

ORDINANCE NO. 10824
(New Series)

MAY 4 1972

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 5,
DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 65.0232 RELATING TO
THE SAN DIEGO MAINTENANCE DISTRICT PROCEDURAL
ORDINANCE OF 1969.

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

Section 1. That Chapter VI, Article 5, Division 2,
of the San Diego Municipal Code be and the same is hereby
amended to read as follows:

SEC. 65.0232 ASSESSMENT RECORDED, NOTICE, PENALTY

On confirmation of the assessment, the City Clerk
shall transmit to the City Treasurer the map of the
assessment district and the assessment as confirmed
by the City Council. The City Treasurer shall record
the map and assessment in a suitable book to be kept
for that purpose and shall thereupon fix a day not less
than 30 nor more than 60 days from the date of the
recording of said map and assessment after which all
assessments remaining unpaid shall become delinquent.
Upon recordation of the map and assessment the City
Treasurer shall send an assessment notice to each of
the property owners whose lands are liable for the
assessment stating that the assessments are due and
payable and that the penalty for delinquency, as
specified herein, may be added. Upon delinquency, a

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penalty equal to fifty percent (50%) of the assessment, but not to exceed \$5.00, shall be added to the amount due.

If a notice of assessment is sent to an incorrect address, and that assessment becomes delinquent, upon application of the property owner the City Treasurer may waive the penalty for delinquency, or he may refund the penalty if it has already been paid.

The map and assessment roll recorded by the City Treasurer shall, during all office hours, be open to inspection by any interested person without charge.

From the date of such recording all persons shall be deemed to have notice of the contents of such assessment roll. Upon recording, the assessments contained in the assessment roll shall become due and payable. Each assessment shall be a lien upon the land against which it is made, paramount to all other liens, except liens for prior assessments and taxation, and shall only be discharged by payment of the assessment, including penalties, if any, or by redemption of the land after sale for delinquency.

Should the commencement of the maintenance proposed herein be, through circumstances beyond the control of the City, delayed past the delinquency date established by the Treasurer as provided in this section, the Council

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may by resolution amend the delinquency date thus established and set a new delinquency date to be not less than thirty (30) days from the date of commencement of the maintenance. The resolution shall order and authorize the refunding or cancellation of all penalty payments collected or due based on the delinquency date originally established by the City Treasurer and shall require a renofice by the City Treasurer of each affected property owner as provided herein. This procedure for amending the delinquent date shall not be applicable where the alternate method for collecting the assessment under Section 65.0235 is used.

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 Donald W. Detisch
Donald W. Detisch, Deputy

MAY 4 1972

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

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SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By *Kathryn M. Noel*, 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 20 1972

MAY 4 1972

_____, 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.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By *Kathryn M. Noel*, Deputy.

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Office of the City Clerk, San Diego, California MAY 1 1978

Ordinance
Number

10824

MAY 4 1972

Adopted

Ord. 10824

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SAN DIEGO, CALIF. SU

ATTORNEY (S)

*CITY OF SAN DIEGO
202 "C" Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

SAN DIEGO MAINTENANCE DISTRICT

ORDINANCE NO. 10824
(NEW SERIES)

ORDINANCE AMENDING CERTAIN ARTICLES 5, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE RELATING TO THE SAN DIEGO MAINTENANCE DISTRICT PROCEDURAL ORDINANCE OF 1971.

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

That Chapter VI, Article 1, Section 1 of the San Diego Municipal Code, and the same is hereby amended to read as follows:

ARTICLE 1. ASSESSMENT.

SECTION 1. RECORDED NOTICE. PENALTY.

Upon confirmation of the assessment, the City Clerk shall transmit to the City Treasurer the map of the assessment district and the assessment roll compiled by the City Treasurer. The City Treasurer shall post the map and assessment roll in a public place for thirty days and shall thereupon file a copy of the map and assessment roll with the County Assessor. The map and assessment roll shall be kept for thirty days and shall thereupon be destroyed.

Any assessment and assessment roll which an assessment remaining unpaid shall become delinquent upon recording of the map and assessment. The City Treasurer shall send an assessment notice to each of the property owners whose lands are liable for the assessment stating that the assessments are due and payable and that the penalty for delinquency, as specified therein, may be added. Upon delinquency, a penalty equal to fifty percent (50%) of the assessment, but not to exceed \$5.00 shall be added to the amount due.

If a notice of assessment is sent to an incorrect address and that assessment becomes delinquent upon application of the property owner, the City Treasurer may waive the penalty for delinquency, or he may refund the penalty if it has already been paid.

The map and assessment roll recorded by the City Treasurer shall, during all office hours, be open to inspection by any interested person without charge.

I, F. Shirley Corbin hereby certify that San Diego 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

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

May 12, 1972

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

May 12, 1972

F. Shirley Corbin

(Signature)

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...shall be deemed to be delinquent if the assessment shall become due and payable and the assessment shall be in arrears for a period of thirty days after the date of the assessment, which is the date of the assessment, and shall only be considered as having been paid if the assessment is paid in full, including penalties, if any, and the amount of the land tax or delinquency, should the commencement of the delinquency be postponed herein by such circumstances beyond the control of the City, beyond the delinquency date established by the assessor as provided in this ordinance, the Council may by resolution amend the delinquency date then established and set a new delinquency date to be not less than thirty (30) days from the date of commencement of the maintenance resolution, shall order and direct the returning of said property to the City Treasurer and shall set the date, originally established by the City Treasurer and shall be the date of the City Treasurer on such affected property as provided herein. This ordinance shall not be applicable where alternate method for collection is provided under Section 52020. This ordinance shall take effect on the date of its passage and after its passage on April 20, 1972, and adopted by the Council of the City of San Diego on May 4, 1972.

ATTESTED BY:
DORIS WILSON
Mayor of the City of
San Diego, California
EDWARD NIELSEN
City Clerk of the City
of San Diego, California
BY KATHRYN M. NOLAN
Deputy

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