

April 21, 1998

ORDINANCE NO. 8902 (NEW SERIES)

AN ORDINANCE AMENDING SECTION 78  
OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE  
RELATING TO THE SALE OR SOLICITATION OF SALES FOR  
ANY GOODS WITHIN ANY BUILDING OCCUPIED BY THE COUNTY

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that it is in the public's interest to permit County staff to engage in fundraising activities for non-profit organizations and causes by permitting County staff to sell goods or merchandise for such causes at County occupied buildings. The Board of Supervisors further finds and determines that it is in the best interest of the County to permit County staff to sell goods or merchandise at County occupied buildings for employee sponsored causes and events. The amendments made by this ordinance are intended to permit the sale of goods and merchandise by County staff for charitable non-profit organizations and causes and for employee sponsored causes and events at County occupied buildings.

Section 2. Section 78 of the San Diego County Administrative Code is hereby amended to read as follows:

1) **ACTIVITY PROHIBITED.** The sale, offering for sale, solicitation of sales or orders for vending or peddling of any goods, wares, articles, services or merchandise of any kind whatever within any building or portion thereof occupied by the County is hereby prohibited.

(a) Nothing in this regulation shall be construed to prohibit the above transactions or activities when entered into or conducted with or by any County officer, employee, agent, or representative, acting on behalf of the County within the scope of his official duties or employment or by any permittee or concessionaire of the County acting within the scope of his permit or concession.

(b) Nothing in this regulation shall be construed to prohibit the above transactions or activities by any County officer or employee if the above transactions are for charitable non-profit purposes.

(c) Nothing in this regulation shall be construed to prohibit the above transactions or activities by any County officer or employee if the above transactions or activities are for employee sponsored causes and events such as, but not limited to, holiday picnics, retirement parties.

(d) Activities described in subdivision (b) or (c) shall be permitted only if the appointing authority or his/her designee determines, prior to commencement of such activities, that such activities do not interfere with County business, that such activities are for a charitable non-profit purpose or that employee sponsored causes and events further employer-employee relations and are in the best interest of the County.

2) PENAL PROVISIONS. Any person, firm, partnership or corporation violating this section shall be guilty of a misdemeanor punishable by imprisonment in the County Jail not exceeding six months, or by fine not exceeding five hundred dollars(\$500), or by both.

Section 3. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED AND ADOPTED this 21st day of April, 1998.