

ORDINANCE NUMBER O- **18441** (NEW SERIES)

ADOPTED ON **NOV 24 1997**

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 7, DIVISION 26, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 27.2601 AND 27.2602 ; ADDING NEW SECTION 27.2603; AMENDING AND RENUMBERING SECTIONS 27.2605 AND 27.2606 TO SECTIONS 27.2604 AND 27.2605; ADDING NEW SECTION 27.2606; REPEALING EXISTING SECTION 27.2607 AND ADDING NEW SECTION 27.2607; AMENDING AND RENUMBERING SECTIONS 27.2610, 27.2608, 27.2609 AND 27.2614 TO SECTIONS 27.2608, 27.2609, 27.2610 AND 27.2611; RENUMBERING EXISTING SECTION 27.2603 TO SECTION 27.2612; ADDING NEW SECTION 27.2613; AMENDING AND RENUMBERING SECTIONS 27.2611, 27.2612 AND 27.2613 TO SECTIONS 27.2614, 27.2615 AND 27.2616; ADDING NEW SECTION 27.2617; AMENDING AND RENUMBERING EXISTING SECTIONS 27.2604, 27.2615 AND 27.2616 TO SECTIONS 27.2618, 27.2619 AND 27.2620; ADDING NEW SECTION 27.2621; AMENDING AND RENUMBERING SECTION 27.2617 TO 27.2622; REPEALING SECTION 27.2618; RENUMBERING SECTION 27.2619 TO 27.2623; AMENDING AND RENUMBERING SECTION 27.2620 TO 27.2624; ALL RELATING TO REFERENDUM.

Section 1. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code is hereby amended by amending Sections 27.2601 and 27.2602 to read as follows:

SEC. 27.2601 Subjects of Referendum

Any legislative act, except acts making the annual tax levy, making the annual appropriations, calling or relating to elections,

or relating to emergency measures, shall be subject to the referendum process.

SEC. 27.2602 Number of Signatures Required

A referendary petition may not be presented to the City Council unless it contains the signatures of at least five percent of the voters.

Section 2. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code is hereby amended by adding new Section 27.2603 to read as follows:

SEC. 27.2603 Time to Begin Circulating Referendary Petition

A referendary petition may not be circulated until the first calendar day following the exercise of the final legislative act by the City Council.

Section 3. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code is hereby amended by amending and renumbering Sections 27.2605 and 27.2606 to Sections 27.2604 and 27.2605 to read as follows:

SEC. 27.2604 Contents of Referendary Petition

(a) Referendary petition forms shall be furnished by the proponents.

(b) The petition shall consist of sheets of white paper uniform in size with dimensions no smaller than 8-1/2 by 11 inches or greater than 8-1/2 by 14 inches.

(c) The petition shall consist of any number of sections. Each section shall contain items one (1) through four (4) in the order specified:

(1) First, a sheet, or sheets, setting forth the questioned legislative act in full. It shall be printed in clear, readable type no less than 10-point.

(2) Second, a statement of reasons for the petition. It shall be printed in clear, readable type no less than 10-point.

(3) Third, a voter signature sheet, or sheets. Any number of voter signature sheets may be incorporated into a petition section.

(4) Fourth, an affidavit of authenticity to be filled out in accordance with Section 27.2609 and signed by the voter who circulated the petition.

(d) The sheets comprising each petition section shall be fastened together securely and remain so during circulation for signatures and submittal.

SEC. 27.2605 Form of Referendary Petition

Any referendary petition shall be in substantially the following form:

REFERENDARY PETITION

Referendum Against a Legislative Act Passed and Adopted by

The City Council of The City of San Diego

To the Honorable City Council of The City of San Diego:

We, the undersigned registered voters of The City of San Diego, California, hereby present this petition to the City Council of The City of San Diego, California, and ask that the City Council repeal, or submit to the registered voters of the City for their approval or rejection, that legislative act adopted by the City Council on the _____ day of _____ of which the following is a full and correct copy:

(Here insert full title and text of the measure to be referred, followed by the accompanying statement of reasons.)

Signature of Proponent

Residence

Date

Section 4. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code is hereby amended by adding new Section 27.2606 to read as follows:

SEC. 27.2606 Form of Statement of Reasons for Referendary Petition

The statement of reasons shall set forth the reasons for the referendary petition. It shall contain no more than three hundred words. The word count shall be calculated in accordance with City Clerk's guidelines. The statement shall be signed by the individual proposing the petition or, if the proponent is an organization, by two officers of the organization.

Section 5. That Chapter II, Article 7, Division 26 of the San Diego Municipal Code is hereby amended by repealing existing Section 27.2607 and adding new Section 27.2607 to read as follows:

**SEC. 27.2607 Form of Voter Signature Sheets
for Referendary Petition**

(a) On the right hand side of the sheet, a space at least one inch wide shall be left blank for the City Clerk's use in verifying the petition. Voter signature sheets shall be arranged and lined to provide space for the voter's signature, voter's printed name, place of voter's residence, and date of voter's signature.

(b) Signature sheets shall be in substantially the following form:

Name	Residence	Date	Clerk's Use Only
1. Sign			
Print			
2. Sign			
Print			
3. Sign			
Print			

Section 6. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be amended by amending and renumbering Sections 27.2610, 27.2608, 27.2609 and 27.2614 to Sections 27.2608, 27.2609, 27.2610 and 27.2611, respectively, to read as follows:

**SEC. 27.2608 Signing Voter's Information for
Referendary Petition**

Signatures shall be executed by voters in their own handwriting and each signer shall also affix his or her printed name, place of residence, including street and house number, or other designation from which the location of the place of residence may be readily ascertained. Post office box numbers, business addresses, or mailing addresses are not permitted and, if used, shall make that voter's signature invalid. Voters shall also affix the date of their signature.

**SEC. 27.2609 Form of Affidavit of Authenticity
for Referendary Petition**

The affidavit of authenticity shall have the following form:

AFFIDAVIT

**COUNTY OF SAN DIEGO)
STATE OF CALIFORNIA) ss.**

Under penalty of perjury I, (printed name of circulator), declare:
That I am a registered voter of The City of San Diego; that all of the signatures on each petition section were made in my presence and were observed by me; that all of the sheets constituting this petition section were fastened together at the time such signatures were made; that, to the best of my knowledge and belief, such

signatures are the genuine signatures of the persons who have signed the petition; and, that the signatures were obtained between:

_____ and _____
(Beginning date of circulation) (Final date of circulation)

(Circulator's Printed Name) (Circulator's Signature)

(Circulator's Residence) (Circulator's Date signed)

SEC. 27.2610 Signatures on Referendary Petition

(a) Only voters may sign a referendary petition.

Signatures of signers who are not voters shall be invalid.

(b) The City Clerk shall only count valid signatures.

**SEC. 27.2611 Withdrawal of Signature
from Referendary Petition**

Any person who has signed a referendary petition may withdraw his or her signature by filing a written request bearing his or her name, address and signature in the office of the City Clerk prior to the deadline for submitting that petition under Section 27.2612.

Section 7. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code by amended by renumbering existing Section 27.2603 to Section 27.2612 and amending it to read as follows:

SEC. 27.2612 Time for Submitting Referendary Petition

A referendary petition may be submitted to the Office of the City Clerk any time within thirty (30) calendar days after the exercise of the final legislative act by the City Council.

Section 8. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code is hereby amended by adding new Section 27.2613 to read as follows:

SEC. 27.2613 Submitting Referendary Petition; Acceptance or Rejection of Petition

(a) The referendary petition shall be submitted to the Office of the City Clerk by the proponent of the referendum or by any person authorized in writing by the proponent. All sections of the petition shall be submitted at one time. The City Clerk shall not accept a petition that is not in substantial compliance with this Division.

(b) When the petition is submitted, the City Clerk shall determine that day the total number of signatures affixed to the petition.

(1) If the City Clerk determines that the number of signatures, prima facie, equals or is greater than the minimum number required, the City Clerk shall accept the petition as filed.

(2) If the City Clerk determines that the number of signatures, prima facie, is less than the minimum number

required, the City Clerk shall reject the petition and treat it as not filed.

(c) Any sections of the petition not filed in accordance with Section 27.2613 shall be void for all purposes.

Section 9. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be amended by amending and renumbering Sections 27.2611, 27.2612 and 27.2613 to Sections 27.2614, 27.2615 and 27.2616, respectively, to read as follows:

**SEC. 27.2614 Verification of Referendary Petition;
Time; Random Sampling**

(a) The City Clerk shall be allowed a period of thirty (30) calendar days after the filing of a referendary petition to examine and verify the signatures of the signers.

(b) Signatures may be verified by use of the random sampling method set forth in Section 9115 of the California Elections Code.

**SEC. 27.2615 Notice of Sufficiency of Referendary
Petition**

If the City Clerk finds a referendary petition to contain the requisite number of valid signatures and to be in proper form, the City Clerk shall so certify and shall send a notice of sufficiency to the proponents of the referendum. The City Clerk shall then present the petition, with the certification attached, to the City

Council at the next regular City Council meeting at which the matter can be placed on the docket.

SEC. 27.2616 Notice of Insufficiency of Referendary Petition

If the City Clerk finds a referendary petition to contain less than the requisite number of valid signatures or to be in improper form, the City Clerk shall so certify and shall send a notice of insufficiency to the proponent.

Section 10. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be amended by adding new Section 27.2617 to read as follows:

SEC 27.2617 Challenges to the Determination of Sufficiency or Insufficiency of the Referendary Petition

(a) By submitting a written request to the City Clerk, any voter of the City of San Diego may challenge the determination of the sufficiency or insufficiency of the signatures determined by the random sampling method provided for in Section 27.2614.

(b) Any voter making a challenge must post with the City Clerk such amount of money as is required to fully pay the cost of further verification.

(c) Any challenge and posting of the required payment shall be made no later than the close of business on the fourth (4th) calendar day following announcement of the sufficiency or insufficiency of signatures.

(d) If the challenge is received and the required payment is made within the time specified, the City Clerk shall proceed to verify the sufficiency of each signature on the petition.

Section 11. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be amended by amending and renumbering existing Sections 27.2604, 27.2615 and 27.2616 to Sections 27.2618, 27.2619 and 27.2620, respectively, to read as follows:

SEC. 27.2618 Suspension of Legislative Act

(a) If a referendary petition has been accepted as filed, the legislative act shall be suspended until the date on which the City Clerk issues a notice of insufficiency; or, if the petition is found to be sufficient, until the legislative act is approved by the voters and becomes effective in accordance with Section 27.2622.

(b) If the City Clerk issues a notice of insufficiency, the legislative act shall become effective immediately; or, if the legislative act is an ordinance, it shall become effective a minimum of thirty (30) calendar days after its adoption by the City Council.

(c) If the City Clerk issues a certificate of sufficiency, the legislative act shall become effective in accordance with Section 27.2622.

SEC. 27.2619 Action by City Council

If the petition is presented to the City Council by the City Clerk at a City Council meeting held in accordance with Section 27.2615, the City Council must within ten (10) working days reconsider the legislative act in question.

SEC. 27.2620 Legislative Act to be Submitted to Voters

If the City Council refuses to grant the petition to repeal the legislative act in question or fails to reconsider the act within ten (10) working days after presentation by the City Clerk, the City Council shall:

- (a) adopt a resolution of intention to submit the matter to the voters at an election; and
- (b) direct the City Attorney to prepare an ordinance calling an election to place the matter on the ballot.

Section 12. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be amended by adding new Section 27.2621 to read as follows:

SEC. 27.2621 Time for Election

- (a) Except as provided in Section 27.2621(b), if an election is called, it shall be held within eleven (11) months of the adoption of the resolution of intention to submit the matter to the voters.

(b) If any other city-wide election for any purpose at which all the voters are entitled to vote is scheduled to be held within eleven (11) months from the date of the adoption of the resolution set forth in 27.2620(a), then the City Council may at its discretion submit the legislative act to the voters at that election.

Section 13. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be amended by amending and renumbering Section 27.2617 to Section 27.2622 to read as follows.

SEC. 27.2622 Effective Date of Legislative Act

Following Election

If a majority of the voters voting on a legislative act of the City Council approve that act, it shall be deemed adopted on the date the City Council adopts its resolution declaring the results of the election. The legislative act shall be effective ten (10) calendar days after the date the resolution is adopted unless an earlier date is specified in the resolution.

Section 14. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be amended by repealing Section 27.2618.

Section 15. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be amended by renumbering Section 27.2619 to Section 27.2623 to read as follows:

**SEC. 27.2623 Referendary Election Not Limited
to One Legislative Act**

Any number of legislative acts may be submitted to the
people at any one election by the referendary process.

Section 16. That Chapter II, Article 7, Division 26, of the San Diego Municipal Code be
amended by amending and renumbering Section 27.2620 to Section 27.2624 to read as follows:

**SEC. 27.2624 Referendary Election to Conform
to other Elections**

To the extent practicable, the City Clerk shall
conduct the referendary election in a manner conforming
with other elections.

Section 17. Pursuant to Charter section 16 and 17, this ordinance may be introduced and
passed on the same day, and shall take effect and be in force immediately upon its passage.

APPROVED: CASEY GWINN, City Attorney

By *Cristie C McGuire*
Cristie C. McGuire
Deputy City Attorney

CCM:jrl
06/30/97
07/09/97
11/25/97
Or. Dept.:Clerk
0-97-128 rev. 1

OLD LANGUAGE - ~~STRUCK OUT~~
NEW LANGUAGE - REDLINED

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 7, DIVISION 26, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 27.2601 AND 27.2602 ; ADDING NEW SECTION 27.2603; AMENDING AND RENUMBERING SECTIONS 27.2605 AND 27.2606 TO SECTIONS 27.2604 AND 27.2605; ADDING NEW SECTION 27.2606; REPEALING EXISTING SECTION 27.2607 AND ADDING NEW SECTION 27.2607; AMENDING AND RENUMBERING SECTIONS 27.2610, 27.2608, 27.2609 AND 27.2614 TO SECTIONS 27.2608, 27.2609, 27.2610 AND 27.2611; RENUMBERING EXISTING SECTION 27.2603 TO SECTION 27.2612; ADDING NEW SECTION 27.2613; AMENDING AND RENUMBERING SECTIONS 27.2611, 27.2612 AND 27.2613 TO SECTIONS 27.2614, 27.2615 AND 27.2616; ADDING NEW SECTION 27.2617; AMENDING AND RENUMBERING EXISTING SECTIONS 27.2604, 27.2615 AND 27.2616 TO SECTIONS 27.2618, 27.2619 AND 27.2620; ADDING NEW SECTION 27.2621; AMENDING AND RENUMBERING SECTION 27.2617 TO 27.2622; REPEALING SECTION 27.2618; RENUMBERING SECTION 27.2619 TO 27.2623; AMENDING AND RENUMBERING SECTION 27.2620 TO 27.2624; ALL RELATING TO REFERENDUM.

SEC. 27.2601 Subjects of Referendum

Any legislative act, except acts making the annual tax levy, ~~making~~ the annual appropriations, calling or relating to elections;

or relating to emergency measures, shall be subject to the referendum process.

SEC. 27.2602. Number of Signatures Required.

~~No. A~~ referendary petition shall may not be submitted presented to the City Council unless it contains the signatures of at least five percent of the voters.

SEC. 27.2603 Time For Filing to Begin Circulating Referendary Petition

A referendary petition may be filed in the office of the Clerk any time within thirty days after the exercise of a final legislative act by the Council. ~~not be circulated until the first calendar day following the exercise of the final legislative act by the City Council.~~

SEC. ~~27.2605~~ 27.2604 Contents of Referendary Petition

~~A referendary petition shall set forth the questioned legislative act in full; and shall be followed by a statement containing, in three hundred words or less, the reasons for the petition. The statement must be signed by the individual proposing the petition or, in the case of an organization, by two officers.~~

(a) ~~Referendary petition forms shall be furnished by the proponents.~~

(b) The petition shall consist of sheets of white paper uniform in size with dimensions no smaller than 8-1/2 by 11 inches or greater than 8-1/2 by 14 inches.

(c) The petition shall consist of any number of sections. Each section shall contain items one (1) through four (4) in the order specified:

(1) First, a sheet, or sheets, setting forth the questioned legislative act in full. It shall be printed in clear, readable type no less than 10-point.

(2) Second, a statement of reasons for the petition. It shall be printed in clear, readable type no less than 10-point.

(3) Third, a voter signature sheet, or sheets. Any number of voter signature sheets may be incorporated into a petition section.

(4) Fourth, an affidavit of authenticity to be filled out in accordance with Section 27.2609 and signed by the voter who circulated the petition.

(d) The sheets comprising each petition section shall be fastened together securely and remain so during circulation for signatures and submittal.

SEC. 27.2606 27.2605 Form of Referendary Petition

Any referendary petition shall be in substantially the following form:

REFERENDARY PETITION

Referendum Against a Legislative Act Passed and Adopted by

The City Council of The City of San Diego

To the Honorable City Council of The City of San Diego:

We, the undersigned, registered voters of The City of San Diego, California, hereby present this petition to the City Council of The City of San Diego, California, and ask that the City Council repeal, ~~or rescind or that it~~ submit to the registered voters of the City for their approval or rejection, that ~~legislation~~ legislative act passed and adopted by the City Council of The City of San Diego, on the _____ day of _____ of which the following is a full and correct copy:

(Here insert full title and text of the measure to be referred, followed by the accompanying statement of reasons.)

Signature of Proponent

Residence

Date

~~(Note: If an organization is seeking review of to refer of a legislative act, the statement shall be signed by two officers of the organization.)~~

SEC. 27.2606 Form of Statement of Reasons for Referendary Petition

~~The statement of reasons shall set forth the reasons for the referendary petition. It shall contain no more than three hundred words. The word count shall be calculated in accordance with City Clerk's guidelines. The statement shall be signed by the individual proposing the petition or, if the proponent is an organization, by two officers of the organization.~~

**SEC. 27.2607 ~~Petition Contents - Referendum~~
Form of Voter Signature Sheets for Referendary Petition**

~~The petition shall consist of sheets of white paper uniform in size with dimensions no smaller than 8-1/2 by 11 inches or greater than 8-1/2 by 14 inches. If the petition contains more than one sheet of paper, it shall be fastened together securely. The signature sheets for voters shall be in the following form:~~

Signature	Residence	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(a) On the right hand side of the sheet a space at least one inch wide shall be left blank for the City Clerk's use in verifying the petition. Voter signature sheets shall be arranged and lined to provide space for the voter's signature, voter's printed name, place of voter's residence, and date of voter's signature.

(b) Signature sheets shall be in substantially the following form:

Name	Residence	Date	Clerk's Use Only
1. Sign			
Print			
2. Sign			
Print			
3. Sign			
Print			

**SEC. 27.2610 27.2608 Petitioners Information - Referendum
Signing Voter's Information for
Referendary Petition**

Signatures shall be executed by voters in their own handwriting. Voters must indicate and each signer shall also affix his or her printed name, place of residence, including street and house number, or other designation from which the location of the place of residence can may be readily ascertained. Post office box numbers, business addresses, or mailing addresses are not permitted and, if used, shall make that voter's signature invalid.

Voters shall also affix the date of their signature. The date of execution must also be indicated by voters.

**SEC. 27:2608 27:2609 Form of Affidavit of Authenticity--
Referendum for Referendary Petition**

Each referendary petition shall have attached to it an The affidavit of authenticity of a voter, in shall have the following form:

AFFIDAVIT

COUNTY OF SAN DIEGO)

STATE OF CALIFORNIA) ss.

Under penalty of perjury I, (printed name of circulator), declare:

being duly sworn, deposes and says: That I am a registered voter of The City of San Diego; and that all of the signatures on each sheet petition section were made in my presence and were observed by me; and that all of the sheets constituting this paper petition section were fastened together at the time such signatures were appended thereto made; and that, to the best of my knowledge and belief, such signatures are the genuine signatures of the persons whose names purport to be hereunto subscribed, have signed the petition, and that the signatures were obtained between:

(Residence) (Signature)

Subscribed and sworn to
before me this _____ day of _____.

(Signature of Officer)

(Title of Officer)

~~(Beginning date of circulation)~~ and ~~(Final date of circulation)~~

~~(Circulator's Printed Name)~~ ~~(Circulator's Signature)~~

~~(Circulator's Residence)~~ ~~(Circulator's Date Signed)~~

SEC. ~~27.2609~~ 27.2610 Signatures on Referendary Petition

(a) Only voters may sign a referendary petition.

~~Signatures of signers who are not voters shall be invalid.~~

(b) The City Clerk shall only count valid signatures.

~~Signatures invalidated by the Clerk may not be counted.~~

**SEC. ~~27.2614~~ 27.2611 Withdrawal of Signature
from Referendary Petition**

Any person signing who has signed a referendary petition
~~or supplemental petition~~ may withdraw his ~~or her~~ signature by
filing a written request bearing his ~~or her name, address and~~
signature in the office of the City Clerk prior to ~~the deadline for~~
~~submitting that petition under Section 27.2612. time the petition~~
~~or supplemental petition containing his signature is filed.~~

**SEC. 27.2612 Time for Submitting
Referendary Petition**

A referendary petition may be submitted to the Office of the City Clerk any time within thirty (30) calendar days after the exercise of the final legislative act by the City Council.

SEC. 27.2613 Submitting Referendary Petition; Acceptance or Rejection of Petition

(a) The referendary petition shall be submitted to the Office of the City Clerk by the proponent of the referendum or by any person authorized in writing by the proponent. All sections of the petition shall be submitted at one time. The City Clerk shall not accept a petition that is not in substantial compliance with this Division.

(b) When the petition is submitted, the City Clerk shall determine that day the total number of signatures affixed to the petition.

(1) If the City Clerk determines that the number of signatures, prima facie, equals or is greater than the minimum number required, the City Clerk shall accept the petition as filed.

(2) If the City Clerk determines that the number of signatures, prima facie, is less than the minimum number required, the City Clerk shall reject the petition and treat it as not filed.

~~(c) Any sections of the petition not filed in accordance with Section 27.2613 shall be void for all purposes.~~

**SEC. ~~27.2611~~ 27.2614 Verification of Referendary Petition;
Time; Random Sampling**

~~(a) The City Clerk shall be allowed a period of thirty (30) calendar days after the filing of a referendary the last-filed portion of a referendary petition to examine and verify the signatures of the petitioners signers. He shall indicate on each petition the date on which it was filed and the name of the person by whom it was filed.~~

~~(b) Signatures may be verified by use of the random sampling method set forth in Section ~~3708~~ 9115 of the California Elections Code. In the event that any elector of the City of San Diego challenges the determination of the sufficiency of the signatures on the petition by the random sampling method, the City Clerk shall proceed to verify the sufficiency of each signature on the petition if the elector so challenging posts with the City Clerk such amount of money as is required to fully pay the cost of such further verification. Any such challenge of the verification by the random sampling method shall be made no later than the close of business on the fourth day following announcement of the sufficiency.~~

**SEC. 27.2612 27.2615 Notice of Sufficiency of Referendary
Petition**

If the City Clerk finds a referendary petition, including, if filed, a supplemental petition, to contain the requisite number of valid signatures and to be in proper form, he the City Clerk shall so certify and shall send a notice of sufficiency to a representative of the proponents of the referendum. Without delay the The City Clerk shall then present the petition, with his the certification attached, to the City Council at the next regular City Council meeting at which the matter can be placed on the docket.

**SEC. 27.2613 27.2616 Notice of Insufficiency of Referendary
Petition**

If the City Clerk finds a referendary petition, including, if filed, a supplemental petition, to contain less than the requisite number of valid signatures or to be in improper form, he the City Clerk shall so certify and shall send a notice of insufficiency to a representative of the proponents. A petition, and a supplemental petition, if found to be insufficient, does not preclude, within the thirty-day period, the filing of a new petition addressed to the same matter.

**SEC 27.2617 Challenges to the Determination of Sufficiency or
Insufficiency of the Referendary Petition**

(a) By submitting a written request to the City Clerk, any voter of the City of San Diego may challenge the determination of

the sufficiency or insufficiency of the signatures determine by the random sampling method provided for in Section 27.2614.

(b) Any voter making a challenge must post with the City Clerk such amount of money as is required to fully pay the cost of further verification.

(c) Any challenge and posting of the required payment shall be made no later than the close of business on the fourth (4th) calendar day following announcement of the sufficiency or insufficiency of signatures.

(d) If the challenge is received and the required payment is made within the time specified, the City Clerk shall proceed to verify the sufficiency of each signature on the petition.

SEC. 27.2604 27.2618 Suspension of Legislative Act

(a) If a referendary petition and, if applicable, a supplementary petition have been accepted as filed, the legislative act shall not become effective be suspended until the date on which the City Clerk issues a notice of insufficiency; or, if the petition is found to be sufficient, until the legislative act is approved by the voters and becomes effective in accordance with Section 27.2622.

(b) If the City Clerk issues a notice of insufficiency, in which case the legislative act shall become effective immediately;

~~provided, however, that in or, if the legislative act case of is an ordinance, it shall become effective a minimum of thirty (30) calendar days has elapsed since the date of after the its adoption of the ordinance by the City Council.~~

(c) If the City Clerk issues a certificate of sufficiency, the legislative act shall ~~not~~ become effective in accordance with Section 27.2622, until after the election.

SEC. ~~27.2615~~ 27.2619 Action by City Council

If the petition is presented to the City Council by the City Clerk at a City Council meeting held in accordance with Section 27.2615, the City Council must within ten (10) working days reconsider the legislative act in question.

SEC. ~~27.2616~~ 27.2620 Legislative Act to be Submitted to Voters

If the City Council refuses to grant the petition to repeal the legislative act in question or fails to reconsider the act within ten (10) working days after presentation by the City Clerk, the City Council shall: forthwith

(a) adopt a resolution of intention to submit the matter to the people voters at an special election; However, if any other election or elections for any purpose at which all the voters are entitled to vote are scheduled to be held within eleven months from the date the referendary petition is presented to the Council,

~~then the Council may at its discretion submit the proposed
legislative act at any one of such other elections. and~~

(b) direct the City Attorney to prepare an ordinance calling an election to place the matter on the ballot.

SEC. 27.2621 Time for Election

(a) Except as provided in Section 27.2621(b), if a special election is called, it shall be held within eleven (11) months of the adoption of the resolution of intention to submit the matter to the voters. However, if

(b) If any other city-wide election for any purpose at which all the voters are entitled to vote is scheduled to be held within eleven (11) months from the date of the adoption of the resolution set forth in 27.2620(a), then the City Council may at its discretion submit the legislative act to the voters at that election.

**SEC. ~~27.2617~~ 27.2622 Effective Date of Legislative Act
Following Election**

If a majority of the voters voting on a legislative act of the City Council approve that act, it shall be deemed adopted on the date the City Council adopts its resolution declaring the results of the election. Such The legislative act shall be effective ten (10) calendar days after the date such the resolution is adopted unless an earlier date is specified in such the resolution.

SEC. ~~27.2618~~ All Petitions on One Subject to be Counted as

One Petition

~~If more than one referendary petition, including any supplemental petitions, are is filed with respect to one legislative act, all valid signatures shall be counted as if but one petition and one supplemental petition, if appropriate, had been filed.~~

SEC. ~~27.2619~~ 27.2623 Referendary Election Not Limited to One Legislative Act

Any number of legislative acts may be submitted to the people at any one election by the referendary process.

SEC. ~~27.2620~~ 27.2624 Referendary Election to Conform to other Elections

~~To the extent practicable, F~~ the City Clerk shall conduct the referendary election in a manner conforming with other elections. ~~to the extent practicable~~