

ORDINANCE NO. **12133**  
(New Series)

AUG 24 1977

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 62.0611; AND AMENDING CHAPTER VIII, ARTICLE 5, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 85.07 RELATING TO ENCROACHMENT OF PRIVATE TREES AND PLANTS IN PUBLIC RIGHT OF WAY.

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 and the same is hereby amended by amending Section 62.0611, to read as follows:

SEC. 62.0611 SAME--OWNERS OF PREMISES REQUIRED TO TRIM BRANCHES

The owner, or his agent, of every lot or parcel of land in the City of San Diego, upon which any trees, palms, shrubs or plants are now or may hereafter be standing, shall trim, or cause to be trimmed, the branches thereof so that same shall not obstruct the passage of light from any street light located in any street or other public highway adjacent to the street or sidewalk; and such owner, or his agent, shall trim all branches of any trees, palms, shrubs or plants which overhang any alley, sidewalk, street, or other public highway, so that there shall be a clear height of eight (8) feet above the surface of any sidewalk or eleven (11) feet above the surface of the street, alley, or other public

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highway unobstructed by branches; and such owner, or his agent, shall trim or remove trees, palms, shrubs or plant growth which obstruct the view of any vehicle operators of any traffic signals, traffic sign or other traffic control devices; and such owner, or his agent, shall remove from such trees, palms, shrubs or plants all dead, decayed or broken limbs or branches that overhang such alley, sidewalk, street or other public highway, and when any such trees, palms, shrubs, or plants are dead such owner or his agent, shall remove the same so that they shall not fall into the alley, sidewalk, street or other public highway.

The City of San Diego shall have the same duties enumerated in this section in regard to any trees, palms, shrubs or plants intruding onto private property that are now or may be found standing in any public street or public right of way within the City of San Diego.

Section 2. That Chapter VIII, Article 5, of the San Diego Municipal Code be and the same is hereby amended by amending Section 85.07, to read as follows:

SEC. 85.07 SHRUBBERY OBSTRUCTING VISIBILITY OF INTERSECTION, TRAFFIC SIGNAL, OR TRAFFIC CONTROL DEVICES

Whenever the City Manager finds that any hedge, shrubbery, tree, or other foliage obstructs the view of any intersection of any traffic upon the streets approaching an intersection, or the view of any traffic signal or traffic control device, he shall cause the hedge, shrubbery, tree

REVISED 8/1/77

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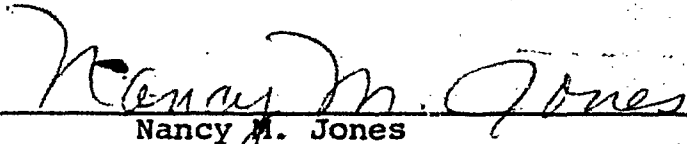
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or other foliage to be immediately removed or trimmed so as to permit visibility of such intersection, traffic signal or traffic control device.

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



Nancy M. Jones  
Deputy City Attorney

NMJ;rc:740  
6/26/77 REVISED 8/1/77  
Or. Dept.: Park & Recreation

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Passed and adopted by the Council of The City of San Diego on AUG 24 1977  
 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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

AUG 10 1977

AUG 24 1977

, 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 Martinez, Deputy.

RECEIVED & B  
 CITY CLERK OF  
 1977 AUG -2 AM 9:06  
 SAN DIEGO, CALIF.

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 OCT 4 1978

Office of the City Clerk, San Diego, California	
Ordinance Number	<b>12133</b>
Adopted	<b>AUG 24 1977</b>
<b>01425</b>	

*Sw*

ATTORNEYS:

San Diego, City of  
12th Floor, City Admin. Bldg  
202 C Street  
San Diego, CA 92101

CERTIFICATE OF PUBLICATION

No.

IN THE MATTER OF

PRIVATE TREES AND PLANTS

**ORDINANCE NO. 12133**

(New Series)

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 62.0611; AND AMENDING CHAPTER VIII, ARTICLE 5 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 85.07 RELATING TO ENCROACHMENT OF PRIVATE TREES AND PLANTS IN PUBLIC RIGHT OF WAY.

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 and the same is hereby amended by amending Section 62.0611, to read as follows:

**SEC. 62.0611 SAME—OWNERS OF PREMISES REQUIRED TO TRIM BRANCHES**

The owner, or his agent, of every lot or parcel of land in the City of San Diego, upon which any trees, palms, shrubs or plants are now or may hereafter be standing, shall trim, or cause to be trimmed, the branches thereof so that same shall not obstruct the passage of light from any street light located in any street or other public highway adjacent to the street or sidewalk; and such owner, or his agent, shall trim all branches of any trees, palms, shrubs or plants which overhang any alley, sidewalk, street, or other public highway, so that there shall be a clear height of eight (8) feet above the surface of any sidewalk or eleven (11) feet above the surface of the street, alley, or other public highway unobstructed by branches; and such owner, or his agent, shall trim or remove trees, palms, shrubs or plant growth which obstruct the view of any vehicle operators of any traffic signals, traffic sign or other traffic control devices; and such owner, or his agent, shall remove from such trees, palms, shrubs or plants all dead, decayed or broken limbs or branches that overhang such alley, sidewalk, street or other public highway, and when any such trees, palms, shrubs, or plants are dead such owner or his agent, shall remove the same so that they shall not fall into the alley, sidewalk, street or other public highway.

The City of San Diego shall have the same duties enumerated in this section in regard to any trees, palms, shrubs or plants intruding onto private property that are now or may be found standing in any public street or public right of way within the City of San Diego.

Section 2. That Chapter VIII, Article 5, of the San Diego Municipal Code be and the same is hereby amended by amending Section 85.07, to read as follows:

**SEC. 85.07 SHRUBBERY OBSTRUCTING VISIBILITY OF INTERSECTION, TRAFFIC SIGNAL, OR TRAFFIC CONTROL DEVICES**

Whenever the City Manager finds that any hedge, shrubbery, tree, or other foliage obstructs the view of any intersection of any traffic upon the streets approaching an intersection, or the view of any traffic signal or traffic control device, he shall cause the hedge, shrubbery, tree or other foliage to be immediately removed or trimmed so as to permit visibility of such intersection, traffic signal or traffic control device.

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

Introduced on August 10, 1977.

Passed and adopted by the Council of The City of San Diego on August 24, 1977.

**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, Sept. 7, 1977

LS 8008

I, Patricia M. Dutra 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

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

September 7, 1977

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

September 12, 1977

*Patricia M. Dutra*

(Signature)

**INCORPORATED**

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