

ORDINANCE NO. 10450  
(New Series)

DEC 1 1970

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO ESTABLISHING A PARKING AND BUSINESS IMPROVEMENT AREA AND LEVYING AN ADDITIONAL BUSINESS LICENSE TAX THEREIN FOR UPGRADING AND PROMOTING THE AREA.

WHEREAS, under and pursuant to the provisions of the Parking and Business Improvement Area Law of 1965, Section 36000 et seq., of the State of California Streets and Highways Code, herein called "said Law," this Council on October 22, 1970 adopted Resolution No. 201062, a resolution declaring an intention to form a parking and business improvement area known as "Downtown Improvement Area," providing for the levy of an additional business license tax to be imposed therein, fixing the time and place for hearing and giving notice thereof; and

WHEREAS, said Resolution No. 201062 was duly published, and copies thereof were duly mailed and posted, all as provided by said Law; and

WHEREAS, as specified in said Resolution No. 201062, a hearing concerning the formation of said area was held before this Council on the 17th day of November 1970 at the hour of 9:30 a.m. o'clock in the Council Chambers in the City Administration Building located at Second Avenue and C Street in the City of San Diego; and

WHEREAS, at said hearing all protests, both written and oral, made or filed, were considered and duly overruled

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and denied and this City Council determined that there was no majority protest within the meaning of Section 36023 of said Law; NOW, THEREFORE,

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

Section 1. That pursuant to said Law, a parking and business improvement area is hereby established, to be known as "Downtown Improvement Area," herein called "Area," with boundaries of said Area described as all that area lying within and bounded by First through Tenth Avenues and E Street through Ash Street, as shown with more specificity on a map thereof on file in the office of the City Clerk as Document No. 733809.

Section 2. That the term "general business license tax," as used in this ordinance and which is sometimes called "business license fee," is hereby defined as a tax upon a particular business, trade or profession within said City as set forth for such particular business, trade or profession in Chapter III, Article 1 of the San Diego Municipal Code as said Chapter III, Article 1 presently reads or is hereafter amended.

Section 3. That in addition to the general business license tax, an additional business license tax is hereby imposed upon businesses located within said Area. The additional license tax shall be as follows:

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Class A: No increase

Business of Manufacturing  
Business of Wholesale  
Public Utilities (Gas & Electric,  
Telephone & Water)

Class B: An amount equal to two times the  
present business license tax not  
to exceed \$50, plus \$4 per employee.

Amusement Centers  
Apartment Houses  
Auto Dealers  
Auto Leasing Agencies  
Automotive Repair  
Automotive Supplies  
Barber Shops  
Bars  
Beauty Salons  
Cabarets  
Cafes  
Card Rooms  
Cleaners  
Cocktail Lounges  
Dine & Dance  
Entertainment  
Games of Skill  
Hotels  
Laundries  
Laundromats  
Magazine Stands  
Messenger Service  
Motels  
Newspaper Sales  
Office Buildings  
Parking Lots  
Parking Structures  
Photo Studios  
Photographers  
Restaurants  
Retail Sales  
Retirement Homes  
Secondhand Dealers  
Service Stations  
Shoe Repair  
Tailors  
Theaters  
Tobacco

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Class C: An amount equal to the present business license tax not to exceed \$25, plus \$2 per employee.

All other businesses not enumerated in Class A or Class B above.

Said additional license tax shall be levied, collected and enforced in the same manner, at the same times, and with the same penalties and interest as in the case of the general business license tax.

Section 4. That the uses to which the proceeds of the additional business license tax shall be put are:

- A. Decorations of public places in the Area;
- B. Promotion of public events which are to take place within the Area;
- C. Furnishing of music in public places in the Area; and
- D. The general promotion of retail trade activities in the Area.

Section 5. That this City Council hereby finds and determines that the public convenience and necessity require the establishment of the Area hereinbefore described.

Section 6. That all protests, both written and oral, are overruled and denied and the City Council finds that there is no majority protest within the meaning of Section 36023 of the Streets and Highways Code.

Section 7. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz  
Jack Katz, Deputy

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Passed and adopted by the Council of The City of San Diego on DEC 1 1970,  
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Helen Cobb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam T. Loftin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Schaefer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Frank Curran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**FRANK CURRAN**  
 Mayor of The City of San Diego, California.

**JOHN LOCKWOOD**  
 City Clerk of The City of San Diego, California.

(Seal)

By Eelza J. Hamel, 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

NOV 17 1970

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~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

**JOHN LOCKWOOD**  
 City Clerk of The City of San Diego, California.

(Seal)

By Eelza J. Hamel, Deputy.

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FORM CC-1255-A (1-70)

Office of the City Clerk, San Diego, California	
Ordinance Number	<u>10450</u>
Adopted	<u>DEC 1 1970</u>

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