

(O-85-200)

ORDINANCE NUMBER O-16451 (NEW SERIES)

ADOPTED ON JUN 24 1985

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 7, DIVISION 40, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 67.40.1 RELATING TO WATER IMPOUNDING SYSTEM.

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

Section 1. That Chapter VI, Article 7, Division 40, of the San Diego Municipal Code be and the same is hereby amended by adding Section 67.40.1 to read as follows:

SEC. 67.40.1 WATER IMPOUNDING SYSTEM

A. PURPOSE AND INTENT

It is the purpose and intent of the Council in enacting this section that all City lifeguards be specifically authorized pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, to make arrests without a warrant whenever any such lifeguard has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the lifeguard's presence which is a violation of a statute or ordinance which such lifeguard has the duty to enforce.

B. ARRESTS AND CITATIONS

That lifeguards of The City of San Diego, be, and they are hereby authorized, empowered and given the duty to enforce provisions of the San Diego Municipal Code and

misdemeanors designated in the State Codes; to make arrests without a warrant whenever any such lifeguard has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the lifeguard's presence; and while engaged in the performance of their duties, to arrest persons and issue citations for violations of said Codes under the provisions of Sections 836.5 and 853.6 of the Penal Code of the State of California when violations occur in City of San Diego Water Impounding areas.

Section 2. 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 Stuart H. Swett  
Stuart H. Swett  
Chief Deputy City Attorney

SHS:js:520  
5/21/85  
Or.Dept:W.Util.  
O-85-200  
Form=o.none

O-16451

Passed and adopted by the Council of The City of San Diego on JUN 24 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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 Ellen Bovard, 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

JUN 10 1985, and on JUN 24 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 Ellen Bovard, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16451 Adopted JUN 24 1985

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MAY 29 1985

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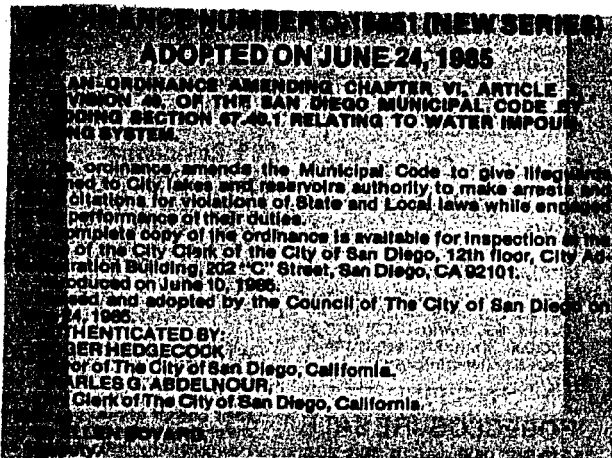
CERTIFICATE OF PUBLICATION

THE CITY OF SAN DIEGO  
OFFICE OF THE CITY CLERK  
202 "C" STREET - 12TH FLOOR  
SAN DIEGO CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 7, DIVISION 40,  
OF THE SAN DIEGO MUNICIPAL CODE



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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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:

July 8, 1985

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

Dated at San Diego, California this 8th day of July, 1985.

Michael T. Ungashick  
(Signature)

$2\frac{1}{2} \times 2 \times 9.76 = 48.80$

CC320