

ORDINANCE NUMBER O- 15922 (New Series)

Adopted on APR 04 1983

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5, DIVISION 17, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 85.06 TO PROVIDE FOR AN APPEAL TO THE TRANSPORTATION LAND USE COMMITTEE.

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

Section 1. That Section 85.06 of the San Diego Municipal Code be amended to read as follows:

SEC. 85.06 VARIATION OF STATE SPEED LIMIT

(a) Whenever the City Manager determines, upon the basis of an engineering and traffic survey that a speed greater than 25 miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any street otherwise subject to a prima facie limit of 25 miles per hour under the Vehicle Code, the City Manager may determine and declare a prima facie speed limit of 30, 35, 40, 45, 50, 55, or 60 miles per hour, or a maximum speed limit of 65 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving such notice thereof are erected upon said street.

No change in paragraphs (b) through (c).

(d) Any Councilmember may file a request with the City Clerk for a review of the determination of a speed

limit set pursuant to subsection (a) or (b) of this section.

The City Clerk shall immediately transmit a copy of said request to the Committee Consultant who shall thereupon set a time and place for the hearing and shall so notify the requesting Councilmember. The hearing shall be held within thirty (30) days after the request is filed. At the hearing, the Councilmember may present evidence in support of his contentions. Any interested persons may be allowed to participate in the hearing and present evidence. After the conclusion of the hearing the Transportation and Land Use Committee of the City Council may, based upon the engineering and traffic survey, sustain or modify in whole or in part the Manager's determination. If the committee modifies in whole or in part, the City Manager's determination, it shall make findings as to the appropriate speed limit and the reasonableness thereof based upon the engineering and traffic survey. The decision of the Committee shall be final unless a hearing is set before the City Council pursuant to Section 22.0101, Rule 4.

2. This ordinance shall be in full force and effect thirty days from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By  \_\_\_\_\_  
John K. Riess, Deputy

JKR:smm  
3/2/83  
Or.Dept:T&LU  
Form:o-none

APR 04 1983

Passed and adopted by the Council of The City of San Diego on .....  
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
District 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ed Struikma	<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"/>	
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	VACANT

AUTHENTICATED BY:

.....  
Deputy Mayor of The City of San Diego, California.

.....  
City Clerk of The City of San Diego, California.

(Seal)

By Marjell L. Ponticorvo, 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

**MAR 21 1983**

**APR 04 1983**

....., 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.

.....  
City Clerk of The City of San Diego, California.

(Seal)

By Marjell L. Ponticorvo, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-15922** Adopted **APR 04 1983**

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
1983 APR 20 PM 2:27  
SAN DIEGO, CALIF.

CITY OF SAN DIEGO  
202 'C' Street Twelfth Floor  
San Diego, CA 92101  
ATTN: M. PONTECORVO

IN THE MATTER OF

NO.

ORDINANCE NO. 0-15922

**ORDINANCE NO. 0-15922**  
**(New Series)**

AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 3, DIVISION 17, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 85.06 TO PROVIDE FOR AN APPEAL TO THE TRANSPORTATION LAND USE COMMITTEE.  
BE IT ORDAINED, by the Council of The City of San Diego, as follows:  
This ordinance amends section 85.06 of the San Diego Municipal Code to provide for the Transportation and Land Use Committee's review of speed limits set by the City Manager.  
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 MARCH 21, 1983.  
Passed and adopted by the Council of The City of San Diego on APRIL 4, 1983.  
AUTHENTICATED BY:  
BILL CLEATOR Deputy Mayor of The City of San Diego, California,  
CHARLES G. ABDELNOUR, City Clerk of The City of San Diego, California,  
(SEAL)  
By MAYDELL L. PONTECORVO, Deputy.  
Publish April 18, 1983 60-4283

I, Charlene Land, 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. 0-15922  
(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:

April 18, 1983

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

Dated at San Diego, California this 18th day of Apr, 19 83.

*Charlene Land*

(Signature)

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39.92