

(0-85-137)

ORDINANCE NUMBER O- 16405 (NEW SERIES)

ADOPTED ON APR 22 1985

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 81.01.27, 81.01.28, 81.01.29 AND 81.01.30, RELATING TO DEFINITIONS, AUTHORITY, ENFORCEMENT AND OBEDIENCE, AND BY AMENDING CHAPTER VIII, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 82.25, 82.25.1, 82.25.2, 82.25.3, 82.25.4, 82.25.5 AND 82.25.6, RELATING TO TRAFFIC MOVEMENT AND CONTROL.

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

Section 1. That Chapter VIII, Article 1, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 81.01.27, 81.01.28, 81.01.29 and 81.01.30, relating to Definitions, Authority, Enforcement and Obedience to read as follows:

SEC. 81.01.27 TERMINAL

Terminal shall mean any facility at which freight is consolidated to be shipped or where full load consignments may be loaded and off loaded or at which the interstate trucks are regularly maintained, stored or manufactured.

SEC. 81.01.28 INTERSTATE TRUCK

Interstate Truck shall mean a truck tractor and semi-trailer or trailer or truck tractor, semi-trailer and trailer with unlimited length as regulated by the California Vehicle Code.

SEC. 81.01.29 INTERSTATE TRUCK SERVICE AREA

Interstate truck service area shall mean an area within one half (½) of a lane mile of an interstate highway which provides lodging, food, fuel or servicing to interstate trucks.

SEC. 81.01.30 CALTRANS

"CALTRANS" shall mean the State of California Department of Transportation or its successor agency.

Section 2. That Chapter VIII, Article 2, of the San Diego Municipal Code be and the same is hereby amended by adding Sections 82.25, 82.25.1, 82.25.2, 82.25.3, 82.25.4, 82.25.5 and 82.25.6, relating to Traffic Movement and Control, to read as follows:

SEC. 82.25 INTERSTATE TRUCKING REGULATED

The purpose of this section is to establish procedures for terminal designation and truck route designation to terminals for interstate trucks operating off the federally designated highway system. It shall be unlawful for any person to operate an interstate truck upon any street within The City of San Diego outside of an interstate truck service area that has not been designated and marked in accordance with this chapter, unless the vehicle is exempt from the restrictions on interstate trucks pursuant to California Vehicle Code Section 35401.5(c).

SEC. 82.25.1 APPLICATION

(a) Any interested person requiring terminal access for interstate trucks from the federally designated highway

system shall submit an application, on a form as provided by the City, together with such information as may be required by the City Engineer and appropriate fees to the City of San Diego.

(b) Upon receipt of the application, the City Engineer will cause an investigation to be made to ascertain whether or not the proposed route is adequate to accommodate interstate trucks. Determination of route capability will include, without limitation, a review of adequate turning radii and lane widths of ramps, intersections and highways and general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of CALTRANS.

(c) Should the requested route pass through the City of San Diego to a terminal located in another jurisdiction, the applicant shall comply with the jurisdiction's application process. City of San Diego route designation approval will be required for those portions of the route located within the City. Costs for trailblazer signs shall be as provided in Section 82.25.2(b) below.

SEC. 82.25.2 FEES AND COSTS

(a) The applicant shall pay a non-refundable application fee, as established by the City, sufficient to pay the cost of the review of the terminal designation and the review of the route and alternate route.

(b) Upon the approval of the terminal designation and route by the City and by CALTRANS, the applicant shall deposit with the City of San Diego sufficient funds as estimated by the City Engineer to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs will be required at every decision point in the City on the route to the terminal. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. No terminal or route may be used until such signs as may be required are in place. Costs for trailblazer signs may be proportioned in accordance with the procedures in Section 82.25.3(c).

SEC. 82.25.3 RETROFITTING

(a) If all feasible routes to a requested terminal are found unsatisfactory by the City Manager, the applicant may request retrofitting the deficiencies. All costs of engineering, construction and inspection will be the responsibility of the applicant. Except when the retrofitting of the deficiencies is within the jurisdiction of CALTRANS, the actual construction will be done by the City or pursuant to a public improvement permit. (Sections 62.0201 et seq. of the San Diego Municipal Code.)

(b) When the work is to be done by the City, the applicant shall deposit with the City of San Diego the estimated cost of retrofitting. Adjustments between the

estimated and actual cost shall be made after completion of the work and any difference between the actual and the estimated cost shall be billed or refunded to the applicant as the case may be. When the work is done by the applicant, the applicant may file with the City Manager, on a form satisfactory to the City Manager, a statement detailing the actual costs of the retrofitting.

(c) If at any time within five years from the date of completion of the retrofitting by the applicant, should any applicant seek terminal approval which would use the route upon which such retrofitting was accomplished, any such applicants' fee may include that applicants proportionate share of the retrofitting, as determined by the City Manager, which fee shall be disbursed by The City of San Diego to the applicant who paid for the original retrofitting as well as to any applicant who contributed to the cost of retrofitting under this subsection. Nothing herein shall require the payment of a proportionate fee if the applicant doing the work failed to file the applicant's report of costs with the City Manager as described in subsection (b) above.

SEC. 82.25.4 REVOCATION OF ROUTE

The City Engineer may revoke any approved terminal or route if the terminal or route becomes a traffic safety hazard for vehicular traffic. A safety hazard includes the inability of interstate trucks to negotiate the route or if interstate trucks create unsafe driving conditions for other vehicular traffic or pedestrians.

SEC. 82.25.5 APPEALS

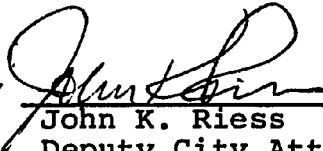
(a) If the City Engineer denies terminal designation, route feasibility or revokes a previously approved terminal or route, the applicant/terminal owner, within ten working days following the date of receipt of the decision of the City Engineer may appeal the decision in accordance with the procedures in Section 62.0115 of the San Diego Municipal Code.

SEC. 82.25.6 INTERSTATE TRUCK SERVICE ROUTE DESIGNATION

The City Engineer may mark and sign proposed service routes as necessary to provide routes for interstate trucks to interstate truck service areas in the vicinity of interstate highways.

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 

John K. Riess
Deputy City Attorney

JKR:mem:236
11/29/84
Or.Dept:E&D
O-85-137
Form=o.none

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Passed and adopted by the Council of The City of San Diego on APR 22 1985,
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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmas	<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 Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *June A. Blackwell*, 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

APR 8 1985

, and on

APR 22 1985

~~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 *June A. Blackwell*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16405 Adopted APR 22 1985

RECEIVED
CITY CLERK'S OFFICE

1305 MAR 27 PM 3: 06

SAN DIEGO, CALIF.

MAR 27 1965

MAR 27 1965

00518

MAR 27 1965

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1985 MAY -8 AM 9:28
SAN DIEGO, CALIF.

THE CITY OF SAN DIEGO
202 C Street, 12th Fl.
San Diego, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 1, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 81.01.27, 81.01.28, 81.01.29 AND 81.01.30, RELATING TO DEFINITIONS, AUTHORITY, ENFORCEMENT AND OBEDIENCE, AND BY AMENDING CHAPTER VIII, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTIONS 82.25.1, 82.25.2, 82.25.3, 82.25.4, 82.25.5 AND 82.25.6, RELATING TO TRAFFIC MOVEMENT AND CONTROL

I, Michael T. Ungashick, 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

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This ordinance makes provisions within the San Diego Municipal Code to allow the City Engineer to designate and place signs marking routes to terminal facilities for oversize interstate trucks. The ordinance adds definitions to the Code for terminals and service areas servicing interstate trucks. It regulates the direction of interstate truck travel by requiring signs on the designated routes. It allows for cost recovery where retrofitting of the road is required to accommodate interstate trucks.
A true copy of this ordinance is available for inspection to 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 APRIL 8, 1985.
Passed and adopted by the Council of The City of San Diego on APRIL 22, 1985.
AUTHENTICATED BY:
ROGER HEDGECOCK
Mayor of The City of San Diego, California.
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
(SEAL)
By JUNE A. BLACKNELL, Deputy. 18026
Publish May 9, 1985

ORDINANCE NUMBER 0-16405 (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:

May 6, 1985

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

Dated at San Diego, California this 6th day of May, 1985.

Michael T. Ungashick
(Signature)

2 5/8" x 2 x 9.76 = 51.24

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