

ORDINANCE NUMBER O- 17054 (NEW SERIES)

ADOPTED ON APR 25 1988

**AN ORDINANCE AMENDING CHAPTER VII, ARTICLE 5, DIVISION 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 75.0602, 75.0603, AND 75.0604 RELATING TO JITNEY ROUTES.**

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

Section 1. That Chapter VII, Article 5, Division 6, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 75.0602, 75.0603, and 75.0604 to read as follows:

**SEC. 75.0602 JITNEY ROUTES**

(a) and (b) No Change.

(c) The City Manager may approve a route or may change an existing route when the City Manager finds the public interest will be served.

1. Established routes may be changed due to change in traffic pattern, construction, street vacation or for other good cause determined by the City Manager.

2. An application for a new route or an additional vehicle on or change to an existing route may be approved if it does not substantially duplicate public transit service nor adversely impact traffic circulation. The City Manager shall

notify affected jitney permit holders of a pending application. New routes or any changes to an existing route will be deemed approved sixty (60) days after the filing of a complete application with the City Manager unless the City Manager extends the time for consideration upon written notification to the applicant for an additional thirty (30) days, approves the application with modifications, or denies the application.

3. The City Manager will consider objections from any person who opposes the application and it shall be the responsibility of the opponent to establish that the public interest will not be served. The City Manager may appoint a hearing officer to consider such objections.

4. The City Manager may place conditions upon the approval of a fixed route that will best serve the public interest, and may deny an application on the basis that it does not serve the public interest.

5. Denials of applications for new or additional routes or changes in route are appealable to the City Manager within ten (10) days after such denial. The appeal shall be in writing setting forth specific grounds for appeal. The City Manager shall appoint a Hearing Officer to

conduct an administrative hearing in accordance with Administrative Regulations governing the conduct of such hearings. The decision shall be final and shall constitute the exhaustion of administrative remedies by the applicant.

(d) A permit holder who wishes to alter an approved fixed route must apply in writing to the City Manager, submitting the information required in Section 75.0602(b).

(e) Upon approval of a fixed route by the City Manager, the permit holder shall display a representation of the route, the fare and the permit holder's trade name on each side of the vehicle in letters large enough to be easily read by potential customers in accordance with standards established by the City Manager under Section 75.0605 of this article. Only one route may be displayed on a vehicle at any time. In addition, one 8½" x 11" route map shall be legibly and visibly posted in the interior of the jitney.

(f) Except as provided for within this subsection, an approved fixed route may not be transferred to another vehicle or permit holder. A permit holder may receive approval for a vehicle which is replacing a jitney vehicle already in service to use the approved fixed routes of the replaced vehicle.

(g) The City Manager is authorized to charge a fee for actual cost recovery for the costs of processing route applications and changes. Such fees shall be posted in the City Clerk's Composite Rate Schedule.

**SEC. 75.0603 OPERATING REGULATIONS**

(a) It is unlawful for any driver or operator to allow a jitney to stand in an authorized jitney loading zone for more than the designated waiting time.

(b) through (d) No Change.

(e) It is unlawful to operate a jitney vehicle on a fixed route service on other than that route authorized by the City Manager.

(f) All other operating regulations defined in Section 75.0108 apply. The City Manager is authorized to promulgate operating regulations to ensure orderly administration under this Division.

(g) It shall be unlawful for a jitney to stand at any location along an authorized route while carrying passengers, except at an authorized jitney loading zone.

**SEC. 75.0604 JITNEY LOADING ZONES**

(a) Jitney loading zones shall be established where jitneys may load passengers. Unless otherwise provided for or established by Council resolution, the City Manager is authorized to designate jitney loading zones and waiting times.

(b) Each loading zone established hereunder shall be in operation twenty-four (24) hours of every day, unless otherwise specified by the City Manager. The City Manager shall adopt written standards to determine when to allow certain loading zones to be in operation for fewer than twenty-four (24) hours every day. The City Manager shall cause signs to be posted at or near the loading zone indicating the hours and days of operation and limitations on waiting time.

(c) Any individual, partnership, corporation, association or other organization may petition the City Manager requesting that a new loading zone be established. The petition must be filed in writing with the City Manager or his designee. A nonrefundable filing fee as prescribed in the City Clerk's Composite Rate Schedule must be paid at the time of petition submittal. The petition must state the reasons for the request and the proposed location(s). The City Manager or the Council may approve, deny or modify the request.

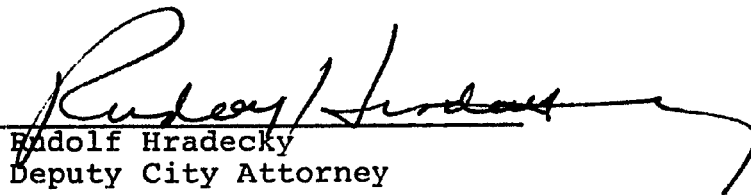
(d) Before any loading zone is established, the proposed location shall be reviewed by the Traffic Engineer of the City of San Diego, who shall thereafter make recommendations with supporting rationale to the Council or the City Manager, as appropriate.

(e) It shall be unlawful for any vehicle other than a jitney licensed under this code to park or stop in a jitney loading zone except pursuant to the direction of a police officer.

**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

  
Rudolf Hradecky  
Deputy City Attorney

RH:mrh  
11/13/87  
03/21/88 REV. 1  
Or.Dept:Fin.Mgmt.  
O-88-25  
Form=0.none

Passed and adopted by the Council of The City of San Diego on APR 25 1988,  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

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

(Seal)

By Charles G. Abdelnour, 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 4 1988**

**APR 25 1988**

, 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.

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

(Seal)

By Charles G. Abdelnour, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17054 Adopted APR 25 1988

RECEIVED  
CITY CLERK'S OFFICE  
1988 MAR 29 AM 9:25  
SAN DIEGO, CALIF.