

(O-83-211)

ORDINANCE NUMBER O- 15975 (New Series)

Adopted on MAY 23 1983

AN ORDINANCE AMENDING SECTIONS 2 AND 6 OF ORDINANCE NO. 8985 (NEW SERIES), ADOPTED MARCH 24, 1964, EMPOWERING THE CITY MANAGER TO ISSUE REVOCABLE PERMITS AUTHORIZING THE PLACEMENT OF PUBLIC TELEPHONES ON THE PUBLIC SIDEWALKS OF THE CITY OF SAN DIEGO AND SETTING FORTH THE CONDITIONS OF APPROVAL OF SUCH PERMITS.

WHEREAS, The City of San Diego and the Pacific Telephone Company desire to revise the terms under which the City Manager issues permits for the placement of public telephones on the public sidewalks of the City; and

WHEREAS, the terms under which such permits are issued are contained in Ordinance No. 8985 (New Series); NOW, THEREFORE,

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

Section 1. That Section 2 of Ordinance No. 8985 (New Series), adopted March 24, 1964, be, and it is hereby amended to read as follows:

Section 2. DEFINITIONS

- (a) No change.
- (b) No change.

(c) "Total Gross Receipts": Any and all compensation in lawful currency of the United States collected or received, or in any manner gained from public telephones placed upon public sidewalks, excepting the federal communications excise taxes.

Section 2. That Section 6 of Ordinance No. 8985 (New Series), adopted March 24, 1964, be, and it is hereby amended to read as follows:

Section 6. PAYMENT TO THE CITY

(a) By its acceptance under Section 4 herein permittee agrees to pay to the City quarterly in lawful currency of the United States the following amount of the total gross receipts resulting from operations pursuant to permits authorized under this ordinance:

Total Monthly Revenue

<u>Per Public Telephone</u>		<u>Commission Per Public Telephone</u>
\$0-\$50	=	0%
\$50.01-\$100	=	4% of all total monthly revenue
\$100.01-\$500	=	\$4 plus 6% of all total monthly revenue above \$100
\$500.01 and above	=	\$28 plus 8% of all total monthly revenue above \$500

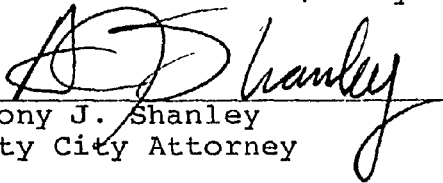
(b) No change.

(c) No change.

Section 3. 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


Anthony J. Shanley
Deputy City Attorney

AJS:js:502
4/11/83
Or.Dept:Gen.Svcs.
Form=r.none

MAY 23 1983

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 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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

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.

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 9 1983

MAY 23 1983

~~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 Berridge, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15975 Adopted MAY 23 1983

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C St., Twelfth Floor
San Diego, CA 92101
B. Berridge

IN THE MATTER OF

NO.

ORDINANCE NO. O-15975

ORDINANCE NO. O-15975
(New Series)

AN ORDINANCE AMENDING SECTIONS 2 AND 6 OF ORDINANCE NO. 9085 (NEW SERIES), ADOPTED MARCH 24, 1984, EMPOWERING THE CITY MANAGER TO ISSUE REVOCABLE PERMITS AUTHORIZING THE PLACEMENT OF PUBLIC TELEPHONES ON THE PUBLIC SIDEWALKS OF THE CITY OF SAN DIEGO AND SETTING FORTH THE CONDITIONS OF APPROVAL OF SUCH PERMITS.
This ordinance revises the terms under which The City Manager issues permits for the placement of pay telephones on the public sidewalks in order to incorporate Pacific Telephone Company's new public telephone commission rate.
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 MAY 9, 1983
Passed and adopted by the Council of The City of San Diego MAY 23, 1983.
AUTHENTICATED BY:
ROGER HEDGE COCK 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
Publish June 6, 1983 80-5814

I, Carrie Gedeon, 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-15975
(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:
June 6, 1983

I certify under penalty of perjury that the foregoing is true and correct.
Dated at San Diego, California this 6th day of June, 1983.

Carrie Gedeon
(Signature)

00568

4 3/4" x 8.87 = 42.13