

ORDINANCE NUMBER O- 18633 (NEW SERIES)

ADOPTED ON APR 12 1999

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER VI, ARTICLE 1, DIVISION 23, BY AMENDING THE TITLE OF DIVISION 23; BY AMENDING SECTION 61.2300; AND BY ADDING SECTION 61.2361 RELATING TO LEVYING AND COLLECTING SPECIAL ASSESSMENTS.

WHEREAS, San Diego Charter section 79 provides, among other things, that, unless provided otherwise by ordinance, the method of collecting special assessments shall be as prescribed by the general law of the State of California existing as of the date on which the special assessments are levied; and

WHEREAS, the various statutory schemes constituting the general law of the State, providing for the levy and collection of special assessments, are inconsistent regarding the method of collecting the special assessments; and

WHEREAS, to further enhance the efficiency in the collection of special assessments levied under the general law of the State, this Council seeks to establish that all special assessments, which this Council is authorized to levy and collect both by general law of the State and by Charter section 79, may be collected on the secured property tax roll of the County of San Diego; NOW, THEREFORE,

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

Section 1. That Chapter VI, Article 1, Division 23 of the San Diego Municipal Code is hereby amended by amending the title to read as follows:

DIVISION 23

San Diego Improvement District Procedural Ordinance

Section 2. That Chapter VI, Article 1, Division 23 of the San Diego Municipal Code is hereby amended by amending Section 61.2300 to read as follows:

SEC. 61.2300 Citation of Division

This Division may be cited as the San Diego Improvement District Procedural Ordinance.

Section 3. That Chapter VI, Article 1, Division 23 of the San Diego Municipal Code is hereby amended by adding Section 61.2361 to read as follows:

Sec. 61.2361 Collection by County Treasurer - Tax Collector of Special Assessments

The general law of the State of California does not provide for a County secured tax roll collection of special assessments. To allow efficiency in collecting special assessments levied by the Council, this Section establishes a procedure authorizing County-secured property tax roll collection.

(a) Any special assessment levied by the Council pursuant to the general law of the State may be collected in accordance with the Landscaping and Lighting Act of 1972, which allows for collection of certain special assessments by County-secured property tax roll collection.

(b) Following Council's levying a special assessment pursuant to the general law of the State of California or Charter section 79, the Council directs the following:

(1) The City Clerk shall prepare a certified copy of Ordinance No. O-18633, adopted APR 12 1999; and

(2) The City Manager shall deliver a certified copy of Ordinance No. O-~~18633~~ adopted APR 12 1999, along with a list of the special assessments and any and all additional information or documents required by the 1972 Act and by the County Treasurer - Tax Collector to the County Treasurer - Tax Collector of the County of San Diego.

(c) All special assessments to be levied on the County-secured property tax roll pursuant to Section 61.2361 shall be calculated to include all charges imposed by and payable to the County Treasurer - Tax Collector for performing the tax collection services required by Section 61.2361.

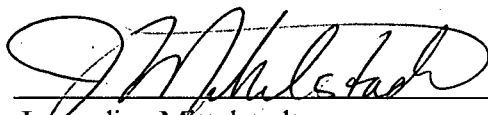
Section 4. That the City Clerk is hereby instructed to insert the ordinance number and the adoption date of this ordinance, when known, in the blank spaces in Section 61.2361(b)(1) and (2).

Section 5. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By


Jacqueline Mittelstadt
Deputy City Attorney

JM:pev

3/9/99

Or. Dept: Fin. & Tech. Svcs.