

#50
3-21-06

(O-2006-77 Corrected)

ORDINANCE NUMBER O- 19469 (New Series)

DATE OF FINAL PASSAGE MAR 24 2006

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 4, DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 54.0212 REGARDING ABANDONED PERSONAL PROPERTY.

WHEREAS, the San Diego Municipal Code requires the interim storage and transfer to the San Diego Police Department of abandoned personal property which is sanitary, saleable or useable, and valued at more than \$10;

WHEREAS, these storage and handling requirements create inefficiencies and are not cost effective as costs of storage and handling may exceed the sale price of the abandoned personal property; and

WHEREAS, California Civil Code section 2080.1 requires the transfer of abandoned personal property to the City police department if the property is valued at \$100 or more;

WHEREAS, it would be more efficient and cost-effective for the City to set the same value as that contained in California Civil Code section 2080.1 and to eliminate the interim storage requirement; NOW, THEREFORE,

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

Section 1. That Chapter 5, Article 4, Division 2 of the San Diego Municipal Code is hereby amended by amending Section 54.0212 as follows:

§ 54.0212 Abandoned Personal Property

- (a) [No change to text.]
- (b) Unattended personal property or possessions that are unsanitary, soiled or verminous may be summarily abated and destroyed. Unattended personal property or possessions that are recyclable may be disposed of by the Director pursuant to Chapter 6, Article 6 of the Code.

Unattended personal property or possessions that are sanitary and saleable or useable and of a value greater than one hundred dollars (\$100) shall be transferred as soon as is practicable to the Chief of Police pursuant to Section 22.0603 of this Code.

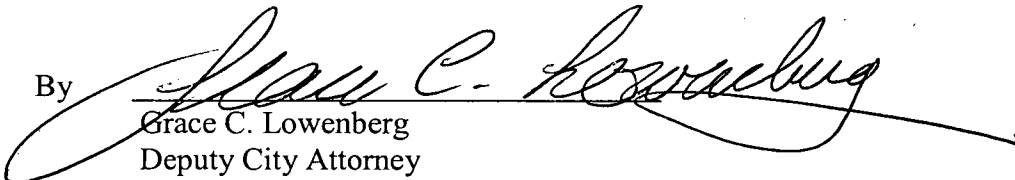
Section 2. That this activity is not subject to CEQA pursuant to CEQA Guideline section 15060(c)(2) because the Municipal Code amendment will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Section 3. 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.

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

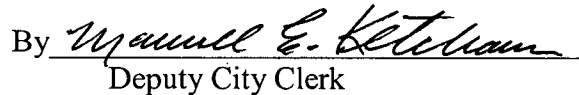
APPROVED: MICHAEL AGUIRRE, City Attorney

By 
Grace C. Lowenberg
Deputy City Attorney

GCL:mb
12/14/05
01/20/06 Corrected
Or.Dept: ESD
O-2006-77

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at its meeting of MAR 21 2006.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 3.24.06
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor