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17924

(0-93-143)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON JUN 01 1993

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1,
DIVISION 85, OF THE SAN DIEGO MUNICIPAL CODE
BY AMENDING SECTION 91.8507 RELATING TO
SECURITY REQUIREMENTS.

WHEREAS, May 18, 1993, has been declared "Regulatory Relief Day"; and

WHEREAS, one purpose of Regulatory Relief Day is to streamline and consolidate, where appropriate, the City's land use and environmental regulatory procedures; and

WHEREAS, the Building Inspection Department has reviewed San Diego Municipal Code section 91.8507 having to do with surety bond requirements, and has suggested several amendments to the code section to streamline the regulatory process; and

WHEREAS, section 40 of the City Charter provides that the City Attorney shall prepare in writing all bonds concerning the City and to endorse on each approval of the form or correctness thereof; and

WHEREAS, the City Attorney shall prepare the form to be used by the City for the surety bonds or other form of security to be accepted by the City pursuant to section 91.8507; NOW, THEREFORE,

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

Section 1. That Chapter IX, Article 1, Division 85, of the San Diego Municipal Code be and the same is hereby amended by amending Section 91.8507, to read as follows:

SEC. 91.8507 Security Requirements

(a) Before the Building Official issues a Removal or Relocation Permit the applicant shall first be required to deposit with the City of San Diego a Surety bond, issued by a Surety company authorized to do business in the State of California, or other form of security, approved by the Building Official. The surety bond or other form of security shall be on a form that has been approved by the City Attorney and shall be in an amount equal to the actual cost of the work to be performed plus twenty- five percent (25%) of that amount to insure the satisfactory performance and completion of such work. The actual cost of the work shall be determined by the Building Official.

(b) [No changes to this subsection]

(c) The Surety bond shall also be conditioned as follows:

1. [No changes to this subsection]
2. [No changes to this subsection]
3. [No changes to this subsection]
4. [No changes to this subsection]
5. The bond shall contain any other provisions that the Building Official and City Attorney shall deem necessary and proper to secure the satisfactory completion of the permitted work and which may include the abatement of the structure or condition, in

accordance with, but not limited by the provisions contained in Chapter I of the Municipal Code.

(d) If the performance of the work is secured by any other form of security, such security shall be conditioned as required in the case of a Surety bond and shall be on a form that has been approved by the City Attorney. The Surety bond or other form of security shall be approved by the Building Official.

(e) and (f) [No changes to these subsections]

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 Ann Y. Moore
Ann Y. Moore
Deputy City Attorney

AYM:ps
04/29/93
Or.Dept:Bldg.Insp.
0-93-143
Form=o+t

STRIKEOUT ORDINANCE

SEC. 91.8507 Security Requirements

(a) Before the Building Official issues a Removal or Relocation Permit the applicant shall first be required to deposit with the City of San Diego a Surety bond, issued by a Surety company authorized to do business in the State of California, or other form of security, approved by the ~~City Manager and the City Attorney~~ Building Official. The surety bond or other form of security shall be on a form that has been approved by the City Attorney and shall be in an amount equal to the actual cost of the work to be performed plus twenty- five percent (25%) of that amount to insure the satisfactory performance and completion of such work. The actual cost of the work shall be determined by the Building Official.

(b) [No changes to this subsection]

(c) The Surety bond shall also be conditioned as follows:

1. [No changes to this subsection]
2. [No changes to this subsection]
3. [No changes to this subsection]
4. [No changes to this subsection]
5. The bond shall contain any other provisions that the Building Official and City Attorney shall deem necessary and proper to secure the satisfactory

completion of the permitted work and which may include the abatement of the structure or condition, in accordance with, but not limited by the provisions contained in Chapter I of the Municipal Code.

(d) If the performance of the work is secured by any other form of security, such security shall be conditioned as required in the case of a Surety bond and shall be on a form that has been approved by the City Attorney. ~~The form, content, and execution of the~~ Surety bond or other form of security shall be approved by the ~~City Attorney and the City Manager~~ Building Official.

(e) and (f) [No changes to these subsections]

Passed and adopted by the Council of The City of San Diego on JUN 01 1993,
 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

SUSAN GOLDING
 Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.
 By *Charles G. Abdelnour*, 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 18 1993, and on JUN 01 1993

~~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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17924 Adopted JUN 01 1993

RECEIVED
CITY CLERK'S OFFICE
93 MAY -5 PM 4: 53
SAN DIEGO, CALIF.

MAY 18 1993

MAY 19 1993

MAY 21 1993

50 11

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93 MAY -5 PM 4:53
SAN DIEGO, CALIF.

MAY 18 1993

MAY 19 1993

MAY 19 1993

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE

93 JUN 16 AM 9:46
SAN DIEGO, CALIF.

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

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1...

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

ORDINANCE NUMBER O-17924 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER IX, ARTICLE 1, DIVISION 85, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 91.8507 RELATING TO SECURITY REQUIREMENTS.

This ordinance amends Chapter IX, Article 1, Division 85, of the San Diego Municipal Code by amending section 91.8507 to allow the Building Official to accept performance bonds.

A copy of the full text of the ordinance is on file in the office of the City Clerk and available for public inspection.

A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, second floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

INTRODUCED ON MAY 18 1993

Passed and adopted by the Council of the City of San Diego on JUN 01 1993.

AUTHENTICATED BY:

SUSAN GOLDING
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
By Suzanne Oliva, Deputy

Pub. June 15

274898

ORDINANCE NUMBER O-17924 (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:

JUNE 15

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

Dated at San Diego, California this 15th day of JUNE, 19 93.

Corey Donahue

(Signature)

2 9/8" X 2 = \$ 61.44