

ORDINANCE NUMBER O- 18281 (NEW SERIES)

ADOPTED ON APR 01 1996

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 9, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 59.5.0202 AND 59.5.0204 AND REPEALING SECTION 59.0207, RELATING TO ELIMINATION OF THE BOARD FOR ABATEMENT AND CONTROL OF NOISE

WHEREAS, February 12, 1996, has been declared "Regulatory Relief Day"; and

WHEREAS, one purpose of Regulatory Relief Day is to streamline and consolidate where appropriate the City's land use regulatory and environmental procedures; and

WHEREAS, the City Manager's office has reviewed San Diego Municipal Code sections 59.5.0202, 59.5.0204 and 59.5.0207 relating to the appointment and duties of the Board of Abatement and Control of Noise and has suggested that said Board be eliminated in order to streamline the regulatory process; NOW, THEREFORE,

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

Section 1. That Chapter V, Article 9, Division 2, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 59.5.0202 and 59.5.0204, to read as follows:

**SEC. 59.5.0202 Duties and Responsibilities of the
Administrator Noise Abatement**

A. and B. [No changes]

C. [Deleted]

SEC. 59.5.0204 Appeals

Any person directly affected by the noise and/or the applicant who is aggrieved by approval or disapproval of a variance or permit by the Administrator may appeal in writing within fourteen (14) calendar days of the decision to the Neighborhood Code Compliance Department Deputy Director who will schedule an appeal hearing before a hearing officer appointed by the City Manager. In the case of a permit denial, the hearing shall be scheduled as soon as feasibly practical in order to consider the matter.

Section 2. That Chapter V, Article 9, Division 2, of the San Diego Municipal Code be, and the same is hereby amended by repealing Section 59.5.0207.

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 Prescilla Dugard
Prescilla Dugard
Deputy City Attorney

PMD:ps
03/04/96
Or.Dept:Dev.Svcs.
0-96-127
Form=o+t