

ORDINANCE NO. 11341
(New Series)

JUN 27 1974

AN ORDINANCE AMENDING CHAPTER IX OF THE SAN DIEGO MUNICIPAL CODE BY ADDING THERETO ARTICLE 9, FEES FOR PARK AND RECREATIONAL FACILITIES AND SECTIONS 99.0101 THROUGH 99.0106.

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

Section 1. That Chapter IX of the San Diego Municipal Code be amended by adding thereto Article 9 to read as follows:

ARTICLE 9

FEES FOR PARK AND RECREATIONAL FACILITIES

SEC. 99.0101 STATEMENT OF POLICY

The Council hereby finds that in order to furnish adequate park and recreational facilities needed to serve development resulting from building construction within the City, it is necessary for the City to exercise the powers it has by virtue of being a home rule city and establish a procedure for the collection of fees incident to the issuance of building permits for the purpose of financing these facilities. It is the intent of this Article that the cost of the acquisition and improvement of park and recreational facilities required to serve new or replacement development be borne by the owners of such development.

SEC. 99.0102 APPLICATION

The provisions of this Article shall apply to all building permits issued which create dwelling units for human habitation

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or add to the number of such units in any structure.

Fees prescribed herein are in addition to those required by Section 91.02.0303 (Section 303(a) of the Uniform Building Code), Section 102.0805 and other sections of this Code.

SEC. 99.0103 PAYMENT OF FEES

Prior to the issuance of any building permit, the Building Official shall assure that fees are paid to the City for park and recreational facilities in accordance with the following schedule:

- | | |
|---|----------------------------|
| 1. Construction of new single-family dwelling units, including modular housing and mobile homes | \$100.00 per dwelling unit |
| 2. Construction of new multi-family dwelling units | \$75.00 per dwelling unit |

Fees collected shall be refunded to the individual making payment in event the building permit expires, within the meaning of Section 302(d) of the Uniform Building Code. Requests for a refund of fees shall be in writing and shall set forth in full the facts showing that such permit has expired.

SEC. 99.0104 USE OF FEES COLLECTED

Fees collected pursuant to the provisions of this Article, together with any earned interest thereon, shall be deposited in a special fund with a separate revenue and expense account established for park and recreational purposes. Expenditures from said fund shall be made only for park and recreational facilities within areas from which they were collected.

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Expenditures may be for: (1) the City purchase of land and the construction of facilities, (2) the purchase of already constructed facilities from public agencies or private parties, or (3) to reimburse those who may have donated land and constructed improvements to the extent of the value of such land and improvements in excess of their proportionate responsibility.

SEC. 99.0105 ADOPTION OF PARK AND RECREATIONAL
BUILDING PERMIT FEE UTILIZATION
AREAS MAP

The City Council does hereby adopt a map entitled "Park and Recreational Building Permit Fee Utilization Areas," showing the areas within which building permit fees collected shall be allocated. This map will be superimposed on the existing Park Service Districts Map and shall be presented to the City Council annually for review and possible modification along with the Park Service Districts review.

SEC. 99.0106 SEVERABILITY

If any section, sentence, clause or phrase of this Article or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this Article 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 Frederick C. Conrad
Frederick C. Conrad, Chief Deputy

FCC:mmb
5-10-74

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JUN 27 1974

Passed and adopted by the Council of The City of San Diego on _____
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"/>
Lee Hubbard	<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"/>
Jim Ellis	<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"/>

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 Laverne E Miller, 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

JUN 13 1974

, and on

JUN 27 1974

~~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 Laverne E Miller, Deputy.

RECEIVED
CITY CLERK'S OFFICE
1974 MAY 15 PM 2:20
SAN DIEGO, CALIF.

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Office of the City Clerk, San Diego, California

Ordinance Number 11341 Adopted JUN 27 1974

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1974 JUL 31 AM 8:07

SAN DIEGO, CALIF.

ATTORNEY (S)

City of San Diego
12th Floor 202 C St.
San Diego, Ca 92101

~~XX~~

~~IN AND FOR THE COUNTY OF SAN DIEGO~~

CERTIFICATE OF PUBLICATION

No. 11341

IN THE MATTER OF

PARK AND RECREATIONAL FACILITIES

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. 11341

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

July 5, 1974

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

July 19, 1974

Patricia M. Applestill
(Signature)

14 1/2" @ 4.42 = \$64.09

ORDINANCE NO 11341

(New Series)

AN ORDINANCE AMENDING CHAPTER IX OF THE SAN DIEGO MUNICIPAL CODE BY ADDING THERETO ARTICLE 9, FEES FOR PARK AND RECREATIONAL FACILITIES AND SECTIONS 99.0101 THROUGH 99.0106.

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

ARTICLE 9

FEES FOR PARK AND RECREATIONAL FACILITIES

SEC. 99.0101. STATEMENT OF POLICY

The Council hereby finds that in order to furnish adequate park and recreational facilities needed to serve development resulting from building construction within the City, it is necessary for the City to exercise the powers it has by virtue of being a home rule city and establish a procedure for the collection of fees incident to the issuance of building permits for the purpose of financing these facilities. It is the intent of this Article that the cost of the acquisition and improvement of park and recreational facilities required to serve new or replacement development be borne by the owners of such development.

SEC. 99.0102. APPLICATION

The provisions of this Article shall apply to all building permits issued which create dwelling units for human habitation or add to the number of such units in any structure.

Fees prescribed herein are in addition to those required by Section 91.02.0303 (Section 303(a) of the Uniform Building Code), Section 102.0906 and other sections of this Code.

SEC. 99.0103. PAYMENT OF FEES

Prior to the issuance of any building permit, the Building Official shall assure that fees are paid to the City for park and recreational facilities in accordance with the following schedule:

- | | |
|---|----------------------------|
| 1. Construction of new single-family dwelling units, including modular housing and mobile homes | \$100.00 per dwelling unit |
| 2. Construction of new multi-family dwelling units | \$75.00 per dwelling unit |

Fees collected shall be refunded to the individual making payment in event the building permit expires, within the meaning of Section 303(d) of the Uniform Building Code. Requests for a refund of fees shall be in writing and shall set forth in full the facts showing that such permit has expired.

SEC. 99.0104. USE OF FEES COLLECTED

Fees collected pursuant to the provisions of this Article, together with any earned interest thereon, shall be deposited in a special fund with a separate revenue and expense account established for park and recreational purposes. Expenditures from said fund shall be made only for park and recreational facilities within areas from which they were collected. Expenditures may be for: (1) the City purchase of land and the construction of facilities, (2) the purchase of already constructed facilities from public agencies or private parties, or (3) to reimburse those who may have donated land and constructed improvements to the extent of the value of such land and improvements in excess of their proportionate responsibility.

SEC. 99.0105. ADOPTION OF PARK AND RECREATIONAL BUILDING PERMIT FEE UTILIZATION AREAS MAP

The City Council does hereby adopt a map entitled "Park and Recreational Building Permit Fee Utilization Areas," showing the areas within which building permit fees collected shall be allocated. This map will be superimposed on the existing Park Service Districts Map and shall be presented to the City Council annually for review and possible modification along with the Park Service Districts review.

SEC. 99.0106. SEVERABILITY

If any section, clause or phrase of this Article or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of this Article 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 June 12, 1974.

Passed and adopted by the Council of The City of San Diego on June 17, 1974.

AUTHENTICATED BY:

PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By LA VERNE E. MILLER, Deputy.

July 5, 1974

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