

RESOLUTION NUMBER R- 296175

ADOPTED ON MAR 18 2002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO,
CALIFORNIA FOR TEMPORARY CLOSURE OF DESIGNATED STREETS
PURSUANT TO VEHICLE CODE SECTION 21101.4

WHEREAS, the City Council, in accordance with San Diego Municipal Code sections 52.5101 et seq., intends to temporarily close certain streets pursuant to Vehicle Code section 21101.4; and

WHEREAS, said Municipal Code sections provide for temporary street closure because of the serious and continual criminal activity occurring as a result of illegal street racing on certain streets in the City of San Diego; and

WHEREAS, this illegal street racing poses an immediate and serious threat to public health and safety, a drain on police resources, and potential liability to the City; and

WHEREAS, the City Council makes certain findings in compliance with Vehicle Code section 21101.4; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that this Council finds and determines as follows:

1. Continuation of the temporary street closure will assist in preventing the occurrence or reoccurrence of the serious and continual criminal activity found to exist in October 2000 when

the City Council authorized the temporary closure of 9100 to 9400 Trade Place in the City of San Diego on weekends between the hours of 9:00 p.m. Friday night and 5:00 a.m. Saturday morning, 9:00 p.m. Saturday night and 5:00 a.m. Sunday morning, and 9:00 p.m. Sunday night and 4:00 a.m. Monday morning.

2. That 9100 to 9400 Trade Place has not been designated as a through highway or arterial street, based on the Mira Mesa Community Plan, approved by the San Diego City Council, on October 6, 1992. Furthermore, 9100 to 9400 Trade Place is a business and industrial area, with no residences in the vicinity. Between the hours of the temporary closure, there is no, or very limited, business activity occurring in the area of 9100 to 9400 Trade Place; therefore, the City Council finds and determines that 9100 to 9400 Trade Place is not a through highway or arterial street during these hours.

3. That vehicular or pedestrian traffic on the highway contributes to the criminal activity.

4. The temporary closure approved in October 2000 has not substantially adversely affected traffic flow, safety on the adjacent streets or in the surrounding neighborhoods, the operation of emergency vehicles, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of the highway that was temporarily closed.

5. That Trade Place will now be temporarily closed for an 18-month period, subject to additional extensions, between the hours of 9:00 p.m. Friday night and 5:00 a.m. Saturday morning, 9:00 p.m. Saturday night and 5:00 a.m. Sunday morning, and 9:00 p.m. Sunday night

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6. This temporary street closure shall not apply to emergency or law enforcement personnel in emergency or law enforcement vehicles; City, County, or State employees in government vehicles acting within the scope of their official duties; commercial vehicles making deliveries to and from commercial properties adjacent to the designated streets; and individuals employed by businesses adjacent to the designated streets and showing identification upon request by law enforcement personnel.

APPROVED: CASEY GWINN, City Attorney

By Stuart H. Swett

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