

ORDINANCE NUMBER O- 20230 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 02 2013

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 3, DIVISION 15 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 33.1504 BY DELETING THE EDITOR’S NOTE, RELATING TO ENTERTAINMENT ESTABLISHMENTS.

WHEREAS, the San Diego Police Department (Department) is responsible for issuing permits and regulating industries involving a variety of businesses; and

WHEREAS, these are collectively referred to as Police Regulated Businesses; and

WHEREAS, the Department inspects and regulates these businesses to ensure there is no criminal activity or other violations that would have a negative impact on the quality of life of the surrounding community; and

WHEREAS, the Department is mandated by the San Diego Municipal Code to be cost recoverable in its regulation of these businesses; and

WHEREAS, in an effort to implement the City’s comprehensive fee policy (Council Policy 100-05), the Department recently reviewed its entertainment fees and proposed updates to the fees; and

WHEREAS, during that review process the Department was directed to meet with representatives from the Mayor’s office, Council offices, the City Attorney’s Office, the Independent Budget Analyst, and restaurant and entertainment business stakeholders, to discuss creating a new tier for “limited” or “exempt” entertainment venues that would fall outside police regulation; and

WHEREAS, San Diego Municipal Code section 33.1504 (a) – (q) currently provides a listing of types of *entertainment* and events that are exempt from police regulation; and

WHEREAS, the Council had previously set an expiration date of March 31, 2013, for exemptions that qualify and are codified in San Diego Municipal Code section 33.1504(q); and

WHEREAS, the Council now desires to permanently codify the exemption set forth in section 33.1504(q), by deleting the Editor's Note from section 33.1504; NOW, THEREFORE,

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

Section 1. That Chapter 3, Article 3, Division 15 of the San Diego Municipal Code is amended by amending section 33.1504 by deleting the Editor's Note, to read as follows:

§ 33.1504 Exemption from the Permit Requirement

The following types of *entertainment* and events are exempt from the *police permit* required by this Division. This exemption does not relieve any of the *entertainment* and events from complying with all other applicable laws, including the laws related to noise levels, particularly those contained in Chapter V of this Code.

(a)-(q) [No change in text.]

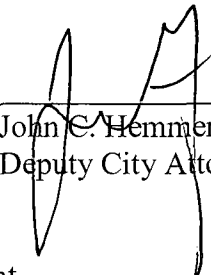
Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

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

Section 4. The Clerk is instructed to remove the Editor's Note from section 33.1504(q) of the San Diego Municipal Code.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

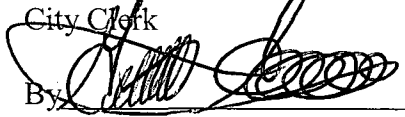


John C. Hemmerling
Deputy City Attorney

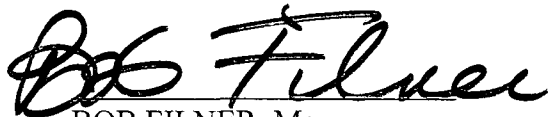
JCH:amt
11/9/2012
Or.Dept:Police

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~DEC 17 2012~~

ELIZABETH S. MALAND
City Clerk

By: 
Deputy City Clerk

Approved: 1/2/13
(date)


BOB FILNER, Mayor

Vetoed: _____
(date)

BOB FILNER, Mayor