

(O-93-66)

ORDINANCE NUMBER O- 17864 (NEW SERIES)

ADOPTED ON NOV 23 1992

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING DIVISION 1, BY AMENDING SECTIONS 62.0101, 62.0102, 62.0103, 62.0104, 62.0106, 62.0107, 62.0108, 62.0109, 62.0111, 62.0112, 62.0113 AND 62.0114; BY REPEALING SECTIONS 62.0116, 62.0117 AND 62.0118; AMENDING DIVISION 2 BY AMENDING SECTION 62.0202; AMENDING DIVISION 4 BY RENAMING DIVISION 4; BY AMENDING SECTIONS 62.0402, 62.0403, 62.0405, 62.0406, 62.0407, 62.0408, 62.0410, 62.0411, 62.0412, 62.0413, 62.0414, 62.0416, 62.0418, 62.0419, 62.0420 AND 62.0423, ALL RELATING TO PUBLIC IMPROVEMENTS AND PUBLIC RIGHTS-OF-WAY.

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

Section 1. That Chapter VI, Article 2, Division 1 of the San Diego Municipal Code be and the same is hereby amended by amending Sections 62.0101, 62.0102, 62.0103, 62.0104, 62.0106, 62.0107, 62.0108, 62.0109, 62.0111, 62.0112, 62.0113 and 62.0114 to read as follows:

**SEC. 62.0101 Purpose and Intent**

It is the purpose of this Article to provide for the orderly administration of private contract work in the public right-of-way and to protect the public interest and safety in the development of private property by:

Regulating grading, private encroachments on public rights-of-way or public property, and

construction within the public right-of-way, and establishing standards therefor.

**SEC. 62.0102 Definitions**

The words that appear in this Article as bold text shall have the same meaning as set forth in Section 111.0107.

Whenever the following words are used in this Article, they have the meaning ascribed to them in this section:

(a) through (r) [No changes.]

(s) "Grading" shall mean any excavating, embankment or combination thereof, clearing, grubbing, or agricultural clearing on public or private property including construction of slopes and facilities incidental to such work.

(t) [No change.]

(u) "Grading Advisory Board" shall mean the advisory board established pursuant to this Article.

(v) [No change.]

(w) [No change.]

(x) [No change.]

(y) "Private Contract" shall mean an agreement between a property owner, or an agent therefor, and the City for construction by the property owner or agent in the public rights-of-way, or other public property, or for grading work.

(z) [No change.]

(aa) [No change.]

(bb) [No change.]

(cc) [No change.]

(dd) [No change.]

(ee) [No change.]

(ff) [No change.]

(gg) [No change.]

(hh) "Uncontrolled Embankment" shall mean any embankment constructed as grading on which no soil testing was performed or no compaction reports or other soils reports were prepared or submitted.

(ii) [No change.]

**SEC. 62.0103 General Requirements**

(a) No person shall do or cause to be done any public improvement, grading or encroachment without first having obtained a permit, City contract, or City franchise to do such work.

(b) through (d) [No changes.]

**SEC. 62.0104 Administration**

(a) Permit Issuing Authority. The City Engineer and Building Official are designated and hereinafter referred to as the Permit Issuing Authority for Grading, Encroachments, and Public Improvements.

(b) A permit for the work under Divisions 1, 2, 3 and 4 of this Article may be approved when all applicable requirements and provisions of this Municipal Code have been met.

(c) and (d) [No changes.]

(e) A valid grading or public improvement permit shall expire and become void 365 calendar days after the date the permit is issued, except as otherwise provided by Sections 111.1128(c) and 111.1129(c).

(f) through (i) [No changes.]

**SEC. 62.0106 Grading Review Permits**

(a) All grading work that requires a grading permit, shall require a grading review permit in addition to and before a grading permit may be approved or denied, except for the following types of work:

1. Grading for all public improvements, such as curbs, sidewalk, paving, sewer mains, water mains, storm drains, and similar improvements to be installed in the public rights of way when located adjacent to applicant's property and constructed in accordance with City standards.

2. All grading work that was fully described in an application for a project that has been previously approved by another discretionary permit.

3. All grading work that is listed in Section 62.0106(a)(3) and is determined by the Permit Issuing authority to be minor:

- a) under sidewalk drains;
- b) underground private utility lines;
- c) private storm drain connection to public storm drains;

d) basement or underground structures encroaching into the street right of way that do not require City Council approval;

e) private irrigation lines and landscaping to be constructed in the street right of way between the curb and property lines by the abutting property owners;

f) grading involving less than 1,000 cubic yards of grading;

g) fences, landscaping and other encroachments in utility easements.

(b) A grading review permit may be approved, conditionally approved or denied by a **Hearing Officer** in accordance with **Process Three**. The **Hearing Officer's** decision to approve a grading review permit shall be based on the following:

1. through 3. [No changes.]

(c) For purposes of Section 62.0106(b), "development standards" shall mean the following City of San Diego Documents:

- Standard Drawings
- Plan Preparation Manual
- Drainage Preparation Manual
- Street Design Manual
- Landscape Technical Manual
- Any other applicable standards adopted for purposes regulating Grading, Public Improvements, and Encroachment Permits.

**SEC. 62.0107    Permits for Projects within the Coastal Zone**

No grading permit, public improvement permit or encroachment permit will be issued by the Permit Issuing Authority for projects or developments within the California Coastal Zone as established by the California Coastal Act of 1976 as amended until such time as a Coastal Development Permit or certificate of exemption has been obtained from the City Planning Director or the California Coastal Commission except that the repair of curbs, streets, and sidewalks will not be subject to this provision. Procedures to be followed when an application is submitted for a permit in the Coastal Zone are: The application, plans and specifications filed by an applicant for a permit shall be reviewed by the Permit Issuing Authority. Such plans shall be reviewed by other City departments to ensure compliance with the laws and ordinances under their jurisdiction. If the Permit Issuing Authority is satisfied that the work described in the application for a permit, and the plans and specifications filed therewith conform to the requirements of this Code, and other pertinent laws and ordinances, the Permit Issuing Authority shall give notice that they are prepared to issue a permit, when the appropriate fees specified in Section 62.0109 have been paid and the applicant presents an approved permit or certificate of exemption

granted by the City Planning Director or the California Coastal Commission.

**SEC. 62.0108 Exploratory Permits**

In certain circumstances there may be a need to conduct geotechnical explorations for the purpose of basic data collection, research, or resource evaluation prior to completion of environmental studies or studies necessary to obtain an RPO permit. In those circumstances, the Permit Issuing Authority may approve, in accordance with **Process One**, a grading permit for geotechnical exploration when the Planning Director makes written findings that all of the following conditions exist:

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

Notwithstanding any provision of the Resource Protection Ordinance (San Diego Municipal Code section 101.0462), which may provide to the contrary, such permits may be issued without obtaining a Resource Protection permit when the above conditions have been met.

**SEC. 62.0109 Fees**

Permit fees or deposits required by this Article shall be collected by the Permit Issuing authority or other designated person in accordance with procedures established by the City Auditor and Comptroller. A schedule of fees and deposits to cover the costs of processing the various types of work referred to in this Article shall be established by the City Council

and filed in the office of the City Clerk. Fixed charges may be established to cover portions of the City Costs. Such fixed charges may include but are not limited to the cost for driveway permits, encroachment permits, and public improvement permits, update of City records and enforcement. No permits shall be issued and no work in the public right-of-way or grading shall be permitted until the fees applicable under this Article have been received by the appropriate Permit Issuing Authority.

Any portion of said deposit not used to cover the actual costs of the City in processing a permit application will be refunded, but no funds will be released until all billings are in, and until final acceptance of the work by the Permit Issuing Authority. In determining the actual costs incurred by the City in connection with information describing the project(s), permit type(s) and number, date issued, and purpose of the permit.

**SEC. 62.0111 Bond Required**

Persons performing work under Grading, Encroachment, Public Improvement, or Driveway permits issued in accordance with this Article shall furnish a performance and materialman's bond, cash deposit or other form of security acceptable to the Permit Issuing Authority in accordance with the following provisions:

(a) through (h) [No changes.]



A person may utilize an annual and continuing bond for more than one permit provided the aggregate bonded amount of the permits outstanding do not exceed the total amount of the bond. Annual and continuing bonds shall contain a clause providing the Permit Issuing Authority with thirty (30) calendar days notice prior to cancellation.

**SEC. 62.0112 Amount of Bond Required**

The bond, cash deposit, or other security amount shall be based on an estimate of the cost of work approved by the City Engineer and in accordance with the following schedule:

(a) and (b) [No changes.]

(c) Grading:

1. through 3. [No changes.]

Any notice of cancellation shall be sent to the appropriate Permit Issuing Authority with sufficient information describing the project(s), permit type(s) and number, date issued, and purpose of the permit.

**SEC. 62.0113 Qualifications to do Work**

(a) All work under this Article shall be performed by a contractor who is licensed by the State of California to do the work proposed under the permit; provided, however, that any person occupying property as that person's primary residence or constructing a house to be occupied as that person's primary residence may present an application to personally construct improvements or encroachments in the public right-of-

way adjacent to that person's property or to do grading work on the property.

(b) Plans for public improvement and major work involving encroachment or grading authorized under this Article shall be prepared by a civil engineer. Where soils reports or soils investigations and/or geologic reports or geologic investigations are required, the reports and investigations shall be prepared and conducted by a soils engineer or engineering geologist.

(c) [No change.]

**SEC. 62.0114 Appointment of Hearing Officer**

The City Manager may appoint a Hearing Officer to act on applications requesting a grading review permit.

Section 2. That Chapter VI, Article 2, Division 1 of the San Diego Municipal Code be and the same is hereby amended by repealing Sections 62.0116, 62.0117 and 62.0118.

Section 3. That Chapter VI, Article 2, Division 2 of the San Diego Municipal Code be and the same is hereby amended by amending Section 62.0202.

**SEC. 62.0202 Major Public Improvement Permit**

A major public improvement permit shall be required for the following types of work:

(a) The work being proposed is not covered by the provisions of this Article.

(b) The work involves more than 3,000 feet of property frontage.

An application for a major public improvement permit may be approved, conditionally approved or

denied by the City Council in accordance with **Process Five**, except no Planning Commission recommendation is required. The Permit Issuing Authority shall submit the application, together with his recommendations thereon, to the City Manager for presentation to the City Council. Other public improvements may be approved or denied in accordance with **Process One** by the Permit Issuing Authority.

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

#### **DIVISION 4.**

##### **Grading**

Section 5. That Chapter VI, Article 2 Division 4 of the San Diego Municipal Code be and the same is hereby amended by amending Sections 62.0402, 62.0403, 62.0405, 62.0406, 62.0407, 62.0408, 62.0410, 62.0411, 62.0412, 62.0413, 62.0414, 62.0416, 62.0418, 62.0419, 62.0420 and 62.0423 to read as follows:

##### **SEC. 62.0402 Administration**

The Permit Issuing Authority shall administer this Division in accordance with the provisions of Division 1 of this Article and shall do all things necessary to effect its purposes and intent including:

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

(f) Cause unauthorized grading to be stopped by all appropriate legal means.

**SEC. 62.0403 Penalties for Unauthorized Grading**

No person shall do or cause to be done any work covered under this Division without having first obtained a grading permit. Where grading is undertaken without a permit, the Permit Issuing Authority shall initiate administrative penalties in accordance with the provisions of Section 62.0104.

In addition to the administrative penalties imposed by the Permit Issuing Authority, persons violating the provisions of this Division shall be guilty of a misdemeanor and shall be subject to the same penalty provisions as set forth in Chapter I, Article 3, Division 2 of this Code.

The provisions of this section shall apply to all persons who do, or cause to be done, or through action or inaction allow any work covered by this Division without benefit of a permit including, but not limited to:

(a) through (c) [No changes.]

Compliance with the provisions of this Division shall be evidenced by the availability on site whenever work is being performed on approved plans and copy of a valid grading permit.

**SEC. 62.0405 Site Restoration**

Restoration of grading work undertaken without a permit shall be required. Restoration shall require a grading permit and approval by inspection of the City Engineer. The permit for restoration work is subject

to the penalties set forth in Section 62.0104(h) and Section 62.0403 of this Article. Site Restoration shall also include City plan acceptance, including necessary monitoring, prior to permitting any further development on the site.

**SEC. 62.0406 Grading Permits**

(a) All grading work shall require a grading permit except as provided by Section 62.0406(b). A grading permit may be approved or denied by the Permit Issuing Authority in accordance with **Process One**. The permit shall be approved if the prescribed fees have been paid, the required bonds and appropriate insurance have been posted and the proposed work is consistent with this Municipal Code, the development standards set forth in Section 62.0106(c) and other discretionary permits approved by the City for that project.

(b) The following types of work shall not require a grading permit, provided the work is not being done on land that is in the Hillside Review Overlay Zone, Old San Diego Planned District, Resource Protection Overlay Zone, or any other area requiring a discretionary permit before development as established by the City Council.

(a) through (h) [No changes.]

Exemptions from requirements shall not apply to grading, including grubbing, whenever it will occur in:

(a) through (g) [No changes.]

**SEC. 62.0407     Grading in Connection with a Building or Structure**

Any person desiring to do grading work in connection with the construction of a new or existing building or structure shall, if the scope of the work exceeds the exemption criteria of Section 62.0406(b), obtain a grading permit prior to obtaining a building permit. The City may suspend a building permit or withhold the Certificate of Occupancy where it is found that grading has been done without a permit until such time as the required permit is obtained and the inspections of the work are approved. Any person performing grading without benefit of a permit shall be further subject to the penalties and enforcement provided for in Sections 62.0104(h), 62.0117 and 62.0403 of this Article.

**SEC. 62.0408     Grading in Connection with a Subdivision Final Map or Parcel Map**

Grading required as a condition of approval of a tentative map or a tentative parcel map shall be processed in accordance with the procedures established by Chapter X, Article 2, of the San Diego Municipal Code.

**SEC. 62.0410     Applications for Permits**

Applications for grading permits shall be made in accordance with Section 62.0105 of this Article. Applications shall be accompanied by detailed plans and specifications including but not limited to:

(a) through (i)     [No changes.]

All soils and geologic reports shall consist of a preliminary report and a final as-built report.

Applications for agriculture permits are required one time only for lands or portions thereof not used for agriculture during the five (5) year period after the permit is granted.

An Application for a grading permit for agricultural clearing shall in addition to that listed above indicate the crop to be planted, and method of irrigation. Such permits are limited to plowing along the natural surface only or to the making of embankments or excavations within the scope of Section 62.0406 "Exemptions from Permit Requirements."

Clearing, as defined in Section 62.0102 of this Municipal Code, required by City fire preventive and brush management programs does not require a grading permit. Grubbing of vegetation within lands regulated by the Resource Protection Ordinance (San Diego Municipal Code section 101.0462) lands or within the Hillside Review Overlay Zone (San Diego Municipal Code section 101.0454) for whatever purpose requires a grading permit.

**SEC. 62.0411    Protection of Adjacent Property and  
Public Rights-of-Way**

During grading, the owner shall take all necessary measures to protect adjacent property and public rights-of-way from damage which may result from the work and to provide the necessary fences and barricades

to eliminate any hazard to the public in their normal use of such property or right-of-way. Temporary fences or barricades shall be provided adjacent to the excavation where the slope is two (2) feet horizontal to one (1) foot vertical or steeper and/or the vertical height of the excavation exceeds six (6) feet. Such fences or barricades shall be substantially constructed and shall be properly maintained so long as the hazard resulting from the excavation exists.

Erosion and siltation control may require temporary or permanent siltation basins, energy dissipators, or other measures as actual field conditions warrant, whether or not such measures are a part of approved plans.

Where a permanent excavation is adjacent to an existing developed right-of-way or other publicly used property, and the top of the slope is within ten (10) feet of the property line, the property owner shall construct an acceptable permanent four-foot high fence at the property line where the vertical height of the excavation exceeds six (6) feet.

The City Engineer may modify or delete the above requirements where it is evident that the grading work will present no hazard to the adjacent property or public rights-of-way.

The City may suspend any Building Permit or grading permit whenever any of the above measures are



being inadequately observed until such time as conformity is obtained.

**SEC. 62.0412     Replacement of Public Improvements  
                         Damaged by Grading**

In the event the City or public utility is required to place, replace, or maintain a facility within a public right-of-way or public property over which the property owner has done grading work, the property owner shall pay that portion of the cost of placement, replacement or maintenance caused by the construction, or existence of the owner's grading work.

The costs of placing, replacing or maintaining the facility shall include the cost of obtaining any necessary alternate right-of-way.

**SEC. 62.0413     Special Bond Required for Excavation**

Where grading work or any excavation exempted from grading permit procedures under Section 62.0406 involves excavation adjacent to the public right-of-way or public property with a height in excess of six (6) feet and a slope steeper than two (2) units horizontal to one (1) unit vertical, the Permit Issuing Authority may require a special bond to indemnify the City against any damage which may result from such excavation or land development. The amount of the special bond shall be determined by the Permit Issuing Authority and such bond shall remain in force and effect until the excavation or grading has been completed or the permanent lateral support for the

slope, if required, has been constructed, and it has been determined by the City Engineer that the adjacent improvements are no longer in jeopardy.

The special bond shall be conditioned upon the payment to the City of any costs incurred by the City in repairing, restoring, or replacing improvements which may be damaged as a result of the adjacent excavation or grading. Procedures for notice, performance of work, and payment to the City where such work is performed by the City shall conform to Section 62.0111 of this Code; provided, however, where delay in repair to the improvement would constitute a hazard to the public or to other improvements within the immediate areas, the City Engineer may perform such emergency work as may be required and shall recover the cost thereof from the principal and surety of the bond.

**SEC. 62.0414    Maintenance Agreement for Land  
Development Involving Uncontrolled  
Embankment**

Where, in the opinion of the Permit Issuing Authority, the construction of an uncontrolled embankment would not be contrary to the public interest or general welfare, a permit for such grading may be issued provided that the plans clearly indicate the limits of the uncontrolled embankment to be constructed and an agreement as required in this Article is recorded in the office of the County Recorder.

Application for grading permits involving uncontrolled embankment shall be accompanied by a land

development maintenance agreement signed by the property owner. The agreement shall be prepared by the City Engineer and shall contain the following provisions and such other provisions as may, in the opinion of the City Engineer, afford protection to the property owner and the City.

(a) The grading work shall be designated as uncontrolled embankment and shall be constructed in accordance with plans approved by the City Engineer.

(b) [No change.]

(c) The grading work shall be done and maintained in a safe and sanitary manner at the sole cost, risk and responsibility of the property owner and his successors in interest, who shall hold the City harmless with respect thereto. Grading maintenance agreements for uncontrolled embankment shall be recorded in the office of the County Recorder as an obligation upon the land involved.

**SEC. 62.0416 Revegetation**

Application for a grading permit made in accordance with Section 62.0410 of this Article shall include a program for the revegetation of all slopes which have a gradient steeper than six (6) horizontal to one (1) vertical and are in excess of five (5) feet in vertical height.

Revegetation programs shall, comply with all relevant sections and requirements of the "City of San

Diego Landscape Technical Manual," on file with the office of the City Clerk.

Whenever it is determined by the City Engineer that there is potential for soil slippage, major erosion, landslides, or other geologic hazard or instability, the revegetation plan shall include the recommendations of a geotechnical engineer or civil engineer and certified engineering geologist.

**SEC. 62.0418 Grading and Encroachment Permits**

The permittee shall be responsible for the maintenance of work provided for under a grading or encroachment permit as follows:

(a) through (d) [No changes.]

The Permit Issuing Authority shall not certify completion or release of the bond until the work has been approved by the Planning Director. Thereafter, the responsibility for maintenance shall be vested in the property owner.

**SEC. 62.0419 Protecting Water Quality in Coastal Lagoons**

In addition to compliance with other requirements of this Division, grading for properties within the Coastal Zone which drain into Los Penasquitos Lagoon or San Dieguito Lagoon requires compliance with erosion control measures specified in the document, "Erosion Control Measures for North City Areas Draining to Los Penasquitos or San Dieguito Lagoons," on file in the office of the City Clerk as Document No. 00-17068.

**SEC. 62.0420 Grading Advisory Board**

There is hereby established a Grading Advisory Board. The Grading Advisory Board shall consist of nine (9) members appointed by the Mayor, for a term of two (2) years, with confirmation by the City Council, none of whom shall be City officers or employees. The Grading Advisory Board shall be composed of the following:

(a) through (h) [No changes.]

The City Engineer, the Planning Director and the Building Official, or their designated representatives, shall be ex-officio members of the Board. The City Engineer or his designated representative shall serve as secretary to the Grading Advisory Board.

The Grading Advisory Board shall appoint a Chair and Vice-Chair from its members.

The Grading Advisory Board shall meet at such time and place as shall be prescribed in the rules of the Board and as often as required to carry out its duties. Special meetings of the Board may be called by the Chair, Vice-Chair or Secretary. A majority of the appointed members shall constitute a quorum. Acts of the Grading Advisory Board shall be by a majority vote of the members present at the meeting.

The Grading Advisory Board may adopt rules for the conduct of its business and for the time, place and procedure for the conduct of its meetings.

The Permit Issuing Authority shall refer to the Grading Advisory Board all grading standards including standard drawings, specifications and general conditions for their review. In addition, the Permit Issuing Authority may refer to the Board any matter which, in his judgment, is necessary or desirable for their guidance in the administration of the land development aspects of this Article. The Grading Advisory Board shall consider all matters referred by the Permit Issuing Authority and shall render an advisory technical opinion.

The Grading Advisory Board shall review all amendments, deletions, or additions to the grading aspects of this Article. It shall submit its recommendations or comments in writing to the City Council prior to the Council's consideration of any such amendments, deletions or additions.

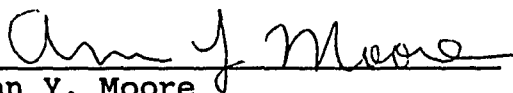
**SEC. 62.0423 Areas of Special Flood Hazard**

Areas of special flood hazard within the City of San Diego are hereby established in accordance with the report entitled "Flood Insurance Study, City of San Diego, California," dated April 18, 1983, published by the Federal Emergency Management Agency ("FEMA"), on file in the office of the City Clerk as Document No. 00-17251, including any supplements or amendments which are properly promulgated by FEMA or the Federal Insurance Administrator.

No person shall do or cause to be done any work, development, or construction covered under this division within an area of special flood hazard without having first obtained a grading permit. The issuance of a permit will be predicated upon either completion of flood control works with a capacity to contain the 100-year flood peak flow, the application of and compliance with appropriate floodplain regulatory zoning, or if it can be shown that a proposed development, work or construction complies with the provisions for flood hazard reduction in Council Policy 600-14.

Section 6. This ordinance shall take effect and be in force on January 4, 1993. The provisions of this ordinance shall not be applicable within the Coastal Zone until the thirtieth (30th) day following the date the California Coastal Commission unconditionally certifies this ordinance as a local coastal program amendment or January 4, 1993 whichever occurs last.

APPROVED: JOHN W. WITT, City Attorney

By   
Ann Y. Moore  
Deputy City Attorney

AYM:pev  
10/28/92  
Or.Dept:Plan.  
O-93-66  
Form=o.code

52A

NOV 23 1992

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 checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By  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

NOV 00 1992

NOV 23 1992

, 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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By  Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **O-17864**

NOV 23 1992

Adopted .....



NOV 5 1993

NOV 5 1993

92 NOV -2 10:16

UNITED STATES  
SAC, NEW YORK

NOV 10 1993

CERTIFICATE OF PUBLICATION

OFFICE OF THE CITY CLERK  
CITY ADMINISTRATION BUILDING  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

PUBLIC IMPROVEMENTS AND PUBLIC RIGHTS-OF-WAY

0-17864 NS

**ORDINANCE NUMBER O-17864(NEW SERIES)**

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING DIVISION 1, BY AMENDING SECTIONS 62.0101, 62.0102, 62.0103, 62.0104, 62.0106, 62.0107, 62.0108, 62.0109, 62.0111, 62.0112, 62.0113 AND 62.0114; BY REPEALING SECTIONS 62.0116, 62.0117 AND 62.0118; AMENDING DIVISION 2 BY AMENDING SECTION 62.0202; AMENDING DIVISION 4 BY RENAMING DIVISION 4; BY AMENDING SECTIONS 62.0402, 62.0403, 62.0405, 62.0406, 62.0407, 62.0408, 62.0410, 62.0411, 62.0412, 62.0413, 62.0414, 62.0416, 62.0418, 62.0419, 62.0420 AND 62.0423, ALL RELATING TO PUBLIC IMPROVEMENTS AND PUBLIC RIGHTS-OF-WAY.

This ordinance amends the provisions of Chapter VI, Article 2, to be consistent with the provisions of Chapter XI. The amendments to Chapter VI, Article 2, integrates the procedural requirements that were created by the adoption of Chapter XI and provides the user of Chapter X with the applicable cross references to Chapter XI.

A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, second floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.

INTRODUCED ON NOV 09 1992

Passed and Adopted by the Council of the City of San Diego on NOV 23 1992.

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, CA  
CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, CA

(SEAL)

Pub. Dec. 7

By Suzanne Oliva, Deputy

259925

I, Corey Donahue, 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-17864 (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:

DECEMBER 7

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

Dated at San Diego, California this 7th day of DEC., 19 92.

*Corey Donahue*  
\_\_\_\_\_  
(Signature)