

(O-90-18)

ORDINANCE NUMBER O- 17391 (NEW SERIES)

ADOPTED ON NOV 20 1989

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 95.0102, 95.0104, 95.0107, 95.0108, 95.0110, AND 95.0118; AND BY REPEALING SECTION 95.0123 ALL RELATING TO SIGNS AND HOUSE NUMBERS.

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

Section 1. That Chapter 9, Article 5, Division 1, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 95.0102, 95.0104, 95.0107, 95.0108, 95.0110, and 95.0118, to read as follows:

**SEC. 95.0102 PERMITS REQUIRED**

A. [No change.]

B. Every person, firm or corporation shall, before erecting, installing, placing, constructing, creating by painting, reconstructing, altering or moving any sign other than an incidental sign, obtain from the Planning Director a Maintenance Certification Sticker. A sticker is required for each on-premises sign. This sticker is applicable to one sign at one location only and is transferable to a new owner or lessee.

C. [No change.]

**SEC. 95.0104 INSPECTIONS REQUIRED**

A. [No change.]

B. Maintenance Certification Sticker. All signs for which a sticker is required shall be subject to inspection by the Planning Director. The Planning Director and his deputies are hereby authorized to enter upon any property or premises to ascertain whether the provisions of this Code are being obeyed. Such entrance shall be made during business hours unless an emergency exists. A sign user shall provide all necessary access and equipment to the Planning Director for the purpose of conducting the required inspection.

**SEC. 95.0107 PERMIT FEES**

A. General. The fees prescribed in this division must be paid to The City of San Diego for each sign installation for which a permit is required by this division and must be paid before any such permit is issued, as herein provided.

B. Sign Permit Fee. Fees for sign permits for each sign erected, installed, affixed, structurally or electrically altered, relocated, or created by painting shall be determined in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk.

A portion of the fees provided for in this Section as determined by the Planning Director, who is hereby so authorized to determine, may be refunded in the event that no portion of any work authorized by the permit has been performed and provided that no inspections have been made. Such refund may be authorized by the Planning Director upon application by the permittee within 90 days from the date of permit issuance. Prior to authorization of any refund under the provisions of this Section, the Planning Director shall require that the permittee's copy of the issued permit as well as the sign permit sticker are returned to the Planning Department.

C. Sign Code Inspection Maintenance Fee.

1. An annual sign code inspection maintenance fee, as established by Section 101.0204, shall be due and payable to The City of San Diego for each legally installed sign.

2. For each sign code inspection maintenance fee not paid within 30 days after receipt of a written notice to pay, the Fee shall be twice the amount specified.

3. Buildings or structures used exclusively for religious purposes are excluded from the fees set forth in Section 95.0107C.

D. Temporary Sign Use Permit Fees.

[No change to this subsection.]

E. Penalty Fee. Every person, firm, or corporation erecting, installing, placing, constructing, creating by painting, reconstructing, altering, or moving any sign, temporary sign (including wind signs), street banners or decorating or any supports for the above without first obtaining a valid permit as required in Section 95.0102 and Section 95.0102B shall pay a penalty fee as established by resolution of City Council and filed in the office of the City Clerk.

**SEC. 95.0108 CONDITIONS FOR MAINTENANCE CERTIFICATION INSPECTION**

A. The Planning Director shall make a visual inspection on each sign controlled by this ordinance.

B. [No change.]

C. Any crazing, fading, chipping, peeling, flaking of paint or plastic and any mechanical or structural defect shall be corrected.

**SEC. 95.0110 SIGN IDENTIFICATION**

A. through C. [No change.]

**SEC. 95.0118 EXISTING SIGNS**

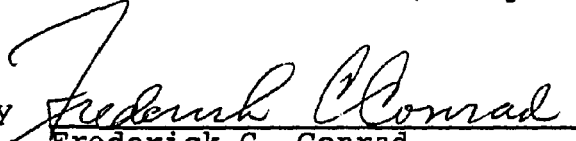
Any sign erected under the provisions of Chapter X, Article 1, Division 11, and Chapter IX, Article 5,

Division 1 of this Code and subsequent to the effective date of Ordinance No. 11000 (New Series), need not be removed or brought into conformance due to regulatory revisions to Chapter X, Article 1, Division 11, unless said sign is relocated or altered to the extent that a Building Permit is required.

Section 2. That Chapter 9, Article 5, Division 1, of the San Diego Municipal Code be and the same is hereby amended by repealing Section 95.0123.

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   
Frederick C. Conrad  
Deputy City Attorney

FCC:lc  
07/87/89  
Or.Dept:Plan.  
O-90-18  
Form=o.none

STRICKOUT ORDINANCE

OLD LANGUAGE: Struck Out  
NEW LANGUAGE: Underlined

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 95.0102, 95.0104, 95.0107, 95.0108, 95.0110, AND 95.0118; AND BY REPEALING SECTION 95.0123 ALL RELATING TO SIGNS AND HOUSE NUMBERS.

**SEC. 95.0102 PERMITS REQUIRED**

A. [No change.]

B. Every person, firm or corporation shall, before erecting, installing, placing, constructing, creating by painting, reconstructing, altering or moving any sign other than an incidental sign, obtain from the Planning Director a Maintenance Certification Sticker\_ which shall be renewed biennially for as long as the sign is used. A sticker is required for each on-premises sign. This sticker is applicable to one sign at one location only and is transferable to a new owner or lessee.

C. [No change.]

**SEC. 95.0104 INSPECTIONS REQUIRED**

A. [No change.]

B. Maintenance Certification Sticker. All signs for which a sticker is required shall be subject to inspection biennially by the Planning Director. The Planning Director and his deputies are hereby authorized to enter upon any property or premises to ascertain whether the provisions of this Code are being obeyed.

Such entrance shall be made during business hours unless an emergency exists. A sign user shall provide all necessary access and equipment to the Planning Director for the purpose of conducting the required inspection.

**SEC. 95.0107 PERMIT FEES**

A. ~~GENERAL~~ General. The fees prescribed in this division must be paid to The City of San Diego for each sign installation for which a permit is required by this division and must be paid before any such permit is issued, as herein provided.

B. ~~SIGN PERMIT FEE~~ Sign Permit Fee. Fees for ~~S~~sign ~~P~~permits for each sign erected, installed, affixed, structurally or electrically altered, relocated, or created by painting shall be determined in accordance with the fee schedule established by resolution of the City Council and filed in the office of the City Clerk.

A portion of the fees provided for in this Section as determined by the Planning Director, who is hereby so authorized to determine, may be refunded in the event that no portion of any work authorized by the permit has been performed and provided that no inspections have been made. Such refund may be authorized by the Planning Director upon application by the permittee within 90 days from the date of permit issuance. Prior to authorization of any refund under the provisions of this Section, the Planning Director shall require that the permittee's copy of the issued permit as well as the ~~S~~sign ~~P~~permit sticker are returned to the Planning Department.

C. SIGN INVENTORY FEE Sign Code Inspection Maintenance Fee.

1. A one-time Sign Inventory Fee as specified in the following schedule shall be due and payable to The City of San Diego on the effective date of this Ordinance, for each legally installed sign existing on April 5, 1973.

SIGN INVENTORY FEES FOR EXISTING SIGNS

Sign Type	Less Than 50 s.f.	100 s.f. 50-99 s.f.	or More
Wall, nonelectric	\$ 5.60	\$7.25	\$8.85
Wall, electric	\$ 8.85	\$10.45	\$12.10
Ground, Roof, Projecting nonelectric	\$ 7.25	\$ 8.85	\$10.45
Ground, Roof, Projecting electric	\$10.45	\$12.10	\$13.70

1. An annual sign code inspection maintenance fee, as established by Section 101.0204, shall be due and payable to The City of San Diego for each legally installed sign.

2. For each Sign Inventory Fee sign code inspection maintenance fee not paid within 30 days after receipt of a written notice to pay, the Fee shall be twice the amount specified. above.

3. Buildings or structures used exclusively for religious purposes are excluded from the fees set forth in See Section 95.0107C. Refunds of fees paid for signs on these buildings or structures will be made on application by the payer.

D. TEMPORARY SIGN USE PERMIT FEES Temporary Sign Use Permit Fees.



1. through 3. [No change.]

E. ~~PENALTY FEE~~ Penalty Fee. Every person, firm, or corporation erecting, installing, placing, constructing, creating by painting, reconstructing, altering, or moving any sign, temporary sign (including wind signs), street banners or decorating or any supports for the above without first obtaining a valid permit as required in ~~See~~ Section 95.0102 and ~~See~~ Section 95.0102B shall pay a penalty fee as established by resolution of City Council and filed in the office of the City Clerk.

**SEC. 95.0108 CONDITIONS FOR MAINTENANCE CERTIFICATION INSPECTION**

A. The Planning Director shall make a ~~biennial~~ visual inspection on each sign controlled by this ordinance.

B. [No change.]

C. Any crazing, fading, chipping, peeling, flaking of paint or plastic and any mechanical or structural defect shall be corrected. ~~before a Maintenance Certification Sticker is issued.~~

**SEC. 95.0110 SIGN IDENTIFICATION**

A. through C. [No change.]

~~B. The Planning Director shall designate the expiration date of Maintenance Certification Stickers.~~

**SEC. 95.0118 EXISTING SIGNS**

A Maintenance Certification Sticker shall be obtained for every sign in existence on April 5, 1973. Such sticker shall be obtained within 30 days of receipt of a written notice that such a sticker is required. Signs in existence on April 5, 1973, which do

not conform to the provisions of this Code, but which were constructed, erected, affixed or maintained in compliance with all previous regulations, shall be regarded as nonconforming signs which must be either removed or modified to conform to the provisions of this ordinance by May 15, 1984.

Any owner or other person with legal responsibility for a nonconforming sign may apply for a Conditional Extension of Time for certain nonconforming signs under the provisions of Section 95-0123.

Any sign erected under the provisions of Chapter X, Article 1, Division 11, and Chapter IX, Article 5, Division 1 of this Code and subsequent to the effective date of Ordinance No. 11000 (New Series), need not be removed or brought into conformance due to regulatory revisions to Chapter X, Article 1, Division 11, unless said sign is relocated or altered to the extent that a Building Permit is required.

#### SEC. 95-0123 APPLICATION FOR CONDITIONAL EXTENSION OF TIME

A. A Conditional Extension of Time is an approval to maintain existing nonconforming signs beyond May 15, 1984 under specific conditions which require the removal or modification of such signs at the time the owner takes certain identified actions or, if no such actions occur, until March 1, 1988. It is the sign owners responsibility to apply for a Conditional Extension of Time, on forms provided by the Planning Director no later than May 15, 1984. The Planning Director is authorized to grant Conditional

Extensions of Time, upon application, without fee or hearing, for these signs qualifying under this Section.

B. Conditional Extensions of Time shall not be granted for existing nonconforming signs where the number of ground, roof or projecting signs or any combination thereof exceeds the number permitted by the provisions of Municipal Code, Sections 101-1112, 101-1114 and 101-1115.

C. Conditional Extensions of Time not prohibited by the provisions of paragraph B above may be granted for other nonconforming signs provided the owner or other person having legal responsibility for such signs enters into an agreement with The City of San Diego to bring all nonconforming signs into conformance with the provisions of this ordinance before any of the following actions or events occur:

1. The business is sold.
2. The basic sign copy is changed.
3. The existing signs are modified.
4. New signs are added.
5. The exterior of the premises is remodeled.
6. On March 1, 1988.

D. A notice of issuance of Conditional Extension of Time shall be recorded in the office of the County Recorder of San Diego County.

FCC:lc  
07/27/89  
Or.Dept:Plan.  
O-90-18-so



AM 9:58

SERVICE  
SAN DIEGO, CA

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NOV 20 1989

Passed and adopted by the Council of The City of San Diego on.....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<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"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input type="checkbox"/>	<input checked="" 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 *Jena Martin*, 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

July 31, 1989 ..... and on NOV 20 1989 .....

~~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 *Jena Martin*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17391 Adopted NOV 20 1989

17

1:30 PM

APR 20 1958 9:58 AM

OFFICE  
SAN DIEGO, CA

RECEIVED  
COMMUNICATIONS SECTION  
APR 20 1958

TO: SAC, SAN DIEGO  
FROM: SAC, LOS ANGELES  
SUBJECT: [Illegible]

RE: [Illegible]

RECEIVED  
COMMUNICATIONS SECTION  
APR 20 1958

TO: SAC, SAN DIEGO  
FROM: SAC, LOS ANGELES  
SUBJECT: [Illegible]

- Mr. Tolson
- Mr. Boardman
- Mr. Nichols
- Mr. Belmont
- Mr. Ladd
- Mr. Clegg
- Mr. Glavin
- Mr. Harbo
- Mr. Rosen
- Mr. Tracy
- Mr. Egan
- Mr. Gurnea
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn
- Mr. Nease
- Miss Gandy

APR 20 1958

CERTIFICATE OF PUBLICATION

RECEIVED

89 DEC 14 PM 3: 22 *me*

SAN DIEGO, CALIF.

CITY CLERK OFFICE  
CITY ADM. BLDG., 12TH FLOOR  
202 C STREET  
SAN DIEGO, CA 92101  
ATTN: TENA MARTIN

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 95.0102, 95.0104, 95.0107, et al . . .

**ORDINANCE NUMBER 0-17391 (NEW SERIES)**  
**ADOPTED ON 11-20-89**  
AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 95.0102, 95.0104, 95.0107, 95.0108, 95.0110, AND 95.0112; AND BY REPEALING SECTION 95.0123 ALL RELATING TO SIGNS AND HOUSE NUMBERS.  
This ordinance amends Chapter 9, Article 5, Division 1, of the San Diego Municipal Code to provide a full cost recovery program for enforcement of the City's sign ordinance.  
Introduced on July 31, 1989  
Passed and adopted by the Council of The City of San Diego on November 20, 1989  
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  
By: Tena Martin, Deputy  
Pub: Dec. 4  
19884

I, THOMAS D. KELLEHER, 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 NUMBER 0-17391 (NEW SERIES)  
ADOPTED ON 11-20-89

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:

DEC. 4

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

Dated at San Diego, California this 4 day of DEC., 19 89

  
(Signature)

$1\frac{7}{8}'' \times 2 = 44.40$