

ORDINANCE NO. 11065 MAY 17 1973  
(New Series)

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING THERETO SECTION 84.14.2 RELATING TO ESTABLISHING A LOAD LIMIT ON THAT PORTION OF ROUTE 163 SOUTHERLY OF INTERSTATE 8 THROUGH BALBOA PARK.

WHEREAS, Section 35701 of the Vehicle Code of the State of California authorizes any city, by ordinance, to prohibit the use of a street to be described in the ordinance by any commercial vehicle or by any vehicle exceeding a maximum gross weight limit to be specified in the ordinance, except with respect to any vehicle which is subject to the provisions of Sections 1031 to 1036, inclusive, of the Public Utilities Code, and

WHEREAS, Section 35702 of the Vehicle Code of the State of California provides that no ordinance proposed under said Section 35701 is effective in the case of any state highway until the ordinance has been submitted by the governing body of the local authority and approved in writing by the Department of Public Works, and further provides that the governing body of the local authority in submitting a proposed ordinance to the Department for approval shall designate therein an alternate route for the use of vehicles, which route shall remain unrestricted, and

**MICROFILMED**

MAY 1 1978

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WHEREAS, the Department of Public Works, by a letter dated May 3, 1972, a copy of which is on file in the office of the City Clerk as Document No. 743512, has indicated, "that it is satisfactory to proceed with [our] public hearing on the basis of [the] draft" ordinance hereinbelow set forth; NOW, THEREFORE,

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

Section 1. Section 84.14.2 is hereby added to the Municipal Code of The City of San Diego to read as follows:

SEC. 84.14.2 VEHICLE LOAD LIMIT - ROUTE 163

It is hereby declared to be unlawful to drive or allow to be driven any commercial or other vehicle which has a rated capacity of one ton or more on that portion of Route 163 southerly of Interstate 8 through Balboa Park, southbound, Monday through Friday, between the hours of 7:00 a.m. and 9:00 a.m. The specific boundaries of said prohibition are set forth on a map on file in the office of the City Clerk as Document No. 743513.

Section 2. This prohibition shall not apply to any vehicle which is subject to the provisions of Section 1031 to 1036, inclusive, of the Public Utilities Code.

Section 3. Pursuant to Section 35702 of the Vehicle Code of the State of California, the alternate routes for the use of vehicles, which routes shall remain unrestricted as to weight limits or types of vehicles so long as this ordinance shall remain in effect, are portions of Interstate 805 and Interstate 5, as designated on said map on file with the Clerk of The City of San Diego as Document No. 743513.

Section 4. This ordinance shall take effect and be in force upon receipt by City of final approval from the Department of Public Works of the State of California pursuant to Section 35702 of the Vehicle Code of the State of California, or on the thirtieth day from and after its passage, whichever event last occurs.

APPROVED: JOHN W. WITT, City Attorney

By H. Valderhaug  
Harold Valderhaug, Deputy

Revised  
rp/4-23-73

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MAY 1 1978

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11065

Passed and adopted by the Council of The City of San Diego on MAY 17 1973,  
 by the following vote:

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 CITY CLERK'S OFFICE  
 1973 MAY -1 PH 4:28  
 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 Mary Anne Mease, 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 1 1973, and on MAY 17 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 Mary Anne Mease, Deputy.

MICROFILMED

MAY 1 1978

RECEIVED  
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 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
Ordinance Number <b>11065</b>	Adopted <b>MAY 17 1973</b>
<b>02767</b>	

*JTB*

ATTORNEY (S)

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1973 JUN -5 PM 1:29

SAN DIEGO, CALIF.

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

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

RELATING TO ESTABLISHING A LOAD LIMIT

I, Patricia M. Applestill hereby certify that Sun 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. 11065 (NEW SERIES)

to a true and correct copy of which this certificate is annexed was published in said newspaper on May 24, 1973

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on May 25, 1973

*Patricia M. Applestill*  
(Signature)

9 3/8" \$39<sup>38</sup>  
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Ord 11065 NS

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WHEREAS, Section 35702 of the Vehicle Code of the State of California provides that no ordinance proposed under said Section 35701 is effective in the case of any state highway until the ordinance has been submitted by the governing body of the local authority and approved in writing by the Department of Public Works, and further provides that the governing body of the local authority in submitting a proposed ordinance to the Department for approval shall designate therein an alternate route for the use of vehicles, which route shall remain unrestricted, and

WHEREAS, the Department of Public Works, by a letter dated May 3, 1972, a copy of which is on file in the office of the City Clerk as Document No. 743512, has indicated, "that it is satisfactory to proceed with [our] public hearing on the basis of [the] draft ordinance hereinbelow set forth;

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Section 1. Section 84.14.2 is hereby added to the Municipal Code of The City of San Diego to read as follows:

**SEC. 84.14.2. VEHICLE LOAD LIMIT--ROUTE 163**

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Introduced on May 1, 1973.

Passed and adopted by the Council of The City of San Diego on May 17, 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 MARY ANNE MEASE,  
Deputy.

(SEAL)  
Published May 24, 1973. B-776