

(O-88-207)

ORDINANCE NUMBER O- 17108 (NEW SERIES)

ADOPTED ON JUN 21 1988

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 35.0103.2 AND 35.0116.2 RELATING TO AN ADDITION TO THE TRANSIENT OCCUPANCY TAX AND THE UTILIZATION OF REVENUES DERIVED THEREFROM.

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

Section 1. That Chapter III, Article 5, Division 1, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 35.0103.2 and 35.0116.2, to read as follows:

**SEC. 35.0103.2 ADDITIONAL TAX IMPOSED**

Notwithstanding the tax imposed by Section 35.0103 or 35.0103.1 above and in addition thereto, commencing on August 1, 1988 for the privilege of occupancy in any hotel, each transient is subject to and shall pay an additional tax in the amount of one percent (1%) of the rent charged by the operator. Said tax constitutes a debt owed by the transient to the City which is extinguished only by payment to the operator or to the City. The transient shall pay the tax to the operator of the hotel at the time such transient ceases to occupy space in the hotel. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due

upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the City Treasurer may require that such tax shall be paid directly to the City Treasurer.

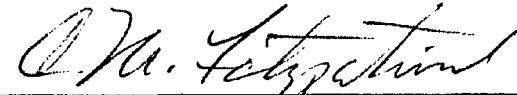
**SEC. 35.0116.2 UTILIZATION OF REVENUES FROM  
ADDITIONAL TAX IMPOSED BY  
SECTION 35.0103.2**

All revenues collected by the City under Section 35.0103.2 shall be deposited to the General Fund of the City (Fund No. 100) and be used for general governmental purposes as the City Council may from time to time provide in accordance with the City Charter of the City of San Diego and its appropriation ordinances.

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  
Assistant City Attorney

CMF:js  
05/24/88  
Or.Dept:Fin.Mgmt.  
O-88-207  
Form=o.none

301

JUN 21 1988

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By *Blonda R. Barnes*, 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 09 1988

JUN 21 1988

....., and on .....

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 *Blonda R. Barnes* Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number *0-17108* Adopted JUN 21 1988

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 35.0103.2 AND 35.0116.2 RELATING TO AN ADDITION TO THE TRANSIENT OCCUPANCY TAX AND THE UTILIZATION OF REVENUES DERIVED THEREFROM.

NO.

I, THOMAS D. KELLEHER, 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

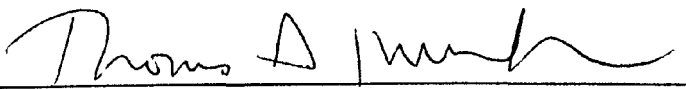
ORDINANCE NUMBER 0-17108 (NEW SERIES)

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 5

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

Dated at San Diego, California this 5 day of JULY, 1988.



(Signature)

0-17108 N.S.  $4 \frac{5}{8}'' \times 2 = \$94.08$

Page 1 of 2

**ORDINANCE NUMBER O-17108 (NEW SERIES)**

**AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 35.0103.2 AND 35.0116.2 RELATING TO AN ADDITION TO THE TRANSIENT OCCUPANCY TAX AND THE UTILIZATION OF REVENUES DERIVED THEREFROM.**

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

**Section 1.** That Chapter III, Article 5, Division 1, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 35.0103.2 and 35.0116.2 to read as follows:

**SEC. 35.0103.2 ADDITIONAL TAX IMPOSED**  
Notwithstanding the tax imposed by Section 35.0103.1 above and in addition thereto, commencing on August 1, 1988 for the privilege of occupancy in any hotel, each transient subject to and shall pay an additional tax in the amount of one percent (1%) of the rent charged by the operator. Said tax constitutes a debt owed by the transient to the City which is extinguished only by payment to the operator or to the City. The transient shall pay the tax to the operator of the hotel at the time such transient ceases to occupy space in the hotel. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the City Treasurer may require that such tax shall be paid directly to the City Treasurer.

**SEC. 35.0116.2 UTILIZATION OF REVENUES FROM ADDITIONAL TAX IMPOSED BY SECTION 35.0103.2**

All revenues collected by the City under Section 35.0103.2 shall be deposited to the General Fund of the City (Fund No. 100) and used for general governmental purposes as the City Council may from time to time provide in accordance with the City Charter of the City of San Diego and its appropriation ordinances. **Section 2.** This Ordinance shall take effect and be in force on the thirtieth day from and after its passage.

**INTRODUCED ON** June 9, 1988  
**Passed and Adopted by the Council of The City of San Diego on** June 21, 1988

**AUTHENTICATED BY:**  
**MAUREEN O'CONNOR**  
Mayor of the City of San Diego, CA  
**CHARLES G. ABDELNOUR**  
City Clerk of The City of San Diego, CA

**DEAL**  
By **RHONDA BARNES**, Deputy  
Pub. July 5, 1988

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101  
ATTN: RHONDA R. BARNES

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING ORDINANCE NO. 0-16916 (NEW SERIES), AS AMENDED,...

**ORDINANCE NUMBER 0-17909 (New Series)**

AN ORDINANCE AMENDING ORDINANCE NO. 0-16916 (NEW SERIES), AS AMENDED, ENTITLED "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1987-88 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR" BY AMENDING DOCUMENT NO. 00-16916-1, AS AMENDED AND ADOPTED THEREIN, BY AMENDING THE PERSONNEL AUTHORIZATION OF THE COUNCIL ADMINISTRATION DIVISION (029) BY DELETING ONE (1.00) COUNCIL SECRETARY POSITION AND ONE (1.00) CLERICAL ASSISTANT II POSITION AND ADDING IN LIEU THEREOF ONE (1.00) COMMITTEE CONSULTANTS' SECRETARY POSITION AND ONE (2.00) COUNCIL REPRESENTATIVE I POSITION RESPECTIVELY; EXEMPTING SAID TWO (2.00) NEW POSITIONS FROM THE CLASSIFIED SERVICE PURSUANT TO SECTION 117 (a) (17) OF THE SAN DIEGO CHARTER AFTER REVIEW AND CONSIDERATION OF THE UNFAVORABLE COMMENT THEREON BY THE CIVIL SERVICE COMMISSION; AND ESTABLISHING SALARY RATES THEREFOR.

This ordinance amends the annual appropriation ordinance to add two (2.00) positions to the Council Administration Division, one (1.00) Committee Consultants' Secretary and one (1.00) Council Representative I position and deletes in lieu therefrom two (2.00) positions (one (1.00) Council Secretary and one (1.00) Clerical Assistant II). The ordinance also exempts the two (2.00) new positions from the classified service after a review by the Council of an unfavorable comment thereon by the Civil Service Commission pursuant to Charter section 117 (a) (17). The ordinance further amends the annual salary ordinance for the purpose of including the two (2.00) new positions in the listing of classifications of unclassified managerial titles set forth in Exhibit C. Finally, the ordinance establishes a rate of pay for the two (2.00) new positions in Managerial Category A at 07.0, 07.1 and 07.2.

Introduced, reading dispensed with and adopted by the City Council of The City of San Diego on June 21, 1988

AUTHENTICATED BY:  
MAUREEN O'CONNOR  
Mayor of The City of San Diego, California  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California  
By RHONDA BARNES Deputy  
Pub. July 5

114808

I, THOMAS D. KELLEHER, 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

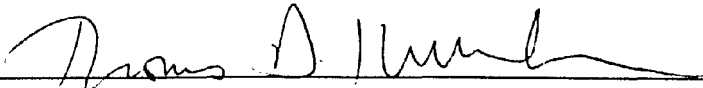
ORDINANCE NUMBER 0-17909 (NEW SERIES)

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 5

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

Dated at San Diego, California this 5 day of JULY, 19 88.

  
(Signature)

0-17909 N.S.

4 1/4" x 2" = #90.16