

ORDINANCE NUMBER O- 10170 (NEW SERIES)

ADOPTED ON MAY 06 2003

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 86.23 RELATING TO USE OF STREETS FOR STORAGE, SERVICE, OR SALE OF VEHICLES, OR FOR HABITATION IN VEHICLES.

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

Section 1. That Chapter 8, Article 6, of the San Diego Municipal Code is hereby amended by amending Section 86.23, to read as follows:

§86.23 Use Of Streets For Storage, Service, or Sale Of Vehicles, or For Habitation in Vehicles Prohibited

- (a) It is unlawful for any person to stand or park any vehicle upon any street while selling merchandise therefrom unless authorized by other provisions of this Code.
- (b) It is unlawful for any person to stand or park any vehicle upon any street for the purpose of servicing or repairing such vehicle, except in an emergency.
- (c) It is unlawful for any person to stand or park any vehicle upon any street in any business district or upon any through highway for the purpose of washing or polishing such vehicle.
- (d) It is unlawful for any person who deals in, or whose business involves the sale, lease, rental, or charter of vehicles to store, park, or stand any such vehicle upon any public street, except while such

vehicle is under lease, rental, or charter by a customer. Section 86.23(d) does not apply to vehicles regulated by Sections 75.0101 through 75.0603 of this Code.

- (e) It is unlawful for any person whose business involves the repair, servicing of vehicles or vehicle components to store, stand, or park any vehicle on any public street after that person has accepted custody of the vehicle from the customer.
- (f) It is unlawful for any person to use a vehicle while it is parked or standing on any street as either temporary or permanent living quarters, abode, or place of habitation either overnight or day by day.
- (g) It is unlawful for any person to store, or cause to be stored, any vehicle on any street. A vehicle shall be considered stored when it has been left standing on a street without having been moved more than one-tenth of a mile within a seventy-two consecutive hour period.
- (h) It is unlawful for any person to leave standing, or cause or allow to be left standing, any inoperable vehicle on any street for more than four consecutive hours. A vehicle is considered to be inoperable when it is wrecked, burned, dismantled, when it lacks a motor, transmission, or wheels, when it is on blocks, or when it is otherwise incapable of being driven upon the highways in conformity with the requirements of the California Vehicle Code.

- (i) It is unlawful for any person to park an unattached semitrailer or auxiliary dolly on any street except for the purpose of loading or unloading it. Camp trailers, utility trailers, and auxiliary dollies used in conjunction with a camp trailer or a utility trailer are exempt from Section 83.26(i).

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By James M. Chapin
James M. Chapin
Deputy City Attorney

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