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ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON APR 01 1996

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 5, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING A NEW SECTION 65.0234 RELATING TO REFUNDING SURPLUSES IN THE SAN DIEGO MAINTENANCE DISTRICT PROCEDURAL ORDINANCE OF 1975.

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

Section 1. That Chapter VI, Article 5, Division 2, of the San Diego Municipal Code be and the same is hereby amended by adding a new Section 65.0234 to read as follows:

SEC. 65.0234 AUTHORITY TO REFUND SURPLUS

(a) Notwithstanding the limitations of Streets and Highways Code section 22656, in the event of a surplus in an improvement fund in excess of current need, the Council may declare the amount surplus.


(b) When the Council declares a surplus, the Manager may offer to owners of record a proportional refund of their assessment that exceeds the amounts necessary to cover the needs of the fund for the next fiscal year or any longer time that the Council determines by resolution.

(c) Surpluses of owners who do not request refunds will be carried forward to the next and subsequent annual assessments.

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



John K. Riess
Senior Deputy City Attorney

JKR:pev
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Or.Dept:Eng.
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