

ORDINANCE NUMBER O- 19356 (NEW SERIES)

ADOPTED ON FEB 14 2005

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 9, ARTICLE 5, DIVISION 1, BY AMENDING SECTION 95.0107; AMENDING CHAPTER 12, ARTICLE 9, DIVISION 7, BY AMENDING SECTION 129.0731; AND AMENDING CHAPTER 12, ARTICLE 9, DIVISION 8, BY AMENDING SECTION 129.0808, ALL RELATING TO SIGNS.

WHEREAS, the Municipal Code regulates signs in the City of San Diego in order to serve many governmental and public interests, including traffic safety and the aesthetic character of the City; and

WHEREAS, the City of San Diego desires to regulate signs in a constitutional manner, and in compliance with relevant court rulings; and

WHEREAS, the Council of the City of San Diego finds that the following amendments will further these goals and correct a drafting error so that the text reads as intended; NOW, THEREFORE,

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

Section 1. That Chapter 9, Article 5, Division 1 of the San Diego Municipal Code is amended by amending Section 95.0107, to read as follows:

§95.0107 **Sign Permit Application**

Application for a Sign Permit shall be made in writing upon forms provided by the City and shall state the following information:

(a) through (i) [No change in text.]

(j) A decision to approve or deny a Sign Permit required by this Chapter shall be made no more than forty-five business days after the date on which the application is deemed complete. When a decision is not made within the required time, and the applicant does not waive time, the application shall be deemed denied. The timeliness requirement may be waived by the applicant.

(k) [No change in text.]

Section 2. That Chapter 12, Article 9, Division 7 of the San Diego Municipal Code is amended by amending Section 129.0731, to read as follows:

§129.0731 Timeliness of Decision

For a Public Right of Way Permit required by Chapter 14, Article 2, Division 12, a decision to approve or deny the permit shall be made no more than forty-five *business days* after the date on which the application is *deemed complete*. When a decision is not made within the required time, and the *applicant* does not waive time, the application shall be deemed denied. The timeliness requirement may be waived by the *applicant*.

Section 3. That Chapter 12, Article 9, Division 8 of the San Diego Municipal Code is amended by amending Section 129.0808, to read as follows:

§129.0808 Timeliness of Decision


A decision to approve or deny a Sign Permit shall be made no more than forty-five *business days* after the date on which the application is *deemed complete*.

When a decision is not made within the required time, and the *applicant* does not waive time, the application shall be deemed denied. The timeliness requirement may be waived by the *applicant*.

Section 4. 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 5. That this ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
William W. Witt
Deputy City Attorney

WWW:pev
01/07/05
Or.Dept:City Atty.
O-2005-84
MMS #1117