

ORDINANCE NO.

**11134**

**SEP 27 1973**

(New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2,  
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
SECTION 62.0106 REGARDING ISSUANCE OF PERMITS  
IN PUBLIC RIGHTS OF WAY AND LAND DEVELOPMENT.

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

Section 1. That Chapter VI, Article 2, of the San Diego  
Municipal Code be amended by amending Section 62.0106 to read  
as follows:

SEC. 62.0106 ISSUANCE OF PERMITS

The City Engineer shall issue permits authorizing  
work under this Article upon approval of the application  
and plans, receipt of the prescribed fees, and posting  
of the required bond. The permits shall include, or refer,  
to the conditions, plans, and specifications which shall  
govern the work authorized. Permits for field staking  
shall be issued only when the work involves the construction  
of public improvements.

Permits for Projects or Developments Within the  
San Diego Coast Regional Commission "Permit Area."

No land development permit, public improvement permit  
or encroachment permit will be issued by The City of  
San Diego for projects or developments within the "Permit  
Area" of the San Diego Coast Regional Commission as  
established by the California Coastal Zone Conservation

Act of 1972 until such time as a development permit or certificate of exemption has been obtained from the Regional Commission, or if appealed, the California Coastal Zone Conservation Commission, or a court of competent jurisdiction authorizing such development, except that public improvements permits or encroachment permits considered as repairs or improvements to single-family dwellings of less than \$7,500 which are not located between the mean high tide line as defined by the Regional Commission and the nearest improved public street will not be subject to this provision. Procedures to be followed when application is submitted for a permit in the "Permit Area" are: The application, plans and specifications filed by an applicant for a permit shall be reviewed by the City Engineer. Such plans shall be reviewed by other City departments to ensure compliance with the laws and ordinances under their jurisdiction. If the City Engineer is satisfied that the work described in the application for a permit, and the plans and specifications filed therewith conform to the requirements of this Code, and other pertinent laws and ordinances, he shall issue to the applicant a letter stating that he is prepared to issue a permit therefor to the applicant when the appropriate fees have been paid and the applicant presents an approved permit or certificate of exemption granted by

**11134**

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**MAY 2 1978**

**C0190**



the Regional Commission, the California Coastal Zone Conservation Commission, if appealed, or a court of competent jurisdiction authorizing construction for which the application was filed; provided, however, that the application, plans and specifications comply with all laws and ordinances in effect at the time of the presentation of such permit or certificate and payment of such fee. Upon presentation of such permit or exemption certificate and payment of the fee specified in Section 62.0108 of this Code, the City Engineer shall issue a permit to the applicant, provided that the application, plans and specifications comply with all laws and ordinances in effect at the time of presentation of such permit or certificate and payment of fee.

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 DW Detisch  
Donald W. Detisch, Deputy

DWD:cav:K  
9-6-73

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11134

C0191

SEP 27 1973

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

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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Helena J. Ingrum, 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

SEP 13 1973, and on SEP 27 1973

~~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 Helena J. Ingrum, Deputy.

MICROFILMED  
MAY 2 1978

Office of the City Clerk, San Diego, California

Ordinance Number 11134 Adopted SEP 27 1973

11134

RECEIVED  
CITY CLERK'S OFFICE  
1973 OCT 24 PM 2:30  
SAN DIEGO, CALIF.

ATTORNEY (S)

CITY OF SAN DIEGO  
202 C Street, 12th Floor  
San Diego, California 92101

**CERTIFICATE OF PUBLICATION**

No. \_\_\_\_\_

IN THE MATTER OF

*ISSUANCE OF PERMITS*

OCT 24 1973 *LB*

I, *Patricia M. 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 11134 (NEW SERIES)*

is a true and correct copy of which this certificate is annexed and was published in said newspaper on

*October 5, 1973*

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

*October 12, 1973*

*Patricia M. Applestill*  
(Signature)

*1 1/2" @ \$4.42. \$50.83*

*lb* **CO193**

**AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 62.0106 REGARDING ISSUANCE OF PERMITS IN PUBLIC RIGHTS OF WAY AND LAND DEVELOPMENT.**

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

Section 1. That Chapter VI, Article 2, of the San Diego Municipal Code be amended by amending Section 62.0106 to read as follows:  
**SEC. 62.0106 ISSUANCE OF PERMITS.**

The City Engineer shall issue permits authorizing work under this Article upon approval of the application and plans, receipt of the prescribed fees, and posting of the required bond. The permits shall include, or refer to the conditions, plans, and specifications which shall govern the work authorized. Permits for field staking shall be issued only when the work involves the construction of public improvements.

Permits for Projects or Developments Within the San Diego Coast Regional Commission "Permit Area." No land development permit, public improvement permit or encroachment permit will be issued by The City of San Diego for projects or developments within the "Permit Area" of the San Diego Coast Regional Commission as established by the California Coastal Zone Conservation Act of 1972 until such time as a development permit or certificate of exemption has been obtained from the Regional Commission, or if appealed, the California Coastal Zone Conservation Commission, or a court of competent jurisdiction authorizing such development, except that public improvements permits or encroachment permits considered as repairs or improvements to single-family dwellings of less than \$7,500 which are not located between the mean high tide line as defined by the Regional Commission and the boundary of the permit area.

Applications and specifications filed by an applicant for a permit shall be reviewed by the City Engineer. Such plans shall be reviewed by other City departments to ensure compliance with the laws and ordinances under their jurisdiction. If the City Engineer is satisfied that the work described in the application for a permit, and the plans and specifications filed therewith conform to the requirements of this Code, and other pertinent laws and ordinances, he shall issue to the applicant a letter stating that he is prepared to issue a permit therefor to the applicant when the appropriate fees have been paid and the applicant presents an approved permit or certificate of exemption granted by the Regional Commission, the California Coastal Zone Conservation Commission, if appealed, or a court of competent jurisdiction authorizing construction for which the application was filed; provided, however, that the application, plans and specifications comply with all laws and ordinances in effect at the time of the presentation of such permit or certificate and payment of such fee. Upon presentation of such permit or exemption certificate and payment of the fee specified in Section 62.0106 of this Code, the City Engineer shall issue a permit to the applicant, provided that the application, plans and specifications comply with all laws and ordinances in effect at the time of presentation of such permit or certificate and payment of fee.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on Sept. 13, 1973.  
Passed and adopted by the Council of The City of San Diego on September 27, 1973.

**AUTHENTICATED BY:**  
PETE WILSON  
Mayor of The City of San Diego, California.  
EDWARD NIELSEN  
City Clerk of The City of San Diego, California.  
By NICHOLE J. DORTCH