

#51C

(O-94-57) COR.COPY
3/2/94

ORDINANCE NUMBER O- 18049 (NEW SERIES)

ADOPTED ON MAR 03 1994

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 2, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY RENUMBERING AND RETITLING SECTIONS 45.0201, 45.0202 AND 45.0203 TO SECTIONS 42.0170, 42.0171 AND 42.0172, RESPECTIVELY; BY RETITLING, AMENDING AND RENUMBERING SECTION 45.0204 TO SECTION 42.0173; AND BY REPEALING THE TITLE TO DIVISION 2 OF ARTICLE 5 AND THE TITLE TO ARTICLE 5, OF CHAPTER IV OF THE SAN DIEGO MUNICIPAL CODE; ALL RELATING TO FOOD HANDLING ACTIVITIES, SMOKING REGULATIONS AND HEALTH REGULATED BUSINESSES AND ACTIVITIES.

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

Section 1. That Chapter IV, Article 2, Division 1, of the San Diego Municipal Code be, and the same is hereby amended by renumbering and retitling Sections 45.0201, 45.0202 and 45.0203 to Sections 42.0170, 42.0171 and 42.0172, respectively, to read as follows:

- SEC. 42.0170 Plastic Food Containers - Definitions
- SEC. 42.0171 Plastic Food Containers - Prohibitions as to Certain Polystyrene
- SEC. 42.0172 Plastic Food Containers - Exemptions

Section 2. That Chapter IV, Article 2, Division 1, of the San Diego Municipal Code be, and the same is hereby amended by retitling, amending and renumbering Section 45.0204 to Section 42.0173, to read as follows:


SEC. 42.0173 Plastic Food Containers - Penalty

In addition to any other applicable civil or criminal penalty, any person convicted of a violation of Section 42.0171 is guilty of an infraction, which is punishable by a fine not to exceed \$50.00 for the first violation, \$100.00 for the second violation within one (1) year, and \$250.00 for each additional violation within one (1) year. Each incident in violation of Section 42.0171 shall constitute a separate violation.

Section 3. That Chapter IV, of the San Diego Municipal Code be, and the same is hereby amended by repealing the title to Division 2 of Article 5 and the title to Article 5.

Section 4. This ordinance shall take effect and be in force on July 1, 1994.

APPROVED: JOHN W. WITT, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:lc:pev:ps
01/05/94
03/02/94 COR.COPY
Or.Dept:Clerk
O-94-57
Form=o+t

STRIKEOUT ORDINANCE

(SO-94-57) COR.COPY
3/2/94

OLD LANGUAGE: ~~Lined Out~~
NEW LANGUAGE: ~~Shaded~~

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 2,
DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE
BY RENUMBERING AND RETITLING SECTIONS
45.0201, 45.0202 AND 45.0203 TO SECTIONS
42.0170, 42.0171 AND 42.0172, RESPECTIVELY;
BY RETITLING, AMENDING AND RENUMBERING
SECTION 45.0204 TO SECTION 42.0173; AND BY
REPEALING THE TITLE TO DIVISION 2 OF ARTICLE
5 AND THE TITLE TO ARTICLE 5, OF CHAPTER IV
OF THE SAN DIEGO MUNICIPAL CODE; ALL RELATING
TO FOOD HANDLING ACTIVITIES, SMOKING
REGULATIONS AND HEALTH REGULATED BUSINESSES
AND ACTIVITIES.

- SEC. ~~45.0201~~-42.0170 Plastic Food Containers - Definitions
SEC. ~~45.0202~~-42.0171 Plastic Food Containers - Prohibitions
as to Certain Polystyrene
SEC. ~~45.0203~~-42.0172 Plastic Food Containers - Exemptions
SEC. ~~45.0204~~-42.0173 Plastic Food Containers - Penalty

In addition to any other applicable civil or criminal
penalty, any person convicted of a violation of Section
~~45.0202~~42.0171 is guilty of an infraction, which is punishable by
a fine not to exceed \$50.00 for the first violation, \$100.00 for
the second violation within one (1) year, and \$250.00 for each
additional violation within one (1) year. Each incident in
violation of Section ~~45.0202~~42.0171 shall constitute a separate
violation.

~~ARTICLE 5~~

~~SMOKING REGULATIONS~~

RAD:lc:pev:ps
01/05/94
03/02/94 COR.COPY
Or.Dept:Clerk
O-94-57
Form=o+t

Passed and adopted by the Council of The City of San Diego on MAR 08 1994
 by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Harry Mathis	<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"/>
Christine Kehoe	<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"/>
Barbara Warden	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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:

(Seal)

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

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

By Brandi B. Barnes, 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

FEB 22 1994

MAR 08 1994

~~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.

By Brandi B. Barnes, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Ordinance Number 2-18049

MAR 08 1994

Adopted

RECEIVED
94 MAR -2 PM 3:20
CITY CLERKS OFFICE
SAN DIEGO, CA

NOTICE OF PUBLIC HEARING
The City of San Diego is hereby giving notice that a public hearing will be held on the following date and at the following location:

LEB 05 1800

MAR 02 1994

at the City Clerk's Office, 1200 Broadway, San Diego, California 92101, on the date and at the time specified above.

CIVIL SERVICE COMMISSION

NOTICE OF PUBLIC HEARING

- 1. [Illegible]
- 2. [Illegible]
- 3. [Illegible]
- 4. [Illegible]
- 5. [Illegible]
- 6. [Illegible]
- 7. [Illegible]
- 8. [Illegible]
- 9. [Illegible]
- 10. [Illegible]

[Illegible]	[Illegible]	[Illegible]	[Illegible]
[Illegible]	[Illegible]	[Illegible]	[Illegible]
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[Illegible]	[Illegible]	[Illegible]	[Illegible]
[Illegible]	[Illegible]	[Illegible]	[Illegible]

NOTICE OF PUBLIC HEARING
The City of San Diego is hereby giving notice that a public hearing will be held on the following date and at the following location:

#51C

CERTIFICATE OF PUBLICATION

MAR 23 PM 3:31
SAN DIEGO, CALIF.

OFFICE OF THE CITY CLERK
CITY ADMIN. BLDG.
202 C STREET
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

FOOD HANDLING ACTIVITIES, SMOKING...

ORDINANCE NUMBER O-18049 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 2, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY RENUMBERING AND RETITLING SECTIONS 45.0201, 45.0202 AND 45.0203 TO SECTIONS 42.0170, 42.0171 AND 42.0172, RESPECTIVELY; BY RETITLING, AMENDING AND RENUMBERING SECTION 45.0204 TO SECTION 42.0173; AND BY REPEALING THE TITLE TO DIVISION 2 OF ARTICLE 5 AND THE TITLE TO ARTICLE 5, OF CHAPTER IV OF THE SAN DIEGO MUNICIPAL CODE; ALL RELATING TO FOOD HANDLING ACTIVITIES, SMOKING REGULATIONS AND HEALTH REGULATED BUSINESSES AND ACTIVITIES.
This ordinance contains non-substantive housekeeping provisions which move plastic food container regulations from Article 5 in Chapter IV of the San Diego Municipal Code to Article 2 in Chapter IV of the San Diego Municipal Code. The ordinance also repeals the title to Division 2 of Chapter IV, Article 5, of the San Diego Municipal Code and the title to Article 5. This ordinance goes into effect on July 1, 1994.
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 February 22, 1994. Passed and adopted by the Council of the City of San Diego on March 8, 1994.
AUTHENTICATED BY:
SUSAN GOLDING
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
(SEAL)
By ESTHER CEREZO, Deputy
Pub. Mar. 23 289167

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-18049 (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:

MAR. 23

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

Dated at San Diego, California this 23rd day of MAR., 1994.

Corey Donahue

(Signature)

3 1/2" x 2 = \$ 81.92