

ORDINANCE NO. 12486 (O. 79-91)
(New Series) NOV 13 1978

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO
ESTABLISHING A PARKING AND BUSINESS IMPROVEMENT AREA
AND LEVYING AN ADDITIONAL BUSINESS LICENSE TAX
THEREIN FOR UPGRADING AND PROMOTING THE AREA.

WHEREAS, under and pursuant to the provisions of the
Parking and Business Improvement Area Law of 1965, Section
36000 et seq., of the State of California Streets and Highways
Code, herein called "said Law," this Council on SEP 11 1978
 , adopted Resolution No. 221775, a
resolution declaring an intention to form a parking and business
improvement area known as "La Jolla Improvement Area," providing
for the levy of an additional business license tax to be imposed
therein, fixing the time and place for hearing and giving notice
thereof; and

WHEREAS, said Resolution No. 221775 was duly
published, and copies thereof were mailed and posted, all as
provided by said Law; and

WHEREAS, as specified in said Resolution No. 221775,
a hearing concerning the formation of said area was held before
this Council on the 31st day of October at the hour of
3:00 o'clock in the Council Chambers in the City
Administration Building located at Second Avenue and "C" Street
in the City of San Diego; and

WHEREAS, at said hearing all protests, both written and oral, made or filed, were considered and duly overruled and denied and this City Council determined that there was no majority protest within the meaning of Section 36023 of said Law; NOW, THEREFORE,

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

Section 1. That pursuant to said Law, a parking and business improvement area is hereby established, to be known as "La Jolla Improvement Area," herein called "Area," with boundaries of said Area described as all that area lying within and bounded by Coast Boulevard and Prospect Street on the north, the Pacific Ocean on the west, Sea Lane and Genter Street on the south and Cabrillo Avenue and Olivet Street on the east, as shown with more specificity on a map thereof on file in the office of the City Clerk as Document No. 764537.

Section 2. That the term "general business license tax," as used in this ordinance and which is sometimes called "business license fee," is hereby defined as a tax upon a particular business, trade or profession within said City as set forth for such particular business, trade or profession in Chapter III, Article 1, of the San Diego Municipal Code as said Chapter III, Article 1, presently reads or is hereafter amended.

Section 3. That in addition to the general business license tax, an additional business license tax is hereby imposed upon businesses located within said Area subject to

business license taxing jurisdiction in the amount equal to the present business license tax. Said additional license tax shall be levied, collected and enforced in the same manner, at the same times, and with the same penalties and interest as in the case of the general business license tax, provided that the amount to be collected from any person, regardless of the number of separate business licenses held at one location, would not exceed \$25 plus \$2 per employee per year.

Section 4. That there shall be imposed upon such profit or nonprofit businesses which do not pay an ordinary business license tax and are located within the area, as specified by the City Council or its designated advisory board or commission, an improvement area tax in an amount not to exceed the business license tax which would be applicable to such business if it were subject to business license taxing jurisdiction, provided that the amount to be collected from any person, regardless of the number of separate business licenses held at one location, would not exceed \$25 plus \$2 per employee per year.

The provisions of this ordinance shall not be applicable to cooperative apartments or condominium projects.

Section 5. That the uses to which the proceeds of the additional business license tax shall be put are: -

A. The general promotion of retail trade activities in the Area;

B. Public parking for vehicles, and the promotion of various modes of transportation, such as walking, bicycling and public transit within the Area.

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Section 6. That this City Council hereby finds and determines that the public convenience and necessity require the establishment of the Area hereinbefore described.

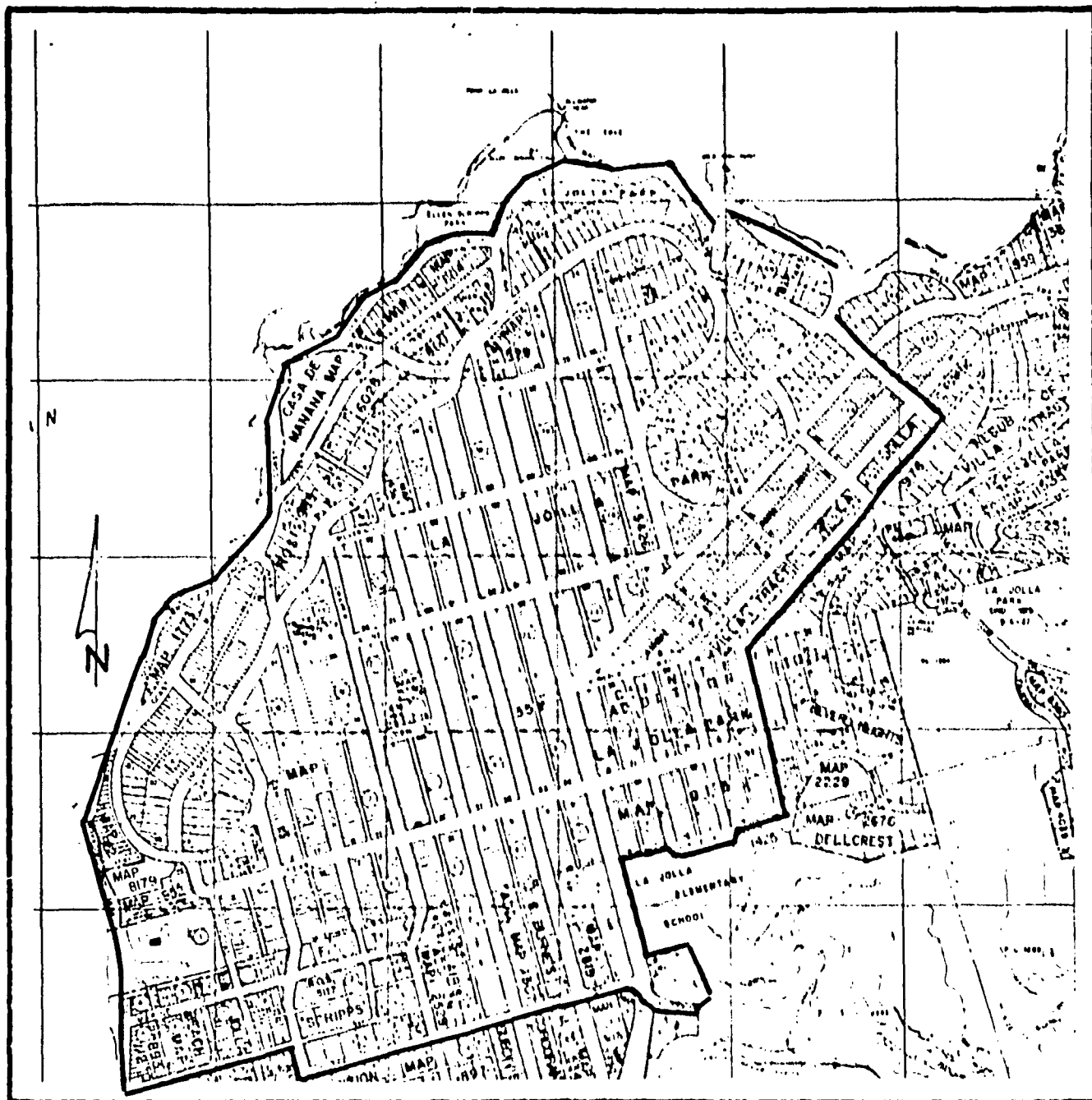
Section 7. That all protests, both written and oral, are overruled and denied and the City Council finds that there is no majority protest within the meaning of Section 36023 of the Streets and Highways Code.

Section 8. 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 Janis Sannmartino Gardner
Janis Sannmartino Gardner, Deputy

JSG:lco:235
9/26/78
Or.Dept.:Engr.&Dev.



W.O. 133157

LA JOLLA PARKING AND BUSINESS IMPROVEMENT DISTRICT

— District Boundary

8/17/77

Report Accepted

2/8/78

Resolution of Intention

12486

NOV 13 1978

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

Councilmen	Yeas	Nays	Excused	Absent
Bill Mitchell	<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"/>
Bill Lowery	<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"/>
Fred Schnaubelt	<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"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Bates Lucy Killea	<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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Betty Loedhe, 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

NOV 13 1978

NOV 13 1978

, 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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Betty Loedhe, Deputy.

RECEIVED

CITY CLERK'S OFFICE

1978 SEP 23 PM 1:45

SAN DIEGO, CALIF.

CC-1255-A (REV. 11-77)

Office of the City Clerk, San Diego, California

Ordinance
Number

12486

Adopted

NOV 13 1978