

ORDINANCE NUMBER O- 17406 (NEW SERIES)

ADOPTED ON JAN 08 1990

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 4,  
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
SECTION 84.03 RELATING TO VEHICLES ON PRIVATE  
PROPERTY.

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

Section 1. That Chapter VIII, Article 4, of the San Diego Municipal Code be and the same is hereby amended by amending Section 84.03, to read as follows:

**SEC. 84.03 VEHICLES ON PRIVATE PROPERTY**

(a) It shall be unlawful for any person to operate or drive or leave any vehicle in, over, or upon any private property without the written permission of the owner thereof, or the person entitled to the immediate possession thereof, or the authorized agent of either.

(b) Whenever any person is stopped by a peace officer pursuant to this section, he or she shall, upon the request of such peace officer, display said written permission.

(c) It shall be unlawful for any person to park or permit the parking of any vehicle upon private property in violation of the off-street parking regulations contained within Chapter X, Division 8 of the San Diego Municipal Code. The consent of the property owner or

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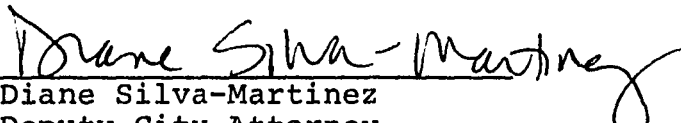
the person(s) in immediate possession of the private property where the vehicle is illegally parked shall not bar prosecution, but rather the owner or person(s) in possession of the property may also be liable for violations of this section pursuant to San Diego Municipal Code section 101.0212.

(d) The Planning Director's designated enforcement agents, police officers, and/or any non-sworn employee charged with the enforcement of state laws and Chapter VIII of the Municipal Code relating to illegal parking shall have the authority to enforce this section in a manner consistent with the procedures specified in section 82.07 of the San Diego Municipal Code.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Section 3. Approval of this action is made contingent upon a determination of exemption from SB-255 by the Airport Land Use Commission.

APPROVED: John W. Witt, City Attorney

By   
Diane Silva-Martinez  
Deputy City Attorney

DSM:lfs  
10/26/89  
02/02/90 REV. 1  
03/06/90 COR. COPY  
Or. Dept: T&LU  
O-90-101  
Form=o.none

# CORRECTED COPY

51a

Passed and adopted by the Council of The City of San Diego on JAN 8 1990,  
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<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"/>
Linda Bernhardt	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

(Seal)

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

By June G. 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

DEC 11 1989

JAN 8 1990

, 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 June G. Blackwell, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17406 Adopted JAN 8 1990

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CERTIFICATE OF PUBLICATION

CITY CLERK OFFICE  
CITY ADM. BLDG., 2ND FLOOR  
SAN DIEGO, CA. 92101  
ATTN: JUNE A. BLACKNEE

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 4, OF  
THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION  
84.03 RELATING TO VEHICLES OF PRIVATE PROPERTY.

NO.

**ORDINANCE NUMBER O-17406 (NEW SERIES)**  
AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 4, OF  
THE SAN DIEGO MUNICIPAL CODE BY AMENDING SEC-  
TION 84.03 RELATING TO VEHICLES ON PRIVATE PROP-  
ERTY.  
This ordinance amends the San Diego Municipal Code by adding  
sections 84.03(c) and (d) relating to the unlawful parking of vehicles  
upon private property.  
San Diego Municipal Code section 84.03(c) will make it illegal for  
any person to park or permit the parking of any vehicle upon private  
property in violation of the off-street parking regulations contained  
within Chapter X, Division 8 of the San Diego Municipal Code. This  
ordinance will thereby allow for the citation of vehicles parked on  
private property in violation of zoning laws. The consent of the prop-  
erty owner to the illegal parking will not bar prosecution and may  
make the owner also liable under the ordinance.  
San Diego Municipal Code section 84.03(d) will authorize the  
Planning Director's designated enforcement agents as well as police  
officers or non-sworn employees charged with the enforcement of  
Chapter VIII of the Municipal Code to enforce this section in a man-  
ner consistent with the procedures specified in section 82.02 of the  
San Diego Municipal Code.  
A complete copy of the ordinance is available for inspection in the  
Office of the City Clerk of the City of San Diego, 2nd floor, City Ad-  
ministration Building, 202 "C" Street, San Diego, CA 92101.  
Introduced on DEC 11 1989 Passed and adopted by the Council of  
The City of San Diego on JAN 8 1990  
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 JUNE A. BLACKNELL, Deputy  
Pub. Jan. 29 187881

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

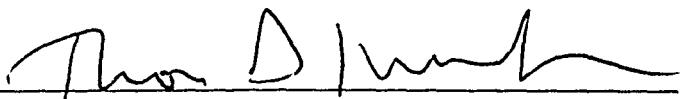
ORDINANCE NUMBER O-17406 (NEW SERIES)

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:

JAN. 29

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

Dated at San Diego, California this 29 day of JAN, 1990.

  
(Signature)

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