

ORDINANCE NO. 12073
(New Series)

MAY 25 1977

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 1,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 41.07.2 RELATING TO HEALTH PERMIT
FEES--FOOD HANDLING ESTABLISHMENTS.

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

Section 1. That Chapter IV, Article 1, of the San Diego
Municipal Code be and the same is hereby amended by amending
Section 41.07.2 to read as follows:

SEC. 41.07.2 HEALTH PERMIT FEES--FOOD HANDLING
ESTABLISHMENTS

Every person applying for a permit under the
provisions of Division 1, Article 2 of this Chapter for
Food Handling Establishments shall at the time of making
application for the permit pay the following annual
fee:

1. For each establishment, other than a vehicle
or vending machine, a fee based on the average number
of employees during the preceding year or, if in the
opinion of the Health Officer said average number does
not reflect the number of employees during the year for
which the permit is sought with reasonable accuracy,
the estimated average number of employees:

- 1 to 10 employees\$ 30.00
- 11 to 99 employees 3.00 per employee
- 100 or more employees300.00

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2. For each vehicle under the same ownership and operating out of the same establishment.....\$15.00

3. For each vending machine dispensing milk, ice cream, or milk products or other kinds of perishable foods or beverages, or dispensing unbottled or uncanned liquid foods or beverages, excepting vending machines which dispense unwrapped, nonperishable, nonliquid food products\$ 3.00

4. For each duplicate permit replacing a permit previously issued\$ 6.00

In any case where the applicant has failed for a period of thirty (30) days to file the application and obtain the permit required by this Chapter, there shall be added to and collected with the fee a penalty equal to ten percent (10%) of the fee or One Dollar (\$1.00), whichever is the greater; and for each additional month or fraction of a month after the expiration of said 30-day period that the applicant fails to file such application and obtain such permit, there shall be added to and collected with the fee an additional penalty equal to ten percent (10%) of the fee; provided, however, in no event shall the total penalty added to the fee pursuant to this Section be more than sixty percent (60%) of the fee. The imposition of or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalty prescribed by this Chapter or prosecution

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for violation of this Chapter. Institutions exempt from
real property assessments and taxation are exempt from
paying the fees established by this Section.
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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MAY 25 1977

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"/>
Tom Gade	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<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 *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

MAY 11 1977

MAY 25 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.

By *Kathleen Martinez*, Deputy.

(Seal)

RECEIVED
CITY CLERK'S OFFICE
1977 APR 12 AM 9:17
SAN DIEGO, CALIF.

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OCT 4 1978

Office of the City Clerk, San Diego, California

Ordinance Number 12073 Adopted MAY 25 1977

ATTORNEY(S)

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

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6-8-77

OCT 4 1978

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CERTIFICATE OF PUBLICATION

No. 12073

IN THE MATTER OF

FOOD HANDLING ESTABLISHMENTS

RECEIVED
CITY CLERK'S OFFICE
1977 JUN 20 AM 11:50
SAN DIEGO, CALIF.

ORDINANCE NO. 12073

(New Series)

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 41.07.2 RELATING TO HEALTH PERMIT FEES—FOOD HANDLING ESTABLISHMENTS.

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

Section 1. That Chapter IV, Article 1, of the San Diego Municipal Code be and the same is hereby amended by amending Section 41.07.2 to read as follows:

SEC. 41.07.2 HEALTH PERMIT FEES—FOOD HANDLING ESTABLISHMENTS

Every person applying for a permit under the provisions of Division 1, Article 2 of this Chapter for Food Handling Establishments shall at the time of making application for the permit pay the following annual fee:

- 1. For each establishment, other than a vehicle or vending machine, a fee based on the average number of employees during the preceding year or, if in the opinion of the Health Officer said average number does not reflect the number of employees during the year for which the permit is sought with reasonable accuracy, the estimated average number of employees:

1 to 10 employees	\$ 30.00
11 to 99 employees	3.00 per employee
100 or more employees	300.00

2. For each vehicle under the same ownership and operating out of the same establishment. \$15.00

3. For each vending machine dispensing milk, ice cream, or milk products or other kinds of perishable foods or beverages, or dispensing unboxed or uncanned liquid foods or beverages, excepting vending machines which dispense unwrapped, nonperishable, nonliquid food products. . . \$3.00

4. For each duplicate permit replacing a permit previously issued \$6.00
In any case where the applicant has failed for a period of thirty (30) days to file the application and obtain the permit required by this Chapter, there shall be added to and collected with the fee a penalty equal to ten percent (10%) of the fee or One Dollar (\$1.00), whichever is the greater; and for each additional month or fraction of a month after the expiration of said 30-day period that the applicant fails to file such application and obtain such permit, there shall be added to and collected with the fee an additional penalty equal to ten percent (10%) of the fee; provided, however, in no event shall the total penalty added to the fee pursuant to this Section be more than sixty percent (60%) of the fee. The imposition of or payment of the penalty imposed by this Section shall not prevent the imposition of any other penalty prescribed by this Chapter or prosecution for violation of this Chapter. Institutions exempt from real property assessments and taxation are exempt from paying the fees established by this Section.

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

Introduced on May 11, 1977.
Passed and adopted by the Council of The City of San Diego on May 25, 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. June 8, 1977 150000

I, SALLY M. COWART 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. 12073

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

June 8, 1977

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

June 17, 1977

Sally M. Cowart
(Signature)

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