

(R-2002-87)

RESOLUTION NUMBER R- 295196

ADOPTED ON JUL 23 2001

REJECTING REFERENDUM PETITION AND CALLING A
SPECIAL ELECTION PERTAINING TO BAN ON ALCOHOL
CONSUMPTION IN BEACH AREAS

WHEREAS, the Council of the City of San Diego, on April 30, 2001, adopted Ordinance No. O-18938 (New Series) titled, "AN ORDINANCE AMENDING SECTION 56.54 OF THE SAN DIEGO MUNICIPAL CODE PERTAINING TO ALCOHOL CONSUMPTION IN BEACH AREAS;" and

WHEREAS, on May 30, 2001, a referendary petition requesting the City Council to repeal or rescind Ordinance No. O-18938 (New Series) or submit the ordinance to the registered voters of the City for their approval or rejection was filed in the office of the City Clerk as Document No. RR-295196, and

WHEREAS, the City Clerk found and certified that the referendary petition contains the requisite number of valid signatures and is in proper form; and,

WHEREAS, the City Clerk presented this petition with certification attached to the City Council on July 23, 2001; and

WHEREAS, pursuant to San Diego Municipal Code sections 27.1131 and 27.1132, the City Council must, within ten business days, reconsider the ordinance and, if the Council refuses to grant the petition to repeal the ordinance or fails to reconsider the ordinance within ten business days after presentation by the City Clerk, the Council is required to adopt a resolution of

intention to submit the matter to the people at a special election or any other election at which all the voters of the City are entitled to vote; and

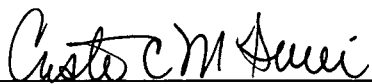
WHEREAS, pursuant to San Diego Municipal Code section 27.1133, if the City Council adopts a resolution of intention to submit the matter to the people at an election, the election must be held within eleven months from the date of the adoption of the resolution of intention to submit the matter to the voters; and

WHEREAS, the City Council desires to reject the referendary petition and submit the matter to the voters; NOW, THEREFORE,

BE IT RESOLVED that the City Council rejects the above-referenced petition.

BE IT FURTHER RESOLVED and that the City Council directs the City Attorney to prepare an ordinance calling a special election to be held on the matter in conjunction with the Municipal Primary Election, which will be held on March 5, 2002.

APPROVED: CASEY GWINN, City Attorney

By 
Cristie C. McGuire
Deputy City Attorney

CCM:jp
07/05/01
Or.Dept:City Clerk
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