

(O-89-195)

ORDINANCE NUMBER O- 17282 (NEW SERIES)

ADOPTED ON APR 24 1989

AN ORDINANCE AMENDING THE SAN DIEGO MUNICIPAL CODE BY AMENDING CHAPTER II, ARTICLE 6, DIVISION 2, SECTION 26.02 RELATING TO THE HISTORICAL SITE BOARD; RENUMBERING SECTION 26.02 TO 26.0201 ET SEQ.; CORRECTING SECTIONS 103.0203, 103.1204, 103.1606 TO REFLECT RENUMBERED SECTIONS.

WHEREAS, an amendment to San Diego Municipal Code (SDMC) section 26.02 would allow the appeal process to conform to other sections of the municipal code relating to appeal processes (i.e., SDMC section 101.0240) which do not reference a time period relative to the scheduling of a hearing; and

WHEREAS, the City Clerk's office relies on the originating department for the material necessary to schedule the appeal for Council hearing; and

WHEREAS, deletion of "within 15 days" would allow both the originating department and the Clerk's office time to compile the necessary documentation; and

WHEREAS, the addition of "applicant" would ensure that the applicant would be notified of the hearing in those cases when the appellant is someone other than the applicant; and

WHEREAS, it is also appropriate to renumber the code sections to accomplish the project of conforming the sections to the municipal code; NOW, THEREFORE,

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

Section 1. That Chapter II, Article 6, Division 2 of the San Diego Municipal Code be and the same is hereby amended by amending and renumbering section 26.02 to read, as follows:

DIVISION 2

HISTORICAL SITE BOARD

SEC. 26.0201 PURPOSE AND INTENT

(No change in text.)

SEC. 26.0202 HISTORICAL SITE BOARD

(No change in text.)

SEC. 26.0203 HISTORICAL SITES

(No change in text.)

SEC. 26.0204 DUTIES AND FUNCTIONS

Change subsections 1. through 7. to read A through G, respectively. (No change in text A. through F.)

G. The action of the Historical Site Board in designating any historical site as defined in paragraph "C" shall be final on the eleventh (11th) day following the decision of the Historical Site Board unless an appeal to the City Council is filed with the City Clerk within ten (10) days of the action by the Historical Site Board. Such appeal shall be in writing and shall specify wherein there was error in the decision of the Board. Upon the filing of the appeal the Clerk shall set the

matter for public hearing as soon thereafter as its practicable and shall give written notice to the appellant and applicant of the time and date set for the hearing. Upon the hearing of such appeal, the City Council may by resolution affirm, reverse or modify the determination of the Board.

**SEC. 26.0205 DEMOLITION, ALTERATION OR
REMOVAL OF HISTORICAL SITES**

Change subsections 1. through 6. to read A. through F., respectively. (No change in text.)

**SEC. 26.0206 NOMINATIONS FOR THE NATIONAL
REGISTRY OF HISTORICAL PLACES**

(No change in text.)

Section 2. That section 103.0203B.3. and 103.0203B.4. be and the same are hereby amended to change the references to section 26.02E to read section 26.0205.

Section 3. That section 103.1204 be and the same is hereby amended to change all references therein to section 26.02 to read section 26.0201, et seq.

Section 4. That section 103.1606D.4.b. be and the same is hereby amended to change the reference to section 26.02 to read section 26.0201 et seq.

Section 5. 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 Jack Katz
Jack Katz,
Senior Chief Deputy

JK:smm
03/24/89
Or.Dept:Clerk
O-89-195
Form=o.code

APR 24 1989

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

APR 10 1989

APR 24 1989

~~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 *0-17282*

APR 24 1989

Adopted



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SAN DIEGO, CA

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CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
89 MAY 15 PM 4:32
SAN DIEGO, CALIF. *AB*

OFFICE OF THE CITY CLERK
202 C STREET, SECOND FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF
AN ORDINANCE AMENDING THE SAN DIEGO MUNICIPAL CODE BY
AMENDING CHAPTER II, ARTICLE 6, DIVISION 2, SECTION 26.02
RELATING TO THE HISTORICAL SITE BOARD; RENUMBERING SECTION
26.02 TO 26.0201 ET SEQ.; CORRECTING SECTIONS 103.0203, 103.1204,
103.1606 TO REFLECT RENUMBERED SECTIONS.

NO.

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AN ORDINANCE AMENDING THE SAN DIEGO MUNICIPAL CODE BY AMENDING CHAPTER II, ARTICLE 6, DIVISION 2, SECTION 26.02 RELATING TO THE HISTORICAL SITE BOARD; RENUMBERING SECTION 26.02 TO 26.0201 ET SEQ.; CORRECTING SECTIONS 103.0203, 103.1204, 103.1606 TO REFLECT RENUMBERED SECTIONS.
This ordinance amends section 26.02 of the San Diego Municipal Code relating to appeals from decisions of the Historical Site Board by deleting the fifteen (15) day time period within which a hearing must be scheduled and substituting a "reasonable time" in lieu thereof. This makes this appeal period consistent with all other appeal provisions. The ordinance also renumbers section 26.02 to read 26.0201 et seq. to conform with the numbering scheme of other sections in the municipal code. Finally, sections 103.0203, 103.1204, and 103.1606 are corrected to reflect therein the renumbered sections.
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 APR 10 1989
Passed and adopted by the Council of the City of San Diego on April 24 1989
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. May 8 1989

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

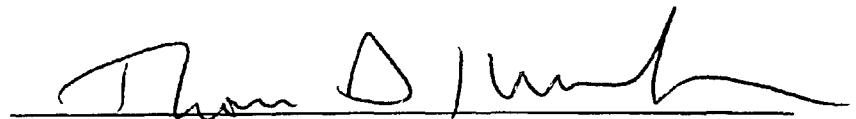
ORDINANCE NUMBER O-17282 (NEW SERIES)

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:

MAY 8

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

Dated at San Diego, California this 8 day of MAY, 19 89.



(Signature)

$2\frac{3}{4}'' \times 2 \times 31.16 = \61.80