

O. 81-83

ORDINANCE NO. O-15399  
(New Series)

DEC 8 1980

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3,  
DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE  
BY AMENDING SECTION 33.0502 RELATING TO  
RIGHT OF APPEAL TO CITY COUNCIL.

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

Section 1. That Chapter III, Article 3, Division 5,  
of the San Diego Municipal Code be and it is hereby amended  
by amending Section 33.0502 to read as follows:

SEC. 33.0502 RIGHT OF APPEAL TO CITY COUNCIL

The applicant, licensee, permittee and the  
Chief of Police shall have the right to appeal the  
hearing officer's decision pursuant to this Article  
to the Public Services and Safety Committee of the  
City Council. When a permit or license authorized  
under the provisions of this Article is granted,  
denied, suspended or revoked by the hearing officer,  
that decision shall be the final administrative re-  
medy unless an appeal to the Public Services and  
Safety Committee is filed in writing with the City  
Clerk within ten (10) days of receipt of the hearing  
officer's written decision. When an appeal is filed  
with the City Clerk, it shall be placed on the  
Public Services and Safety Committee agenda for the

limited purpose of determining whether the Committee will hear the appeal. The Committee will accept an appeal for hearing when any of the following situations are found to exist:

Paragraphs (1), (2), (3), (4), (5) and last paragraph remain the same.

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 Stuart H. Swett  
Stuart H. Swett  
Chief Deputy City Attorney

SHS:rc:524 (x503.8)  
10/6/80  
Or. Dept.: PS&S Committee

DEC 8 1980

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>Larry Stirling</del>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

*Vacant*

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 *Barbara Beridge* 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 17 1980

DEC 8 1980

, 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 *Barbara Beridge* Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 15399

DEC 8 1980

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
1981 JAN -2 AM 10:10  
SAN DIEGO, CALIF.

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

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 33.0502 RELATING TO RIGHT OF APPEAL TO CITY COUNCIL.

0-15399 N.S.

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-15399**  
**(New Series)**  
AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 5, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 33.0502 RELATING TO RIGHT OF APPEAL TO CITY COUNCIL.  
This ordinance amends the San Diego Municipal Code to grant the right of the Chief of Police to appeal hearing officer's decision in police licensing matters to the Public Services and Safety Committee of the City Council.  
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 November 17, 1980.  
Passed and adopted by the Council of The City of San Diego on December 8, 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 BARBARA BERRIDGE, Deputy  
Published December 22, 1980

ORDINANCE NO. O-15399 (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:

December 22, 1980

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

Dated at San Diego, California this 22nd day of Dec., 1980.

Camille Simpson  
(Signature)

2 1/8" x 2 x 7.33 = 31.15