

(O-92-95)

ORDINANCE NUMBER O- 17784 (NEW SERIES)

ADOPTED ON JUN 22 1992

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, DIVISION 17, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 22.1707 RELATING TO CITY TREASURER AUTHORIZATION TO CHARGE COLLECTION FEES.

WHEREAS, accounts are referred to the City Treasurer for collection which represent fees and charges owed to The City of San Diego by citizens who have failed to pay; including but not limited to library fees, water utilities fees, property damage costs, lease defaults, emergency response fees, bad checks, and various permit and inspection fees; and

WHEREAS, considerable costs are incurred by the City in attempting to collect these overdue debts; and

WHEREAS, when citizens make late payments, the City is involuntarily extending its credit without collecting finance charges; and

WHEREAS, fees are defined as a form of penalty for the nonpayment of an obligation and interest is defined as a form of compensation used to restore to a creditor monies that have been unavailable for a business or investment; and

WHEREAS, it is prudent for the City Treasurer to be allowed to impose both a referral fee and an interest charge on all accounts referred to collection; NOW, THEREFORE,

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

Section 1. That Chapter II, Article 2, Division 17, of the San Diego Municipal Code be and the same is hereby amended by adding Section 22.1707, to read as follows:

**SEC. 22.1707 COLLECTION OF DEBTS OWED TO THE CITY -  
AUTHORITY OF TREASURER**

a. Authorization.

Section 45 of the San Diego City Charter authorizes the City Treasurer to demand and receive payment when any person is indebted to the City. The Treasurer is further authorized to charge a referral fee on all delinquent accounts referred for collection; to charge interest on accounts referred for collection; to discontinue collection efforts in cases where the collection costs exceed the amount owed; and to designate certain agents to carry out the Treasurer's duties.

b. Referral Fee.

Once a delinquent account has been referred to the City Treasurer for collection, the Treasurer may charge any person indebted to the City a referral fee of ten dollars (\$10.00) or ten percent (10%) of the amount referred, whichever is greater, up to a maximum of two hundred fifty dollars (\$250.00), to cover costs of collection.

c. Interest Charge.

Notwithstanding any other provision of the San Diego Municipal Code, the City Treasurer is hereby authorized to impose an interest fee of twelve percent (12%) per year on accounts referred for collection, such interest to commence on the date of referral by an administering department.

d. Discontinuance of Collection.

The City Treasurer is authorized to discontinue or compromise collection efforts on outstanding accounts when the collection costs will exceed the amount recoverable, or where the Treasurer decides there is no reasonable likelihood of recovery of the amount owed.

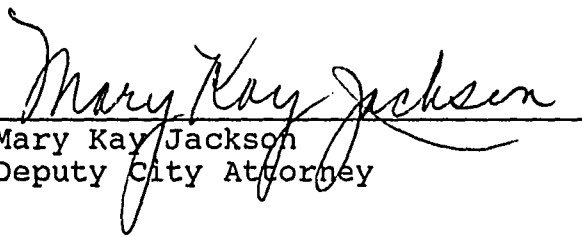
e. Priorities of Penalties.

If any federal, state or local law or any contract provides for exclusive, specific imposition of charges, penalties or interest, such specifications shall prevail over those delineated in this section.

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

  
Mary Kay Jackson  
Deputy City Attorney

MKJ:mb  
01/21/92  
Or.Dept:Treas.  
0-92-95  
Form=o+t

0-17784

Passed and adopted by the Council of The City of San Diego on JUN 22 1992  
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"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<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"/>
Valerie Stallings	<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.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By Linda Sugaw, 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 JUN 08 1992, and on JUN 22 1992

~~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.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By Linda Sugaw, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-17784</u>	Adopted <u>JUN 22 1992</u>

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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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Linda Sugano Deputy.

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JUN 08 1992

JUN 22 1992

, and on .....

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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 Sugano Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17784 Adopted JUN 22 1992

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SAN DIEGO, CA

1000 1000

CERTIFICATE OF PUBLICATION

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CITY CLERK'S OFFICE  
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SAN DIEGO, CALIF.

OFFICE OF THE CITY CLERK  
CITY ADMINISTRATION BUILDING  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2,  
DIVISION 17, OF THE SAN DIEGO MUNICIPAL CODE  
BY ADDING SECTION 22.1707 RELATING TO CITY  
TREASURER AUTHORIZATION TO CHARGE COLLECTION FEES

I, Corey Donahue, 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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This ordinance authorizes the City Treasurer to charge fees and interest on outstanding accounts that are referred to collection; to discontinue collection efforts when the costs would exceed the amounts recoverable, or where there is no reasonable likelihood of recovery of the overdue amount; and to designate certain agents to carry out the Treasurer's duties. Other conflicting contract provisions shall prevail over the terms of this ordinance. A complete copy of this ordinance is available for inspection in the City Clerk's Office, City Admin. Building, 202 C Street, 2nd floor, San Diego, CA 92101.

Passed and Adopted by the Council of the City of San Diego on JUN 22, 1992.

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. July 6

249977

ORDINANCE NUMBER O-17784 (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:

JULY 6

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

Dated at San Diego, California this 6th day of JULY, 1992.

*Corey Donahue*  
\_\_\_\_\_  
(Signature)

2 1/4 x 2 = 60.50