

ORDINANCE NO. 10504 FEB 16 1971  
(New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 62.0401, 62.0402, AND 62.0403, RELATING TO FEES FOR PUBLIC IMPROVEMENTS, ENCROACHMENTS AND LAND DEVELOPMENT.

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

Section 1. That Chapter VI, Article 2, Division 4, of the San Diego Municipal Code be amended by amending Sections 62.0401, 62.0402, and 62.0403 to read as follows:

SEC. 62.0401 PAYMENT OF FEES

(a) Engineering fees required by this article shall be collected by the City Engineer or other designated body in accordance with procedures established by the City Auditor and Comptroller. Such fees shall be based on the bonded amount covering work to be constructed, except for permanent encroachment structures to be built over public rights-of-way in which case the fees shall be for the bonded amount of the facility to be covered by the permanent encroachment structure, including the cost of any alteration of the facility for its protection. The bonded amount shall be made or verified by the City Engineer. No permit shall be issued and no work in the public rights-of-way or for land development shall be permitted until the fees applicable under this article have been received by City Engineer.

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(b) The State of California or any of its political subdivisions or any Governmental Agency shall file applications for permits and shall be issued permits as required by this article. No fees shall be required when the work is done by persons working directly for the State or Agency.

(c) A contractor working for the State of California, or any of its political subdivisions or any Governmental Agency shall obtain a permit and pay the permit fee.

SEC. 62.0402 FEES UNDER THIS ARTICLE SHALL BE DETERMINED AND COLLECTED AS FOLLOWS:

(a) A minimum fee of \$20 shall be collected on all permits issued.

(b) A fee of ten percent (10%) of the bonded amount shall be collected on bonded amounts from \$0 to \$5,000. Twenty-five percent (25%) of this fee shall be collected at the time of submittal of plans to the City Engineer and shall not be refundable. If no plans are required, that portion of the fee is waived. The remainder of fees will be collected at the time the permit is issued.

(c) On all permits with a bonded amount in excess of \$5,000, a deposit shall be paid to the City sufficient to cover the costs to the City of

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processing the permit application, such processing to include plan checks and field checks. If said deposit is insufficient to cover actual costs to said City, such additional deposits will be required as, in the opinion of the City Engineer, will be sufficient to cover such costs.

Any portion of said deposit not used to cover the actual costs of the City in processing a permit application will be refunded, but no funds will be released until all billings are in, and until final acceptance of the work by the City Engineer.

In determining the actual costs incurred by the City in connection with the processing of final maps and improvement plans, the costs as recorded by the City Auditor and Comptroller shall be prima facie evidence of actual costs of services performed by the City.

One quarter of the deposit shall be collected at the time of initial submission of the map to the Engineering Department. The remaining three quarters of the deposit, adjusted to cover all estimated remaining costs, shall be paid in full at the time of permit issuance.

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SEC. 62.0403 REFUNDING OF PERMIT FEES

In the event a permit fee refund is requested by permittee and the City Engineer has determined that it is in the public interest to allow the permittee to abandon the work, the City Engineer shall cancel the permit and refund the refundable portion of the fee.

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

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DSP:cav  
2/13/71

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Passed and adopted by the Council of The City of San Diego on FEB 16 1971,  
by the following vote:

RECEIVED  
CITY CLERK'S OFFICE

1971 JAN 27 PM 12:32  
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

FEB 2 1971, and on FEB 16 1971

~~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 <u>10504</u>	Adopted <u>FEB 16 1971</u>

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MR

ATTORNEY (S)

CITY OF SAN DIEGO  
202 C Street  
Community Concourse  
San Diego, California

RECEIVED  
CITY CLERK'S OFFICE  
1971 FEB 26 AM 10:53  
SAN DIEGO, CALIF.

**CERTIFICATE OF PUBLICATION**

No.

IN THE MATTER OF

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2,  
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTIONS 62.0401, 62.0402, AND 62.0403  
RELATING TO FEES FOR PUBLIC IMPROVEMENTS, ENCROACHMENTS  
AND LAND DEVELOPMENT

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 said newspaper; that the

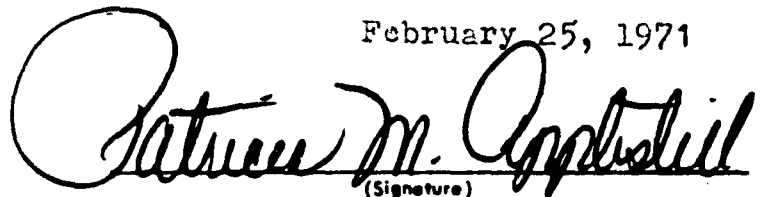
ORDINANCE NO. 10504 (NEW SERIES)

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

February 25, 1971

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

February 25, 1971

  
(Signature)

12" - 50.40

**AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 62.0401, 62.0402, AND 62.0403, RELATING TO FEES FOR PUBLIC IMPROVEMENTS, ENCROACHMENTS AND LAND DEVELOPMENT.**

BE IT ORDAINED, by the Council of The City of San Diego, as follows: Section 1. That Chapter VI, Article 2, Division 4, of the San Diego Municipal Code be amended by amending Sections 62.0401, 62.0402, and 62.0403 to read as follows:

**SEC. 62.0401 PAYMENT OF FEES**

(a) Engineering fees required by this article shall be collected by the City Engineer or other designated body in accordance with procedures established by the City Auditor and Comptroller. Such fees shall be based on the bonded amount covering work to be constructed, except for permanent encroachment structures to be built over public rights-of-way in which case the fees shall be for the bonded amount of the facility to be covered by the permanent encroachment structure, including the cost of any alteration of the facility for its protection. The bonded amount shall be made or verified by the City Engineer. No permit shall be issued and no work in the public rights-of-way or for land development shall be permitted until the fees applicable under this article have been received by City Engineer.

(b) The State of California or any of its political subdivisions or any Governmental Agency shall file applications for permits and shall be issued permits as required by this article. No fees shall be required when the work is done by persons working directly for the State or Agency.

(c) A contractor working for the State of California or any of its political subdivisions or any Governmental Agency shall obtain a permit and pay the permit fee.

**FOLLOWING:**

(a) A minimum fee of \$1,000 shall be collected on all permits issued.

(b) A fee of ten percent (10%) of the bonded amount shall be collected on bonded amounts from \$1,000 to \$1,000. Twenty-five percent (25%) of this fee shall be collected at the time of submission of plans to the City Engineer and shall not be refundable if no plans are required. That portion of the fee is waived. The remainder of fees will be collected at the time the permit is issued.

(c) On all permits with a bonded amount in excess of \$1,000 a deposit shall be paid to the City sufficient to cover the costs to the City of processing the permit application, such processing to include plan checks and field checks. If said deposit is insufficient to cover actual costs to said City, such additional deposits will be required as, in the opinion of the City Engineer, will be sufficient to cover such costs.

Any portion of said deposit not used to cover the actual costs of the City in processing a permit application will be refunded, but no funds will be released until all bills are paid and until final acceptance of the work by the City Engineer.

In determining the actual costs incurred by the City in connection with the processing of final maps and improvement plans, the fees as recorded by the City Auditor and Comptroller shall be prima facie evidence of actual costs of services performed by the City.

One quarter of the deposit shall be collected at the time of initial submission of the map to the Engineering Department. The remaining three quarters of the deposit, adjusted to cover all estimated remaining costs, shall be paid in full at the time of permit issuance.

**SEC. 62.0402 REFUNDING OF PERMIT FEES**

In the event a permit fee refund is requested by permittee and the City Engineer has determined that it is in the public interest to allow the permittee to abandon the work, the City Engineer shall cancel the permit and refund the refundable portion of the fee.

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

Introduced on February 2, 1971.

Passed and adopted by the Council of The City of San Diego on February 16, 1971.

**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