

ORDINANCE NUMBER O- 17649 (NEW SERIES)

ADOPTED ON MAY 28 1991

AN ORDINANCE REPEALING ORDINANCE NO. O-17609 (NEW SERIES), ENTITLED "AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 56.29 AND 56.29.1, RENUMBERING SECTION 56.54 AS SECTION 56.57 AND AMENDING THAT SECTION, AND ADDING SECTION 56.58, RELATING TO THE PROHIBITION OF ALCOHOLIC BEVERAGES AT CERTAIN CITY PARKS, BEACHES AND PUBLIC RIGHTS-OF-WAY."

WHEREAS, the Council of The City of San Diego on March 18, 1991, adopted Ordinance No. O-17609 (New Series) entitled, "AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 56.29 AND 56.29.1, RENUMBERING SECTION 56.54 AS SECTION 56.57 AND AMENDING THAT SECTION, AND ADDING SECTION 56.58, RELATING TO THE PROHIBITION OF ALCOHOLIC BEVERAGES AT CERTAIN CITY PARKS, BEACHES AND PUBLIC RIGHTS-OF-WAY.;" and

WHEREAS, on April 17, 1991, a referendary petition requesting the City Council to repeal or rescind Ordinance No. O-17609 (New Series) or submit said ordinance to the registered voters of the City for their approval or rejection was filed in the office of the City Clerk as Document No. 00-17649; and

WHEREAS, the City Clerk has found the referendary petition to contain the requisite number of valid signatures and to be in proper form and has so certified, and presented this petition, with certification attached, to the City Council on May 13, 1991; and

WHEREAS, pursuant to San Diego Municipal Code sections 27.2615 and 27.2616, the Council must within ten (10) days reconsider the ordinance, and if the Council refuses to grant the petition to

repeal said ordinance or fails to reconsider the ordinance within ten (10) days after presentation by the City Clerk, then the Council shall forthwith adopt a resolution of intention to submit the matter to the people at a special election or any other election at which all the voters of the City are entitled to vote, to be held within eleven (11) months from the date the referendary petition is presented to the Council; and

WHEREAS, the Council on May 13, 1991 accepted the above referenced petition, reconsidered Ordinance No. O-17609 (New Series), and indicated its intention to repeal the same; NOW THEREFORE,

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

Section 1. That upon Council's reconsideration of Ordinance No. O-17609 (New Series), the above-referenced petition is hereby granted and Ordinance No. O-17609 (New Series) is hereby repealed.

Section 2. That 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 *Cristie C. McGuire*
Cristie C. McGuire
Deputy City Attorney

CCM:jrl
05/06/91
Or.Dept:Clerk
O-91-167

51 (18)

by the following vote:

MAY 28 1991

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"/>
John Hartley	<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"/>
Tom Behr	<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 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 *Linda Legano*, 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 13 1991

MAY 28 1991

, 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 *Linda Legano*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance **0-17649**

Number Adopted.....

MAY 28 1991

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

MAY 28 1991

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"/>
John Hartley	<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"/>
Tom Behr	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Linda Legano*, 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 13 1991

MAY 28 1991

~~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 *Linda Legano*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance **0-17649**

Number Adopted **MAY 28 1991**

91 JUN 13 AM 9:38

SAN DIEGO, CALIF.

CITY CLERK'S OFFICE
CITY ADMN. BLDG.
202 C ST.
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE REPEALING ORDINANCE NO. 17609...

ORDINANCE NUMBER 0-17649

AN ORDINANCE REPEALING ORDINANCE NO. 0-17609 (NEW SERIES), ENTITLED "AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 56.29 AND 56.29.1, RENUMBERING SECTIONS 56.54 AS SECTION 56.57 AND AMENDING THAT SECTION, AND ADDING SECTION 56.58, RELATING TO THE PROHIBITION OF ALCOHOLIC BEVERAGES AT CERTAIN CITY PARKS, BEACHES AND PUBLIC RIGHTS-OF-WAY."

WHEREAS, the Council of The City of San Diego on March 18, 1991, adopted Ordinance No. 0-17609 (New Series) entitled, "AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 56.29 AND 56.29.1, RENUMBERING SECTION 56.54 AS SECTION 56.57 AND AMENDING THAT SECTION, AND ADDING SECTION 56.58, RELATING TO THE PROHIBITION OF ALCOHOLIC BEVERAGES AT CERTAIN CITY PARKS, BEACHES AND PUBLIC RIGHTS-OF-WAY;" and

WHEREAS, on April 17, 1991, a referendary petition requesting the City Council to repeal or rescind Ordinance No. 0-17609 (New Series) or submit said ordinance to the registered voters of the City for their approval or rejection was filed in the office of the City Clerk as Document No. 00-17649; and

WHEREAS, the City Clerk has found the referendary petition to contain the requisite number of valid signatures and to be in proper form and has so certified, and presented this petition, with certification attached, to the City Council on May 13, 1991; and

WHEREAS, pursuant to San Diego Municipal code sections 27.2615 and 27.2616, the Council must within ten (10) days reconsider the ordinance, and if the Council refuses to grant the petition to repeal said ordinance, or fails to reconsider the ordinance within ten (10) days after presentation by the City Clerk, then the Council shall forthwith adopt a resolution of intention to submit the matter to the people at a special election or any other election at which all the voters of the City are entitled to vote, to be held within eleven (11) months from the date the referendary petition is presented to the Council; and

WHEREAS, the Council on May 13, 1991 accepted the above referenced petition, reconsidered Ordinance No. 0-17609 (New Series), and indicated its intention to repeal the same; NOW THEREFORE,

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

Section 1. That upon Council's reconsideration of Ordinance No. 0-17609 (New Series), the above-referenced petition is hereby granted and Ordinance N. 0-17609 (New Series) is hereby repealed.

Section 2. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

INTRODUCED ON MAY 13 1991
Passed and Adopted by the Council of The City of San Diego on MAY 28 1991

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

(SEAL)

By Linda Lugano, Deputy

Pub. June 11

219885

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

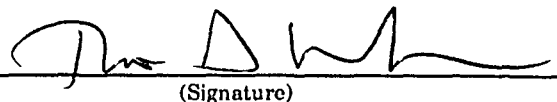
ORDINANCE NUMBER 0-17649

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 11

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

Dated at San Diego, California this 11TH day of JUNE, 19 91.



(Signature)

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