

ORDINANCE NUMBER 0-17155 (NEW SERIES)

ADOPTED ON OCT 10 1988

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 8, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 98.0107, 98.0110, AND 98.0111, RELATING TO HOUSING PERMITS; HOUSING PERMITS, DURATION AND TRANSFER; AND HOUSING PERMIT FEES.

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

Section 1. That Chapter IX, Article 8, Division 1, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 98.0107, 98.0110, and 98.0111, to read as follows:

SEC. 98.0107 HOUSING PERMITS REQUIRED

a) No person or owner shall conduct, manage, operate, engage or work in any Housing Department regulated business or activity unless there shall have been procured and be then in effect, a Housing Permit therefor. A separate Housing Permit shall be required for each establishment in every calendar year. The Housing Permit may be issued to either the owner(s) or the operator, as permittee. When a condominium form of ownership exists the permittee shall be the home owner's association.

b) Housing Department regulated businesses and activities are defined as but not limited to the

operation of buildings occupied or intended to be used for sleeping purposes by six (6) or more persons, or any building or portion thereof which contains three (3) or more dwelling units and hotels as defined in Chapter 4 of the Uniform Building Code as adopted herein.

c) Any person who causes to be operated or operates a Housing Department regulated business or activity without having in effect a valid housing permit shall, in addition to any other fees or penalties herein prescribed, be responsible for payment of a penalty fee as established by resolution of the City Council and filed in the office of the City Clerk.

SEC. 98.0110 HOUSING PERMITS, DURATION AND TRANSFER

a) A Housing Permit may be issued at any time during the year, but all Housing Permits shall expire on December 31 in the year in which they are issued.

b) Housing Permits shall not be transferable from one establishment to another or from one location to another.

c) It shall be the responsibility of the property owner who transfers ownership of a Housing Department regulated business or activity to provide the Housing Director with the names and addresses of the new owners of any such property not later than fourteen (14) days from the date of such transfer. The Housing Department shall issue a new permit for the duration of the permit period to the new owner and shall charge the new owner a

transfer fee as established by resolution of the City Council and on file in the office of the City Clerk.

SEC. 98.0111 HOUSING FEES

a) The annual fee for a Housing Permit required by this Division shall be determined in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk.

b) The fee for a Housing Permit shall be charged on a prorated, quarterly basis and shall run from the quarter of the year during which it is issued through December 31. The fee for a permit shall include the charge for the full quarter during which it is issued.

c) In any case, where the operator of a Housing Department regulated business or activity has failed, for a period of thirty (30) days, to file the application and obtain a Housing Permit, there shall be added to and collected with the permit fee, a penalty determined in accordance with the fee schedule as established by resolution of the City Council and filed in the office of the City Clerk.

d) In the event that violations of the Housing Regulations and this Code have been brought to the attention of the owner by issuance of a notice of violation(s) and corrective actions have not been undertaken as determined by at least one (1) follow-up inspection, a fee is hereby authorized for reinspection services to recover costs related to additional visits

to the property. Said fee shall be as established by resolution of the City Council and filed in the office of the City Clerk.

Section 2. This ordinance shall take effect and be in force on January 1, 1989.

APPROVED: John W. Witt, City Attorney

By Thomas F. Steinke
Thomas F. Steinke
Deputy City Attorney

TFS:wk:lc
05/16/88
08/31/88 REV. 1
Or.Dept:Bldg.Insp.
O-88-203
Form=o.none

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

OCT 10 1988

| 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 checked="" type="checkbox"/> | <input 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 G. 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

OCT 10 1988

, 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 *June G. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17155 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 IX, ARTICLE 8, DIVISION
1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS
98.0107, 98.0111, RELATING TO HOUSING PERMITS; HOUSING
PERMITS; DURATION AND TRANSFER; AND HOUSING PERMIT FEES

NO.

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This ordinance establishes administrative penalty fees for non-payment of permit fees for Housing Department regulated businesses.
It also requires property owners who transfer ownership of a housing regulated business to notify the Housing Director of such transfer and provide the director with the name and address of the new owner.
It authorizes collection of fees for additional inspections.
A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on SEP 28 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
JUNE A. BLACKNELL, Deputy
OCT 24 1988 124511

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

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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., 19 88.



(Signature)

2 1/2 " x 2 = 57.68