the property or against each separate lot and become a lien upon such property.
5. If upon the expiration of the five-day period provided for in paragraph R.4. above, the work has not been done, or having been commenced, is not being prosecuted with diligence, the City Engineer shall proceed to do such work or cause such work to be done. Upon completion of such work, the City Engineer shall file a written report with the Council setting forth the fact that the work has been completed and the cost thereof, together with a legal description of the property against which the cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work. The City Engineer or the City Clerk, if so directed by the Council, shall thereafter give notice in writing to the owners of the project in the manner provided in paragraph R.3. above of the hour and place that the Council will pass upon said City Engineer's report and will hear protests against said assessments. Such notice shall also set forth the amount of the proposed assessment.

6. Upon the date and hour set for the hearing of protests the Council shall hear and consider the City Engineer's report and all protests, if there be any, and then proceed to confirm, modify or reject the assessments.
7. A list of assessments as finally confirmed by the Council shall be sent to the City Treasurer for collection. If any assessment is not paid within ten days after its confirmation by the Council, the City Clerk shall cause to be filed in the office of the County Recorder of the County of San Diego a Notice of Lien, substantially in the following form:

NOTICE OF LIEN

Pursuant to Chapter X, Article 1, Division 9, of the San Diego Municipal Code, (Ordinance No. _____, New Series, as amended) The City of San Diego did on the ____ day of _____, 19____, cause maintenance and repair work to be done in the Planned Residential Development project known as _____, which was constructed under a Planned Residential Development Permit No. _____, for the purpose of abating a public nuisance and enforcing compliance with the terms of said Permit and the Council of The City of San Diego, did, on the ____ day of _____, 19____, by its Resolution No. _____ assess the cost or portion of the cost thereof upon the real property hereinafter described, and the same has not been paid nor any part thereof, and The City of San Diego does hereby claim a lien upon said real property

until the said sum with interest thereon at the rate of 6% per annum from the date of the recordation of this instrument has been paid in full and discharged of record.

The real property hereinbefore mentioned and upon which a lien is hereby claimed is that certain parcel of land in The City of San Diego, County of San Diego, State of California, particularly described as follows:

(Description of Property)

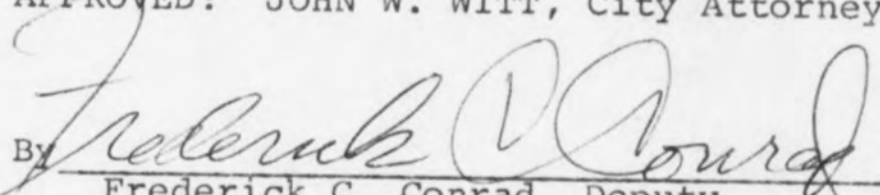
Dated this ___ day of _____, 19__

City Clerk, The City of San Diego

8. From and after the date of the recordation of such Notice of Lien, the amount of the unpaid assessment shall be a lien on the property against which the assessment is made, and such assessment shall bear interest at the rate of 6% per annum until paid in full. Said lien shall continue until the amount of the assessment and all interest thereon shall have been paid. The lien shall be subordinate to tax liens and all fixed special assessment items previously imposed upon the same property, but shall have priority over all contractual liens and all fixed special assessment liens which may thereafter be created against the property. From and after the date of recordation of such Notice of Lien, All persons shall be deemed to have notice of the contents thereof.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad, Deputy

FCC:mk
Rev. page 8
3-24-70

Passed and adopted by the Council of The City of San Diego on APR 7 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 MAR 20 PM 4:31
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

By Elfa P. Hamel, Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 24 1970

APR 7 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa P. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10268 Adopted APR 7 1970

88

ATTORNEY (S)

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1 OF
THE SAN DIEGO MUNICIPAL CODE, BY REPEALING
SECTIONS 101.0901 THROUGH 101.0919, AND
AMENDING DIVISION 9, PLANNED RESIDENTIAL
DEVELOPMENTS

RECEIVED
CITY OF SAN DIEGO
1970 APR 21 PM 10:43
SAN DIEGO, CALIF.

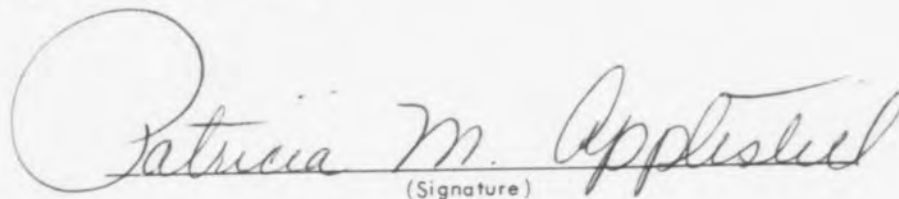
I, Patricia M. Applestill hereby certify
that The Daily Transcript is a daily newspaper of general
circulation within the provisions of the Government Code of
the State of California, printed and published in the City of
San Diego, County of San Diego, State of California; that
I am the principal clerk of the printer of said newspaper;
that the

ORDINANCE NO. 10268 (NEW SERIES)

to a true and correct copy of which this certificate is annexed
was published in said newspaper on

April 16, 1970

I certify under penalty of perjury that the foregoing is
true and correct, at San Diego, California,
on April 16, 1970


(Signature)

95 1/2" \$382.00

ORDINANCE NO. 10268
(NEW SERIES)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 1 OF THE SAN DIEGO MUNICIPAL CODE, BY REPEALING SECTIONS 101.0901 THROUGH 101.0919, AND AMENDING DIVISION 9, PLANNED DEVELOPMENTS AND SECTION 101.0900, RELATING TO PLANNED RESIDENTIAL DEVELOPMENTS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows: Section 1. That Chapter X, Article 1, of the San Diego Municipal Code be, and it is hereby amended by repealing the following Sections:

- SEC. 101.0901 SAME — CONDITIONAL USE PERMIT THEREFOR — CHARACTERIZATION
- SEC. 101.0902 SAME — APPLICATION
- SEC. 101.0903 SAME — HEARING ON APPLICATION
- SEC. 101.0904 SAME — DECISION OF PLANNING COMMISSION
- SEC. 101.0905 SAME — MINIMUM AREA
- SEC. 101.0906 SAME — DESIGN CRITERIA
- SEC. 101.0907 SAME — MINIMUM REQUIREMENTS
- SEC. 101.0908 SAME — DEVIATION FROM MINIMUM REQUIREMENTS
- SEC. 101.0909 SAME — COMBINED PROCEEDINGS
- SEC. 101.0910 SAME — TENTATIVE MAP TO SHOW RESERVATION FOR OPEN SPACE
- SEC. 101.0911 SAME — SUBDIVISION — TENTATIVE MAP — CONDITIONS TO WAIVER OF SUBDIVISION REGULATIONS
- SEC. 101.0912 SAME — FINAL MAP — CONDITIONS TO APPROVAL — AMENDED MAP
- SEC. 101.0913 SAME — CERTIFICATE OF OCCUPANCY
- SEC. 101.0914 SAME — FAILURE TO MAINTAIN
- SEC. 101.0915 SAME — REPAIR BY CITY ENGINEER — ASSESSMENT — NOTICE
- SEC. 101.0916 SAME — CONTENTS OF NOTICE
- SEC. 101.0917 SAME — ASSESSMENT REPORT — HEARING
- SEC. 101.0918 SAME — NOTICE OF LIEN — RECORDATION
- SEC. 101.0919 SAME — ASSESSMENT LIEN — INTEREST — PRIORITY — CONSTRUCTIVE NOTICE

Section 2. That Chapter X, Article 1, of the San Diego Municipal Code be amended by amending Division 9 and Section 101.0900 to read as follows:

DIVISION 9
PLANNED DEVELOPMENTS

SEC. 101.0900 PLANNED RESIDENTIAL DEVELOPMENTS

A. PURPOSE AND INTENT

The purposes of the Planned Residential Development regulations are to facilitate development of areas designated for residential use in adopted community plans; to encourage imaginative and innovative planning of residential neighborhoods offering a wide variety of dwelling unit types and site arrangements with well-integrated community facilities and services; and to permit greater flexibility in design of residential neighborhoods than is possible through strict application of conventional zoning and subdivision regulations.

B. DEFINITION

A Planned Residential Development is a predominantly residential development improved in accordance with an overall project plan and is characterized by the following:

1. The density regulations of the zone in which the Planned Residential Development is located are applied to the total area of the Planned Residential Development rather than separately to individual lots or building sites.
2. The right to use and enjoy any privately owned common open areas and recreational facilities provided on the site of the Planned Residential Development shall be coupled with the severality interests of the owners of the dwelling units. Ownership may be of lots or condominiums or both.
3. A Planned Residential Development may include accessory commercial, office and recreational facilities limited in size and capacity to the needs of the occupants of the development and their guests.

C. PLANNED RESIDENTIAL DEVELOPMENT PERMIT

The Planning Commission may permit, by Planned Residential Development Permit, a Planned Residential Development in any residential zone including interim residential zones. Such permit shall be subject to all the conditions and regulations set forth in this Section.

D. APPLICATION

Application for a permit for a Planned Residential Development shall be made to the Planning Commission through the Planning Department in accordance with the procedures set forth in this Section, as follows:

1. Application for a Planned Residential Development Permit may be made by the record owner or owners of the property on which the development is proposed to be constructed. Application shall be filed with the Planning Department upon forms provided by it and shall state fully the circumstances and conditions relied upon as grounds for the application and shall be accompanied by adequate plans and a legal description of the property involved and an explanation and description of the proposed use.
2. A deposit equal to that charged for a conditional use permit under Section 101.0204.1 shall be paid when application for a Planned Residential Development Permit is made.
3. The application shall be filed with the Planning Commission through the Planning Department in accordance with the procedures set forth in Division 5 of this Article.
4. The application shall be accompanied by a tentative map which shall be filed with the Planning Department in accordance with procedures set forth in Article 2 of this Chapter.
5. The application shall be accompanied by a plot plan showing the following:
 - a. Location, name and width of existing and proposed streets, alleys, easements and interior pedestrian ways, including all abutting streets and streets proposed to provide primary access to the proposed development from a major street or freeway.
 - b. Location of existing and proposed buildings and structures.
 - c. General plan for proposed landscaping and permanent watering system.
 - d. Proposed off-street parking facilities including the location, number and dimensions of private and public parking spaces, aisles and driveways.
 - e. Height, type and location of proposed walls and fences.
 - f. Grading plan showing existing topography and proposed finished grades.
 - g. A tabulation of the various dwelling types proposed, showing the average site area for each type of dwelling and the overall average dwelling site area.
 - h. A tabulation of all open spaces shown on the plot plan indicating the square footage and the various grades thereof.
6. The application shall be accompanied by drawings in sufficient detail to indicate the design of the proposed buildings.
7. If the applicant contemplates the construction of a Planned Residential Development in increments, the application shall so state and shall include a proposed construction schedule.
8. If the applicant proposes to provide open areas and recreational facilities to be used by the occupants of two or more dwelling units he shall so state in his application and the application shall include a plan, acceptable to the City, for the preservation and maintenance of the common elements of the property, until said project is terminated by either the Planning Commission, the City Council, or both.

E. HEARING ON APPLICATION

If the Planning Director determines that the application is complete, the Planning Commission shall set the matter for public hearing at the earliest practicable date. The public hearing shall be noticed and held in accordance with the provisions of this Section. Notice of time and place and purpose of such hearing shall be given as follows:

1. By at least one publication in the official newspaper of The City of San Diego, not less than 10 days prior to the date of the hearing.
2. By mailing notices at least 10 days prior to the date of such hearing to all record owners of property within 300 feet of the exterior boundaries of the property involved. The last known name and address of each owner as shown on the records of the County Assessor may be used for the aforementioned notice. Where property within 300 feet of the exterior boundaries of the property involved in the application is contiguous to and under the same ownership as the subject property, the owners of the property adjoining and within 300 feet of the exterior boundaries of the additional property owned by the applicant shall be notified in the same manner as herein provided.

F. DECISION OF THE PLANNING COMMISSION

1. After the public hearing, the Planning Commission may, by resolution, grant a Planned Residential Development Permit if it finds from the evidence presented at the hearing that all the following facts exist:
 - a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community.
 - b. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
 - c. That all design criteria set forth in paragraph J and all minimum standards set forth in paragraph K of this Section will be met.
 - d. That the granting of this Permit will not adversely affect the Progress Guide and General Plan for the City of San Diego or any adopted Community Plan or the adopted plan of any governmental agency.
2. In granting such Permit, the Planning Commission may impose such conditions as it deems necessary and desirable to protect the public health, safety or welfare in accordance with the purpose and intent of the zoning regulations.
3. In granting or denying a Permit, the Planning Commission shall make a written finding which shall specify facts relied upon by said Planning Commission in rendering its decision and in attaching conditions and safeguards, and shall fully set forth wherein the facts and circumstances fulfill or fail to fulfill the requirements of this Section.
4. A copy of this written finding of fact shall be filed with the City Clerk, the Planning Director, the Zoning Administrator and the Director of Building Inspection and shall be mailed to the applicant.
5. The decision of the Planning Commission shall be final on the eleventh day following its filing with the City Clerk, except when appeal is taken to the City Council, as provided in this Section.

G. APPEAL FROM DECISION OF THE PLANNING COMMISSION

1. An appeal from any decision of the Planning Commission regarding a Planned Residential Development Permit may be taken to the City Council within ten days after the decision of the Planning Commission has been filed with the City Clerk. The appeal may be taken by the applicant, any governmental body or agency, or any person receiving notice of the public hearing pursuant to paragraph E.2. of this Section. The appeal shall be in writing and filed in duplicate with the City Clerk upon forms provided by him, and shall specify wherein there was error in the decision of the Planning Commission. If an appeal is filed within the time specified, it shall automatically stay proceedings in the matter until a determination is made by the City Council.
2. Upon the filing of the appeal, the City Clerk shall set the matter for public hearing. He shall give notice of the time, place and purpose of such hearing in the manner as provided in this Section. In addition, the City Clerk shall send the Planning Commission a duplicate copy of the appeal and request the Commission to transmit to the City Council a copy of its decision, findings, minutes of the hearing and all other evidence, maps, papers and exhibits upon which the Planning Commission made its decision.
3. Upon the hearing of the appeal, the City Council may by resolution affirm, reverse or modify in whole or in part any determination of the Planning Commission, subject to the same limitations as are placed upon the Planning Commission by law and the provisions of this Code. The resolution must contain a finding of fact showing wherein the proposed Planned Residential Development meets or falls to meet the requirements herein. The Clerk shall transmit a copy of the resolution and finding of fact to the Planning Director and the Zoning Administrator, and shall mail a copy to the applicant.

H. FAILURE TO UTILIZE PLANNED RESIDENTIAL DEVELOPMENT PERMIT

Any Planned Residential Development Permit granted by the City as herein provided shall be conditioned upon the privileges granted being utilized within 18 months after the effective date thereof. Failure to utilize such Permit within this 18-month period, will automatically void the same, unless an extension of time has been granted by the Planning Commission as set forth in paragraph I of this Section. Construction must actually be commenced within the stated period and must be diligently prosecuted to completion. If the City should find that there has been no construction substantial in character performed under said Permit, or that there has been a lapse of work for six months, the Permit shall be void.

I. EXTENSION OF TIME TO A PLANNED RESIDENTIAL DEVELOPMENT PERMIT

The Planning Commission may, by resolution, grant an extension of time up to two years on the time limit contained in a currently valid Planned Residential Development Permit. To initiate a request for extension of time, the property owner or owners shall file a written application with the Planning Commission in the office of the Planning Department, prior to the expiration of the Planned Residential Development Permit. The Planning Commission shall hear the request at a noticed public hearing in accordance with procedures set forth in paragraph E of this Section and may grant the extension of time if it finds from the evidence submitted during the public hearing that there has been no material change of circumstances since the permit was originally granted.

The decision of the Planning Commission may be appealed as provided in paragraph G of this Section.

J. DESIGN CRITERIA

The Planned Residential Development shall observe the following design criteria:

1. The overall plan shall be comprehensive, embracing land, buildings, landscaping and their inter-relationships and shall conform in all respects to all adopted plans of all governmental agencies for the area in which the proposed development is located.
2. The plan shall provide for adequate open space, circulation, off-street parking, and pertinent amenities. Buildings, structures and facilities in the parcel shall be well integrated, oriented and related to the topographic and natural landscape features of the site.
3. The proposed development shall be compatible with existing and planned land use, and with circulation patterns on adjoining properties. It shall not constitute a disruptive element to the neighborhood and community.
4. The internal street system shall not be a dominant feature in the overall design, rather it should be designed for the efficient and safe flow of vehicles without creating a disruptive influence on the activity and function of any common areas and facilities.
5. Common areas and recreational facilities (if provided) shall be located so as to be readily accessible to the occupants of the dwelling units and shall be well related to any common open spaces provided.
6. Architectural harmony within the development and within the neighborhood and community shall be obtained so far as practicable.

K. MINIMUM DEVELOPMENTAL STANDARDS

A Planned Residential Development shall comply with all the following developmental standards:

1. Density. The number of dwelling units to be built on the property shall not exceed that set forth in the following table:

ZONE	MAXIMUM PERMITTED DWELLING UNITS
R-1-40	Sq. Ft. of Land Area 40,000 sq. ft.
R-1-20	Sq. Ft. of Land Area 20,000 sq. ft.
R-1-15	Sq. Ft. of Land Area 15,000 sq. ft.
R-1-10	Sq. Ft. of Land Area 10,000 sq. ft.
R-1-8	Sq. Ft. of Land Area 8,000 sq. ft.
R-1-6	Sq. Ft. of Land Area 6,000 sq. ft.
R-1-5	Sq. Ft. of Land Area 5,000 sq. ft.
R-2	Sq. Ft. of Land Area 3,000 sq. ft.
R-2A	Sq. Ft. of Land Area 1,500 sq. ft.
R-3	Sq. Ft. of Land Area 1,000 sq. ft.
RV	Sq. Ft. of Land Area 1,000 sq. ft.
R-3A	Sq. Ft. of Land Area 600 sq. ft.
R-4	Sq. Ft. of Land Area 400 sq. ft.
R-4C	Sq. Ft. of Land Area 200 sq. ft.

If the property involved is composed of land falling in two or more residential zones, the number of dwelling units permitted in the development shall be the sum of the dwelling units permitted in each of the residential zones. Within a Planned Residential Development, the permitted number of dwelling units may be distributed without regard to the underlying zoning.

2. Open Space. The open space provided in the property shall not be less than that shown in the following table:

ZONE	TOTAL REQUIRED O.S. PER D.U. (sq. ft.)	REQUIRED USABLE O.S. PER D.U. (sq. ft.)
R-1-40	28,000	14,000
R-1-20	12,000	6,000
R-1-15	9,000	4,500
R-1-10	6,000	3,000
R-1-8	4,800	2,400
R-1-6	3,600	1,800
R-1-5	3,000	1,500
R-2	1,800	900
R-2A	900	450
R-3	500	250
RV	500	250
R-3A	300	150
R-4	200	100
R-4C	100	50

If the property involved is composed of land falling in two or more residential zones, the amount of open space required in the development shall be the sum of the open space required in each of the residential zones. Within a Planned Residential Development, the required open space may be distributed without regard to the underlying zoning.

The usable open space as determined from the above table shall be composed of moderately level land having an overall grade not exceeding 10 percent and shall not include land occupied by buildings, structures, streets, driveways or parking areas. The usable open space may, however, be occupied by recreational facilities, excluding buildings, including the following:

Swimming pools, golf courses, tennis, basketball, volley ball and badminton courts, open handball courts, children's play areas and accompanying equipment, baseball diamonds, shuffleboard courts, croquet and lawn bowling facilities, walks and riding trails, picnic and barbecue facilities and any other use which the Planning Commission may find to be similar in character to the uses enumerated in this paragraph and consistent with the purpose and intent of this Section.

That portion of the required total open space not designated as usable open space may be occupied by any improvement except buildings. Areas not occupied by improvements may be landscaped or left in their natural state. Areas left in a natural state shall be kept free of litter and debris and shall at no time constitute a health, safety or fire hazard.

All or any part of the required total open space may be owned in common by the occupants of the development. If open space is to be owned in common, provision acceptable to the City shall be made for its preservation and maintenance.

3. Utilities. Public utility systems and service facilities shall be located underground within the boundaries of the development as provided for in Section 102.0221 of this Code.

4. Antennas. Only television and radio antennas which are located indoors or which are designed to serve all the occupants of the development shall be permitted.

5. Landscaping. All usable open space not occupied by recreational facilities shall be landscaped and provided with a permanent underground watering system.

6. Private Streets, Alleys, Walkways and Parking Areas. All streets, alleys, walkways and parking areas within the development which are not dedicated to public use shall be improved in accordance with standards established by the City Engineer. Provision acceptable to the City shall be made for the preservation and maintenance of all such streets, alleys, walkways, and parking areas.

L. DEVIATIONS FROM MINIMUM STANDARDS

Deviation from the requirements of this Section may be granted by the Planning Commission or City Council as follows:

1. Deviations from any of the design criteria in paragraph J and standards set forth in paragraph K, of this Section, except the minimum standards regarding density and total required open space, may be granted by either the Planning Commission, or by the City Council on appeal, upon a written finding that facts set forth in paragraph L.2. below exist. No deviations shall be granted from the minimum requirements for density or total open space.

2. The Planning Commission, or the City Council on appeal, may grant a deviation only when it shall appear from the applicant's statement or from the evidence presented at the public hearing that all the following facts exist:

a. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the requirements deprives such property of privileges enjoyed by other property in the vicinity under identical zone classification.

b. Any deviation granted will assure that the adjustment thereby authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which property is situated because of the conditions imposed.

c. That the granting of the deviation does not adversely affect the Progress Guide and General Plan for the City of San Diego or the adopted plan of any governmental agency.

3. No deviation from the requirements that utilities be located underground shall be granted except as provided in Section 102.0221 of this Code.

M. COMBINED PROCEEDINGS

All proceedings with regard to a tentative map submitted with an application for a Planned Residential Development Permit shall be combined with the proceedings for the Permit.

N. TENTATIVE MAP TO SHOW RESERVATION FOR OPEN SPACE

The tentative map submitted with the application for a Planned Residential Development Permit shall show land reserved as an open space easement if such open space is to be provided for the common use of the occupants of the Planned Residential Development.

O. SUBDIVISION — TENTATIVE MAP — CONDITIONS TO WAIVER OF SUBDIVISION REGULATIONS

The Planning Commission may approve a tentative map which provides for a division of the parcel into two or more lots though the map may not comply with the provisions of Chapter X, Article 2 of this Code pertaining to minimum requirements for streets, lots and block design and the provisions of this Code requiring that each lot be connected directly to the City sewer system. If common open spaces are reserved in accordance with the provisions of paragraph N of this Section, approval of the tentative map shall be conditioned upon The City of San Diego being granted an easement in a form acceptable to the City, limiting the future use of common open spaces and preserving them as open spaces.

P. FINAL MAP — CONDITIONS TO APPROVAL — AMENDED MAP

Building permits shall not be issued for any construction within the proposed Planned Residential Development unless a final approved map has been recorded or waiver of such recordation has been granted by the Planning Commission or City Council. A final map which deviates from the conditions imposed by the Permit issued for the Planned Residential Development shall not be approved.

A final map which provides for common open spaces shall not be approved unless the special requirements of paragraph O of this Section have been fulfilled and the provisions of Chapter X, Article 2 of this Code, which are consistent with the provisions of this Section, have been satisfied.

Q. CERTIFICATE OF OCCUPANCY

A certificate of occupancy shall not be issued for any structure in a Planned Residential Development until all improvements required by the permit have been completed to the satisfaction of the City Engineer and the Department of Building Inspection.

R. FAILURE TO MAINTAIN

1. All commonly owned land, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to so maintain shall be, and the same is hereby declared to be, unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.
2. In addition to any other remedy provided by law for the abatement, removal and enjoinder of such public nuisance, the City Engineer, may, after giving notice, cause the necessary work of maintenance or repair to be done, and the costs thereof shall be assessed against the owner or owners of the project.
3. The notice shall be in writing and mailed to all persons whose names appear on the last equalized assessment roll as owners of real property within the project, at the address shown on said assessment roll. Notice shall also be sent to any person known to the City Engineer to be responsible for the maintenance or repair of the common areas and facilities of the project under an indenture or agreement. The City Engineer shall also cause at least one copy of such notice to be posted in a conspicuous place on the premises. No assessment shall be held invalid for failure to post or mail or correctly address any notice if this Section has been substantially complied with.
4. The notice shall particularly specify the work required to be done and shall state that if said work is not commenced within five days after receipt of such notice and diligently and without interruption prosecuted to completion, The City of San Diego shall cause such work to be done, in which case the cost and expense of such work, including incidental expenses incurred by the City, will be assessed against the property or against each separate lot and become a lien upon such property.
5. If upon the expiration of the five-day period provided for in paragraph R.4. above, the work has not been done, or having been commenced, is not being prosecuted with diligence, the City Engineer shall proceed to do such work or cause such work to be done. Upon completion of such work, the City Engineer shall file a written report with the Council setting forth the fact that the work has been completed and the cost thereof, together with a legal description of the property against which the cost is to be assessed. The Council shall thereupon fix a time and place for hearing protests against the assessment of the cost of such work. The City Engineer or the City Clerk, if so directed by the Council, shall thereafter give notice in writing to the owners of the project in the manner provided in paragraph R.3. above of the hour and place that the Council will pass upon said City Engineer's report and will hear protests against said assessments. Such notice shall also set forth the amount of the proposed assessment.
6. Upon the date and hour set for the hearing of protests the Council shall hear and consider the City Engineer's report and all protests, if there be any, and then proceed to confirm, modify or reject the assessments.
7. A list of assessments as finally confirmed by the Council shall be sent to the City Treasurer for collection. If any assessment is not paid within ten days after its confirmation by the Council, the City Clerk shall cause to be filed in the office of the County Recorder of the County of San Diego a Notice of Lien, substantially in the following form:

NOTICE OF LIEN

Pursuant to Chapter X, Article 1, Division 9, of the San Diego Municipal Code, (Ordinance No. —, New Series, as amended) The City of San Diego did on the — day of —, 19—, cause maintenance and repair work to be done in the Planned Residential Development project known as —, which was constructed under a Planned Residential Development Permit No. —, for the purpose of abating a public nuisance and enforcing compliance with the terms of said Permit and the Council of The City of San Diego, did, on the — day of —, 19—, by its Resolution No. — assess the cost or portion of the cost thereof upon the real property hereinafter described, and the same has not been paid nor any part thereof, and The City of San Diego does hereby claim a lien upon said real property until the said sum with interest thereof at the rate of 6% per annum from the date of the recordation of this instrument has been paid in full and discharged of record.

The real property hereinbefore mentioned and upon which a lien is hereby claimed is that certain parcel of land in The City of San Diego, County of San Diego, State of California, particularly described as follows:

(Description of Property)
Dated this — day of —, 19—
City Clerk, The City of San Diego

8. From and after the date of the recordation of such Notice of Lien, the amount of the unpaid assessment shall be a lien on the property against which the assessment is made, and such assessment shall bear interest at the rate of 6% per annum until paid in full. Said lien shall continue until the amount of the assessment and all interest thereon shall have been paid. The lien shall be subordinate to tax liens and all fixed special assessment items previously imposed upon the same property, but shall have priority over all contractual liens and all fixed special assessment liens which may thereafter be created against the property. From and after the date of recordation of such Notice of Lien, all persons shall be deemed to have notice of the contents thereof.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.
Introduced on March 24, 1970.

Passed and adopted by the Council of The City of San Diego on April 7, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL, Deputy.

ORDINANCE NO. 10269
(New Series)

AN ORDINANCE AMENDING ORDINANCE NO. 10053 (NEW SERIES), AS AMENDED BY ORDINANCES NOS. 10088 (NEW SERIES) AND 10231 (NEW SERIES), TO CREATE THE UNCLASSIFIED POSITION OF DEPUTY CITIZENS ASSISTANCE DIRECTOR AND ESTABLISH A SCHEDULE OF COMPENSATION THEREFOR.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. Ordinance No. 10053 (New Series) of the ordinances of The City of San Diego, as amended by Ordinances Nos. 10088 (New Series) and 10231 (New Series), is hereby amended to create and establish the unclassified position of Deputy Citizens Assistance Director.

Section 2. As the schedule of compensation for the position created in Section 1 hereof, the following standard rate number of the Table of Standard Rates of pay established and adopted by Ordinance No. 10053 (New Series), as amended by Ordinances Nos. 10088 (New Series) and 10231 (New Series), of the ordinances of said City is hereby adopted:

	<u>Standard Rate No.</u>
Deputy Citizens Assistance Director	43.5

Section 3. The position of Deputy Citizens Assistance Director shall be inserted in Exhibit C of Ordinance No. 10053 (New Series), as amended by Ordinances Nos. 10088 (New Series) and 10231 (New Series), between the positions of Principal Legislative Assistant and Retirement Officer.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By R. Thomas Harris
R. Thomas Harris, Deputy

Passed and adopted by the Council of The City of San Diego on APR 14 1970
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1970 MAR 25 PM 12:39

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
 Mayor of The City of San Diego, California.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 31 1970, and on APR 14 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
 City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10269** Adopted APR 14 1970

JH

ATTORNEY (S)

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE AMENDING ORDINANCE NO. 10053 (NEW SERIES) AS AMENDED BY ORDINANCES NOS. 10088 (NEW SERIES) AND 10231 (NEW SERIES), TO CREATE THE UNCLASSIFIED POSITION OF DEPUTY CITIZENS ASSISTANCE DIRECTOR AND ESTABLISH A SCHEDULE OF COMPENSATION THEREFOR

RECEIVED
CITY OF SAN DIEGO
1970 APR 24 AM 11:27
SAN DIEGO, CALIF.

ORDINANCE NO. 10269
(NEW SERIES)

AN ORDINANCE AMENDING ORDINANCE NO. 10053 (NEW SERIES), AS AMENDED BY ORDINANCES NOS. 10088 (NEW SERIES) AND 10231 (NEW SERIES), TO CREATE THE UNCLASSIFIED POSITION OF DEPUTY CITIZENS ASSISTANCE DIRECTOR AND ESTABLISH A SCHEDULE OF COMPENSATION THEREFOR.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. Ordinance No. 10053 (New Series) of the ordinances of The City of San Diego, as amended by Ordinances Nos. 10088 (New Series) and 10231 (New Series), is hereby amended to create and establish the unclassified position of Deputy Citizens Assistance Director.

Section 2. As the schedule of compensation for the position created in Section 1 hereof, the following standard rate number of the Table of Standard Rates of pay established and adopted by Ordinance No. 10053 (New Series), as amended by Ordinances Nos. 10088 (New Series) and 10231 (New Series), of the ordinances of said City is hereby adopted:

Deputy Citizens Assistance Director	43.5
-------------------------------------	------

Section 3. The position of Deputy Citizens Assistance Director shall be inserted in Exhibit C of Ordinance No. 10053 (New Series), as amended by Ordinances Nos. 10088 (New Series) and 10231 (New Series), between the positions of Principal Legislative Assistant and Retirement Officer.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on March 31, 1970.
Passed and adopted by the Council of The City of San Diego on April 14, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Apr. 23, 1970 X-688

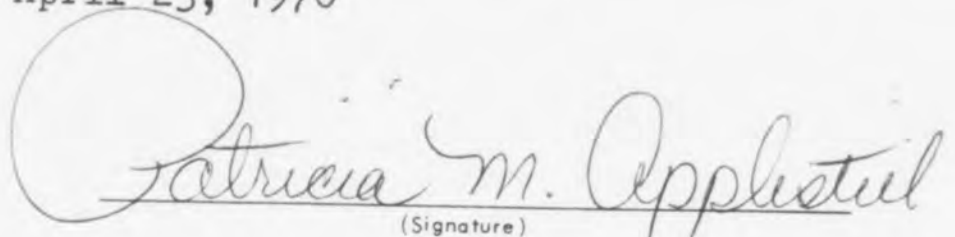
I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10269
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

April 23, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California,
on April 23, 1970


(Signature)

5 7/8" \$23.50

SHOWS CHANGE OF LANGUAGE ADOPTED BY THE FOLLOWING ORDINANCE NO. 10270 (New Series).

OLD LANGUAGE--Strike-out Type
NEW LANGUAGE--Underlined

SEC. 101.1003 SAME--ARCHITECTURAL CONTROL BOARD CREATED

(a) There is hereby created an Architectural Control Board composed of seven members ~~appointed--by-and-at-the pleasure-of-the-Mayor-and-confirmed-by-the-Council~~ who shall serve without compensation. ~~Appointment-shall-be-for-a two-year-term, but no longer than the elective term of the Mayor.--Each member shall serve until his successor is duly appointed and qualified.--Vacancies shall be filled for the unexpired term by the Mayor and confirmed by the Council.~~ Members shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the Council. The members shall serve two (2) year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than four (4) members shall expire in any year. The expiration date shall be March 1. During March of each year, the Mayor may designate one (1) member as Chairman; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chairman.

(Paragraph (b) remains the same.)

(c) ~~The Mayor shall select a Chairman of the Board from its membership annually.~~ The Board shall adopt its own rules of procedure. Four members shall constitute a quorum for the transaction of business and a majority vote, and not less than four affirmative votes shall be necessary to make any Board decision.

(Paragraphs (d), (e) and (f) remain the same.)

ORDINANCE NO. 10270
(New Series)

AN ORDINANCE AMENDING SECTION 101.1003,
ARTICLE 1, CHAPTER X, OF THE SAN DIEGO
MUNICIPAL CODE, CREATING THE ARCHITECTURAL
CONTROL BOARD.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Section 101.1003, Article 1, Chapter X,
of the San Diego Municipal Code be, and the same is hereby
amended to read as follows:

"SEC. 101.1003 SAME--ARCHITECTURAL CONTROL BOARD CREATED

(a) There is hereby created an Architectural
Control Board composed of seven members who shall
serve without compensation. The members shall be
appointed by the Mayor and confirmed by the Council.
The members shall serve two (2) year terms and each
member shall serve until his successor is duly
appointed and qualified. The members shall be
appointed in such a manner that the terms of not more
than four (4) members shall expire in any year. The
expiration date shall be March 1. During March of
each year, the Mayor may designate one (1) member
as Chairman; however, in the absence of such designa-
tion, the Board shall, on or after April 15, select
from among their members a Chairman.

(b) All members shall be electors of the County
of San Diego at the time of appointment and during
incumbency. Members of the Board shall be persons
who shall be specially qualified by reason of training
or experience in history, art, architecture, land
development, landscape architecture, tourism or other
relevant business or profession to judge the effects

of a proposed building upon the desirability, property values and development of surrounding areas. Three persons who are property owners in the Old San Diego area shall be appointed as members of the Board. At least one member of such Board shall be a registered architect in the State of California.

(c) The Board shall adopt its own rules of procedure. Four members shall constitute a quorum for the transaction of business and a majority vote, and not less than four affirmative votes shall be necessary to make any Board decision.

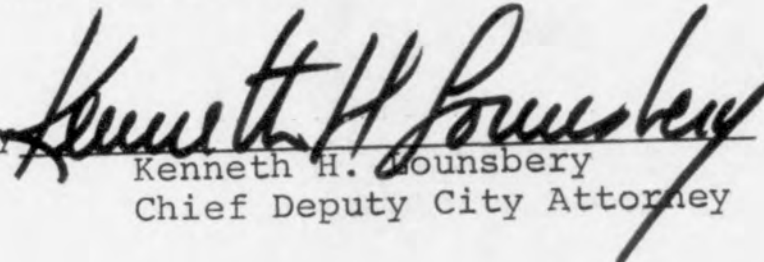
(d) The Director of Building Inspection or his designated representative shall serve as Secretary of the Board as an ex officio member. The Secretary shall not be entitled to a vote.

(e) All officers of the City shall cooperate with the Board and render all reasonable assistance to it.

(f) The Board shall render a report annually, or on request, to the Mayor."

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Kenneth H. Jounsbery
Chief Deputy City Attorney

10270

APR 21 1970

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

APR 7 1970

APR 21 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **10270** Adopted **APR 21 1970**

* CITY OF SAN DIEGO
Community Concourse
San Diego, California

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
AN ORDINANCE AMENDING SECTION 101.1003, ARTICLE 1,
CHAPTER X, OF THE SAN DIEGO MUNICIPAL CODE, CREATING
THE ARCHITECTURAL CONTROL BOARD.

RECEIVED
CITY OF SAN DIEGO
1970 MAY -1 PM 4:29
SAN DIEGO, CALIF.

ORDINANCE NO. 10270
(NEW SERIES)

AN ORDINANCE AMENDING SECTION 101.1003, ARTICLE 1, CHAPTER X, OF THE SAN DIEGO MUNICIPAL CODE, CREATING THE ARCHITECTURAL CONTROL BOARD. BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Section 101.1003, Article 1, Chapter X, of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

"SEC. 101.1003 SAME—ARCHITECTURAL CONTROL BOARD CREATED

(a) There is hereby created an Architectural Control Board composed of seven members who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the Council. The members shall serve two (2) year terms and each member shall serve until his successor is duly appointed and qualified. The members shall be appointed in such a manner that the terms of not more than four (4) members shall expire in any year. The expiration date shall be March 1. During March of each year, the Mayor may designate one (1) member as Chairman; however, in the absence of such designation, the Board shall, on or after April 15, select from among their members a Chairman.

(b) All members shall be electors of the County of San Diego at the time of appointment and during incumbency. Members of the Board shall be persons who shall be specially qualified by reason of training or experience in history, art, architecture, land development, landscape architecture, tourism or other relevant business or profession to judge the effects of a proposed building upon the desirability, property values and development of surrounding areas. Three persons who are property owners in the Old San Diego area shall be appointed as members of the Board. At least one member of such Board shall be a registered architect in the State of California.

(c) The Board shall adopt its own rules of procedure. Four members shall constitute a quorum for the transaction of business and a majority vote, and not less than four affirmative votes shall be necessary to make any Board decision.

(d) The Director of Building Inspection or his designated representative shall serve as Secretary of the Board as an ex officio member. The Secretary shall not be entitled to a vote.

(e) All officers of the City shall cooperate with the Board and render all reasonable assistance to it.

(f) The Board shall render a report annually, or on request, to the Mayor."

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on April 7, 1970.

Passed and adopted by the Council of The City of San Diego on April 21, 1970.

AUTHENTICATED BY:
FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Apr. 30, 1970 X-891

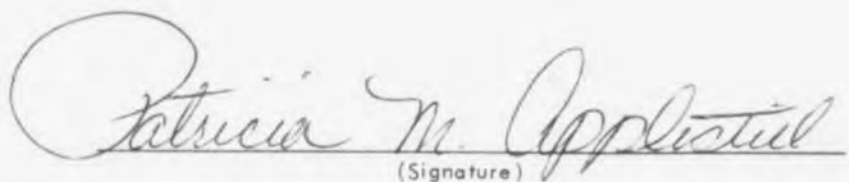
I, Patricia M. Applestill hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10270
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

April 30, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on April 30, 1970

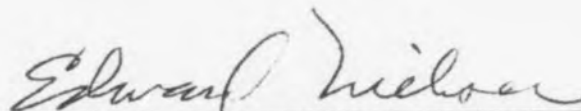

(Signature)

8 1/4" \$33.00

Office of City Clerk
12th Floor, City Administration Building
Community Concourse, 202 C Street
San Diego, California 92101

MICROFILM CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a
full, true and correct copy of the originals thereof, prepared
under my direction and supervision on June 3, 1971.



EDWARD NIELSEN,
City Clerk of The City of San Diego, California.

(SEAL)

Reel No. 3.67
Ordinances of The City of San Diego
Ord. #9971 (N.S.) through Ord. #10270 (N.S.)

Form CC-12
(Rev. 3-71)

**END
REEL**

NO. 3.67

START
RETAKE
REEL
NO 3.67

ORDINANCE NO. 10214
(New Series)

ORDINANCE AMENDING CHAPTER VI, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISIONS 9 THROUGH 17 RELATING TO THE
ESTABLISHMENT OF UTILITY IMPROVEMENT
DISTRICTS WITHIN THE CITY.

BE IT ORDAINED, by the Council of The City of San Diego,
as follows:

Section 1. That Chapter VI, Article 1, of the San Diego
Municipal Code be amended by adding Divisions 9 through 17
to read as follows:

DIVISION 9: UTILITY IMPROVEMENT DISTRICTS -
ESTABLISHMENT - INTENT AND PURPOSE

SEC. 61.0901 STATEMENT OF POLICY

The Council hereby finds that in order to provide
an orderly means for installing public works, improve-
ments and facilities in areas within the City, it is
necessary for the City to exercise the powers it has
by virtue of being a home rule city and to provide for
a procedure for the formation of improvement districts
within the City and for the issuance of bonds by the
City on behalf of such improvement districts, said
procedure to be an alternative to any others provided
by, under or pursuant to the Charter of the City and
the general laws of the state. The works, improve-
ments and facilities which may be acquired, constructed,
completed, repaired and financed pursuant to the pro-
visions of this ordinance shall consist of: (i) works,
improvements and facilities for the collection, treat-
ment and disposal of sewage; (ii) works, improvements
and facilities for the production, treatment and
distribution of water; and (iii) works, improvements
and facilities for such other utility services as the

City may now or hereafter have the power to provide.

SEC. 61.0902 CITATION

This Ordinance, consisting of Divisions 9 through 17 of Article 1, Chapter VI, of the San Diego Municipal Code, may be cited as the San Diego Utility Improvement Districts Procedural Ordinance.

DIVISION 10: UTILITY IMPROVEMENT DISTRICTS -
FORMATION

SEC. 61.1001 RESOLUTION FOR FORMATION

Whenever the Council deems it necessary to form an improvement district within the City and to issue bonds which shall be special obligations of and be issued on behalf of such improvement district, for the acquisition, construction, completion, repair or financing of any or all works, improvements and facilities referred to in Division 9 of this ordinance, the Council shall by resolution declare its intention to form an improvement district and to issue such bonds.

SEC. 61.1002 CONTENTS OF RESOLUTION: INTENTION
TO FORM DISTRICT

The resolution of intention shall state that the Council intends to form an improvement district of any portion of the City, which in the opinion of the Council will be benefited by the acquisition and construction of certain improvements and to incur bonded indebtedness by the issuance of bonds on behalf of such improvement district.

SEC. 61.1003 RESOLUTION: PURPOSE OF DEBT: AMOUNT:
PROPERTY TAXABLE TO PAY DEBT

The resolution of intention shall also state:

(a) The purposes for which the proposed bonds are to be issued which may include any or all of the purposes stated in Division 9 hereof.

10214

(b) The estimated cost of the accomplishment of such purposes and the amount of bonds to be issued therefor, which may include incidental expenses, including without limitation, engineering, appraisal, legal fees, land and rights-of-way acquisition, reserve funds and expenses of financing the district and expenses of all proceedings for the authorization, issuance and sale of the bonds.

(c) That the bonds shall not be general obligations of the City, nor shall the credit of the City or the property or revenue of any public utility owned by the City be pledged for the payment thereof; and that the bonds shall be special obligations of and be issued on behalf of the improvement district; and that taxes for the payment of the interest on the bonds and the principal thereof shall be levied exclusively upon the taxable land in the improvement district.

(d) The maximum interest rate which the bonds may bear, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1004 RESOLUTION: DESCRIPTION OF IMPROVEMENT:
MAP OF DISTRICT: AVAILABILITY FOR
INSPECTION

The resolution of intention shall also state that such resolution, together with a general description of the proposed improvement and a map showing the exterior

boundaries of the proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1005 RESOLUTION: TIME AND PLACE OF HEARING:
WHO MAY BE HEARD

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the formation and extent of the proposed improvement district, the proposed improvement, the estimated cost and the amount of bonds to be issued.

(b) That at the time and place specified in the resolution any person interested will be heard; and that any holder of title to taxable land within the proposed improvement district may file with the City Clerk at any time prior to the time set for the hearing thereon written protest to the formation of the proposed improvement district.

SEC. 61.1006 NOTICE OF HEARING: PUBLICATION:
POSTING: MAILING

Notice of the hearing shall be given by publishing a copy of the resolution of intention once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. Such notice shall also be given by posting a copy of the resolution of intention in three (3) public places within the proposed improvement district at least fifteen (15) days before the time fixed for the hearing. Such notice shall also be given by mailing a copy of said resolution of intention at least fifteen (15) days before the time fixed for the

hearing to each holder of title to taxable land within the proposed improvement district as such ownership is shown on the last equalized county assessment roll. The City Clerk shall cause all the above notices to be given.

SEC. 61.1007 TIME AND PLACE: WHO MAY APPEAR:
CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the questions set forth in the resolution of intention. The Council shall hear and pass upon all written protests filed by the holders of title to taxable land within the proposed improvement district. Such protests must be in writing, must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The hearing may be continued from time to time by the Council.

SEC. 61.1008 CHANGES: PURPOSE OF DEBT: AMOUNT:
BOUNDARIES

The Council may change the purposes for which the proposed bonds are to be issued, the estimated cost, or the amount of the bonds. The Council may also change the boundaries of the proposed improvement district, but not so as to include any territory which will not, in its judgment, be benefited by the proposed improvement.

SEC. 61.1009 NOTICE OF INTENTION TO MAKE CHANGE:
PUBLICATION: POSTING: CONTENTS

The purposes, estimated cost, or amount of bonds to be issued or the boundaries of the proposed improvement district shall not be changed by the Council except after adoption by the Council of a resolution declaring its intention to order changes and fixing a time and place for a hearing on said changes. The resolution shall be published, posted and mailed in the same manner as set forth in Section 61.1006 of this Division 10. The resolution shall state the purposes, estimated cost and debt as originally proposed, and as changed if such is the case, and that the exterior boundaries as originally proposed, and as changed if such is the case, are set forth on maps on file with the City Clerk and that the map showing the boundaries as changed, shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1010 HEARING ON CHANGE: WHO MAY APPEAR:
CONTINUANCE

At the time and place fixed in the resolution of intention to make changes the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the matters contained in the resolution. Written protests to the proposed changes may be filed with the City Clerk by the holder of title to taxable land within the proposed improvement district at any time up to the hour set for hearing on said proposed changes. The hearing may be continued from time to time by the Council.

SEC. 61.1011 PROTESTS BY HOLDERS OF TITLE TO
ONE-HALF OF VALUE OF TAXABLE LAND:
RESOLUTION OF NECESSITY TO INCUR DEBT:
CONTENTS

If written protests are filed by the holders of title to one-half of the value of the taxable land within the proposed improvement district, as shown by the last equalized assessment roll of the county, prior to the hearing on the resolution of intention or prior to the hearing on any proposed changes with respect thereto, and if there remain on file protests representing one-half of the value of such taxable land at the time the Council has concluded the hearing on said resolution of intention and any hearing on proposed changes with respect thereto, further proceedings shall not be taken and the Council shall declare the proceedings abandoned. If such protests do not remain on file at the conclusion of said hearing or hearings, the Council shall by resolution determine whether or not it is deemed necessary to form the improvement district and issue bonds which shall be special obligations of and be issued on behalf of the improvement district. If the Council determines that it is necessary to form the improvement district and issue bonds, the resolution shall also state, in accordance with the prior proceedings:

(a) The purposes for which the proposed bonds are to be issued.

(b) The estimated cost of the accomplishment of such purposes and the amount of the proposed bonds.

(c) That the exterior boundaries of the portion of the City which will be benefited by the accomplishment of the purpose are set forth on a

map on file with the City Clerk, which map shall govern for all details as to the extent of the improvement district.

(d) That such portion of the City set forth on the map shall thereupon constitute and be known by the name designated in the resolution.

SEC. 61.1012 DISAPPROVAL OF FORMATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to constitute the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the formation.

SEC. 61.1013 EFFECTIVE DATE: EFFECT OF DETERMINATIONS IN RESOLUTION

From and after the date the City Council adopts the resolution forming the improvement district, the area named therein shall constitute the improvement district within the City bearing the name set forth in the resolution. The determinations made in the resolution forming the improvement district shall be final and conclusive.

SEC. 61.1014 EFFECT OF FORMATION ON ELECTION PROCEEDINGS AND TAX LEVY

After the formation of the improvement district pursuant to this ordinance, the Council may, by resolution, at such time or times as it deems proper, issue bonds on behalf of the improvement district, and thereafter all proceedings shall be limited and shall apply only to the improvement district, and taxes for the payment of the bonds and the interest thereon shall be levied exclusively upon the taxable land in the improvement district.

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DIVISION 11: UTILITY IMPROVEMENT DISTRICTS -
ISSUANCE AND SALE OF BONDS

SEC. 61.1101 ISSUANCE BY COUNCIL RESOLUTION

The Council may, by resolution, at such time or times as it deems proper, issue bonds which shall be special obligations of and be issued on behalf of the improvement district for the whole or any part of the total amount authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear until the full amount of such bonds authorized has been issued.

SEC. 61.1102 SERIES OF BONDS, DIFFERENT MATURITY
DATES: MAXIMUM TERM OF SERIES

The full amount of the authorized bonds may be divided into two or more series and different dates fixed for the bonds of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed forty (40) years from the date of the series.

SEC. 61.1103 FORM OF BONDS AND COUPONS: TIME OF
PRINCIPAL PAYMENTS

The Council shall, by resolution, prescribe the form of the bonds and of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five (5) years from the date of the bonds or the date of the bonds of each series, respectively.

SEC. 61.1104 INTEREST RATE: PAYMENT DATES

The bonds shall bear interest at a rate or rates not to exceed the rate specified in the resolution of

intention, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1105 CALL AND REDEMPTION BEFORE MATURITY:
PROVISION IN BOND

The Council may provide for the call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect.

SEC. 61.1106 DENOMINATION

The denomination of the bonds shall be stated in the resolution providing for their issuance.

SEC. 61.1107 PLACE OF PAYMENT

The principal and interest on the bonds shall be payable in lawful money of the United States at the office of the Treasurer of the City or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

SEC. 61.1108 FORM OF BONDS: DATE: NUMBER: SIGNING
AND COUNTERSIGNING: SEAL: MECHANICAL
REPRODUCTION OF SIGNATURES

The bonds shall be dated, numbered consecutively, signed by the Mayor and Treasurer of the City, countersigned by the City Clerk, and the official seal of the City impressed, imprinted or reproduced thereon. The interest coupons of the bonds shall be signed by the Treasurer. All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of the signatures or countersignatures to the bonds shall be manually affixed.

SEC. 61.1109 BONDS OF IMPROVEMENT DISTRICTS:
STATEMENT OF LIMITATION ON LEVY

The bonds shall be special obligations of and be issued on behalf of the improvement district, and shall be designated in accordance with the prior proceedings. Each bond shall state, in substance, that the bond is not a general obligation of the City, nor is the credit of the City or the property or revenue of any public utility owned by the City pledged for its payment; and that the bond is a special obligation of and is issued on behalf of the improvement district; and that taxes levied for the payment of the interest thereon and principal thereof shall be levied exclusively upon the taxable land in the improvement district.

SEC. 61.1110 BIDS FOR BONDS: SALE TO HIGHEST
RESPONSIBLE BIDDER: REJECTION OF BIDS:
READVERTISEMENT: PRIVATE SALE

The bonds shall be sold for such price or prices as the Council in its discretion shall determine, which may be at or less than the par value thereof. Before selling the bonds or any part thereof, the City shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded by resolution to the highest responsible bidder. If no bids are received, or if the Council determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

SEC. 61.1111 PAYMENT OF PROCEEDS INTO CITY TREASURY:
SPECIAL IMPROVEMENT FUNDS: EXPENDITURE
FOR PURPOSE OF DEBT: APPLICATION OF
SURPLUS ON ACCOMPLISHMENT OF PURPOSE

The proceeds from the sale of bonds, except for

premium and accrued interest, if any, shall be paid into the treasury of the City, placed to the credit of a special improvement fund, and expended only for the purpose for which the indebtedness was created. When such purpose has been accomplished, any monies remaining in the special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Premium and accrued interest, if any, shall be paid into the treasury and placed to the credit of the fund to be used for the payment of the principal of and interest on the bonds.

SEC. 61.1112 INTEREST PAID FROM BOND PROCEEDS:
MAXIMUM LIMITATION

Interest on the bonds coming due before the proceeds of a tax levied at the next general tax levy after the sale of the bonds are available, and interest on any bonds coming due before the expiration of one year following completion of the acquisition and construction of the works and improvements for which the bonds were issued, may be paid from the proceeds of the sale of the bonds.

DIVISION 12: UTILITY IMPROVEMENT DISTRICTS -
LEVY OF TAX TO PAY PRINCIPAL AND
INTEREST ON BONDS

SEC. 61.1201 PAYMENT OF PRINCIPAL AND INTEREST

At the time of making the general tax levy after the issuance of the bonds and annually thereafter until the bonds are paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on the bonds as they become due, the Council shall cause a tax to be levied exclusively upon the land in the improvement

district sufficient to pay the interest on the bonds and such part of the principal as will become due before the proceeds of such a tax levied at the next general tax levy will be available. Such tax shall be levied and collected at the same time as other City taxes, and shall be used only for the payment of interest on and principal of the bonds. Taxes for the payment of such bonds shall constitute a lien on all of the taxable land within the improvement district. Such liens shall be of the same force and effect as other liens for City taxes and their collection may be enforced by the same means as provided for the enforcement of liens for other City taxes.

Nothing in this section shall be deemed to prevent the City Council from using any funds of the City which are attributable to the district for payment of such principal and interest, and to the extent that such funds are in the treasury set apart for that purpose, the tax required by this section need not be levied. For purposes of this section the phrase "funds of the City which are attributable to the district" shall only mean grants from other governmental agencies to the City on behalf of the district or revenues raised by operation of the facilities constructed under this ordinance within the district including, but not limited to connection fees, to the extent that said revenues are legally available.

DIVISION 13: UTILITY IMPROVEMENT DISTRICTS -
ANNEXATION BY PETITION

SEC. 61.1301 AUTHORIZATION: CONTIGUITY OF PARCELS
TO BE ANNEXED

Any portion of the City contiguous to an improvement district thereof may be annexed to such improvement district in the manner provided in this ordinance.

SEC. 61.1302 PETITION FOR ANNEXATION: FORM:
FILING

Annexation proceedings may be initiated by petition. A petition, which may consist of any number of separate instruments, shall be filed with the City Clerk.

SEC. 61.1303 SIGNATURES REQUIRED

A petition shall be signed by the holders of title to at least sixty percent (60%) of the area of land in the portion proposed to be annexed to the improvement district, which land shall have an assessed valuation of not less than fifty percent (50%) of the land proposed to be annexed.

SEC. 61.1304 CONTENTS OF PETITION: DESCRIPTION OF
AREA: MAP: TERMS AND CONDITIONS:
PRAYER

The petition for annexation shall contain all of the following:

(a) A description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the area proposed to be annexed.

(b) The terms and conditions upon which petitioners wish the proposed area to be annexed.

(c) A prayer that the Council declare such area to be annexed to the improvement district.

SEC. 61.1305 REIMBURSEMENT OF CITY FOR EXPENSES:
CHECK ACCOMPANYING PETITION

The petition for annexation shall be accompanied by a certified check payable to the order of the City

Treasurer in such amount as may be estimated by the City Clerk as being sufficient to reimburse the City for the expenses of processing and publishing the petition and preparing and making the filings required by law.

SEC. 61.1306 EXAMINATION OF PETITION

Within twenty (20) days of the date of the filing of the petition for annexation, the City Clerk shall examine the petition and determine whether it is signed by the required number of holders of title.

SEC. 61.1307 CERTIFICATE OF RESULT OF EXAMINATION

When the City Clerk has completed his examination of the petition for annexation, he shall attach to it his certificate, properly dated, showing the result of such examination.

SEC. 61.1308 CERTIFICATES OF SUFFICIENCY AND INSUFFICIENCY

If the City Clerk finds from the examination that the petition for annexation is signed by the requisite number of holders of title, he shall certify that the petition is sufficient and shall present the petition to the Council for preliminary approval. If he finds it is not so signed, he shall certify that the petition is insufficient.

SEC. 61.1309 CERTIFICATE OF INSUFFICIENCY:
SUPPLEMENTAL PETITIONS

If the City Clerk certifies in his certificate that the petition for annexation is insufficient, the petition may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate.

SEC. 61.1310 EXAMINATION OF SUPPLEMENTAL PETITIONS:
CERTIFICATES

Within twenty (20) days after the filing of any

supplemental petition or petitions, the City Clerk shall examine them and certify to the result of such examination as provided in Sections 61.1306 to 61.1308, inclusive. If the City Clerk certifies that the petition, together with the supplemental petition, or petitions, as the case may be, is sufficient, he shall present same to the Council for preliminary approval.

SEC. 61.1311 NOTICE OF HEARING ON PETITION:
PUBLICATION: POSTING: MAILING

After the Council has given its preliminary approval by resolution to the petition, together with such supplemental petition or petitions as have been filed, if any, the City Clerk shall cause the publication, posting and mailing as provided in Sections 61.1312 to 61.1315, inclusive, be accomplished without delay. *lm*

SEC. 61.1312 PUBLICATION OF PETITION FOR ANNEXATION:
NOTICE OF TIME AND PLACE OF MEETING

The text of the petition for annexation shall be published once at least ten (10) days prior to the time at which it is to be presented to the Council, in the City Official Newspaper, together with a notice setting the time and place of the meeting at which the petition will be presented. If the petition is contained upon one or more instruments, only one copy of the petition need be published.

SEC. 61.1313 PUBLICATION OF SIGNATURES

No more than five (5) of the names attached to the petition for annexation need appear in the publication of the petition and notice, but the number of signers shall be stated.

SEC. 61.1314 POSTING OF PETITION AND NOTICE

The petition and notice shall also be posted in

three (3) public places in the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1315 MAILING OF PETITION AND NOTICE

The petition and notice shall also be mailed at least fifteen (15) days prior to the hearing to each holder of title to land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1316 HEARING ON PETITION: WHO MAY APPEAR: CONTINUANCE

The Council shall proceed to hear the petition at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1317 DETERMINATION OF BENEFITS: RESOLUTION APPROVING ANNEXATION: CONTENTS OF RESOLUTION

At the conclusion of the hearing, if the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve the annexation and the terms and conditions thereof.

The resolution shall describe the annexed territory, which shall be made by reference to a map on file

with the City Clerk, which map shall govern for all details as to the extent of the annexed area.

SEC. 61.1318 DISAPPROVAL OF ANNEXATION RESOLUTION
FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to be annexed to the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the annexation.

SEC. 61.1319 EFFECTIVE DATE OF ANNEXATION

On and after the date the Council adopts the resolution approving the annexation, the area named therein is added to and forms a part of the improvement district.

SEC. 61.1320 TAXABILITY OF ANNEXED AREA: LIABILITY
FOR OUTSTANDING DEBT

The land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation as if the annexed area had always been a part of the improvement district.

SEC. 61.1321 ENFORCEMENT OF TERMS AND CONDITIONS
OF ANNEXATION

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 14: UTILITY IMPROVEMENT DISTRICTS -
ANNEXATION INITIATED BY THE COUNCIL

SEC. 61.1401 RESOLUTION FOR ANNEXATION TO IMPROVEMENT
DISTRICT: CONTIGUITY OF AREA TO BE
ANNEXED

The Council by resolution may initiate proceedings for the annexation of territory within the City contiguous

to an improvement district to such improvement district.

SEC. 61.1402 CONTENTS OF RESOLUTION

The resolution proposing annexation shall:

(a) Declare that proceedings have been initiated by the Council pursuant to this ordinance to annex territory within the City to an improvement district and the name of the improvement district involved.

(b) State the reason for proposing the annexation.

(c) Set forth a description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk which map shall govern for all details as to the extent of the area proposed to be annexed.

(d) State the terms and conditions of the annexation.

(e) State that the holders of title to any of the land sought to be annexed may file with the City Clerk, at any time prior to the hearing, written protests to the annexation or the annexation upon such terms and conditions.

(f) Fix the time and place of a meeting at which the Council will receive written protests that have heretofore been filed with the City Clerk and hear from any and all persons interested in the proposed annexation.

SEC. 61.1403 PUBLICATION OF ANNEXATION RESOLUTION

The City Clerk shall cause the text of the resolution proposing annexation to be published once at least ten (10) days prior to the time of hearing in the City Official Newspaper.

SEC. 61.1404 POSTING OF ANNEXATION RESOLUTION

The City Clerk shall also cause a copy of the resolution proposing annexation to be posted in three (3) public places within the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1405 MAILING OF RESOLUTION

The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1406 HEARING ON RESOLUTION: WHO MAY APPEAR:
CONTINUANCE

The Council shall proceed with the hearing at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1407 EFFECT OF PROTESTS BY OWNERS OF ONE-HALF
OF VALUE OF TERRITORY TO BE ANNEXED

If, prior to the hearing, written protests have been filed by the holders of title to one-half of the value of the taxable land proposed to be annexed as shown by the last equalized county assessment roll, and have not been withdrawn as provided in Section 61.1408 hereof, further proceedings shall not be taken, and the Council shall terminate the annexation proceedings by a resolution so stating.

SEC. 61. 1408 DETERMINATION OF BENEFITS: RESOLUTION
OF APPROVAL OF ANNEXATION: CONTENTS OF
RESOLUTION

Any written protest may be withdrawn at any time prior to the conclusion of the hearing by the person or

persons who have filed same. If at the conclusion of the hearing there remain on file written protests, if any, which represent less than one-half of the value of the taxable land proposed to be annexed, and, if at the conclusion of the hearing the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve such annexation.

The resolution shall describe the territory annexed which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area. The resolution shall also state the terms and conditions of annexation as theretofore determined by resolution of the Council.

SEC. 61.1409 DISAPPROVAL OF ANNEXATION RESOLUTION
FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that either the area proposed to be annexed to the improvement district will not be benefited thereby or that the improvement district to which the area is proposed to be annexed will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove such annexation.

SEC. 61.1410 EFFECTIVE DATE OF ANNEXATION

On and after the date the City Council adopts the resolution approving the annexation, the area described therein is added to and forms a part of the improvement district.

SEC. 61.1411 TAXABILITY OF ANNEXED AREA: LIABILITY
FOR DEBT OUTSTANDING AT TIME OF
ANNEXATION

The taxable land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation, as if the annexed area had always been a part of the improvement district.

SEC. 61.1412 ENFORCEMENT OF TERMS AND CONDITIONS

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 15: UTILITY IMPROVEMENT DISTRICTS -
EXCLUSION OF TERRITORY

SEC. 61.1501 INITIATION OF PROCEEDINGS

Proceedings to exclude territory from an improvement district formed pursuant to this ordinance may be initiated by the Council upon its own motion, or shall be initiated by the Council upon receipt of a petition for exclusion filed with the City Clerk and signed by not less than the holders of title to at least sixty percent (60%) of the taxable land in the portion proposed to be excluded from the improvement district, which taxable land shall have an assessed valuation of not less than fifty percent (50%) of the taxable land proposed to be excluded, which states reasons such exclusion will be beneficial to the City, the improvement district and the territory to be excluded.

SEC. 61.1502 RESOLUTION OF INTENTION

Upon adoption of said motion to initiate exclusion proceedings or upon receipt of said petition for exclusion, the Council shall adopt a resolution of intention to exclude which shall state:

(a) The method by which said exclusion proceedings were initiated, by motion of the Council or by petition of holders of title to land.

(b) That the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but that taxes for any indebtedness of or for the improvement district contracted following such exclusion will not be levied upon land in the excluded territory following such exclusion.

(c) That following such exclusion, the taxable land in the territory remaining in said improvement district shall continue to be taxed to provide funds for the purposes of said improvement district.

SEC. 61.1503 RESOLUTION: STATEMENT AS TO MAP OF TERRITORY: MAP TO GOVERN DETAILS

The resolution of intention to exclude shall also state that a map showing the exterior boundaries of the proposed territory to be excluded, with relation to the territory remaining in said improvement district, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed exclusion.

SEC. 61.1504 RESOLUTION: STATEMENT AS TO
HEARING

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the proposed exclusion and the effect of such exclusion upon the City, the improvement district and the territory to be excluded.

(b) That at such time and place any person interested will be heard.

SEC. 61.1505 NOTICE OF HEARING

The City Clerk shall cause notice of the hearing to be given by publishing a copy of the resolution of intention to exclude once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution of intention to exclude to be posted in three (3) public places within the area proposed to be excluded and within the affected improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1506 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place so fixed in the resolution of intention to exclude, the Council shall proceed with the hearing. At the hearing, any person interested may appear and present any matters material to the questions set forth in the resolution of intention to exclude. The hearing may be continued from time to time by the Council.

SEC. 61.1507 RESOLUTION AS TO EXCLUSION

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary or desirable to exclude said territory. If so, the resolution shall also state:

(a) The reasons why such exclusion is necessary or desirable.

(b) That the exterior boundaries of the improvement district following such exclusion are set forth on a map on file with the City Clerk, which map shall govern all details as to the extent of said improvement district.

SEC. 61.1508 FINALITY OF DECISION

The determinations made in the resolution of exclusion shall be final and conclusive.

SEC. 61.1509 TAXATION AFTER EXCLUSION

After the exclusion of territory from the improvement district pursuant to this division, the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied, to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but all taxes for any indebtedness of or for the improvement district contracted following such exclusion shall be levied exclusively upon the taxable property remaining in the improvement district.

SEC. 61.1510 EFFECTIVE DATE OF EXCLUSION

On and after the date the City Council adopts the resolution of exclusion, the territory named therein shall be excluded from and no longer form a part of the improvement district.

DIVISION 16: UTILITY IMPROVEMENT DISTRICTS -
DISSOLUTION BY COUNCIL

SEC. 61.1601 RESOLUTION OF INTENTION TO DISSOLVE

Whenever the Council deems it necessary for any improvement district formed pursuant to this ordinance to be dissolved, it shall by resolution declare its intention to dissolve the improvement district.

SEC. 61.1602 CONTENTS OF RESOLUTION

The resolution of intention shall state:

(a) The reason why the improvement district should be dissolved.

(b) That no bonds have been issued for the improvement district or are outstanding and that no other indebtedness or liability of or for the improvement district is outstanding.

(c) That a map showing the exterior boundaries of the improvement district with relation to the territory immediately contiguous thereto is on file with the City Clerk and is available for inspection by any person or persons interested.

(d) The time and place for a hearing by the Council on the question of the dissolution of the improvement district.

(e) That at such time and place any person interested, including all holders of title to property in the City or in the improvement district, will be heard.

SEC. 61.1603 NOTICE OF HEARING: PUBLICATION OF
RESOLUTION: POSTING OF RESOLUTION

The City Clerk shall cause a copy of the resolution to be published once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution

to be posted in three (3) public places within the improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause a copy of the resolution to be mailed at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1604 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the proposed dissolution. The hearing may be continued from time to time by the Council.

SEC. 61.1605 RESOLUTION DETERMINING NECESSITY OF DISSOLUTION: BOUNDARIES: EFFECT OF DETERMINATIONS

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary to dissolve the improvement district. If so, the resolution shall state that the exterior boundaries of the improvement district are set forth on a map on file with the City Clerk and shall declare the improvement district dissolved. The determinations so made shall be final and conclusive.

SEC. 61.1606 EFFECTIVE DATE OF DISSOLUTION

When the resolution declaring an improvement district dissolved is adopted by the City Council, the dissolution of such improvement district is complete.

DIVISION 17: UTILITY IMPROVEMENT DISTRICTS -
MISCELLANEOUS

SEC. 61.1701 DEFINITION: LAST EQUALIZED COUNTY
ASSESSMENT ROLL

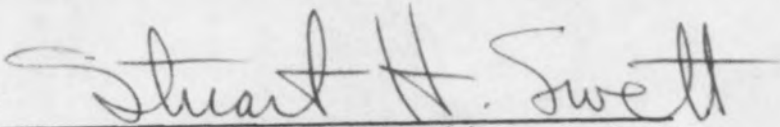
The term, "last equalized county assessment roll," as used in this ordinance means the entire assessment roll for San Diego County as defined and determined by the provisions of Chapter 3 of Part 3 of Division 1 of the Revenue and Taxation Code of the State of California.

SEC. 61.1702 SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this ordinance or the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Stuart H. Swett
Deputy City Attorney

Passed and adopted by the Council of The City of San Diego on JAN 20 1970,
 by the following vote:

RECEIVED
 CITY CLERK'S OFFICE
 1969 DEC 30 PM 4:15
 SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: FRANK CURRAN,
 Mayor of The City of San Diego, California.

(Seal) JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until six calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on JAN 6 1970, and on JAN 20 1970.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

(Seal) By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on _____, said ordinance being of the kind and character authorized for passage on its introduction by Section 16 of the Charter.

I FURTHER CERTIFY that the final reading of said ordinance was in full.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
 City Clerk of The City of San Diego, California.

(Seal) By _____, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10214 Adopted JAN 20 1970

ATTORNEY (S)

* City of San Diego
202 "C" Street
Community Concourse
City Administration Building
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF
ORDINANCE AMENDING CHAPTER VI, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY ADDING
DIVISIONS 9 THROUGH 17 RELATING TO THE ES-
TABLISHMENT OF UTILITY IMPROVEMENT DISTRICTS
WITHIN THE CITY.

RECEIVED
CITY CLERK'S OFFICE
1970 JAN 30 PM 3:45
SAN DIEGO, CALIF.

ORDINANCE NO. 10214
(NEW SERIES)

ORDINANCE AMENDING CHAPTER VI, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING DIVISIONS 9 THROUGH 17 RELATING TO THE ESTABLISHMENT OF UTILITY IMPROVEMENT DISTRICTS WITHIN THE CITY.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter VI, Article 1, of the San Diego Municipal Code be amended by adding Divisions 9 through 17 to read as follows:

DIVISION 9: UTILITY IMPROVEMENT DISTRICTS — ESTABLISHMENT — INTENT AND PURPOSE

SEC. 61.0901 STATEMENT OF POLICY

The Council hereby finds that in order to provide an orderly means for installing public works, improvements and facilities in areas within the City, it is necessary for the City to exercise the powers it has by virtue of being a home rule city and to provide for a procedure for the formation of improvement districts within the City and for the issuance of bonds by the City on behalf of such improvement districts, said procedure to be an alternative to any others provided by, under or pursuant to the Charter of the City and the general laws of the state. The works, improvements and facilities which may be acquired, constructed, completed, repaired and financed pursuant to the provisions of this ordinance shall consist of: (i) works, improvements and facilities for the collection, treatment and disposal of sewage; (ii) works, improvements and facilities for the production, treatment and distribution of water; and (iii) works, improvements and facilities for such other utility services as the City may now or hereafter have the power to provide.

SEC. 61.0902 CITATION

This ordinance, consisting of Divisions 9 through 17 of Article 1, Chapter VI, of the San Diego Municipal Code, may be cited as the San Diego Utility Improvement Districts Procedural Ordinance.

DIVISION 10: UTILITY IMPROVEMENT DISTRICTS — FORMATION

SEC. 61.1001 RESOLUTION FOR FORMATION

Whenever the Council deems it necessary to form an improvement district within the City and to issue bonds which shall be special obligations of and be issued on behalf of such improvement district, for the acquisition, construction, completion, repair or financing of any or all works, improvements and facilities referred to in Division 9 of this ordinance, the Council shall by resolution declare its intention to form an improvement district and to issue such bonds.

SEC. 61.1002 CONTENTS OF RESOLUTION: INTENTION TO FORM DISTRICT

The resolution of intention shall state that the Council intends to form an improvement district of any portion of the City, which in the opinion of the Council will be benefited by the acquisition and construction of certain improvements and to incur bonded indebtedness by the issuance of bonds on behalf of such improvement district.

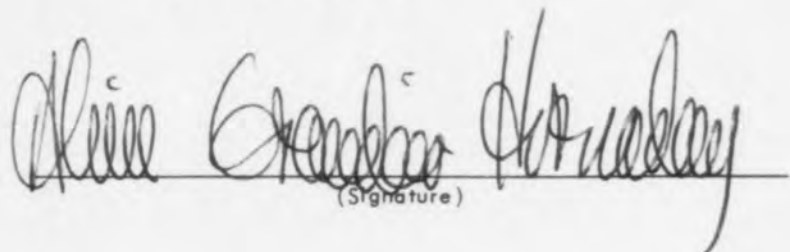
I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of the printer of said newspaper; that the

ORDINANCE NO. 10214
(NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

January 29, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on January 29, 1970


(Signature)

SEC. 61.1003 RESOLUTION: PURPOSE OF DEBT: AMOUNT: PROPERTY TAXABLE TO PAY DEBT

The resolution of intention shall also state:

(a) The purposes for which the proposed bonds are to be issued which may include any or all of the purposes stated in Division 9 hereof.

(b) The estimated cost of the accomplishment of such purposes and the amount of bonds to be issued therefor, which may include incidental expenses, including without limitation, engineering, appraisal, legal fees, land and rights-of-way acquisition, reserve funds and expenses of financing the district and expenses of all proceedings for the authorization, issuance and sale of the bonds.

(c) That the bonds shall not be general obligations of the City, nor shall the credit of the City or the property or revenue of any public utility owned by the City be pledged for the payment thereof; and that the bonds shall be special obligations of and be issued on behalf of the improvement district; and that taxes for the payment of the interest on the bonds and the principal thereof shall be levied exclusively upon the taxable land in the improvement district.

(d) The maximum interest rate which the bonds may bear, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1004 RESOLUTION: DESCRIPTION OF IMPROVEMENT: MAP OF DISTRICT: AVAILABILITY FOR INSPECTION

The resolution of intention shall also state that such resolution, together with a general description of the proposed improvement and a map showing the exterior boundaries of the proposed improvement district with relation to the territory immediately contiguous thereto and to the proposed improvement, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1005 RESOLUTION: TIME AND PLACE OF HEARING: WHO MAY BE HEARD

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the formation and extent of the proposed improvement district, the proposed improvement, the estimated cost and the amount of bonds to be issued.

(b) That at the time and place specified in the resolution any person interested will be heard; and that any holder of title to taxable land within the proposed improvement district may file with the City Clerk at any time prior to the time set for the hearing thereon written protest to the formation of the proposed improvement district.

SEC. 61.1006 NOTICE OF HEARING: PUBLICATION: POSTING: MAILING

Notice of the hearing shall be given by publishing a copy of the resolution of intention once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. Such notice shall also be given by posting a copy of the resolution of intention in three (3) public places within the proposed improvement district at least fifteen (15) days before the time fixed for the hearing. Such notice shall also be given by mailing a copy of said resolution of intention at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the proposed improvement district as such ownership is shown on the last equalized county assessment roll. The City Clerk shall cause all the above notices to be given.

SEC. 61.1007 TIME AND PLACE: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the questions set forth in the resolution of intention. The Council shall hear and pass upon all written protests filed by the holders of title to taxable land within the proposed improvement district. Such protests must be in writing, must contain a description of the property in which each signer thereof is interested, sufficient to identify the same and, if the signers are not shown on the last equalized assessment roll as the owners of such property, must contain or be accompanied by written evidence that such signers are the owners of such property. The hearing may be continued from time to time by the Council.

SEC. 61.1008 CHANGES: PURPOSE OF DEBT: AMOUNT: BOUNDARIES

The Council may change the purposes for which the proposed bonds are to be issued, the estimated cost, or the amount of the bonds. The Council may also change the boundaries of the proposed improvement district, but not so as to include any territory which will not, in its judgment, be benefited by the proposed improvement.

SEC. 61.1009 NOTICE OF INTENTION TO MAKE CHANGE: PUBLICATION: POSTING: CONTENTS

The purposes, estimated cost, or amount of bonds to be issued or the boundaries of the proposed improvement district shall not be changed by the Council except after adoption by the Council of a resolution declaring its intention to order changes and fixing a time and place for a hearing on said changes. The resolution shall be published, posted and mailed in the same manner as set forth in Section 61.1006 of this Division 10. The resolution shall state the purposes, estimated cost and debt as originally proposed, and as changed if such is the case, and that the exterior boundaries as originally proposed, and as changed if such is the case, are set forth on maps on file with the City Clerk and that the map showing the boundaries as changed, shall govern for all details as to the extent of the proposed improvement district.

SEC. 61.1010 HEARING ON CHANGE: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention to make changes the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the matters contained in the resolution. Written protests to the proposed changes may be filed with the City Clerk by the holder of title to taxable land within the proposed improvement district at any time up to the hour set for hearing on said proposed changes. The hearing may be continued from time to time by the Council.

SEC. 61.1011 PROTESTS BY HOLDERS OF TITLE TO ONE-HALF OF VALUE OF TAXABLE LAND: RESOLUTION OF NECESSITY TO INCUR DEBT: CONTENTS

If written protests are filed by the holders of title to one-half of the value of the taxable land within the proposed improvement district, as shown by the last equalized assessment roll of the county, prior to the hearing on the resolution of intention or prior to the hearing on any proposed changes with respect thereto, and if there remain on file protests representing one-half of the value of such taxable land at the time the Council has concluded the hearing on said resolution of intention and any hearing on proposed changes with respect thereto, further proceedings shall not be taken and the Council shall declare the proceedings abandoned. If such protests do not remain on file at the conclusion of said hearing or hearings, the Council shall by resolution determine whether or not it is deemed necessary to form the improvement district and issue bonds which shall be special obligations of and be issued on behalf of the improvement district. If the Council determines that it is necessary to form the improvement district and issue bonds, the resolution shall also state, in accordance with the prior proceedings:

(a) The purposes for which the proposed bonds are to be issued.

(b) The estimated cost of the accomplishment of such purposes and the amount of the proposed bonds.

(c) That the exterior boundaries of the portion of the City which will be benefited by the accomplishment of the purpose are set forth on a map on file with the City Clerk, which map shall govern for all details as to the extent of the improvement district.

(d) That such portion of the City set forth on the map shall thereupon constitute and be known by the name designated in the resolution.

SEC. 61.1012 DISAPPROVAL OF FORMATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to constitute the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the formation.

SEC. 61.1013 EFFECTIVE DATE: EFFECT OF DETERMINATIONS IN RESOLUTION

From and after the date the City Council adopts the resolution forming the improvement district, the area named therein shall constitute the improvement district within the City bearing the name set forth in the resolution. The determinations made in the resolution forming the improvement district shall be final and conclusive.

SEC. 61.1014 EFFECT OF FORMATION ON ELECTION PROCEEDINGS AND TAX LEVY

After the formation of the improvement district pursuant to this ordinance, the Council may, by resolution, at such time or times as it deems proper, issue bonds on behalf of the improvement district, and thereafter all proceedings shall be limited and shall apply only to the improvement district, and taxes for the payment of the bonds and the interest thereon shall be levied exclusively upon the taxable land in the improvement district.

DIVISION 11: UTILITY IMPROVEMENT DISTRICTS — ISSUANCE AND SALE OF BONDS

SEC. 61.1101 ISSUANCE BY COUNCIL RESOLUTION

The Council may, by resolution, at such time or times as it deems proper, issue bonds which shall be special obligations of and be issued on behalf of the improvement district for the whole or any part of the total amount authorized, and may from time to time provide for the issuance of such amounts as the necessity thereof may appear until the full amount of such bonds authorized has been issued.

SEC. 61.1102 SERIES OF BONDS: DIFFERENT MATURITY DATES: MAXIMUM TERM OF SERIES

The full amount of the authorized bonds may be divided into two or more series and different dates fixed for the bonds of each series. The maximum term which the bonds of any series shall run before maturity shall not exceed forty (40) years from the date of the series.

SEC. 61.1103 FORM OF BONDS AND COUPONS: TIME OF PRINCIPAL PAYMENTS

The Council shall, by resolution, prescribe the form of the bonds and of the coupons attached thereto and fix the time when the whole or any part of the principal shall become due and payable. The payment of the first installment of principal may be deferred for a period of not more than five (5) years from the date of the bonds or the date of the bonds of each series, respectively.

SEC. 61.1104 INTEREST RATE: PAYMENT DATES

The bonds shall bear interest at a rate or rates not to exceed the rate specified in the resolution of intention, payable semiannually, except that interest for the first year may be payable at the end of that year or at such time prior to the end of that year as may be determined in the resolution providing for the issuance of the bonds.

SEC. 61.1105 CALL AND REDEMPTION BEFORE MATURITY: PROVISION IN BOND

The Council may provide for the call and redemption of bonds prior to maturity at such times and prices and upon such other terms as it may specify. A bond shall not be subject to call or redemption prior to maturity unless it contains a recital to that effect.

SEC. 61.1106 DENOMINATION

The denomination of the bonds shall be stated in the resolution providing for their issuance.

SEC. 61.1107 PLACE OF PAYMENT

The principal and interest on the bonds shall be payable in lawful money of the United States at the office of the Treasurer of the City or such other place or places as may be designated, or at either place or places at the option of the holder of the bond.

SEC. 61.1108 FORM OF BONDS: DATE: NUMBER: SIGNING AND COUNTERSIGNING: SEAL: MECHANICAL REPRODUCTION OF SIGNATURES

The bonds shall be dated, numbered consecutively, signed by the Mayor and Treasurer of the City, countersigned by the City Clerk, and the official seal of the City impressed, imprinted or reproduced thereon. The interest coupons of the bonds shall be signed by the Treasurer. All such signatures and countersignatures may be printed, lithographed, or mechanically reproduced, except that one of the signatures or countersignatures to the bonds shall be manually affixed.

SEC. 61.1109 BONDS OF IMPROVEMENT DISTRICTS: STATEMENT OF LIMITATION ON LEVY

The bonds shall be special obligations of and be issued on behalf of the improvement district, and shall be designated in accordance with the prior proceedings. Each bond shall state, in substance, that the bond is not a general obligation of the City, nor is the credit of the City or the property or revenue of any public utility owned by the City pledged for its payment; and that the bond is a special obligation of and is issued on behalf of the improvement district; and that taxes levied for the payment of the interest thereon and principal thereof shall be levied exclusively upon the taxable land in the improvement district.

SEC. 61.1110 BIDS FOR BONDS: SALE TO HIGHEST RESPONSIBLE BIDDER: REJECTION OF BIDS: READVERTISEMENT: PRIVATE SALE

The bonds shall be sold for such price or prices as the Council in its discretion shall determine, which may be at or less than the par value thereof. Before selling the bonds or any part thereof, the City shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded by resolution to the highest responsible bidder. If no bids are received, or if the Council determines that the bids received are not satisfactory as to price or responsibility of the bidders, it may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

SEC. 61.1111 PAYMENT OF PROCEEDS INTO CITY TREASURY: SPECIAL IMPROVEMENT FUNDS: EXPENDITURE FOR PURPOSE OF DEBT: APPLICATION OF SURPLUS ON ACCOMPLISHMENT OF PURPOSE

The proceeds from the sale of bonds, except for premium and accrued interest, if any, shall be paid into the treasury of the City, placed to the credit of a special improvement fund, and expended only for the purpose for which the indebtedness was created. When such purpose has been accomplished, any monies remaining in the special improvement fund may be transferred to the fund to be used for the payment of principal of and interest on the bonds. Premium and accrued interest, if any, shall be paid into the treasury and placed to the credit of the fund to be used for the payment of the principal of and interest on the bonds.

SEC. 61.1112 INTEREST PAID FROM BOND PROCEEDS: MAXIMUM LIMITATION

Interest on the bonds coming due before the proceeds of a tax levied at the next general tax levy after the sale of the bonds are available, and interest on any bonds coming due before the expiration of one year following completion of the acquisition and construction of the works and improvements for which the bonds were issued, may be paid from the proceeds of the sale of the bonds.

DIVISION 12: UTILITY IMPROVEMENT DISTRICTS — LEVY OF TAX TO PAY PRINCIPAL AND INTEREST ON BONDS

SEC. 61.1201 PAYMENT OF PRINCIPAL AND INTEREST

At the time of making the general tax levy after the issuance of the bonds and annually thereafter until the bonds are paid or until there is a sum in the treasury set apart for that purpose sufficient to meet all payments of principal and interest on the bonds as they become due, the Council shall cause a tax to be levied exclusively upon the land in the improvement district sufficient to pay the interest on the bonds and such part of the principal as will become due before the proceeds of such a tax levied at the next general tax levy will be available. Such tax shall be levied and collected at the same time as other City taxes, and shall be used only for the payment of interest on and principal of the bonds. Taxes for the payment of such bonds shall constitute a lien on all of the taxable land within the improvement district. Such liens shall be of the same force and effect as other liens for City taxes and their collection may be enforced by the same means as provided for the enforcement of liens for other City taxes.

Nothing in this section shall be deemed to prevent the City Council from using any funds of the City which are attributable to the district for payment of such principal and interest, and to the extent that such funds are in the treasury set apart for that purpose, the tax required by this section need not be levied. For purposes of this section the phrase "funds of the City which are attributable to the district" shall only mean grants from other governmental agencies to the City on behalf of the district or revenues raised by operation of the facilities constructed under this ordinance within the district including, but not limited to connection fees, to the extent that said revenues are legally available.

DIVISION 13: UTILITY IMPROVEMENT DISTRICTS — ANNEXATION BY PETITION

SEC. 61.1301 AUTHORIZATION: CONTIGUITY OF PARCELS TO BE ANNEXED

Any portion of the City contiguous to an improvement district thereof may be annexed to such improvement district in the manner provided in this ordinance.

SEC. 61.1302 PETITION FOR ANNEXATION: FORM: FILING

Annexation proceedings may be initiated by petition. A petition, which may consist of any number of separate instruments, shall be filed with the City Clerk.

SEC. 61.1303 SIGNATURES REQUIRED

A petition shall be signed by the holders of title to at least sixty percent (60%) of the area of land in the portion proposed to be annexed to the improvement district, which land shall have an assessed valuation of not less than fifty percent (50%) of the land proposed to be annexed.

SEC. 61.1304 CONTENTS OF PETITION: DESCRIPTION OF AREA: MAP: TERMS AND CONDITIONS: PRAYER

The petition for annexation shall contain all of the following:

(a) A description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the area proposed to be annexed.

(b) The terms and conditions upon which petitioners wish the proposed area to be annexed.

(c) A prayer that the Council declare such area to be annexed to the improvement district.

SEC. 61.1305 REIMBURSEMENT OF CITY FOR EXPENSES: CHECK ACCOMPANYING PETITION

The petition for annexation shall be accompanied by a certified check payable to the order of the City Treasurer in such amount as may be estimated by the City Clerk as being sufficient to reimburse the City for the expenses of processing and publishing the petition and preparing and making the filings required by law.

SEC. 61.1306 EXAMINATION OF PETITION

Within twenty (20) days of the date of the filing of the petition for annexation, the City Clerk shall examine the petition and determine whether it is signed by the required number of holders of title.

SEC. 61.1307 CERTIFICATE OF RESULT OF EXAMINATION

When the City Clerk has completed his examination of the petition for annexation, he shall attach to it his certificate, properly dated, showing the result of such examination.

SEC. 61.1308 CERTIFICATES OF SUFFICIENCY AND INSUFFICIENCY

If the City Clerk finds from the examination that the petition for annexation is signed by the requisite number of holders of title, he shall certify that the petition is sufficient and shall present the petition to the Council for preliminary approval. If he finds it is not so signed, he shall certify that the petition is insufficient.

SEC. 61.1309 CERTIFICATE OF INSUFFICIENCY: SUPPLEMENTAL PETITIONS

If the City Clerk certifies in his certificate that the petition for annexation is insufficient, the petition may be amended by filing a supplemental petition or petitions within ten (10) days of the date of such certificate.

SEC. 61.1310 EXAMINATION OF SUPPLEMENTAL PETITIONS: CERTIFICATES

Within twenty (20) days after the filing of any supplemental petition

or petitions, the City Clerk shall examine them and certify to the result of such examination as provided in Sections 61.1306 to 61.1308, inclusive. If the City Clerk certifies that the petition, together with the supplemental petition, or petitions, as the case may be, is sufficient, he shall present same to the Council for preliminary approval.

SEC. 61.1311 NOTICE OF HEARING ON PETITION: PUBLICATION: POSTING: MAILING

After the Council has given its preliminary approval by resolution to the petition, together with such supplemental petition or petitions as have been filed, if any, the City Clerk shall cause the publication, posting and mailing as provided in Sections 61.1312 to 61.1315, inclusive, to be accomplished without delay.

SEC. 61.1312 PUBLICATION OF PETITION FOR ANNEXATION: NOTICE OF TIME AND PLACE OF MEETING

The text of the petition for annexation shall be published once at least ten (10) days prior to the time at which it is to be presented to the Council, in the City Official Newspaper, together with a notice setting the time and place of the meeting at which the petition will be presented. If the petition is contained upon one or more instruments, only one copy of the petition need be published.

SEC. 61.1313 PUBLICATION OF SIGNATURES

No more than five (5) of the names attached to the petition for annexation need appear in the publication of the petition and notice, but the number of signers shall be stated.

SEC. 61.1314 POSTING OF PETITION AND NOTICE

The petition and notice shall also be posted in three (3) public places in the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1315 MAILING OF PETITION AND NOTICE

The petition and notice shall also be mailed at least fifteen (15) days prior to the hearing to each holder of title to land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1316 HEARING ON PETITION: WHO MAY APPEAR: CONTINUANCE

The Council shall proceed to hear the petition at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1317 DETERMINATION OF BENEFITS: RESOLUTION APPROVING ANNEXATION: CONTENTS OF RESOLUTION

At the conclusion of the hearing, if the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve the annexation and the terms and conditions thereof.

The resolution shall describe the annexed territory, which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area.

SEC. 61.1318 DISAPPROVAL OF ANNEXATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that the area proposed to be annexed to the improvement district will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove the annexation.

SEC. 61.1319 EFFECTIVE DATE OF ANNEXATION

On and after the date the Council adopts the resolution approving the annexation, the area named therein is added to and forms a part of the improvement district.

SEC. 61.1320 TAXABILITY OF ANNEXED AREA: LIABILITY FOR OUTSTANDING DEBT

The land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation as if the annexed area had always been a part of the improvement district.

SEC. 61.1321 ENFORCEMENT OF TERMS AND CONDITIONS OF ANNEXATION

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 14: UTILITY IMPROVEMENT DISTRICTS — ANNEXATION INITIATED BY THE COUNCIL

SEC. 61.1401 RESOLUTION FOR ANNEXATION TO IMPROVEMENT DISTRICT: CONTIGUITY OF AREA TO BE ANNEXED

The Council by resolution may initiate proceedings for the annexation of territory within the City contiguous to an improvement district to such improvement district.

SEC. 61.1402 CONTENTS OF RESOLUTION

The resolution proposing annexation shall:

(a) Declare that proceedings have been initiated by the Council pursuant to this ordinance to annex territory within the City to an improvement district and the name of the improvement district involved.

(b) State the reason for proposing the annexation.

(c) Set forth a description of the area proposed to be annexed to the improvement district with reference to such improvement district. Such description shall be made by reference to a map on file with the City Clerk which map shall govern for all details as to the extent of the area proposed to be annexed.

(d) State the terms and conditions of the annexation.

(e) State that the holders of title to any of the land sought to be annexed may file with the City Clerk, at any time prior to the hearing, written protests to the annexation or the annexation upon such terms and conditions.

(f) Fix the time and place of a meeting at which the Council will receive written protests that have heretofore been filed with the City Clerk and hear from any and all persons interested in the proposed annexation.

SEC. 61.1403 PUBLICATION OF ANNEXATION RESOLUTION

The City Clerk shall cause the text of the resolution proposing annexation to be published once at least ten (10) days prior to the time of hearing in the City Official Newspaper.

SEC. 61.1404 POSTING OF ANNEXATION RESOLUTION

The City Clerk shall also cause a copy of the resolution proposing annexation to be posted in three (3) public places within the improvement district and three (3) public places in the area proposed to be annexed at least fifteen (15) days prior to the hearing.

SEC. 61.1405 MAILING OF RESOLUTION

The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district and within the area proposed to be annexed thereto as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1406 HEARING ON RESOLUTION: WHO MAY APPEAR: CONTINUANCE

The Council shall proceed with the hearing at the time and place fixed therefor, and any interested person may appear and be heard at such hearing. The hearing may be continued from time to time by the Council.

SEC. 61.1407 EFFECT OF PROTESTS BY OWNERS OF ONE-HALF OF VALUE OF TERRITORY TO BE ANNEXED

If, prior to the hearing, written protests have been filed by the holders of title to one-half of the value of the taxable land proposed to be annexed as shown by the last equalized county assessment roll, and have not been withdrawn as provided in Section 61.1408 hereof, further proceedings shall not be taken, and the Council shall terminate the annexation proceedings by a resolution so stating.

SEC. 61.1408 DETERMINATION OF BENEFITS: RESOLUTION OF APPROVAL OF ANNEXATION: CONTENTS OF RESOLUTION

Any written protest may be withdrawn at any time prior to the conclusion of the hearing by the person or persons who have filed same. If at the conclusion of the hearing there remain on file written protests, if any, which represent less than one-half of the value of the taxable land proposed to be annexed, and, if at the conclusion of the hearing the Council finds and determines from the evidence presented at the hearing that the area proposed to be annexed to the improvement district involved will be benefited thereby, and that the improvement district to which the area proposed to be annexed will also be benefited thereby and will not be injured thereby, the Council may by resolution approve such annexation.

The resolution shall describe the territory annexed which shall be made by reference to a map on file with the City Clerk, which map shall govern for all details as to the extent of the annexed area. The resolution shall also state the terms and conditions of annexation as theretofore determined by resolution of the Council.

SEC. 61.1409 DISAPPROVAL OF ANNEXATION RESOLUTION FOR DETERMINATION OF NO BENEFIT

If the Council finds and determines that either the area proposed to be annexed to the improvement district will not be benefited thereby or that the improvement district to which the area is proposed to be annexed will not be benefited thereby and will be injured thereby, the Council shall by resolution disapprove such annexation.

SEC. 61.1410 EFFECTIVE DATE OF ANNEXATION

On and after the date the City Council adopts the resolution approving the annexation, the area described therein is added to and forms a part of the improvement district.

SEC. 61.1411 TAXABILITY OF ANNEXED AREA: LIABILITY FOR DEBT OUTSTANDING AT TIME OF ANNEXATION

The taxable land in the annexed area shall be subject to taxation after the annexation thereof for all purposes of the improvement district, including, without limitation, compliance with the terms and conditions of annexation and for the payment of the principal of and interest on bonds and other obligations of the improvement district authorized and outstanding at the time of the annexation, as if the annexed area had always been a part of the improvement district.

SEC. 61.1412 ENFORCEMENT OF TERMS AND CONDITIONS

The Council may do all things necessary to enforce and make effective the terms and conditions of annexation fixed by it.

DIVISION 15: UTILITY IMPROVEMENT DISTRICTS — EXCLUSION OF TERRITORY

SEC. 61.1501 INITIATION OF PROCEEDINGS

Proceedings to exclude territory from an improvement district formed pursuant to this ordinance may be initiated by the Council upon its own motion, or shall be initiated by the Council upon receipt of a petition for exclusion filed with the City Clerk and signed by not less than the holders of title to at least sixty percent (60%) of the taxable land in the portion proposed to be excluded from the improvement district, which taxable land shall have an assessed valuation of not less than fifty percent (50%) of the taxable land proposed to be excluded, which states reasons such exclusion will be beneficial to the City, the improvement district and the territory to be excluded.

SEC. 61.1502 RESOLUTION OF INTENTION

Upon adoption of said motion to initiate exclusion proceedings or upon receipt of said petition for exclusion, the Council shall adopt a resolution of intention to exclude which shall state:

(a) The method by which said exclusion proceedings were initiated, by motion of the Council or by petition of holders of title to land.

(b) That the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but that taxes for any indebtedness of or for the improvement district contracted following such exclusion will not be levied upon land in the excluded territory following such exclusion.

(c) That following such exclusion, the taxable land in the territory remaining in said improvement district shall continue to be taxed to provide funds for the purposes of said improvement district.

SEC. 61.1503 RESOLUTION: STATEMENT AS TO MAP OF TERRITORY: MAP TO GOVERN DETAILS

The resolution of intention to exclude shall also state that a map showing the exterior boundaries of the proposed territory to be excluded, with relation to the territory remaining in said improvement district, is on file with the City Clerk and is available for inspection by any person or persons interested. This map shall govern for all details as to the extent of the proposed exclusion.

SEC. 61.1504 RESOLUTION: STATEMENT AS TO HEARING

The resolution of intention shall also state:

(a) The time and place for a hearing by the Council on the questions of the proposed exclusion and the effect of such exclusion upon the City, the improvement district and the territory to be excluded.

(b) That at such time and place any person interested will be heard.

SEC. 61.1505 NOTICE OF HEARING

The City Clerk shall cause notice of the hearing to be given by publishing a copy of the resolution of intention to exclude once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution of intention to exclude to be posted in three (3) public places within the area proposed to be excluded and within the affected improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause the resolution to be mailed at least fifteen (15) days prior to the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1506 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place so fixed in the resolution of intention to exclude, the Council shall proceed with the hearing. At the hearing, any person interested may appear and present any matters material to the questions set forth in the resolution of intention to exclude. The hearing may be continued from time to time by the Council.

SEC. 61.1507 RESOLUTION AS TO EXCLUSION

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary or desirable to exclude said territory. If so, the resolution shall also state:

(a) The reasons why such exclusion is necessary or desirable.

(b) That the exterior boundaries of the improvement district following such exclusion are set forth on a map on file with the City Clerk, which map shall govern all details as to the extent of said improvement district.

SEC. 61.1508 FINALITY OF DECISION

The determinations made in the resolution of exclusion shall be final and conclusive.

SEC. 61.1509 TAXATION AFTER EXCLUSION

After the exclusion of territory from the improvement district pursuant to this division, the taxable land within the excluded territory shall continue to be taxed for any indebtedness of or for the improvement district until such indebtedness has been satisfied, to the same extent that such land would be taxable for such purposes if the exclusion had not occurred, but all taxes for any indebtedness of or for the improvement district contracted following such exclusion shall be levied exclusively upon the taxable property remaining in the improvement district.

SEC. 61.1510 EFFECTIVE DATE OF EXCLUSION

On and after the date the City Council adopts the resolution of exclusion, the territory named therein shall be excluded from and no longer form a part of the improvement district.

DIVISION 16: UTILITY IMPROVEMENT DISTRICTS — DISSOLUTION BY COUNCIL

SEC. 61.1601 RESOLUTION OF INTENTION TO DISSOLVE

Whenever the Council deems it necessary for any improvement district formed pursuant to this ordinance to be dissolved, it shall by resolution declare its intention to dissolve the improvement district.

SEC. 61.1602 CONTENTS OF RESOLUTION

The resolution of intention shall state:

(a) The reason why the improvement district should be dissolved.

(b) That no bonds have been issued for the improvement district or are outstanding and that no other indebtedness or liability of or for the improvement district is outstanding.

(c) That a map showing the exterior boundaries of the improvement district with relation to the territory immediately contiguous thereto is on file with the City Clerk and is available for inspection by any person or persons interested.

(d) The time and place for a hearing by the Council on the question of the dissolution of the improvement district.

(e) That at such time and place any person interested, including all holders of title to property in the City or in the improvement district, will be heard.

SEC. 61.1603 NOTICE OF HEARING: PUBLICATION OF RESOLUTION: POSTING OF RESOLUTION

The City Clerk shall cause a copy of the resolution to be published once at least ten (10) days prior to the time fixed for the hearing in the City Official Newspaper. The City Clerk shall also cause a copy of the resolution to be posted in three (3) public places within the improvement district for at least fifteen (15) days before the time fixed for the hearing. The City Clerk shall also cause a copy of the resolution to be mailed at least fifteen (15) days before the time fixed for the hearing to each holder of title to taxable land within the improvement district as such ownership is shown on the last equalized county assessment roll.

SEC. 61.1604 HEARING: WHO MAY APPEAR: CONTINUANCE

At the time and place fixed in the resolution of intention, the Council shall proceed with the hearing. At the hearing any person interested may appear and present any matters material to the proposed dissolution. The hearing may be continued from time to time by the Council.

SEC. 61.1605 RESOLUTION DETERMINING NECESSITY OF DISSOLUTION: BOUNDARIES: EFFECT OF DETERMINATIONS

At the conclusion of the hearing, the Council shall by resolution determine whether it is necessary to dissolve the improvement district. If so, the resolution shall state that the exterior boundaries of the improvement district are set forth on a map on file with the City Clerk and shall declare the improvement district dissolved. The determinations so made shall be final and conclusive.

SEC. 61.1606 EFFECTIVE DATE
OF DISSOLUTION

When the resolution declaring an improvement district dissolved is adopted by the City Council, the dissolution of such improvement district is complete.

DIVISION 17: UTILITY IMPROVE-
MENT DISTRICTS — MISCEL-
LANEOUS

SEC. 61.1701 DEFINITION: LAST
EQUALIZED COUNTY ASSESS-
MENT ROLL

The term, "last equalized county assessment roll," as used in this ordinance means the entire assessment roll for San Diego County as defined and determined by the provisions of Chapter 3 of Part 3 of Division 1 of the Revenue and Taxation Code of the State of California.

SEC. 61.1702 SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this ordinance or the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on January 6, 1970.

Passed and adopted by the Council of The City of San Diego on January 20, 1970.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(SEAL)
Published Jan. 29, 1970

V-640

ORDINANCE NO. 10252
(New Series)

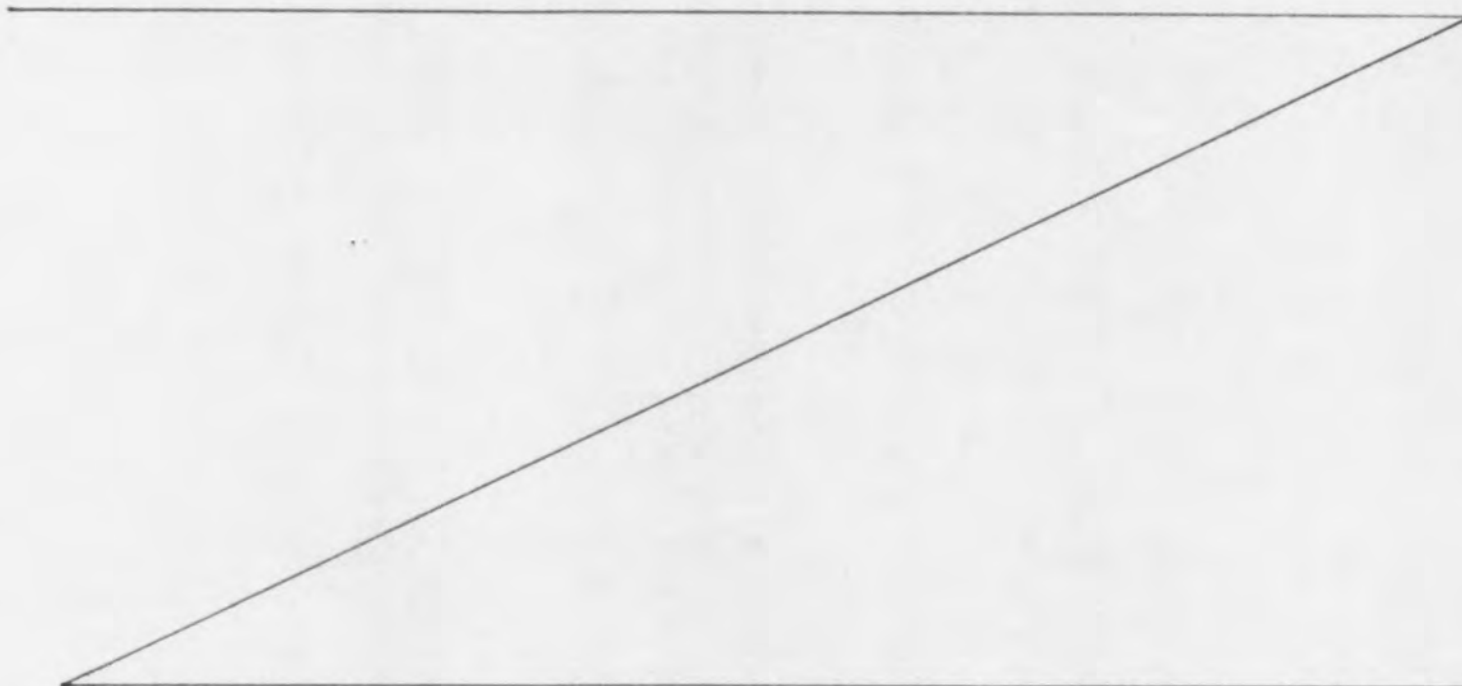
AN ORDINANCE APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "CARMEL VALLEY ANNEXATION."

WHEREAS, a petition has heretofore been filed with the Council of The City of San Diego for the annexation to said City of certain uninhabited territory designated as CARMEL VALLEY ANNEXATION pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939; and

WHEREAS, all of the provisions of said Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That the City Council of The City of San Diego hereby approves the annexation to The City of San Diego of that certain territory in the County of San Diego, State of California, designated as CARMEL VALLEY ANNEXATION and more particularly described as follows:



CARMEL VALLEY ANNEXATION

All that unincorporated territory in the County of San Diego, State of California, being portions of Sections 16, 20, 21, 29, and Fractional Section 28, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to the Government Survey thereof, lying within the following described boundaries:

Beginning at an intersection of the Northerly right-of-way line of Old Survey Number 57, according to Plats thereof on file in the County Engineer's Office of said county, and the Westerly line of said Section 16, being also a point on the boundary of The City Of San Diego, established by Ordinance Number 7987 (New Series), adopted October 7, 1958, by the Council of The City Of San Diego;

1. Thence Southerly, Westerly, and Easterly along said City Boundary established by Ordinance Number 7987 (New Series), the following courses:

- a. Southerly along the Westerly line of said Section 16, being also the Easterly line of Section 17, Township 14 South, Range 3 West, San Bernardino Base and Meridian, to the Southeast corner of said Section 17, being also the Northeast corner of said Section 20;
- b. Westerly along the North line of said Section 20, to the West line of said Section 20;
- c. Southerly along said West line of Section 20, to the East-West centerline of the Southwest Quarter of said Section 20;

- d. Easterly along said East-West centerline of the Southwest Quarter of Section 20, to the North-South centerline of said Section 20;
- e. Southerly along said North-South centerline of Section 20, and the North-South centerline of said Section 29, to the East-West centerline of said Section 29;
- f. Easterly along said East-West centerline of Section 29, to the East line of said Section 29, being also the West line of said Section 28;

2. Thence leaving said City Boundary established by Ordinance Number 7987 (New Series), and proceeding Easterly, Northerly, and Westerly along a portion of the Boundary of The City Of San Diego, established by Ordinance Number 8975 (New Series), adopted March 5, 1964, by the Council of The City Of San Diego, the following courses:

- a. Easterly along the South line of the North Half of said Fractional Section 28, to the East line of the West Half of the Northeast Quarter of said Fractional Section 28;
- b. Northerly along said East line of the West Half of the Northeast Quarter of Fractional Section 28, and along the East line of the West Half of the Southeast Quarter of said Section 21, to the East-West centerline of said Section 21;

- c. Westerly along said East-West centerline of Section 21, to the North-South centerline of said Section 21;
 - d. Northerly along said North-South centerline of Section 21, to the South line of the Northeast Quarter of the Northwest Quarter of said Section 21;
 - e. Westerly along said South line of the Northeast Quarter of the Northwest Quarter of Section 21, to the East line of the West Half of said Northeast Quarter of the Northwest Quarter of Section 21;
 - f. Northerly along said East line of the West Half of the Northeast Quarter of the Northwest Quarter of Section 21, to the North line of said Section 21, being also the South line of said Section 16;
 - g. Westerly along said South line of Section 16, to the East line of the West Half of the West Half of said Section 16;
 - h. Northerly along said East line of the West Half of the West Half of Section 16, to said Northerly right-of-way line of Old Survey Number 57;
3. Thence leaving said City Boundary established by Ordinance Number 8975 (New Series), and proceeding Westerly along said Northerly right-of-way line of Old Survey Number 57, to the point of beginning.

OFFICE OF CITY CLERK
SAN DIEGO, CALIFORNIA

2-10-1971 ch

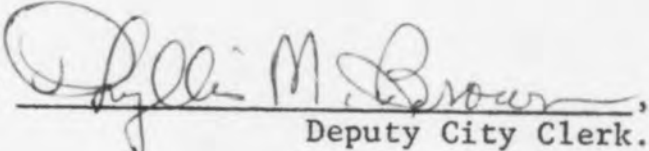
Certification of Copy of Document

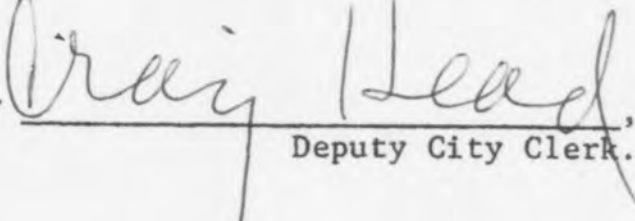
WE HEREBY CERTIFY that the above and foregoing copy of a
portion of Ordinance No. 10252 (New Series) of the
Ordinances of The City of San Diego, being the description
of land annexed to said City, known and designated as the
"CARMEL VALLEY ANNEXATION,"

has been compared with the original thereof, and we know, of our own
knowledge, that the foregoing copy is a full, true and correct copy of
said document.

DATED at San Diego, California, June 2, 1971.

JOHN LOCKWOOD,
City Clerk of The City of San Diego, California.

By ,
Deputy City Clerk.

By ,
Deputy City Clerk.

ch

MICROFILMED

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Deputy

Passed and adopted by the Council of The City of San Diego on MAR 26 1970
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1970 FEB 26 PM 3:19
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Schaefer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

FRANK CURRAN
Mayor of The City of San Diego, California.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

MAR 12 1970, and on MAR 26 1970

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD
City Clerk of The City of San Diego, California.

(Seal)

By Elfa J. Hamel, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 10252 Adopted MAR 26 1970

ATTORNEY (S)

* CITY OF SAN DIEGO
202 C Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

AN ORDINANCE APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "CARMEL VALLEY ANNEXATION."

RECEIVED
CITY CLERK'S OFFICE
1970 APR - 7 AM 11:34
SAN DIEGO, CALIF.

ORDINANCE NO. 10252
(NEW SERIES)

AN ORDINANCE APPROVING THE ANNEXATION TO THE CITY OF SAN DIEGO OF CERTAIN UNINHABITED TERRITORY IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, KNOWN AND DESIGNATED AS "CARMEL VALLEY ANNEXATION."

WHEREAS, a petition has heretofore been filed with the Council of The City of San Diego for the annexation to said City of certain uninhabited territory designated as CARMEL VALLEY ANNEXATION pursuant to the provisions of the Annexation of Uninhabited Territory Act of 1939; and

WHEREAS, all of the provisions of said Annexation of Uninhabited Territory Act of 1939, as amended, have been complied with; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:
Section 1. That the City Council of The City of San Diego hereby approves the annexation to The City of San Diego of that certain territory in the County of San Diego, State of California, designated as CARMEL VALLEY ANNEXATION and more particularly described as follows:

CARMEL VALLEY ANNEXATION
All that unincorporated territory in the County of San Diego, State of California, being portions of Sections 16, 20, 21, 29, and Fractional Section 28, Township 14 South, Range 3 West, San Bernardino Base and Meridian, according to the Government Survey thereof, lying within the following described boundaries:
Beginning at an intersection of the Northerly right-of-way line of Old Survey Number 57, according to Plats thereof on file in the County Engineer's Office of said County, and the Westerly line of said Section 16, being also a point on the boundary of The City of San Diego, established by Ordinance Number 7987 (New Series), adopted October 7, 1958, by the Council of The City of San Diego;

1. Thence Southerly, Westerly, and Easterly along said City Boundary established by Ordinance Number 7987 (New Series), the following courses:

- a. Southerly along the Westerly line of said Section 16, being also the Easterly line of Section 17, Township 14 South, Range 3 West, San Bernardino Base and Meridian, to the Southeast corner of said Section 17, being also the Northeast corner of said Section 20;
- b. Westerly along the North line of said Section 20, to the West line of said Section 20;
- c. Southerly along said West line of Section 20, to the East-West centerline of the Southwest Quarter of said Section 20;
- d. Easterly along said East-West centerline of the Southwest Quarter of Section 20, to the North-South centerline of said Section 20;
- e. Southerly along said North-South centerline of Section 20, and the North-South centerline of said Section 29, to the East-West centerline of said Section 29;
- f. Easterly along said East-West centerline of Section 29, to the East line of said Section 29, being also the West line of said Section 28;

I, Aline Grandier Hornaday hereby certify that The Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the ~~principal clerk of the~~ printer of said newspaper; that the

ORDINANCE NO. 10252 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on

April 3, 1970

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on April 3, 1970


(Signature)

MICROFILMED

17 1/4" \$69.00

2. Thence leaving said City Boundary established by Ordinance Number 7987 (New Series), and proceeding Easterly, Northerly, and Westerly along a portion of the Boundary of The City of San Diego, established by Ordinance Number 8975 (New Series), adopted March 5, 1964, by the Council of The City of San Diego, the following courses:

- a. Easterly along the South line of the North Half of said Fractional Section 28, to the East line of the West Half of the Northeast Quarter of said Fractional Section 28;
- b. Northerly along said East line of the West Half of the Northeast Quarter of Fractional Section 28, and along the East line of the West Half of the Southeast Quarter of said Section 21, to the East-West centerline of said Section 21;
- c. Westerly along said East-West centerline of Section 21, to the North-South centerline of said Section 21;
- d. Northerly along said North-South centerline of Section 21, to the South line of the Northeast Quarter of the Northwest Quarter of said Section 21;
- e. Westerly along said South line of the Northeast Quarter of the Northwest Quarter of Section 21, to the East line of the West Half of said Northeast Quarter of the Northwest Quarter of Section 21;
- f. Northerly along said East line of the West Half of the Northeast Quarter of the Northwest Quarter of Section 21, to the North line of said Section 21, being also the South line of said Section 16;
- g. Westerly along said South line of Section 16, to the East line of the West Half of the West Half of said Section 16;
- h. Northerly along said East line of the West Half of the West Half of Section 16, to said Northerly right-of-way line of Old Survey Number 57;

3. Thence leaving said City Boundary established by Ordinance Number 8975 (New Series), and proceeding Westerly along said Northerly right-of-way line of Old Survey Number 57, to the point of beginning. Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Passed and adopted by the Council of The City of San Diego on March 26, 1970, by the following vote:

YEAS: Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, Curran.

NAYS: None.

ABSENT: None.

AUTHENTICATED BY:

FRANK CURRAN,
Mayor of The City of
San Diego, California.
JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(Seal)

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on March 12, 1970, and on March 26, 1970.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

JOHN LOCKWOOD,
City Clerk of The City of
San Diego, California.
By ELFA F. HAMEL,
Deputy.

(Seal)
Published Apr. 3, 1970

X-269

END
RETAKE
REEL
NO 3.67