

ORDINANCE NUMBER O- 19850 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 28 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AMENDING CHAPTER 3, ARTICLE 3,  
DIVISION 37, OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTIONS 33.3711 AND 33.3717, RELATING TO  
BURGLARY, ROBBERY, AND EMERGENCY ALARM  
SYSTEMS

WHEREAS, the San Diego Police Department [SDPD] charges application, renewal and regulatory fees for police regulated businesses and occupations; and

WHEREAS, SDPD conducted a full evaluation of the costs and revenues associated with providing City of San Diego [City] services, in accordance with the California Constitution as well as the State Government Code, which authorize local jurisdictions to impose fees, charges, and rates in order to recover costs associated with provided services; and

WHEREAS, it is the policy of the City to establish fees to recover the costs of providing services in accordance with the City of San Diego Administrative Regulation 95.25; and

WHEREAS, Administrative Regulation 95.25 encourages transferring specific fee schedules listed in the San Diego Municipal Code and Council Resolutions to the standardized Ratebook maintained by the City Clerk; and

WHEREAS, the City has an adopted User Fee Policy dated March 10, 2009; and

WHEREAS, the cost of inspecting and regulating police regulated activities is borne by the permittee pursuant to San Diego Municipal Code section 33.0307; and

WHEREAS, the penalty fee for generating a police call for service without an alarm permit is currently \$100.00 and is codified in the San Diego Municipal Code section 33.3711;  
and

WHEREAS, the penalty fees for revocation of an alarm permit is \$75.00, \$150.00, \$300.00 and \$1500.00 for the first through fourth revocation, respectively, and is codified in San Diego Municipal Code section 33.3717; and

WHEREAS, SDPD may from time to time need to adjust these fees in accordance with the provisions of Chapter 3 of the San Diego Municipal Code; NOW THEREFORE,

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

Section 1. That Chapter 3, Article 3, Division 37, of the San Diego Municipal Code is amended by amending Sections 33.3711 and 33.3717 to read as follows:

**§33.3711 Fees and Penalties for Alarm User Permit**

- (a) [No change in text.]
- (b) Any *alarm user* whose *alarm system* generates a police call for service without first obtaining an *alarm user* permit within fifteen days of notification, will be assessed a penalty fee, per police call for service, until the permit is obtained. The penalty fee schedule shall be kept in the City of San Diego Ratebook on file in the Clerk's Office.

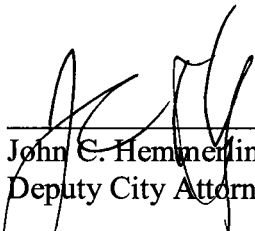
**§33.3717 Fines for Alarm User Permit Revocations**

- (a) The holder of an *alarm user* permit shall pay a fine, according to the established rates kept in the City of San Diego Ratebook on file in the Clerk's Office, for each revocation of that permit.
- (b) [No change in text.]

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.

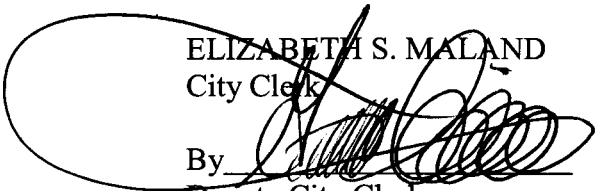
Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  \_\_\_\_\_  
John C. Hemmerling  
Deputy City Attorney

JCH:ar  
04/07/09  
Or.Dept:Police  
O-2009-122

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 12 2009.

  
ELIZABETH S. MALAND  
City Clerk  
By \_\_\_\_\_  
Deputy City Clerk

Approved: 5-28-09  
(date)

  
\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor