

ORDINANCE NO. 11661
(New Series)

AUG 20 1975

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 4
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTIONS 34.01, 34.02, 34.03, 34.05, 34.06
AND 34.07 AND BY ADDING SECTIONS 34.08, 34.09,
34.10, 34.11 AND 34.12 RELATING TO BICYCLES.

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

Section 1. That Chapter III, Article 4 of the San Diego
Municipal Code be and it is hereby amended by amending Sections
34.01, 34.02, 34.03, 34.05, 34.06 and 34.07 to read as follows:

SEC. 34.01 BICYCLE DEFINED

"Bicycle" for the purpose of this article means any
device upon which a person may ride, which is propelled
by human power through a system of belts, chains, or gears,
and which has wheels at least twenty (20) inches in
diameter and a frame size of at least thirteen (13) inches.

SEC. 34.02 BICYCLE LICENSE REQUIRED

Except as provided by Section 34.09 of this article,
it is unlawful for any person to operate a bicycle upon any
public street, alley, sidewalk, highway, or other public
property within the jurisdiction of the City of San Diego
without first obtaining a license issued by said City of
San Diego. The Fire Department or any other department
designated by the City Manager is hereby authorized and
directed to issue, upon written application therefor,

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a bicycle license, to any person residing within the City of San Diego. License applicants who reside outside the City of San Diego shall be referred to their respective city or jurisdiction of residency. Licenses issued pursuant to provisions of this Code in effect on the effective date of this amendment shall remain valid until their assigned expiration dates or December 31, 1978, whichever occurs first. Any bicycle not subject to the provisions of this article may be licensed upon the request of the owner.

SEC. 34.03 BICYCLE LICENSE FEE

The fee to be paid for registration and licensing of any bicycle and for the renewal of registration and licensing of any bicycle shall be two dollars (\$2.00); for registration and licensing when there is a transfer of ownership, the new owner shall pay one dollar (\$1.00) for the transfer of the license to his name; for a lost or destroyed license plate, a new license plate shall be issued for which the owner shall pay two dollars (\$2.00). All fees shall be paid in advance.

SEC. 34.05 DESTROYING BICYCLE LICENSE NUMBER PROHIBITED

It shall be unlawful for any person to wilfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame licensed pursuant to this article. It shall also be unlawful for any person to remove, destroy, mutilate or alter any license plate, seal or

registration card during the time in which such license plate, seal or registration card is operative; provided, however, that nothing in this article shall prohibit the Chief of Police, any member of the Fire Department or any other department designated by the City Manager from stamping numbers on the frames of bicycles on which no serial number can be found or on which said number is illegible or insufficient for identification purposes.

SEC. 34.06 SERIAL NUMBERS

No bicycle license plate shall be issued for any bicycle unless such bicycle has permanently stamped or cast on its frame a serial number unique to the particular bicycle of each manufacturer. On bicycles on which no serial number can be found, or on which said number is illegible or insufficient for identification purposes, the Fire Department or any other department designated by the City Manager shall stamp a serial number on the frame thereof. Serial numbers shall be stamped or cast on bicycles as provided for in California Vehicle Code, Section 39000 et seq.

SEC. 34.07 TRANSFER REPORT REQUIRED

Every person who sells or transfers ownership of any bicycle shall report such sale or transfer to the Chief of Police, together with the name and address of the person to whom the bicycle was sold or transferred. The report shall be made within ten (10) days of the date of

transfer. Every person who purchases or otherwise acquires possession of a bicycle shall within ten (10) days of taking possession thereof apply for the transfer of license to his name. Whenever the owner of a bicycle licensed pursuant to this article changes his address, he shall within ten (10) days notify the Chief of Police of the old and new addresses.

Section 2. That Chapter III, Article 4 of the San Diego Municipal Code be and it is hereby amended by adding Sections 34.08, 34.09, 34.10, 34.11 and 34.12 to read as follows:

SEC. 34.08 MAINTENANCE OF RECORDS

The Chief of Police shall maintain records of each bicycle registered. Such records shall include but not be limited to the license number, the serial number of the bicycle, the make, type, and model of the bicycle, and the name and address of the licensee.

SEC. 34.09 RECIPROCITY

Any license issued to the owner of a bicycle, under the requirements of California Vehicle Code, Section 39000 et seq., shall be honored by the City of San Diego if such licensed bicycle owner moves from the issuing jurisdiction to within the City of San Diego. Such license shall be honored until the expiration date of said license and the licensed owner shall then immediately make application for a current bicycle license to be issued under the requirements of this article.

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MAY 8 1978

SEC. 34.10 LICENSE PERIOD

As provided for by state law, bicycle licenses shall be renewed uniformly throughout the state. Statewide bicycle licenses issued by the City of San Diego from the effective date of this section shall expire on December 31, 1978, and become renewable thereon. Subsequent renewal intervals shall be for a period of three (3) years.

SEC. 34.11 RENTAL AGENCIES

A rental agency operating within the City of San Diego shall not rent or offer any bicycle for rent unless said bicycle is licensed as provided in this article.

SEC. 34.12 FINES

The fine imposed for any violation of Section 34.01 to and including Section 34.11 of this article shall be five dollars (\$5.00).

Section 3. 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 Robert W. MacCartee
Robert W. MacCartee
Deputy City Attorney

RWM:k:504
7-25-75
Or.Dept.: Fire Dept.

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MAY 8 1978

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Passed and adopted by the Council of The City of San Diego on AUG 20 1975,
 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"/>
Lee Hubbard	<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"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<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 Kathleen Martiniz, 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

AUG 6 1975

AUG 20 1975

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 Kathleen Martiniz, Deputy.

RECEIVED
 CITY CLERK'S OFFICE
 1975 JUL 30 AM 8:03
 SAN DIEGO, CALIF.

00372

Office of the City Clerk, San Diego, California

Ordinance Number **11661** Adopted **AUG 20 1975**

MICROFILMED MAY 8 1978

ATTORNEY(S)

San Diego, City of
12th Floor City Admin. Bldg.
San Diego, Ca. 92101
Kathleen Martinez

RECEIVED
CITY CLERK'S OFFICE
1975 SEP -2 PM 4: 26
SAN DIEGO, CALIF. *gw*

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

Relating to Bicycles

SEP 2 1975 *gw*

I, PATRICIA M. APPELSTILL 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; and the

ORDINANCE NO. 11661

4188

is a true and correct copy of which this certificate is annexed and was published in said newspaper on August 29, 1975

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on August 29, 1975

Patricia M. Appelstall

(Signature)

18 3/4" @ 4.84 \$90.75

00373

plus \$6.00 slips
\$96.75

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Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on August 6, 1975.

Passed and adopted by the Council of The City of San Diego on August 20, 1975.

AUTHENTICATED BY:

PETE WILSON,

Mayor of the The City

of San Diego, California.

EDWARD NIELSEN,

City Clerk of The City of

San Diego, California.

By KATHLEEN MARTINEZ,

Deputy.

(SEAL)

Pub. Aug. 20, 1975

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