

O. 77-63
(Revised)

11957

ORDINANCE NO.
* (New Series)

NOV 24 1976

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3,
DIVISION 32, OF THE SAN DIEGO MUNICIPAL CODE
BY ADDING SECTION 33.3208; AND AMENDING CHAPTER
III, ARTICLE 1, DIVISION 3, BY AMENDING SECTION
31.0391 RELATING TO SWAP MEETS AND SWAP LOTS.

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

Section 1. That Chapter III, Article 3, Division 32,
of the San Diego Municipal Code be and it is hereby amended
by adding Section 33.3208 to read as follows:

SEC. 33.3208 EXEMPTIONS

Sections 33.3204 through 33.3206 of this Division
shall not apply to any person who operates a swap meet
or swap lot primarily for the purpose of permitting
members of the public at large to offer for sale or
sell used motor vehicles, trailers or boats which are
registered with the California Department of Motor
Vehicles. Notwithstanding the exemption as herein
provided, any peace officer shall have free access to
such swap lot and swap meet for purposes of reasonable
inspection.

Section 2. That Chapter III, Article 1, Division 3, of
the San Diego Municipal Code be and it is hereby amended by
amending Section 31.0391 to read as follows:

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MAY 12 1978

00357

SEC. 31.0391 LICENSE FEE--SWAP MEET/SWAP LOT

Every person except as provided below who operates a swap meet or swap lot as defined in Section 33.3200 of this Code shall pay daily a license fee of one hundred dollars (\$100) and a daily license fee of one dollar (\$1) for each seller in excess of one hundred sellers in attendance.

Every person who operates a swap meet or swap lot primarily for the purpose of permitting members of the public at large to offer for sale or sell used motor vehicles, trailers or boats which are registered with the California Department of Motor Vehicles shall pay a license fee of two hundred fifty dollars (\$250) per year.

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 Eugene P. Gordon
Eugene P. Gordon
Deputy City Attorney

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MAY 12 1978

11957

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EPG:rc:503.3
REVISED 10/22/76
Orig. Dept. : Police

Passed and adopted by the Council of The City of San Diego on NOV 24 1976,
 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"/> |
| Tom Gade | <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 Martinez, 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 10 1976

NOV 24 1976

~~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.

By Kathleen Martinez, Deputy.

RECEIVED
 CITY CLERK'S OFFICE
 1976 NOV - 1 AM 10:28
 SAN DIEGO, CALIF. (Seal)

MICROFILMED
 MAY 12 1978

Office of the City Clerk, San Diego, California

Ordinance Number 11957 Adopted NOV 24 1976

60359

ATTORNEY(S)

San Diego, City of
202 C St., 12th Floor
San Diego, CA 92101
Attn: Kathleen Martinez

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

ORDINANCE NO. 11957

(New Section)

AN ORDINANCE AMENDING CHAPTER III, ARTICLE 3, DIVISION 32, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 33.3208; AND AMENDING CHAPTER III, ARTICLE 1, DIVISION 3, BY AMENDING SECTION 31.0391 RELATING TO SWAP MEETS AND SWAP LOTS.

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

Section 1. That Chapter III, Article 3, Division 32, of the San Diego Municipal Code be and it is hereby amended by adding Section 33.3208 to read as follows:

SEC. 33.3208 EXEMPTIONS

Sections 33.3204 through 33.3206 of this Division shall not apply to any person who operates a swap meet or swap lot primarily for the purpose of permitting members of the public at large to offer for sale or sell used motor vehicles, trailers or boats which are registered with the California Department of Motor Vehicles. Notwithstanding the exemption as herein provided, any piece of floor shall have free access to such swap lot and swap meet for purposes of reasonable inspection.

Section 2. That Chapter III, Article 1, Division 3, of the San Diego Municipal Code be and it is hereby amended by amending Section 31.0391 to read as follows:

SEC. 31.0391 LICENSE FEE - SWAP MEET/SWAP LOT

Every person except as provided below who operates a swap meet or swap lot as defined in Section 33.3200 of this Code shall pay daily a license fee of one hundred dollars (\$100) and a daily license fee of one dollar (\$1) for each seller in excess of one hundred sellers in attendance.

Every person who operates a swap meet or swap lot primarily for the purpose of permitting members of the public at large to offer for sale or sell used motor vehicles, trailers or boats which are registered with the California Department of Motor Vehicles shall pay a license fee of two hundred and fifty dollars (\$250) per year.

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

Introduced on November 10, 1976.

Passed and adopted by the Council of The City of San Diego on November 24, 1976.

AUTHENTICATED BY:

PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By KATHLEEN MARTINEZ,
Deputy

(SEAL)
Pub. Dec 8, 1976 16 1976

SWAP MEETS AND SWAP LOTS

1, PATRICIA M. DUTRA 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. 11957

is a true and correct copy of which this certificate is annexed and was published in said newspaper on December 8, 1976

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

December 8, 1976

Patricia M. Dutra

(Signature)

7" @ 5.08 = 35.56 CU360