

(0-89-67)

ORDINANCE NUMBER O- 17154 (NEW SERIES)

ADOPTED ON OCT 10 1988

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 35.0103.3 AND 35.0116.3 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 35.0103.3 and 35.0116.3, to read as follows:

SEC. 35.0103.3 ADDITIONAL TAX IMPOSED

Notwithstanding the tax imposed by Section 35.0103, 35.0103.1 or 35.0103.2 above and in addition thereto, commencing on June 1, 1989 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. 35.0116.3 UTILIZATION OF REVENUES FROM
ADDITIONAL TAX IMPOSED BY
SECTION 35.0103.3**

All revenues collected by the City under Section 35.0103.3 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
09/23/88
Or.Dept:Fin.Mgmt.
0-89-67
Form=o.none

Passed and adopted by the Council of The City of San Diego on OCT 10 1988,
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 June A. Blackwell, 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

SEP 26 1988, and on OCT 10 1988

~~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 June A. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17154 Adopted OCT 10 1988

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
202 C ST., 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: JUNE A. BLACKNELL

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER III, ARTICLE 5, DIVISION
1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS
35.0103.3 and 35.0116.3 RELATING TO AN ADDITION TO
THE TRANSIENT OCCUPANCY TAX AND THE UTILIZATION OF
REVENUES DERIVED THEREFROM.

NO.

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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 same is hereby amended by adding Sections 35.0103.3 and 35.0116.3, to read as follows:

SEC. 35.0103.3 ADDITIONAL TAX IMPOSED

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SEC. 35.0116.3 UTILIZATION OF REVENUES FROM ADDITIONAL TAX IMPOSED BY SECTION 35.0103.3

All revenues collected by the City under Section 35.0103.3 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

Introduced on SEP 26 1988

Passed and adopted by the Council of The City of San Diego on

OCT. 10 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 JUNE A. BLACKNELL, Deputy.

Pub. October 24

124512

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 0-17154 (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:

OCT. 24

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

Dated at San Diego, California this 24 day of OCT., 1988.



(Signature)

4 1/2" x 2 = 103.00