

ORDINANCE NO. 11077 JUN 5 1973
(New Series)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 35.0103 RELATING TO TAX IMPOSED AND
SECTION 35.0116 RELATING TO UTILIZATION OF
REVENUE.

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

Section 1. That Chapter III, Article 5, of the San Diego
Municipal Code be amended by amending Sections 35.0103 and
35.0116, notwithstanding any provisions of Section 35.0101(b),
to read as follows:

SEC. 35.0103 TAX IMPOSED

For the privilege of occupancy in any hotel, each
transient is subject to and shall pay a tax in the amount
of six percent (6%) of the rent charged by the operator.
Said tax constitutes a debt owed by the transient to the
City which is extinguished only by payment to the operator
or to the City. The transient shall pay the tax to the
operator of the hotel at the time the rent is paid. If
the rent is paid in installments, a proportionate share of
the tax shall be paid with each installment. The unpaid
tax shall be due upon the transient's ceasing to occupy
space in the hotel. If for any reason the tax due is not
paid to the operator of the hotel, the City Treasurer may
require that such tax shall be paid directly to the City
Treasurer.

MICROFILMED
MAY 1 1978

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SEC. 35.0116 UTILIZATION OF REVENUES

(a) Two-thirds (2/3) of all revenues collected by the City under this Article and remaining after payment of two-thirds (2/3) of the costs incurred in the administration of this Article shall be used solely for the purpose of promoting the City of San Diego.

(1) The total amount of the City's annual contribution to the San Diego Convention and Tourist Bureau, except as affected by subsection (2) below, shall be determined as follows:

(i) Revenue available under this subparagraph (a) shall be used to match dollar for dollar the amount raised by the San Diego Convention and Tourist Bureau from private sources during the preceding fiscal year, provided the amount so used shall not exceed one-third (1/3) of the revenue available under this subparagraph (a) in any single fiscal year.

(ii) Revenue available under this subparagraph (a) shall be used to match dollar for dollar the amount appropriated by the County of San Diego as its annual contribution to the San Diego Convention and Tourist Bureau, provided the amount so used shall not exceed one-sixth (1/6) of the revenue available under this subparagraph (a) in any single fiscal year.

(2) The amount of the City's annual contribution to the San Diego Convention and Tourist Bureau shall

be not less than \$100,000 regardless of the provisions of subparagraph (a) (1) above.

(3) Any remaining revenues available under this subparagraph (a) shall be used to support any program including but not limited to programs of the San Diego Convention and Tourist Bureau, designed to promote the City, as the Council may direct.

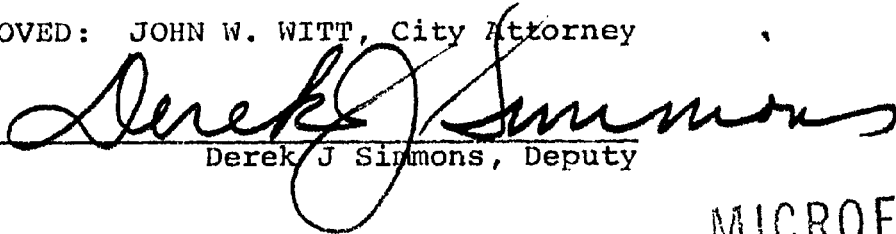
(b) One-sixth (1/6) of all revenue collected by the City under this Article and remaining after payment of one-sixth (1/6) of the costs in the administration of this Article, shall be deposited to the Transient Occupancy Tax Unappropriated Reserve Fund (Fund No. 224), which is hereby created. Money shall be expended from this fund only by an ordinance appropriating part or all of the fund for such purpose or purposes as the Council may direct. Such purpose or purposes may include but need not be limited to promotion of the City.

(c) One-sixth (1/6) of all revenue collected by the City under this Article and remaining after payment of one-sixth of the costs in the administration of this Article, shall be deposited to the General Fund (Fund No. 100).

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


Derek J. Simmons, Deputy

rp/5-14-73

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MICROFILMED
MAY 1 1978
11077

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JUN 5 1973

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

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1973 MAY 16 AM 11:17

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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Mary Anne Krase, 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

MAY 22 1973

JUN 5 1973

, 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 Mary Anne Krase, Deputy.

MICROFILMED MAY 1 1978

Office of the City Clerk, San Diego, California

Ordinance
Number

11077

Adopted

JUN 5 1973

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1973 JUN 20 AM 10:08

SAN DIEGO, CALIF

ATTORNEY (S)

- CITY OF SAN DIEGO
202 C Street
12th Floor
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

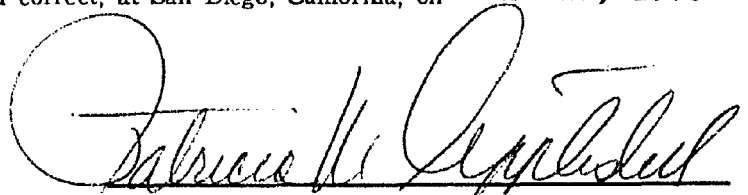
RELATING TO UTILIZATION OF REVENUE

I, Patricia M. Applestill 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

ORDINANCE NO. 11077 (NEW SERIES)

is a true and correct copy of which this certificate is annexed and was published in said newspaper on June 14, 1973

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on June 18, 1973



(Signature)

13"

\$5460

02884

ORDINANCE NO. 11077

(New Series)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 35.0103 RELATING TO TAX IMPOSED AND SECTION 35.0116 RELATING TO UTILIZATION OF REVENUE.

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

Section 1. That Chapter III, Article 5, of the San Diego Municipal Code be amended by amending Sections 35.0103 and 35.0116, notwithstanding any provisions of Section 35.0101(b), to read as follows:

SEC. 35.0103 TAX IMPOSED

For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of six percent (6%) of the rent charged by the operator. Said tax constitutes a debt owed by the transient to the City which is extinguished only by payment to the operator or to the City. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the City Treasurer may require that such tax shall be paid directly to the City Treasurer.

SEC. 35.0116 UTILIZATION OF REVENUES

(a) Two-thirds (2/3) of all revenues collected by the City under this Article and remaining after payment of two-thirds (2/3) of the costs incurred in the administration of this Article shall be used solely for the purpose of promoting the City of San Diego.

(1) The total amount of the City's annual contribution to the San Diego Convention and Tourist Bureau, except as affected by subsection (2) below, shall be determined as follows:

(i) Revenue available under this subparagraph (a) shall be used to match dollar for dollar the amount raised by the San Diego Convention and Tourist Bureau from private sources during the preceding fiscal year, provided the amount so used shall not exceed one-third (1/3) of the revenue available under this subparagraph (a) in any single fiscal year.

(ii) Revenue available under this subparagraph (a) shall be used to match dollar for dollar the amount appropriated by the County of San Diego as its annual contribution to the San Diego Convention and Tourist Bureau, provided the amount so used shall not exceed one-sixth (1/6) of the revenue available under this subparagraph (a) in any single fiscal year.

(2) The amount of the City's annual contribution to the San Diego Convention and Tourist Bureau shall be not less than \$100,000 regardless of the provisions of subparagraph (a) (1) above.

(3) Any remaining revenues available under this subparagraph (a) shall be used to support any program including but not limited to programs of the San Diego Convention and Tourist Bureau, designed to promote the City, as the Council may direct.

(b) One-sixth (1/6) of all revenue collected by the City under this Article and remaining after payment of one-sixth (1/6) of the costs in the administration of this Article, shall be deposited to the Transient Occupancy Tax Unappropriated Reserve Fund (Fund No. 224), which is hereby created. Money shall be expended from this fund only by an ordinance appropriating part or all of the fund for such purpose or purposes as the Council may direct. Such purpose or purposes may include but need not be limited to promotion of the City.

(c) One-sixth (1/6) of all revenue collected by the City under this Article and remaining after payment of one-sixth of the costs in the administration of this Article, shall be deposited to the General Fund (Fund No. 100).

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

Introduced on May 22, 1973.

Passed and adopted by the Council of The City of San Diego on June 5, 1973.

AUTHENTICATED BY:

PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By MARY ANNE MEASE, Deputy

(SEAL)

Published June 14, 1973

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