

ORDINANCE NO. 12056
(New Series)

APR 27 1977

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 33.0304 AND 33.0306, RELATING TO CITY LICENSE APPLICATIONS.

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

Section 1. That Chapter III, Article 3, Division 3, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 33.0304 and 33.0306, to read as follows:

SEC. 33.0304 ISSUANCE OR DENIAL OF LICENSE

Except as otherwise provided in this code, upon completion of the investigation, the Chief of Police or his designated representative shall issue the license, unless:

(1) The applicant has knowingly made a false or misleading statement of a material fact or omission of a material fact in the application; or

(2) The operation of the business as proposed, if permitted, would not comply with all applicable building, fire, health and zoning laws; or

(3) The applicant is under eighteen (18) years of age; or

(4) The applicant has had a similar type of license previously revoked for good cause within one (1) year immediately preceding the date of the filing of the

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application, and can show no material changes in circumstances since such revocation; or

(5) The maintenance and operation of the business by the applicant will not comport with the peace, health, safety, convenience or general welfare of the public. This subsection shall not be applicable if the application is for a business involving free speech, free press or freedom of assembly.

SEC. 33.0306 TIME ALLOWED FOR INVESTIGATION

If the Chief of Police or other official, except the City Council, shall fail to act on any license application, and shall fail to notify the City Treasurer within thirty (30) days from the date of its delivery to him by the City Treasurer, said application shall be deemed to have been approved and the City Treasurer shall issue said license therefor, provided, however, that the Chief of Police or other official, upon written notification to the City Treasurer shall be allowed such additional time, not to exceed fourteen (14) days, as may reasonably be necessary to complete the investigation.

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 Eugene P. Gordon
Eugene P. Gordon
Deputy City Attorney

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3/24/77
Or.Dept.: City Attorney

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Passed and adopted by the Council of The City of San Diego on APR 27 1977
 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Kathleen Martinez, 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 12 1977, and on APR 27 1977

~~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 Kathleen Martinez, Deputy.

OCT 4 1978

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 SAN DIEGO, CALIF.

CC-1255-A (REV. 12-76)

Office of the City Clerk, San Diego, California	
Ordinance Number	12056
Adopted	APR 27 1977

00827

ATTORNEY(S)

San Diego, City of
12th Floor, City Admin. Bldg.
202 C St.
San Diego, Ca 92101
Attn: Kathleen Martinez

OUT 4 1978

CERTIFICATE OF PUBLICATION

No. 12056

IN THE MATTER OF

MICROFILMED

CITY LICENSE APPLICATIONS

ORDINANCE NO. 12056

(New Series)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 33.0304 AND 33.0306; RELATING TO CITY LICENSE APPLICATIONS.

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

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(3) The applicant is under eighteen (18) years of age; or

(4) The applicant has had a similar type of license previously revoked for good cause within one (1) year immediately preceding the date of the filing of the application, and can show no material changes in circumstances since such revocation; or

(5) The maintenance and operation of the business by the applicant will not comport with the peace, health, safety, convenience or general welfare of the public. This subsection shall not be applicable if the application is for a business involving free speech, free press or freedom of assembly.

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

Introduced on April 12, 1977.

Passed and adopted by the Council of The City of San Diego on April 27, 1977.

AUTHENTICATED BY:

PETE WILSON,

Mayor of The City of San Diego, California.

EDWARD NIELSEN,

City Clerk of The City of San Diego, California.

By KATHLEEN MARTINEZ, Deputy

SEAL
Pub. May 11, 1977

1-3 5877

I, PATRICIA M. DUTRA hereby certify that the 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; and the

ORDINANCE NO. 12056

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

May 11, 1977

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

May 17, 1977

Patricia M. Dutra
(Signature)

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