

#56
11/13/18

(O-2019-51)

ORDINANCE NUMBER O- 21008 (NEW SERIES)

DATE OF FINAL PASSAGE NOV 20 2018

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO GRANTING A REFERENDARY PETITION AGAINST ORDINANCE NOS. O-20977 AND O-20978, AND REPEALING ORDINANCE NOS. O-20977 AND O-20978, RELATING TO CODE ENFORCEMENT AND SHORT TERM RESIDENTIAL OCCUPANCY.

WHEREAS, on July 16, 2018, two ordinances were introduced to the Council of the City of San Diego (Council), related to enforcement authority and powers under the San Diego Municipal Code (Municipal Code) and Short Term Residential Occupancy, on file in the Office of the City Clerk as Ordinance Nos. O-20977 and O-20978 (the Ordinances); and

WHEREAS, on August 2, 2018, the Council adopted the Ordinances; and

WHEREAS, on August 30, 2018, Councilmember Scott Sherman submitted a referendary petition against the Ordinances to the City Clerk, titled "Referendum Against a Legislative Act Adopted by the City Council of the City of San Diego;" and

WHEREAS, on August 30, 2018, the City Clerk accepted the referendary petition as filed, thereby suspending the Ordinances, and submitted the referendary petition to the San Diego County Registrar of Voters (Registrar of Voters) for signature verification; and

WHEREAS, the Registrar of Voters conducted a legally required verification and found the petition to contain the valid signatures of at least five percent of the City's registered voters at the last Municipal General Election, sufficient to qualify the measure for direct submission to the voters as required by San Diego Charter (Charter) section 23; and

WHEREAS, on September 25, 2018, the City Clerk certified that the referendary petition was sufficient and qualified for submittal to the City's voters; and

WHEREAS, on October 8, 2018, in compliance with Municipal Code section 27.1125, the City Clerk presented the petition and a certification of the sufficiency of its signatures to the Council; and

WHEREAS, in compliance with Charter section 23 and Municipal Code section 27.1131, the Council shall, within ten business days of the date of the Clerk's presentation, reconsider the legislative act; and

WHEREAS, Municipal Code sections 27.1131 and 27.1132 require the City Council to reconsider the Ordinances and either: (1) grant the referendary petition to repeal the legislative act in question, or (2) adopt a resolution of intention to submit the matter to the voters at a special election, and direct the City Attorney to prepare an ordinance calling a special election to place the matter on the ballot; and

WHEREAS, the Council has now reconsidered the Ordinances in light of the referendary petition; NOW, THEREFORE,

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

Section 1. That the referendary petition is granted.

Section 2. That Ordinance Nos. O-20977 and O-20978 are repealed.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By Shannon M. Thomas
Shannon M. Thomas
Senior Deputy City Attorney

SMT:SBS:als:ccm
10/08/2018
Or.Dept:City Clerk
Doc. No.: 1846296

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of NOV 13 2018.

ELIZABETH S. MALAND
City Clerk

By Bingda Bruen
Deputy City Clerk

Approved: 11/20/18
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

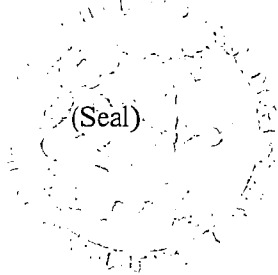
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 13 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 20 2018

AUTHENTICATED BY:



KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

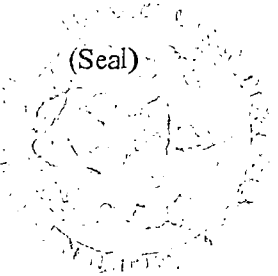
ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

OCT 22 2018, and on NOV 20 2018

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.



ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- 21008