

ORDINANCE NO. 10855
(New Series)

JUN 13 1972

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 3 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 63.20.8 AUTHORIZING CITY LIFEGUARDS TO ENFORCE THE MUNICIPAL CODE PROVISIONS AND STATE CODE PROVISIONS AND TO ARREST PERSONS AND ISSUE CITATIONS FOR VIOLATIONS OF SAID CODES.

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

Section 1. Section 63.20.8 of Chapter VI, Article 3, of the San Diego Municipal Code be enacted to read as follows:

SEC. 63.20.8 SAME -- LIFEGUARDS AUTHORIZED TO ENFORCE STATE AND LOCAL CODES -- ARRESTS AND CITATIONS

A. Purpose and Intent. It is the purpose and intent of the Council in enacting this section that all City lifeguards be specifically authorized pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, to make arrests without a warrant whenever any such lifeguard has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the lifeguard's presence which is a violation of a statute or ordinance which such lifeguard has the duty to enforce.

B. That lifeguards of The City of San Diego, be, and they are hereby authorized, empowered and given the duty to enforce provisions of the San Diego

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Municipal Code and misdemeanors designated in the State Codes; to make arrests without a warrant whenever any such lifeguard has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the lifeguard's presence; and while engaged in the performance of their duties, to arrest persons and issue citations for violations of said Codes under the provisions of Sections 836.5 and 853.6 of the Penal Code of the State of California when violations occur in City of San Diego beach areas.

Section 2. 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 H. Valderhaug
Harold Valderhaug, Deputy

HOV:rp
5/9/72

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JUN 13 1972

Passed and adopted by the Council of The City of San Diego on _____
by the following vote:

RECEIVED
CITY CLERK'S OFFICE
1972 MAY 24 AM 11:17
SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input 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"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
Mayor of The City of San Diego, California.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Judith A. Dillon, 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

MAY 30 1972

JUN 13 1972

_____, and on _____

~~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.

EDWARD NIELSEN
City Clerk of The City of San Diego, California.

(Seal)

By Judith A. Dillon, Deputy.

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MAY 1 1978

Office of the City Clerk, San Diego, California

Ordinance Number **10855** Adopted **JUN 13 1972**

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ATTORNEY (S)

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SAN DIEGO, CALIF So

CITY OF SAN DIEGO
*202 "C" Street
Community Concourse
San Diego, California 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

LIFEGUARDS TO ENFORCE PROVISIONS & ISSUE CITATIONS

ORDINANCE NO. 10855
(NEW SERIES)

ORDINANCE AMENDING CHAPTER VI, ARTICLE 1 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 93.20.5 AUTHORIZING LIFEGUARDS TO ENFORCE MUNICIPAL CODE, PROVISIONS AND STATE CODE PROVISIONS AND TO ARREST PERSONS WHOSE CITATIONS FOR VIOLATIONS OF SAID CODES ARE ISSUED BY THE CLERK OF SAID CODES.

Enacted by the Council of the City of San Diego, California, on the 13th day of June, 1972.

SECTION 1. NAME - LIFEGUARDS AUTHORIZED TO ENFORCE PROVISIONS AND LOCAL CODES, PROVISIONS AND CITATIONS.

Purpose and Intent. It is the purpose and intent of the Council in enacting this Ordinance that all city officers be specifically authorized to enforce the provisions of the Penal Code of the State of California, in make arrests without warrant whenever any person has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the life-guard's presence, while engaged in the performance of their duties, to arrest persons and issue citations for violations of the Code under the provisions of Sections 836.5 and 833.6 of the Penal Code of the State of California, when such violations occur in City of San Diego beach areas.

Section 2. This ordinance shall take effect and be in force on the thirteenth day of June, 1972, and after its passage, promulgation and adoption by the Council of the City of San Diego on June 13, 1972.

ATTEST:

TESTIFIED AND AUTHENTICATED BY:
PETE WILSON
 Mayor of The City of San Diego, California
EDWARD NIELSEN
 City Clerk of The City of San Diego, California
 By **JUDITH A. BILSON**
 Deputy

June 27, 1972

I, Patricia H. Applestill hereby certify that San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 10855 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on June 23, 1972

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on June 25, 1972

Patricia H. Applestill
(Signature)

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