

ORDINANCE NUMBER O- **15574** (New Series)

Adopted on AUG 24 1981

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 6, DIVISION 20, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 86.2003, 86.2004, 86.2006, 86.2007, 86.2008, 86.2009, 86.2011, 86.2012, 86.2013 AND 86.2014, ALL RELATING TO THE RESIDENTIAL PERMIT PARKING PROGRAM.

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

Section 1. That Chapter VIII Article 6, Division 20, of the San Diego Municipal Code be, and the same is hereby amended by amending Sections 86.2003, 86.2004, 86.2006, 86.2007, 86.2008, 86.2009, 86.2011, 86.2012, 86.2013 and 86.2014, to read as follows:

SEC. 86.2003 DEFINITIONS

(a) No change to this subsection.

(b) "Commuter vehicle" shall mean a motor vehicle, other than one described in subparagraph (e) herein, parked in a residential area in which it is not registered with the State of California, Department of Motor Vehicles.

(c) No change to this subsection.

(d) "Residential permit parking area" shall mean a residential area designated as herein provided wherein resident motor vehicles displaying a valid permit as described herein shall be exempt from parking restrictions established pursuant to this Divisions.

(e) "Transient vehicle" shall mean a motor vehicle, other than a resident vehicle, which has been issued a temporary residential parking permit pursuant to this Division.

(f) "Owns" shall mean that a person has at least a one-quarter interest in a parcel of real property within a residential permit

parking area.

(g) "Lease" shall mean that a person pays rent or other remuneration for use of a parcel of real property as his residence or place of business.

(h) "Motor vehicle" shall include an automobile, truck, recreation vehicle, motorcycle or other motor-driven or self-propelled form of transportation.

(i) "Person" shall mean natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

(j) "Genders." Any gender includes the other genders.

SEC. 86.2004 DESIGNATION OF RESIDENTIAL PERMIT PARKING AREAS

The City Council shall, upon recommendation of the City Manager, consider for designation as residential permit parking areas those residential areas meeting and satisfying the objective criteria therefor established in this Division. It may in its discretion then designate by resolution certain residential areas as residential permit parking areas in which resident motor vehicles displaying a valid parking permit may stand or be parked without limitation by parking time or parking area restrictions established by this Division. Said resolution shall also state the applicable parking regulation and period of the day for its application, and the fee to be charged upon permit issuance.

SEC. 86.2006 DESIGNATION PROCESS

(a) No change to this subsection.

(b) Within thirty days of the completion of surveys and studies to determine whether designation criteria are met, the

City Manager or his designee shall notice as herein provided a public hearing or hearings in or as close to the neighborhood as possible on the subject of the eligibility of the residential area under consideration for residential permit parking. Said hearing or hearings shall also be conducted for the purpose of ascertaining boundaries for the proposed residential permit parking area as well as the appropriate area prohibition or time limitation on parking and the period of the day for its application.

The City Clerk shall cause notice of such hearing or hearings to be published twice in a newspaper of general circulation printed and published in this city. The first publication shall be not less than ten days prior to the date of such hearing.

The City Manager or his designee shall direct the Superintendent of Streets to, and such Superintendent shall cause notice of such hearing to be conspicuously posted in the proposed residential permit parking area.

The notice shall clearly state the purpose of the hearing, the location and boundaries tentatively considered for the proposed residential permit parking area and, if applicable, the permit fee to be charged therefor. During such hearing or hearings, any interested person shall be entitled to appear and be heard, subject to appropriate rules of order adopted by the City Manager or his designee.

SEC. 86.2007 RECOMMENDATION OF THE CITY MANAGER

(a) No change to this subsection.

(b) In the report to the City Manager, he shall set forth the

evidence generated as a result of surveys and studies performed, significant subjects and concerns raised by the public at the public hearing or hearings conducted, the findings relative to those designation criteria listed in Section 86.2005 deemed applicable to the residential area and conclusions as to whether the findings justify preferential residential parking for that particular area, the proposed boundaries of the residential permit parking area, any proposed area prohibition or time limitation and period of day for its application.

(c) No change to this subsection.

SEC. 86.2008 ISSUANCE OF PERMITS

(a) No change to this subsection.

(b) No change to this subsection.

(1) No change to this subsection.

(2) No change to this subsection.

(c) No change to this subsection.

(d) No change to this subsection.

(e) Temporary residential parking permits may be issued for vehicles which are: (1) owned, rented or under the operational control of any person who owns or leases property in the residential permit area, or (2) used in providing services to persons or property in the residential permit area. Temporary residential parking permits may also be issued to vehicles owned by temporary visitors who are residing in the residential permit parking area. Such temporary residential parking permits shall have all of the rights and privileges of a regular permit. A temporary parking permit shall be valid for no more than fourteen days from the date of issuance. No resident of a residential permit parking area shall be issued

more than two temporary parking permits at any one time. A temporary residential parking permit issued to a vehicle providing services or to vehicles owned by temporary visitors shall be considered to be a temporary permit issued to the resident of the property where the services are provided or the temporary visitors are residing.

SEC. 86.2009 POSTING OF RESIDENTIAL PERMIT PARKING AREA

Upon the adoption by the City Council of a resolution designating a residential permit parking area, the City Manager pursuant to Section 82.01 of this Code shall cause appropriate signs to be erected in the area indicating prominently thereon the area prohibition or time limitation, period of the day for its application, and conditions under which permit parking shall be exempt therefrom.

SEC. 86.2011 PERMIT PARKING EXEMPTIONS

A resident motor vehicle or transient motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to stand or be parked in the residential permit parking area for which the permit has been issued without being limited by time restrictions or area prohibitions established pursuant to this Division. Said resident motor vehicle or transient motor vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this Division. All other motor vehicles other than vehicles specified in Section 81.06 of this Code and vehicles where the operator or the passenger being transported by said vehicle is physically disabled and the vehicle displays a license issued under the provisions of Section 9105 or Section 22511.5 of the California Vehicle Code, parked within a residential permit parking

area shall be subject to the time restrictions or area prohibitions adopted as provided in this Division as well as the penalties provided for herein.

A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area.

SEC. 86.2012 APPLICATION FOR AND DURATION OF PERMIT

Each parking permit issued by the City Manager or designee shall be valid for not more than one year from date of issuance. Permits shall expire on the last day of the anniversary month of the formation of the area for which it was issued. Permits may be renewed during the anniversary month of the area in such manner as may be required by the City Manager. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a residential permit parking area, and the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the City Manager.

SEC. 86.2013 PERMIT FEES

(a) The fee for a residential parking permit shall be ten dollars (\$10.00) per year for each vehicle. When the permit would expire in less than six (6) months from its issuance the permit fee shall be five dollars (\$5.00). There shall be a one dollar (\$1.00) transfer charge for those with permits in one residential permit parking area who move to another residential permit parking area and apply for a permit in the new area of residence. In such cases the new permit shall expire at the same time as a permit for the new area permit would expire.

(b) The fee for a temporary residential parking permit

shall be two dollars (\$2.00).

SEC. 86.2014 PENALTY PROVISIONS

(a) It shall be unlawful and a violation of this Division unless expressly provided to the contrary herein, for any person to stand or park a motor vehicle for a period exceeding the time limitation or in violation of the area prohibition established pursuant hereto. Said violation shall be an infraction punishable in accordance with the provisions of Section 11.12 of this Code.

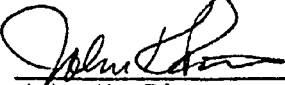
(b) No change to this subsection.

(c) No change to this subsection.

(d) It shall be unlawful and a violation of this Division for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit or permits without written authorization from the City Manager or designee. It shall further be unlawful and a violation of this Division for a person to knowingly use or display a facsimile or counterfeit parking permit in order to evade area prohibitions or time limitations on parking applicable in a residential permit parking area. A violation of this subsection shall be a misdemeanor punishable in accordance with the provisions of Section 11.12 of this Code.

Section 2. That this ordinance shall take effect and be in force thirty days from and after its passage.

APPROVED: John W. Witt, City Attorney

By   
\_\_\_\_\_  
John K. Riess  
Deputy City Attorney

JKR:lco:235  
8/6/81  
Or .Dept:E&D  
Form=o-82-23



Passed and adopted by the Council of The City of San Diego on AUG 24 1981,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR,  
 City Clerk of The City of San Diego, California.

(Seal) By Barbara Berridge, 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 1981, and on AUG 24 1981.

~~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.

CHARLES G. ABDELNOUR,  
 City Clerk of The City of San Diego, California.

(Seal) By Barbara Berridge, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number O-15574 Adopted AUG 24 1981

RECEIVED  
CITY CLERK'S OFFICE

CERTIFICATE OF PUBLICATION SEP 18 PM 1:35

SAN DIEGO, CALIF. *NS*

San Diego, City of  
12th floor, 202 C St.  
San Diego, CA 92101  
BERRIDGES

IN THE MATTER OF

NO.

ORDINANCE NO. 0-15574

**ORDINANCE NO. 0-15574  
(New Series)**

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 8, DIVISION 20, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 88.2003, 88.2004, 88.2006, 88.2007, 88.2008, 88.2009, 88.2011, 88.2012, 88.2013 and 88.2014, ALL RELATING TO THE RESIDENTIAL PERMIT PARKING PROGRAM.

This ordinance amends the Municipal Code to add provisions for prohibiting nonresident parking in residential permit parking areas. It also adds provisions for visitor parking permits for certain transient vehicles in residential permit parking areas. Fee schedules are set for transient vehicles and for residential permits of less than six months duration. Changes are made to clarify the infraction and misdemeanor sections of the ordinance and the duties of the City Manager regarding the noticing of neighborhood hearings.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

Introduced on August 10, 1981  
Passed and adopted by the Council of The City of San Diego on August 24, 1981

AUTHENTICATED BY:  
PETE WILSON, Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR, City Clerk of The City of San Diego, California.

(SEAL)  
By BARBARA BERRIDGE, Deputy.  
Pub. September 7, 1981

70-8010

I, Charlene Lance, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. 0-15574  
(New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

Sept. 7, 1981

I certify under penalty of perjury that the foregoing is true and correct...

Dated at San Diego, California this 7th day of Sept., 1981.

*Charlene Lance*

(Signature)