

(O-90-172)

ORDINANCE NUMBER O- 17476 (NEW SERIES)

ADOPTED ON JUN 11 1990

AN ORDINANCE AMENDING CHAPTER I, ARTICLE 3, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 13.0303 AND 13.0332 RELATING TO NUISANCE VIOLATIONS AND CIVIL PENALTIES - PROCEDURES, AND AMENDING CHAPTER VI, ARTICLE 4, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 64.0301, REPEALING SECTION 64.0302 AND RENUMBERING SECTIONS 64.0303 THROUGH 64.0308 RELATING TO GENERAL PROVISIONS - WASTEWATER SYSTEM.

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

Section 1. That Chapter I, Article 3, Division 3, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 13.0303 and 13.0332, to read as follows:

SEC. 13.0303 DEFINITIONS

(a) [No change.]

(b) The term "Director" shall include the Directors of the following Departments: Planning, Building Inspection, Engineering & Development, General Services, Animal Control, Health, Water Utilities, the Fire and Police Chiefs, and any of their designated agents or representatives.

SEC. 13.0332 DEFINITIONS

(a) The term "Director" shall include the Directors of the following Departments: Planning, Building Inspection, Engineering & Development, General

Services, Animal Control, Health, Water Utilities, the Fire and Police Chiefs, and any of their designated agents or representatives.

(b) The term "person" means any natural person, firm, association, club, organization, corporation, partnership, business, trust, company or any other entity which is recognized by law as the subject of rights or duties.

(c) [No change.]

Section 2. That Chapter VI, Article 4, Division 3, of the San Diego Municipal Code be and the same is hereby amended by amending Section 64.0301 to read as follows:

SEC. 64.0301 PENALTIES FOR VIOLATIONS

(a) through (e) [No change.]

(f) Civil Penalties - Procedures

Any person who violates any provision of this division or permit condition or who discharges wastewater which causes pollution, or who violates any cease and desist order, prohibition, effluent limitation or national pretreatment standard shall be liable civilly for a penalty not to exceed \$2,500 for each day in which such violation occurs. Such civil penalty shall be assessed and collected in accordance with the procedures set forth in Section 13.0301 et seq. of this Code.

(g) [No change.]

Section 3. That Chapter VI, Article 4, Division 3, of the San Diego Municipal Code be and the same is hereby amended by repealing Section 64.0302 and renumbering the subsequent sections as follows:

| <u>Formerly</u> | <u>New Number</u> |
|-----------------|-------------------|
| 64.0303 | 64.0302 |
| 64.0304 | 64.0303 |
| 64.0305 | 64.0304 |
| 64.0306 | 64.0305 |
| 64.0307 | 64.0306 |
| 64.0308 | 64.0307 |

Section 4. 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 Ted Bromfield
Ted Bromfield
Chief Deputy City Attorney

TB:mb
05/14/90
Or.Dept:W.Util.
O-90-172
Form=o.none

0-17476

JUN 11 1990

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"/> |
| 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 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 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 *Ellen Board*, 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

MAY 29 1990, and on JUN 11 1990

~~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 Board*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-17476 Adopted JUN 11 1990

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SAN DIEGO, CA