ORDINANCE NUMBER 0- 17649 (NEW SERIES)

ADOPTED ON MAY 28 1991

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 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. 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. 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

Ву

Cristie C. McGuire Deputy City Attorney

CCM:jrl 05/06/91 Or.Dept:Clerk 0-91-167 by the following vote: MAY 28 1991 **Council Members** Not Present Ineligible Yeas Nays Abbe Wolfsheimer **Ron Roberts** John Hartley H. Wes Pratt Tom Behr J. Bruce Henderson Judy McCarty **Bob Filner** Mayor Maureen O'Connor MAUREEN O'CONNOR **AUTHENTICATED BY:** Mayor of The City of San Diego, California. CHARLES G. ABDELNOUR (Seal) City Gerk of The City of Sa Diego, California. 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 28 1991 MAY 1 3 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 lerk of The City of Say Diego, California. (Seal) Office of the City Clerk, San Diego, California Ordinance (0 \* MAY 28 1991 Adopted...

1

the following vote:				MAY 28 1991	
Council Members	Yeas	Nays	Not Present	Ineligible	
Abbe Wolfsheimer					
Ron Roberts					
John Hartley	Y				
H. Wes Pratt					
Tom Behr	প্র	닐	닏	Ц	
J. Bruce Henderson		님	닠		
Judy McCarty		님		님	
Bob Filner		니	Ц		
Mayor Maureen O'Connor	Ц	L	ليا	Ш	
JTHENTICATED BY:		MAUREEN O'CONNOR  Mayor of The City of San Diego, California.			
(Scal)		CHARLES G. ABDELNOUR			
	••••••	******		Diego, California.	
I HEREBY CERTIFY that the foreg				twelve calendar days ha	
spsed between the day of its introduction  MAY 1 2 1001		final passa M		twelve calendar days ha	
apsed between the day of its introduction  MAY 1 2 1001	n and the day of its	final passa	nge, to wit, on NY 28 1991		
MAY 1 3 1991  - I FURTHER CERTIFY that said ore  I FURTHER CERTIFY that the rest than a majority of the members elected the member of the Council and the	n and the day of its, and on dinance was read in- rading of said ordin red to the Council,	final passa  M  full prior  nance in 1  and that	nge, to wit, on AY 28 1991  to its final passage full was dispense there was availa	ed with by a vote of no ble for the consideration	
MAY 1 3 1991  -I FURTHER GERTIFY that said ore I FURTHER CERTIFY that the rest than a majority of the members elected the member of the Council and the	n and the day of its, and on dinance was read in- cading of said ordin cted to the Council, e public prior to the	full prior- nance in f and that ne day of	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideratio fitten or printed copy o	
MAY 1 3 1991  - I FURTHER CERTIFY that said ore  I FURTHER CERTIFY that the rest than a majority of the members elected the member of the Council and the	n and the day of its, and on dinance was read in- cading of said ordin cted to the Council, e public prior to the	full prior- nance in f and that ne day of	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideratio fitten or printed copy o	
MAY 1 3 1991  -IFURTHER GERTIFY that said ore I FURTHER CERTIFY that the rest than a majority of the members elected the member of the Council and the	n and the day of its, and on dinance was read in- cading of said ordin cted to the Council, e public prior to the	full prior- nance in f and that ne day of	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideratio fitten or printed copy o	
MAY 1 3 1991  -I FURTHER GERTIFY that said ore I FURTHER CERTIFY that the rest than a majority of the members elected each member of the Council and the id ordinance.	n and the day of its, and on dinance was read in- cading of said ordin cted to the Council, e public prior to the	full prior- nance in f and that ne day of	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideratio itten or printed copy o	
MAY 1 3 1991	n and the day of its, and on dinance was read in- cading of said ordin cted to the Council, e public prior to the	full prior- nance in f and that ne day of	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideratio fitten or printed copy o	
MAY 1 3 1991	n and the day of its, and on dinance was read in- cading of said ordin cted to the Council, e public prior to the	full prior- nance in f and that ne day of	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideratio fitten or printed copy o	
MAY 1 3 1991	n and the day of its, and on dinance was read in- cading of said ordin cted to the Council, e public prior to the	full prior- nance in f and that ne day of	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideratio fitten or printed copy o	
MAY 1 3 1991	n and the day of its, and on dinance was read in- cading of said ordin cted to the Council, e public prior to the	full prior- nance in f and that ne day of	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideration fitten or printed copy of	
MAY 1 3 1991  - I FURTHER CERTIFY that said ore  I FURTHER CERTIFY that the rest than a majority of the members elected each member of the Council and the id ordinance.	n and the day of its, and on dinance was read in- eading of said ordin ted to the Council, public prior to th By	full prior nance in f and that ne day of  CH  City Ste	AY 28 1991  to its final passage full was dispense there was availated its passage a wrong the passage a w	ed with by a vote of no ble for the consideration itten or printed copy of BDELNOUR Diego, California.	

## RECEIVED CERTIFICATE OF PUBLICATION CITY CLERK'S OFFICE

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, 1951, adopted Ordinance No. 0-17809 (New Series) entitled, "AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, of THE SAN DIEGO MUNICIPAL, CODE BY REPEALING SECTIONS 58.29 AND 58.29.1, RENUMBERING SECTION 56.54 AS SECTION 56.57 AND AMENDING THAT SECTION, AND ADDING SECTION 56.58, RELATING TO THE PROHIBITION OF ALCOHOLIO 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 filled in the office of the City Clerk as Document No. 00-17849; and

jection was filed in the office of the City Clerk as Document No. 00-17849; 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 must within ten (10) days reconsider the ordinance or falls to reconsider the ordinance within ten (10) days after presentation by the City Clerk, then the Council shall fortiwith 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. 017609 (New Series), the above-referenced petition is hereby granted and
Ordinance N. 0-17809 (New Series) is hereby repealed.
Section 2. That this ordinance shall take effect and be in force on the
thirlieth 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

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

(SEAL)

Pub. June 11

By Linda Lugano, Deputy

219685

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

103/8=129.96