

ORDINANCE NO. 0-15278
(New Series)

O. 80-289

JUN 16 1980

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 1,
DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTIONS 31.0131 AND 31.0140,
RELATING TO BUSINESS LICENSE FEES.

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

Section 1. That Chapter III, Article 1, Division 1, of
the San Diego Municipal Code be and the same is hereby amended
by amending Sections 31.0131 and 31.0140 to read as follows:

SEC. 31.0131 FEES--TIME OF PAYMENT

Except as otherwise provided, licenses shall be
due and payable at the following times:

- (a) Annual licenses on the first day of the
month following the expiration date;
- (b) Semi-annual licenses on the first day of
January and the first day of July of each year;
- (c) Quarterly licenses on the first days of
January, April, July and October of each year;
- (d) Monthly licenses on the first day of each
and every month;
- (e) Daily licenses in advance on each day.

All licenses shall be valid for the period
issued.

Any person who fails to pay the amount required
on or before the due date will be assessed a penalty
of 25% of the license tax amount.

SEC. 31.0140 WRITTEN STATEMENTS REQUIRED AT TIME
OF APPLICATION

Where the license fee is based upon the number of persons employed, the applicant at the time of applying for a license shall file a written statement showing the average number of persons employed during the preceding six (6) months. Written statements shall be on forms provided by the City Treasurer.

Where the license fee is based on the number of persons employed, and the applicant has not previously been engaged in business required to be licensed in San Diego, he shall file a written statement setting forth the estimated total number of persons he intends or expects to employ for the ensuing six (6) months.

Except in cases specifically provided for in this Code, the license period for new business shall extend through the last day of the twelfth (12th) month following the date the business commenced. Any person who fails to pay the amount required within thirty (30) days of commencing business will be assessed a penalty of twenty-five percent (25%) of the license tax amount.

In cases where a portion of the license period has elapsed prior to application for license, the amount of the fee payable shall be apportioned on a monthly basis where the license period is semiannual or quarterly; provided that payment shall be required for the entire month in which the license is issued.

Subject to other provisions of this Article, the license renewal fees shall be due and payable on the first day of the month following the expiration date and shall be delinquent if not paid by the due date.

Any person who fails to file any required statement, or fails to pay the amount required within the time fixed, shall be assessed a penalty of twenty-five percent (25%) of the license tax amount.

No statement shall be conclusive as to the matters it sets forth, nor shall the filing of the statement preclude The City of San Diego from collecting by appropriate action the sum which is actually due and payable. The statement and each of the items it contains shall be subject to audit and verification by the City Treasurer, who is authorized to examine, audit and inspect the books and records of any licensee or applicant for license as may be necessary in his judgment to ascertain the correct amount of license due.

All licensees, applicants for licenses and persons engaged in business, are required to permit an examination of their books and records for the purposes of this Article.

The information or data obtained from an examination or audit shall be used for the purpose of enforcing the provisions of this Article and for no other purpose.

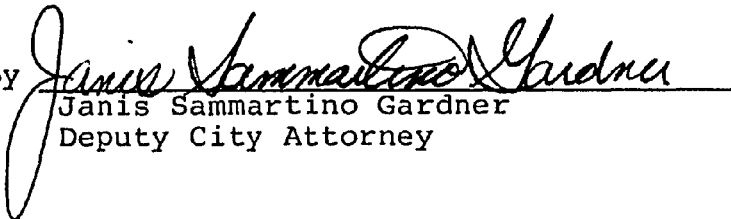
Nothing in this section shall prohibit the City Treasurer from furnishing to any citizen upon request the name under which the business is conducted, the address and type of business and the name of owner of the business, including the names of partners, if a partnership, or the names of officers, if a corporation.

It is unlawful for any person willfully to make or sign any false or untrue statement which is filed in response to this Article.

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


Janis Sammartino Gardner
Deputy City Attorney

JSG:vl:l41

5/15/80

Or. Dept.: Treas.

0-15278

Passed and adopted by the Council of The City of San Diego on JUN 16 1980,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Rita Andrews, 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 2 1980, and on JUN 16 1980.

~~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 Rita Andrews, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-15278</u>	Adopted <u>JUN 16 1980</u>

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1980 JUL 10 AM 10:48
SAN DIEGO, CALIF.

SAN DIEGO, CITY OF
202 C St., 12th Flo.
San Diego, CA 92101
ATTN: Maydell L. Pontecorvo

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 1, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 31.0131 AND 31.0140, RELATING TO BUSINESS LICENSE FEES.

Camille Simpson

I, _____, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

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(New Series)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 1, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 31.0131 AND 31.0140, RELATING TO BUSINESS LICENSE FEES.
This ordinance establishes a staggered renewal system for payment of annual business license fees and increases the late payment penalty from 10% to 25% of the license fee.
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on June 2, 1980.
Passed and adopted by the Council of The City of San Diego on June 18, 1980.
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 FITZ ANDREWS, Deputy
Published July 1, 1980

ORDINANCE NO. O-15278 (New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

July 1, 1980

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 1st day of July, 1980.

Camille Simpson

(Signature)

4" - 9 26.68