

ORDINANCE NUMBER O- 20248 (NEW SERIES)

DATE OF FINAL PASSAGE APR 11 2013

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 4 OF THE SAN DIEGO MUNICIPAL CODE BY REPEALING SECTIONS 34.01, 34.02, 34.03, 34.04, 34.05, 34.06, 34.07, 34.08, 34.09, 34.10, 34.11, 34.12 AND 34.15, ALL RELATING TO BICYCLES AND VEHICLES

WHEREAS, the San Diego Municipal Code (SDMC) currently states that it is unlawful for any person to operate a bicycle upon any public street, alley, sidewalk, highway, or other public property within the jurisdiction of the City of San Diego (City) without first obtaining a license issued by the City; and

WHEREAS, this requirement is currently codified in SDMC Chapter 3, Article 4; and

WHEREAS, the SDMC requirement was established prior to 1977 when bicycles did not have serial numbers and a bicycle license was required to place individualized numbers on bicycles for identification; and

WHEREAS, since 1977, manufacturers have been required to identify bicycles with serial numbers thereby rendering a bicycle license unnecessary; and

WHEREAS, as a result of stakeholder outreach and discussions with San Diego Fire-Rescue Department (SDFD) and San Diego Police Department (SDPD) staff, it has been determined that the license requirement and all of the associated sections in SDMC Chapter 3, Article 4 are no longer relevant; and

WHEREAS, this action will remove the licensing requirement and associated sections from the SDMC by repealing each section of Chapter 3, Article 4; and

WHEREAS, the repeal of this Article will also eliminate City revenue generated by selling bicycle licenses; and

WHEREAS, the total amount of revenue over the past five years was approximately \$1,300; and

WHEREAS, in addition, the City will eliminate an annual revenue budget of \$900 with this ordinance; and

WHEREAS, all of the sections in Municipal Code Chapter 3, Article 4 pertain to the bicycle license requirement; and

WHEREAS, none of these sections are needed to fulfill the City's original purpose of being able to identify bicycles with an individualized number; and

WHEREAS, removing SDMC Chapter 3, Article 4 does not diminish the SDPD's ability to inspect, nor does it negate the responsibility of second-hand bicycle dealers to report to the police, the second-hand sales of bicycles; NOW, THEREFORE,

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

Section 1. That Chapter 3, Article 4, of the San Diego Municipal Code is repealed.

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

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

APPROVED: JAN I. GOLDSMITH, City Attorney


By


Noah J. Brazier
Deputy City Attorney

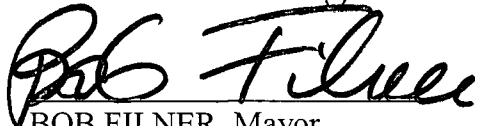
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02/26/2013
Or.Dept:SDFD
Document No. 513398

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 3/26/13.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4/11/13
(date)


BOB FILNER, Mayor

Vetoed: _____
(date)

BOB FILNER, Mayor