

- (e) The owner of every vessel having a permit to use a designated beaching area shall pay the City of San Diego an initial permit fee payable upon issuance, and a yearly fee thereafter, to be paid on the first business day of March each year. The fees specified herein shall be established by the City Manager upon the recommendation of the Director.

(Amended 5-31-1994 by O-18073 N.S.)

§63.30 Utilization of the Environmental Growth Fund

Pursuant to the Environmental Growth Fund provision of the San Diego Charter section 103.1a, it is incumbent upon the City Council of the City of San Diego to use moneys derived from that fund exclusively for the purpose of preserving and enhancing the environment of the City of San Diego.

The City Council of the City of San Diego, in implementing said Charter provision, shall allocate all moneys within the fund not employed to pay the debt service on bonds, as set forth in San Diego Charter section 103.1a as follows:

- (a) The difference between two-thirds of the Environmental Growth Fund and the amount actually necessary to make principle and interest payments on outstanding open space bonds shall be accumulated and utilized solely for the purpose of providing funds for the acquisition of open space lands.
- (b) The remaining one-third of the Environmental Growth Fund shall be used for the purpose of preserving and enhancing the environment and shall be allocated to utilization each year, by the City Council, during the budget process, in accordance with the following priorities:
- (1) Open space maintenance, including litter removal and control;
 - (2) To provide matching funds for acquiring open space in cooperation with other private or governmental entities;
 - (3) Regional Park maintenance;
 - (4) Any other purposes consistent with the San Diego Charter section 103.1a.
- (c) The City Manager of the City of San Diego shall prepare, for approval by the City Council, regulations for the administration of the open space matching grant program.

(11-2014)

- (d) If the City Manager determines that anticipated revenues in any fiscal year will be insufficient to maintain existing City services necessary for preserving and enhancing the environment, the City Manager may ask the City Council to temporarily suspend compliance with this Section in order to allow Environmental Growth Funds to be allocated consistent with San Diego Charter section 103.1a. A majority vote of the City Council can temporarily suspend compliance with this Section for that fiscal year. Creating a mechanism for the suspension of this Section is necessary to prevent the abrogation of duties, obligations, and prerogatives of the City Council in the preparation and passage of the Annual Appropriation Ordinance pursuant to San Diego Charter section 71.

(Amended 3-17-2003 by O-19159 N.S.)

§63.40 San Diego — La Jolla Underwater Park Ecological Reserve — Boating Regulations

- (a) Definitions
- (1) As used herein, the San Diego — La Jolla Underwater Park Ecological Reserve is all that portion of District 19 consisting of the Pacific Ocean and tide and submerged lands lying within the boundaries of the City of San Diego, County of San Diego, State of California beginning at the most northerly point of Alligator Head Point as shown on La Jolla, Map 352 filed in the office of the County Recorder of said County; having a latitude of 32 degrees 51' 04", and a longitude of 117 degrees 16' 20", thence northeasterly to a point having a latitude of 32 degrees 51' 13" north and a longitude of 117 degrees 16' 10" west, thence northerly to a point being the intersection of longitude 117 degrees 16' 15" west with the westerly prolongation of the southerly line of Pueblo Lot 1298 as shown on the map of Pueblo Lands of San Diego made by James Pascoe, known as Miscellaneous Map No. 36 filed in the office of the County Recorder of said County; thence easterly along said prolongation of the southerly line of Pueblo Lot 1298 to the intersection with the Mean High Tide Line; thence in a generally southerly direction along said Mean High Tide Line to the point of beginning, as established by license agreement between The City of San Diego and the State of California pursuant to Council Resolution No. R-253779, adopted March 16, 1981.