

ORDINANCE NO.
(New Series)

11149

OCT 25 1973

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4,
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE
BY ADDING PARAGRAPH (6) TO SECTION 24.0405,
RELATING TO DISABILITY RETIREMENT FOR MEMBERS
AND SAFETY MEMBERS.

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

Section 1. That Chapter II, Article 4, Division 4, of
the San Diego Municipal Code, be and the same is hereby
amended by adding paragraph (6) to Section 24.0405 to read as
follows:

SEC. 24.0405

(1) A special class safety member who at the
effective date of this amendment is receiving a monthly
salary of at least \$400.00, shall after completing the
required number of years of service for special class
safety members, as provided in the Charter, receive a
minimum retirement allowance of at least \$200.00 per
month.

(2) Special class safety members employed in the
Police Department who entered the service of the Police
Department on or prior to the 8th day of May, 1941, and
who have served for 20 years or more in the aggregate
as members or employees in any rank or capacity in said
Police Department, regardless of age, shall have the
right to retire with a normal retirement allowance, and
special class safety members in the Police Department
who entered the service of the Department subsequent to

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the 8th day of May 1941, who have completed 25 years of service in the aggregate shall also have the right to retire with a normal retirement allowance.

(3) Special class safety members employed in the Fire Department who entered the service of the Fire Department on or prior to January 1, 1936, and who have served for 20 years or more in the aggregate as members or employees in any rank or capacity in said Fire Department, regardless of age, shall have the right to retire with a normal retirement allowance, and special class safety members in the Fire Department who entered the service of the department subsequent to the 1st day of January, 1936, who have completed 25 years of service in the aggregate, shall also have the right to retire with a normal retirement allowance.

(4) Each special class safety member of either the Fire or Police Department who is entitled to retire after 20 years of aggregate service with the City shall receive a pension credit of 2 1/2 percent of his final compensation for each year completed at the effective date of this amendment, but in no case shall such credit exceed 50 percent of such final compensation. For each year completed after the effective date of this amendment the member shall be credited with 1/50th of his final compensation. The 1/50th pension credits specified above will not be allowable until after such member shall

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have reached the age of 50 years. No member of either department who is entitled to retire after 20 years as above and who has had 20 years of service in the aggregate shall receive less than the following: \$200.00 per month as retirement allowance, together with such additional amount per month as will represent the actuarial equivalent of that portion of the contributions of such member contributed after his 20th year of service but before his attainment of age 50.

(5) Special class safety members of the Fire and Police Departments who are not eligible for retirement until the completion of 25 years of service in the aggregate shall receive a pension credit of 2 percent of their final compensation for each year completed at the effective date of this amendment, provided that such credit shall not exceed 50 percent of such final compensation, and in addition thereto shall be entitled to credits of 1/50th of their final compensation for each year completed after the effective date of this amendment. The 1/50th pension credits specified in this paragraph will not be allowable until after such member shall have reached the age of 50 years and has completed 20 years of aggregate service in the department.

(6) The surviving widows of special class safety members who were retired on a disability under the provisions of Section 164 of the Charter of 1931, as amended,

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shall be granted the same benefits provided widows of special class safety members, retired under the provisions of Section 185 of the Charter of 1931, as amended. This section shall become applicable on the first day of November, 1973.

Except as to those members who are forced to retire because of disability or who die, "Final Compensation" within the meaning of paragraphs (4) and (5) hereof shall be the highest average compensation received during any three consecutive years of service, limited, however, to the following monthly maximums for members who retire: During the first year after this amendment is adopted, \$400.00; during the second year, \$500.00; during the third year, \$600.00; during the fourth year, \$700.00; during the fifth year, \$800.00; and after the end of the fifth year there shall be no ceiling considered in determining the amount of the final compensation.

As to those members who are compelled to retire because of disability or who die after this amendment becomes effective, "Final Compensation" shall be defined as above, but with the following monthly maximums: For death or disability occurring during the first year, \$500.00; during the second year, \$600.00; during the third year, \$700.00; during the fourth year, \$800.00; during the fifth year, \$900.00; and after the end of

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10/10/73

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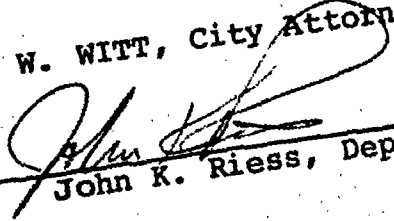
MAY 2 1978

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11149

the fifth year, no ceiling shall be considered in determining the amount of the final compensation.
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 
John K. Riess, Deputy

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9/21/73

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MAY 2 1978

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Passed and adopted by the Council of The City of San Diego on OCT 25 1973
 by the following vote:

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 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"/>
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"/>

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 CITY OFFICE
 1973 OCT -5 PM 12:04
 SAN DIEGO, CALIF.

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 Helena J. Anguerra 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

OCT 11 1973, and on OCT 25 1973

~~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 Helena J. Anguerra Deputy.

MAY 2 1978

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Office of the City Clerk, San Diego, California	
Ordinance Number	<u>11149</u> Adopted <u>OCT 25 1973</u>

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1973 NOV 23 AM 11:59

SAN DIEGO, CALIF.

ATTORNEY (S)

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

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

DISABILITY RETIREMENT FOR MEMBERS AND SAFETY
MEMBERS

NOV 23 1973 *LB*

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. 11149 (NEW SERIES)

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

November 2, 1973

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

November 20, 1973

Patricia M. Applestill
(Signature)

17 1/2" @ #4.42 \$77.35 lb

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 4, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING PARAGRAPH (9) TO SECTION 24.0405, RELATING TO DISABILITY RETIREMENT FOR MEMBERS AND SAFETY MEMBERS. BE IT ORDAINED, by the Council of The City of San Diego as follows:

Section 1. That Chapter II, Article 4, Division 4, of the San Diego Municipal Code, be and the same is hereby amended by adding paragraph (9) to Section 24.0405 to read as follows:

(1) A special class safety member who at the effective date of this amendment is receiving a monthly salary of at least \$400.00, shall after completing the required number of years of service for special class safety members, as provided in the Charter, receive a minimum retirement allowance of at least \$300.00 per month.

(2) Special class safety members employed in the Police Department who entered the service of the Police Department on or prior to the 8th day of May, 1941, and who have served for 20 years or more in the aggregate as members or employees in any rank or capacity in said Police Department, regardless of age, shall have the right to retire with a normal retirement allowance, and special class safety members in the Police Department who entered the service of the Department subsequent to the 8th day of May 1941, who have completed 25 years of service in the aggregate shall also have the right to retire with a normal retirement allowance.

(3) Special class safety members employed in the Fire Department who entered the service of the Fire Department on or prior to January 1, 1936, and who have served for 20 years or more in the aggregate as members or employees in any rank or capacity in said Fire Department, regardless of age, shall have the right to retire with a normal retirement allowance, and special class safety members in the Fire Department who entered the service of the department subsequent to the 1st day of January, 1936, who have completed 25 years of service in the aggregate, shall also have the right to retire with a normal retirement allowance.

(4) Each special class safety member of either the Fire or Police Department who is entitled to retire after 20 years of aggregate service with the City shall receive a pension credit of 2 1/2 percent of his final compensation for each year completed at the effective date of this amendment, but in no case shall such credit exceed 50 percent of such final compensation. For each year completed after the effective date of this amendment the member shall be credited with 1/50th of his final compensation. The 1/50th pension credits specified above will not be allowable until after such member shall have reached the age of 50 years. No member of either department who is entitled to retire after 20 years as above and who has had 20 years of service in the aggregate shall receive less than the following: \$200.00 per month as retirement allowance, together with such additional amount per month as will represent the actuarial equivalent of that portion of the contributions of such member contributed after his 20th year of service but before his attainment of age 50.

(5) Special class safety members of the Fire and Police Departments who are not eligible for retirement until the completion of 25 years of service in the aggregate shall receive a pension credit of 2 percent of their final compensation for each year completed at the effective date of this amendment, provided that such credit shall not exceed 50 percent of such final compensation, and in addition thereto shall be entitled to credits of 1/50th of their final compensation for each year completed after the effective date of this amendment. The 1/50th pension credits specified in this paragraph will not be allowable until after such member shall have reached the age of 50 years and has completed 25 years of aggregate service.

...of ... who were retired on a disability under the provisions of Section 184 of the Charter of 1931 as amended, shall be granted the same benefits provided widows of special class safety members, retired under the provisions of Section 185 of the Charter of 1931, as amended. This section shall become applicable on the first day of November, 1973.

Except as to those members who are forced to retire because of disability or who die, "Final Compensation" within the meaning of paragraphs (4) and (5) hereof shall be the highest average compensation received during any three consecutive years of service, limited, however, to the following monthly maximums for members who retire: During the first year after this amendment is adopted, \$400.00; during the second year, \$500.00; during the third year, \$600.00; during the fourth year, \$700.00; during the fifth year, \$800.00; and after the end of the fifth year there shall be no ceiling considered in determining the amount of the final compensation.

As to those members who are compelled to retire because of disability or who die after this amendment becomes effective, "Final Compensation" shall be defined as above, but with the following monthly maximums: For death or disability occurring during the first year, \$500.00; during the second year, \$600.00; during the third year, \$700.00; during the fourth year, \$800.00; and after the end of the fifth year, no ceiling shall be considered in determining the amount of the final compensation.

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

Introduced on October 11, 1973.
Passed and adopted by the Council of The City of San Diego on October 25, 1973.

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 HELENA J. INGRUM,
Deputy.
Published Nov. 2, 1973 L81106

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1973 NOV 23 AM 11:58

SAN DIEGO, CALIF.

ATTORNEY (S)

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

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

SIGNS---PERMITS AND PERMIT FEES

NOV 23 1973 ^{Lb}

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

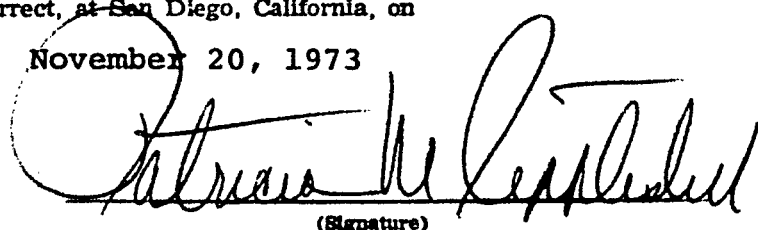
ORDINANCE NO. 11150 (NEW SERIES)

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

November 2, 1973

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

November 20, 1973



(Signature)

16 5/8" at \$4.42 \$ 73.48 ^{Lb}

ORDINANCE AMENDING CHAPTER IX, ARTICLE 5, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE, BY AMENDING SECTIONS 95.0103 AND 95.0107, RELATING TO SIGNS— AND PERMIT FEES.

ENACTED, by the Council of The City of San Diego, as follows:

That Chapter IX, Article 5, Division 1 of the San Diego Municipal Code be amended by amending Sections 95.0103 and 95.0107 to read:

PERMITS NOT REQUIRED

All provisions of this Code shall apply to the following signs that permits shall not be required as provided in this section.

- Building Permits.**
1. A building permit shall not be required for:
 - a. Changing of the copy of a sign, bulletin board, poster board, display encasement, marquee, or maintenance, where no structural changes are made; changing of interchangeable letters on signs designed for use of interchangeable letters. Electric signs are not included in this exception.
 - b. Temporary, non-illuminated, real estate signs, advertising the sale, lease, or rental of premises on which the sign is located. Such signs may be altered to indicate the sale of the premises.
 - c. Temporary, non-illuminated signs erected in connection with new construction work when such signs are displayed only during such time as the actual construction work is in progress, provided that such signs are located only at the site of the construction work and shall serve only to identify the architects, engineers, contractors, and other individual firms in the construction and/or proposed use of the building, but shall not contain any advertisement of any product.
 - d. Private or commercial nameplate identification wall signs, or combination nameplate and street address identification wall signs, when such signs do not exceed four square feet, are not illuminated, do not project over a public right-of-way, and have letters not exceeding three inches in height.
 - e. Warning or notice-type signs, such as trespass signs, private driveway, no dumping, and customer parking signs, when such signs do not exceed 12 square feet in area, are not illuminated, and do not project over a public right-of-way.
 - f. Bulletin boards for charitable or religious organizations when such signs and supporting structures do not exceed 16 square feet in area, are not illuminated, are erected on the premises to which the sign pertains, and do not project over a public right-of-way.
 - g. Tablets, such as memorials, cornerstones, name of a building, date of erection, use of building, when built into the walls of a building.
 - h. Permanent and temporary window signs.
 - i. Temporary banner signs and pennants.

Use Permits.

1. A use permit shall not be required for:
 - a. Temporary, non-illuminated, real estate signs, not more than 12 square feet in area, advertising the sale, lease, or rental of premises on which the sign is located.
 - b. Temporary, non-illuminated signs erected in connection with new construction work when such signs do not exceed 16 square feet in area and are displayed only during such time as the actual construction work is in progress, provided that such signs are located only at the site of the construction work and shall serve only to identify the architects, engineers, contractors, and other individual firms involved in the construction and/or proposed use of the building, but shall not contain any advertisement of any product.
 - c. Private or commercial nameplate identification wall signs, or combination nameplate and street address identification wall signs, when such signs do not exceed four square feet, are not illuminated, do not project over a public right-of-way, and have letters not exceeding three inches in height.
 - d. Warning or notice-type signs, such as trespass signs, private driveways, no dumping, and customer parking signs, when such signs do not exceed 12 square feet in area, are not illuminated, and do not project over a public right-of-way.
 - e. Bulletin boards for charitable or religious organizations when such signs and supporting structures do not exceed 16 square feet in area, are not illuminated, are erected on the premises to which the sign pertains, and do not project over a public right-of-way.
 - f. Tablets, such as memorials, cornerstones, name of a building, date of erection, use of building, when built into the walls of a building.
 - g. Permanent and temporary window signs.

PERMIT FEES

As provided in this Division signs shall be subject to The City of San Diego's regulations for signs and building permits is

PERMIT FEES

B. Building Permit and Initial Use Permit Fee.

1. For each sign erected, installed, affixed, relocated, or relocated, or created by painting, the building permit and initial use permit fee shall be \$20.00 plus 25 cents per square foot of sign area. The initial use permit shall be valid for a period of two years from the date of issuance.
2. For each sign erected, installed, affixed, relocated, or relocated, or created by painting, without first obtaining a building permit, the fee shall be twice the amount specified above.

C. Existing Sign Use Permit Fee.

1. For the first two years, each business having existing signs other than those excluded in Section 95.0103, paragraph 1, shall pay a basic fee of \$10.00, plus 32 cents per square foot of sign area, except for the first 32 square feet of wall sign area. After the first two years, each business having existing signs shall pay a basic fee of \$10.00, plus 18 cents per square foot of sign area, except for the first 32 square feet of wall sign area.
2. For each use permit not renewed within 90 days after the expiration date, or not obtained within 30 days after a written notice to obtain a use permit, the fee shall be twice the amount specified above.
3. The Building Official may prorate the sign use permit fees and designate the expiration date of sign use permits.

D. Field-fabricated Sign Inspection Fee.

Each sign fabricated in the field shall have special inspection by the Building Official, for which an inspection fee shall be paid. The fee shall be \$10.00 per hour, or fraction thereof, of inspection time, with a minimum of \$10.00. This shall be in addition to the other prescribed fees.

E. Biennial Inspection Fee.

If a field inspection is made by the Building Official for the purpose of inspecting a sign for a biennial sign use permit, a fee shall be charged for at the following rate: \$10.00 per hour or fraction thereof, with a minimum fee of \$10.00. The permittee shall provide any access and equipment required for the inspection.

F. Special Fee for Signs Projecting Over Public Space.

The use permit for each sign, or lighting fixture installed for sign illumination, which projects over public property shall be subject to a biennial special fee, in addition to the fee required by paragraph "C" of Section 95.0107. This additional fee shall be paid when the sign use permit is obtained and shall be charged for at the following rates: \$1.00 per square foot of sign area for the first 50 square feet of sign area; \$2.00 per square foot for the next 50 square feet of sign area; and \$3.00 per square foot of sign area thereafter. When only lighting fixtures project over the public right-of-way, the fee paid will be based on the size of the sign illuminated by the lighting fixtures. In addition, the above-stated fees shall be increased 50 percent for each additional six-month period for which a non-conforming sign is permitted to remain after any officially elected abatement date by an extension of time granted by the Sign Code Board of Appeals.

G. Temporary Sign Fees.

1. For each group of banners, pennants, or carnival-type signs installed at each premises or tenant's location, the use permit fee shall be \$2.00 per \$100.00 of retail value, including installation cost, for each 30 days or less. Banners, pennants, or carnival-type signs may not be displayed for more than 60 consecutive days.
2. For temporary construction project signs, the sign use permit fee for each sign shall be \$20.00 for a one-year period, or any portion thereof.
3. For each other temporary sign of 50 square feet or less in sign area, installed for a period of not more than 60 consecutive days, the use permit fee shall be \$10.00.
4. For temporary banner signs, the sign use permit fee for each sign shall be \$10.00 for each 30-day period or less. A temporary banner sign may not be displayed for more than 60 consecutive days.

H. Extension of Time Fees.

Additional fees shall be paid at the following annual rates for any existing nonconforming sign which has been granted an extension of time by the Sign Code Board of Appeals under Section 95.0122, during the additional time extension allowed: \$15.00, plus 50 cents per permitted square foot of sign area, plus \$1.00 per square foot in excess of the maximum permitted sign area, plus \$10.00 per foot or portion thereof in excess of the maximum permitted sign height, plus \$10.00 per linear foot of encroachment into any required setback area. These fees may be prorated, based upon the length of the allowed time extension.

Section 2. Increases in fees established by this ordinance shall not apply to any sign for which the fee was paid prior to the effective date of this ordinance.

Section 3. If the use permit fee for any sign is reduced because of the provisions of this ordinance, and the fee for such sign has already been paid, an appropriate refund of the difference in fees shall be paid to the payor.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on October 11, 1973.
Passed and adopted by the Council of The City of San Diego on October 25, 1973.

CERTIFIED BY:
PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By HELENA J. INGHAM, Deputy.