

ORDINANCE NO. 0-15377  
(New Series)

O. 81-62  
NOV 10 1980

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5,  
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 75.0113 RELATING TO PROCEDURE  
UPON APPEAL.

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

Section 1. That Chapter VII, Article 5, Division 1 of the  
San Diego Municipal Code is hereby amended by amending Section  
75.0113 to read as follows:

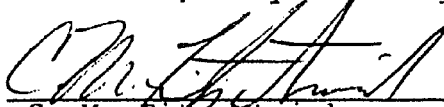
SEC. 75.0113 PROCEDURE UPON APPEAL

(a) When an appeal is filed, the City Manager shall  
cause the appeal to be assigned to a hearing officer, who  
shall schedule the hearing before him/her.

(b) Both the permit holder or driver and the City  
Manager shall have the right to appeal the hearing officer's  
decision to the Transportation and Land Use Committee by  
filing notice in writing with the City Clerk within ten (10)  
days of receipt of the hearing officer's written decision.  
The decision of the Council Committee shall be the final  
administrative remedy unless a hearing is set before the  
City Council pursuant to Section 22.0101, Rule 4.

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   
C. M. Fitzpatrick  
Senior Chief Deputy

CMF:vl:504.1  
9/8/80  
Or. Dept.: Fin. Mgmt.

New Language: Underlined  
Old Language: Lined out

O. 81-62

SEC. 75.0113 PROCEDURE UPON APPEAL

(a) When an appeal is filed, the City Manager shall cause the appeal to be assigned to a hearing officer, who shall schedule the hearing before him/her.

(b) Both the permit holder or driver and the City Manager shall have the right to appeal the hearing officer's decision to the Transportation and Land Use Committee by filing notice in writing with the City Clerk within ten (10) days of receipt of the hearing officer's written decision.  
~~Further-appeal-rights-shall-be-available-through-the-Transportation-and-Land-Use-Committee- Subject-to-the-permanent rules-of-the-Council;~~ The decision of the Council Committee shall be the final administrative remedy unless a hearing is set before the City Council pursuant to Section 22.0101, Rule 4.

Passed and adopted by the Council of The City of San Diego on NOV 10 1980,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 Ellen Board, 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

OCT 27 1980, and on NOV 10 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 Ellen Board, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-15377</u>	Adopted <u>NOV 10 1980</u>

CERTIFICATE OF PUBLICATION

San Diego, City of  
202 C St., 12th floor  
San Diego, CA 92101  
ATTN: Ellen Bovard

RECEIVED  
CITY CLERK'S OFFICE  
1980 NOV 26 AM 11:37  
SAN DIEGO, CALIF.

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5, DIVI-  
SION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMEN-  
DING SECTION 75.0113 RELATING TO PROCEDURE UPON  
APPEAL.

NO.

0-15377

**ORDINANCE NO. O-15377**  
**(New Series)**  
AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5, DIVI-  
SION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMEN-  
DING SECTION 75.0113 RELATING TO PROCEDURE UPON  
APPEAL.  
BE IT ORDAINED, by the Council of The City of San Diego,  
as follows:  
Section 1. That Chapter VII, Article 5, Division 1 of the San  
Diego Municipal Code is hereby amended by amending Section  
75.0113 to read as follows:  
**SEC. 75.0113 PROCEDURE UPON APPEAL**  
(a) When an appeal is filed, the City Manager shall cause  
the appeal to be assigned to a hearing officer, who shall  
schedule the hearing before him/her.  
(b) Both the permit holder or driver and the City  
Manager shall have the right to appeal the hearing officer's  
decision to the Transportation and Land Use Committee by  
filing notice in writing with the City Clerk within ten (10) days  
of receipt of the hearing officer's written decision. The deci-  
sion of the Council Committee shall be the final ad-  
ministrative remedy unless a hearing is set before the City  
Council pursuant to Section 22.0101, Rule 4.  
Section 2. This ordinance shall take effect and be in force on  
the thirtieth day from and after its passage.  
Introduced on October 27, 1980.  
Passed and adopted by the Council of The City of San Diego  
on November 10, 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 ELLEN BOVARD, Deputy.  
Published November 24, 1980 60-2366

I, Camille Simpson, 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

ORDINANCE NO. O-15377 (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:

November 24, 1980

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

Dated at San Diego, California this 24th day of Nov., 1980.

*Camille Simpson*

(Signature)

3 1/8" x 2 x 7.33 = 45.81