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ORDINANCE NUMBER O- 19848 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 14 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SAN DIEGO AMENDING CHAPTER 6 ARTICLE 3,
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 63.0102, RELATING TO USE OF
PUBLIC PARKS AND BEACHES REGULATED.

WHEREAS, it is the policy of the City of San Diego to establish fees to recover the costs of providing services in accordance with the City of San Diego Administrative Regulation 95.25 and Council Policy 100-05 "User Fee Policy"; and

WHEREAS, San Diego Municipal Code section 22.1502 provides that the Park and Recreation Director shall have the authority to establish fees for the use of Park and Recreation facilities and services, subject to the approval of the City Manager [Mayor]; and

WHEREAS, the Park and Recreation Department conducted a full evaluation of the costs and revenues associated with providing City services, in accordance with the California Constitution as well as the California Government Code, which authorize local jurisdictions to impose fees, charges, and rates in order to recover costs associated with provided services and the use of facilities; and

WHEREAS, on April 1, 2009, the Park and Recreation Department presented a Proposed Fee Schedule to the Budget and Finance Committee; and

WHEREAS, included in the Proposed Fee Schedule is a reduction in the size of the group requiring a ground use permit from seventy-five to fifty persons; and

WHEREAS, on April 1, 2009, the Budget and Finance Committee approved the Proposed Fee Schedule and forwarded it on to the City Council; and

WHEREAS, on April 20, 2009, a public hearing was held by the Council of the City of San Diego at which oral and written presentations were made regarding the new and revised fees; and

WHEREAS, ten days prior to the public hearing held in connection with Manager's Report No. 09-029 regarding Park and Recreation Proposed Fee Schedule, a notice was made available to the public that included an explanation of the proposed new fees and revisions to existing fees to be considered at the public hearing; NOW, THEREFORE,

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

Section 1. That Chapter 6, Article 3, Division 1 of the San Diego Municipal Code is amended by amending section 63.0102 as follows:

§63.0102 Use of Public Parks and Beaches Regulated

(a) – (b) [No change]


(1) – (23) [No change]

(24) Large Groups. Except as otherwise required or permitted by Chapter 2, Article 2, Division 40 of this Code, it is unlawful for any group of persons consisting of fifty or more persons to hold, conduct or participate in any celebration, parade, service, picnic, exercise, or other special event in any park, plaza, or beach without having first obtained a permit from the City Manager.

Section 2. 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 3. This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

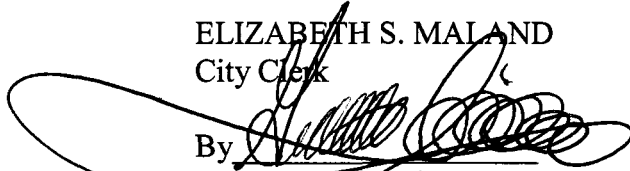
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Kimberly Ann Davies
Deputy City Attorney

KAD:mm
04/08/09
04/23/09 **COR.COPY**
Or. Dept: Park & Rec.
O-2009-121
MMS#8620

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 05 2009.

ELIZABETH S. MALAND
City Clerk


By _____
Deputy City Clerk

Approved: 5-14-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor