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(O-2009-120)

ORDINANCE NUMBER O- 19849 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 14 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 2, ARTICLE 2, DIVISION 40, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 22.4006, RELATING TO SPECIAL EVENTS.

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, the Special Events Ordinance was first approved in 1989 and had a provision which provided \$3,000 of free City services to tax exempt organizations; and

WHEREAS, on June 10, 2003, the City Council amended the Special Events Ordinance to reduce the level of free City services from \$3,000 to \$1,000 for tax exempt organizations; and

WHEREAS, the \$1,000 provision of free City services is in addition to the less than full cost recoverable Special Services rate and is absorbed by the Police Department; and

WHEREAS, the Police Department and Fire-Rescue Department have proposed fee revisions to their respective fee schedules in order to achieve full cost recovery; and

WHEREAS, the Special Events Department, Police Department and Fire-Rescue Department have undertaken a full review of their departmental fees and determined that, as part of a comprehensive fee policy, the provision of free City services to tax exempt organizations should be eliminated; and

WHEREAS, the proposed fee revisions to the Police Department and Fire-Rescue Department rate and fee schedule, combined with the proposed amendment to the Special Events Ordinance eliminating the provision of free City services to tax exempt organizations would achieve 100% full cost recovery for the provision of public safety support services at special events; NOW THEREFORE,

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

Section 1. That Chapter 2, Article 2, Division 40, of the San Diego Municipal Code is amended by amending section 22.4006 to read as follows:


§22.4006 Issuance of a Special Event Permit Does Not Obligate City Services

- (a) Issuance of a Special Event Permit to this Division does not obligate or require the City Manager to provide City services, equipment or personnel in support of an Event.
- (b) Subject to approval of the City Council, the City Manager may provide City services, equipment, or personnel for Commercial Special Events. Approval of the City Council is not required for the City Manager to provide City services, equipment, or personnel for a Commercial Special Event, if the City Manager makes provisions with the Event Organizer for cost recovery or revenue sharing, or both, from the Event.

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.

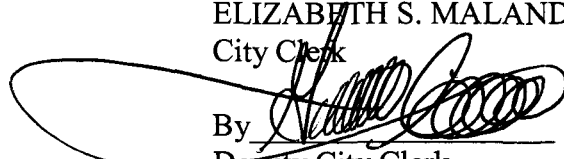
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Kimberly Ann Davies
Deputy City Attorney

KAD:mm
04/08/09
Or. Dept: Park & Rec.
O-2009-120
MMS#8582

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