

ORDINANCE NO. 12008
(New Series)

FEB 9 1977

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 4,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 54.05 AND ADDING SECTION 54.06
RELATING TO PUBLIC HAZARDS; AND AMENDING
CHAPTER VIII, ARTICLE 2, BY ADDING SECTION
82.23 RELATING TO TRAFFIC MOVEMENT AND
CONTROL.

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

Section 1. That Chapter V, Article 4, of the San Diego
Municipal Code be and the same is hereby amended by amending
Section 54.05 and adding Section 54.06 to read as follows:

SEC. 54.05 WARES OR MERCHANDISE DISPLAYED ON
-SIDEWALK--PROHIBITED

Except as otherwise provided in this code, it
shall be unlawful for any person, firm or corporation
to set out for exhibition, show or otherwise, or to
maintain or allow any goods, wares or merchandise
upon any sidewalk or curb within the City of San Diego,
between the outer edge of the sidewalk or curb and
the property line, and no goods, wares or merchandise,
or other thing of whatsoever nature, shall be by any
person placed, or allowed to remain on any sidewalk
or curb within said City, between the outer edge of
the sidewalk or curb and the property line where such
goods, wares and merchandise, or other thing of any
kind or nature, are placed, or allowed to remain,
provided that nothing herein contained shall prohibit

00660

MICROFILMED

MAY 15 1978

the right of any person, firm or corporation to load or unload goods, wares and merchandise in front of the place of business of said person, firm or corporation, and to leave such goods, wares and merchandise upon said sidewalk or curb for such length of time as is necessary for the purpose of loading or unloading the same.

SEC. 54.06 WARES OR MERCHANDISE DISPLAYED ON
SIDEWALK--PERMITS

Upon a determination that a public or community event is to take place, the Chief of Police may, for good cause, issue a permit for the sale or display of goods, wares or merchandise in or upon the areas described in Section 54.05. Such display or sales shall be restricted to that area specifically described in the permit. The permit may authorize the conduct of activities consistent with the public or community event, and other provisions of this code pertaining to such activities shall not apply during the time period of the permit. Any person or organization who has had an application denied by the Chief of Police may appeal the decision in the manner provided in this code.

Section 2. That Chapter VIII, Article 2, of the San Diego Municipal Code be and the same is hereby amended by adding Section 82.23, to read as follows:

SEC. 82.23 TEMPORARY CLOSURE OF CITY ROADWAYS--PERMITS

Notwithstanding any other provision of this code,

00661

upon a determination that a public or community event is to take place, the Chief of Police may, for good cause, issue a permit with or without conditions for the temporary closure of any portion of a roadway maintained by the City of San Diego. The permit may authorize the conduct of activities consistent with the public or community event, and other provisions of this code pertaining to such activities shall not apply during the time period of the permit. Any person or organization who has had an application denied by the Chief of Police may appeal the decision in the manner provided in this code.

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

EPG:rc:221.1
Or. Dept.: Police
1/12/77

-3-

12008

00662

MICROFILMED

MAY 15 1978

FEB 9 1977

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"/>
Lee Hubbard	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<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 *Elizabeth Deeg*, 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

JAN 26 1977

FEB 9 1977

~~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 *Elizabeth Deeg*, Deputy.

RECEIVED
CITY CLERK'S OFFICE
1977
JAN 18 PM 4: 56
SAN DIEGO, CALIF.

MICROFILMED MAY 15 1978

Office of the City Clerk, San Diego, California

Ordinance Number 12008 Adopted FEB 9 1977

ATTORNEY(S)

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

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

TRAFFIC MOVEMENT AND CONTROL

ORDINANCE NO. 12008

(New Series)
AN ORDINANCE AMENDING CHAPTER V, ARTICLE 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 54.06 AND ADDING SECTION 54.06 RELATING TO PUBLIC HAZARDS; AND AMENDING CHAPTER VIII, ARTICLE 2, BY ADDING SECTION 82.23 RELATING TO TRAFFIC MOVEMENT AND CONTROL.

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

Section 1. That Chapter V, Article 4, of the San Diego Municipal Code be and the same is hereby amended by amending Section 54.06 and adding Section 54.06 to read as follows:

SEC. 54.06 WARES OR MERCHANDISE DISPLAYED ON SIDEWALK - PROHIBITED

Except as otherwise provided in this code, it shall be unlawful for any person, firm or corporation to set out for exhibition, show or otherwise, or to maintain or allow any goods, wares or merchandise upon any sidewalk or curb within the City of San Diego, between the outer edge of the sidewalk or curb and the property line, and no goods, wares or merchandise, or other thing of whatsoever nature, shall be by any person placed, or allowed to remain on any sidewalk or curb within said City, between the outer edge of the sidewalk or curb and the property line where such goods, wares and merchandise, or other thing of any kind or nature, are placed, or allowed to remain, provided that nothing herein contained shall prohibit the right of any person, firm or corporation to load or unload goods, wares and merchandise in front of the place of business of said person, firm or corporation, and to leave such goods, wares and merchandise upon said sidewalk or curb for such length of time as is necessary for the purpose of loading or unloading the same.

PATRICIA M. DUTRA

I, hereby certify
that the 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

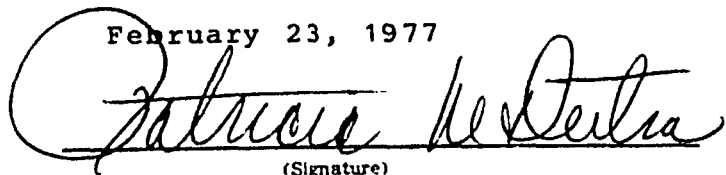
ORDINANCE NO. 12008

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

February 23, 1977

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

February 23, 1977


(Signature)

00664

11 3/8" @ 5.08 = 57.79 ✓

Upon a determination that a public or community event is to take place, the Chief of Police may, for good cause, issue a permit for the sale or display of goods, wares or merchandise in or upon the areas described in Section 22.08. Such display or sales shall be restricted to that area specifically described in the permit. The permit may authorize the conduct of activities consistent with the public or community event and other provisions of the code pertaining to such activities shall not apply during the time period of the permit. Any person or organization who has had an application denied by the Chief of Police may appeal the decision in the manner provided in this code.

Section 2. That Chapter VIII, Article 2, of the San Diego Municipal Code be and the same is hereby amended by adding Section 22.08 to read as follows:

SEC. 22.08. TEMPORARY CLOSURE OF CITY ROADWAYS - PERMITS

Notwithstanding any other provision of this code, upon a determination that a public or community event is to take place, the Chief of Police may, for good cause, issue a permit with or without conditions for the temporary closure of any portion of a roadway maintained by the City of San Diego. The permit may authorize the conduct of activities consistent with the public or community event and other provisions of this code pertaining to such activities shall not apply during the time period of the permit. Any person or organization who has had an application denied by the Chief of Police may appeal the decision in the manner provided in this code.

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

Introduced on January 26, 1977.
Passed and adopted by the Council of the City of San Diego on February 9, 1977.

AUTHENTICATED BY:
PETE WILSON,
Mayor of the City of San Diego, California
EDWARD NIELSEN,
City Clerk of the City of San Diego, California
JOHN J. ALBERTS, DEPT. CLERK

00665

Q.N. 12008 NS

Page 2 of 2