

ORDINANCE NUMBER O- 20982 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 20 2018

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 3, DIVISION 46 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 33.4602, 33.4604, 33.4608, 33.4609, 33.4610, 33.4611, 33.4613, 33.4618, AND 33.4620; AND BY AMENDING CHAPTER 8, ARTICLE 3, DIVISION 1 BY AMENDING SECTIONS 83.0102, 83.0103, AND 83.0105, ALL RELATING TO PEDICABS.

WHEREAS, the City of San Diego (City) has regulated pedicabs since 1999 (San Diego Ordinance O-18701 (Nov. 1, 1999)); and

WHEREAS, pedicabs have been a police regulated business since 2015 (San Diego Ordinance O-20515 (Jul. 16, 2015)); and

WHEREAS, under state law, a bicycle is defined as a device upon which any person may ride, propelled exclusively by human power through a belt, chain, or gears, and having one or more wheels; and

WHEREAS, under state law, a pedicab is defined as: (1) a bicycle having three or more wheels that transports passengers on seats attached to the bicycle, or (2) a bicycle that pulls a trailer, sidecar, or similar device that transports passengers on seats attached to the trailer, sidecar, or similar device; and

WHEREAS, pedicabs that qualify as bicycles under state law are defined in this ordinance as "traditional pedicabs;" and

WHEREAS, in 2016, the California Vehicle Code (Vehicle Code) was amended to define a new class of pedicabs, which are devices having four wheels and seating capacity for eight or more passengers; and

WHEREAS, the new class of four-wheeled pedicabs are defined in this ordinance as “specialized pedicabs,” to distinguish them from traditional pedicabs; and

WHEREAS, the Vehicle Code includes regulations specifically for the new class of four-wheeled specialized pedicabs; and

WHEREAS, the Vehicle Code imposes additional regulations if alcoholic beverages are consumed on board the new class of specialized pedicabs; and

WHEREAS, this ordinance prohibits consumption of alcoholic beverages on board specialized pedicabs; and

WHEREAS, the state does not preclude local jurisdictions from imposing more stringent operating or equipment requirements on the new class of specialized pedicabs; and

WHEREAS, some pedicab operators have attached pedal assist devices to their pedicabs in order to take them outside the definition of a bicycle; and

WHEREAS, the City wishes to prohibit the attachment of pedal assist devices on pedicabs; and

WHEREAS, the City wishes to address noise complaints relating to amplified sound and music on pedicabs; and

WHEREAS, the City wishes to address complaints of pedicab operators attaching supplemental lights to their pedicabs, including flashing lights and multi-colored lights; and

WHEREAS, the City wishes to address complaints from consumers over differences in the stated fare of a pedicab ride, and the fare ultimately demanded and collected; and

WHEREAS, the City wishes to enact an ordinance to protect the health, safety, and welfare of the general public and passengers using pedicabs as a mode of transportation;

NOW, THEREFORE,

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

Section 1. That Chapter 3, Article 3, Division 46 of the San Diego Municipal Code is amended by amending sections 33.4602, 33.4604, 33.4608, 33.4609, 33.4610, 33.4611, 33.4613, 33.4618, and 33.4620, to read as follows:

Chapter 3: Business Regulations, Business Taxes, Permits and Licenses

Article 3: Police Regulated Occupations and Businesses

Division 46: Police Permits for Pedicabs

§33.4602 Definitions

Defined terms appearing in this Division are shown in italics. Words or phrases not defined in this Division but defined in the California Vehicle Code shall have the meaning set forth in the California Vehicle Code. For purposes of this Division:

Chief of Police through Darkness [No change in text.]

Fare schedule means a rate charged per passenger, and any additional charges such as those based on mileage or distance.

Operating permit through Owner [No change in text.]

Pedal assist device means an electric or motorized unit that helps propel a *pedicab*, eliminating the exclusive use of human power.

Pedicab has the same meaning as in California Vehicle Code section 467.5.

Pedicab Decal through Seatbelt [No change in text.]

Specialized pedicab shall have the meaning set forth in California Vehicle Code section 467.5(c).

Traditional pedicab shall have the meaning set forth in California Vehicle Code sections 467.5(a) and 467.5(b).

§33.4604 Police Permit Required for Pedicab Operator

- (a) through (b) [No change in text.]
- (c) It is unlawful for a *pedicab operator* to use an *operating permit* for a *traditional pedicab* to operate a *specialized pedicab*.
- (d) It is unlawful for a *pedicab operator* to use an *operating permit* for a *specialized pedicab* to operate a *traditional pedicab*.

§33.4608 Fare Schedule

- (a) *Pedicab operators* shall post a *fare schedule* sign on the *pedicab* that meets the size, format, and location requirements of section 33.4609.
- (b) The full fare for the trip shall be agreed upon by passenger(s) and *operator* prior to trip departure.
- (c) It is unlawful for any *operator* to charge a passenger a fare greater than the posted fare schedule.

§33.4609 Fare Schedule Sign Requirements

- (a) Size – A *fare schedule* sign shall be a minimum of 8-1/2 inches in width by 6 inches in height.
- (b) [No change in text.]
- (c) Format – The *fare schedule* sign shall include the following text:
 - Line 1– FARE SCHEDULE (all capitalized with minimum font size of 36).
 - Line 2– (PER PERSON) (all capitalized with minimum font size of 36).
 - Line 3– Rate charged (minimum font size of 36).
 - Line 4– Full fare shall be agreed upon prior to trip departure (minimum font size of 36).

- (d) Location Requirements – The *fare schedule* sign shall be securely attached to the *pedicab* in a location clearly visible to all passengers while seated in the *pedicab*, and shall also be displayed and securely attached on the outside of the *pedicab*.

§33.4610 Prohibitions on the Operation of Pedicabs

- (a) It is unlawful for any *person* under the age of eighteen (18) to operate a *traditional pedicab*.
- (b) It is unlawful for any *person* under the age of twenty-one (21) to operate a *specialized pedicab*.
- (c) It is unlawful to operate a *pedicab* in a manner that results in damage to public property.
- (d) It is unlawful to operate a *pedicab* in a manner that creates or generates noise in violation of section 59.5.0501 or section 59.5.0502 of the Municipal Code.
- (e) It is unlawful to operate, or for any *owner* to allow to be operated, a *traditional pedicab* having more than one attached trailer or sidecar, or a *specialized pedicab* with any attached trailer or sidecar.
- (f) It is unlawful to operate, or for an *owner* to allow to be operated, a *pedicab* while carrying a number of passengers that exceeds the number of available seats.
- (g) It is unlawful to operate a *pedicab* unless all passengers are restrained by *seatbelts*.

- (h) It is unlawful to operate, or for an *owner* to allow to be operated, a *pedicab* in violation of the City's open container ordinance as set forth in Municipal Code section 56.54.
- (i) It is unlawful to operate, or for an *owner* to allow to be operated, a *pedicab* unless the operator's *permit*, company name, and contact information are displayed and clearly visible within the seating area of the *pedicab*.
- (j) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* that produces a sound level that exceeds the applicable decibel limit for a respective zoning district as set forth in section 59.5.0401 of the Municipal Code.

§33.4611 Other Laws Applicable to Pedicab Owners and Operators

- (a) *Operators* and *owners* of *traditional pedicabs* are subject to all applicable laws, rules, and regulations of the Municipal Code and the California Vehicle Code pertaining to the operation of bicycles upon streets, except those provisions that by their very nature can have no application.
- (b) *Operators* and *owners* of *specialized pedicabs* must comply with all the requirements set forth in California Vehicle Code section 21215.

§33.4613 Application for Pedicab Decal or Pedicab Restricted Zone Decal

- (a) [No change in text.]
- (b) Each applicant for a *Pedicab Decal* or *Pedicab Restricted Zone Decal* shall provide the following information to the *Chief of Police*:
 - (1) through (3) [No change in text.]

(4) Written proof that the applicant is at least eighteen (18) years of age for *traditional pedicabs*, or proof that the applicant is at least twenty-one (21) years of age for *specialized pedicabs*;

(5) through (14) [No change in text.]

(c) through (e) [No change in text.]

§33.4618 Equipment Regulations for Pedicabs

(a) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* during the hours of *darkness*, without:

(1) Using battery-operated tail lights mounted on the right and left, respectively, at the same level on the rear exterior of the passenger compartment. Tail lights shall be red in color and plainly visible from all distances within 500 feet of the rear of the *pedicab*; and

(2) Using a battery-operated headlight that is mounted at the front of the *pedicab*. The headlight shall be white in color and plainly visible from all distances within 300 feet of the front of the *pedicab*.

(b) through (d) [No change in text.]

(e) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* with strobing, flashing, or multi-color changing lights. Only static, single-color lights are allowed.

(f) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* with a *pedal assist device*.

(g) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* with any sound production or reproduction device, radio receiving

set, musical instrument, drums, phonograph, television set, loud speaker or sound amplifier, or other similar machine or device in such a manner as to be plainly audible at a distance of fifty (50) feet from the pedicab when the *pedicab* is upon a public street or highway.

§33.4620 Insurance Requirements

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

(g) *Operators of specialized pedicabs* must also comply with the insurance requirements set forth in California Vehicle Code section 21215.

Section 2. That Chapter 8, Article 3, Division 1 of the San Diego Municipal Code is amended by amending sections 83.0102, 83.0103, and 83.0105, to read as follows:

Chapter 8: Traffic and Vehicles

Article 3: Pedicabs, Pedestrians and Bicycles

Division 1: Pedicabs - Operation, Parking, and Zone Restrictions

§83.0102 Definitions

Defined terms appearing in this Division are shown in italics. Words or phrases not defined in this Division but defined in the California Vehicle Code shall have the meaning set forth in the California Vehicle Code. For purposes of this

Division:

Martin Luther King Promenade [No change in text.]

Operator has the same meaning as in San Diego Municipal Code (Municipal Code) section 33.4602.

Owner has the same meaning as in Municipal Code section 33.4602.

Pedicab has the same meaning as in California Vehicle Code section 467.5.

Pedicab Decal has the same meaning as in Municipal Code section 33.4602.

Pedicab Parking Zone [No change in text.]

Pedicab Restricted Zone Decal has the same meaning as in Municipal Code section 33.4602.

Person through Restricted Pedicab Zone [No change in text.]

Seatbelt has the same meaning as in Municipal Code section 33.4602.

Special Event [No change in text.]

Specialized pedicab shall have the meaning set forth in California Vehicle Code section 467.5(c).

Traditional pedicab shall have the meaning set forth in California Vehicle Code sections 467.5(a) and 467.5(b).

§83.0103 Other Laws Applicable to Pedicab Owners and Operators

- (a) *Operators and owners of traditional pedicabs* are subject to all applicable laws, rules, and regulations of the Municipal Code and the California Vehicle Code pertaining to the operation of bicycles upon streets, except those provisions that by their very nature can have no application.
- (b) *Operators and owners of specialized pedicabs* must comply with all the requirements set forth in California Vehicle Code section 21215.

§83.0105 Prohibitions on Where Pedicabs May Operate

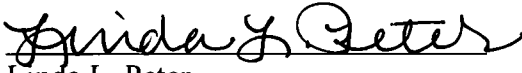
- (a) It is unlawful to operate a *traditional pedicab* on a City street with a posted speed limit in excess of 25 miles per hour unless it is operated within a class II bike lane.
- (b) It is unlawful to operate a *specialized pedicab* on a City street with a posted speed limit in excess of 30 miles per hour.

- (c) It is unlawful to operate a *pedicab* on Garnet Avenue west of Ingraham Street; Pacific Beach Drive west of Riviera Drive; Riviera Drive; Sunset Cliffs Boulevard; Newport Avenue west of Sunset Cliffs Boulevard; Prospect Avenue between Coast Boulevard and Fay Avenue; Girard Avenue between Pearl Street and Torrey Pines Road.
- (d) It is unlawful to operate a *pedicab* on the *Martin Luther King Promenade*.
- (e) It is unlawful to operate a *pedicab* upon a sidewalk except as may be necessary to enter or leave adjacent property.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

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


APPROVED: MARA W. ELLIOTT, City Attorney

By 
Linda L. Peter
Deputy City Attorney

LLP:hm:cw:ccm
06/12/18
07/26/18
Or.Dept: Police
Doc. No.:1800360
REV.1

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of AUG 27 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/20/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 3, DIVISION 46 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 33.4602, 33.4604, 33.4608, 33.4609, 33.4610, 33.4611, 33.4613, 33.4618, AND 33.4620; AND BY AMENDING CHAPTER 8, ARTICLE 3, DIVISION 1 BY AMENDING SECTIONS 83.0102, 83.0103, AND 83.0105, ALL RELATING TO PEDICABS.

Chapter 3: Business Regulations, Business Taxes, Permits and Licenses

Article 3: Police Regulated Occupations and Businesses

Division 46: Police Permits for Pedicabs

§33.4602 Definitions

Defined terms appearing in this Division are shown in italics. Words or phrases not defined in this Division but defined in the California Vehicle Code shall have the meaning set forth in the California Vehicle Code. For purposes of this

Division:

Chief of Police through Darkness [No change in text.]

Fare schedule means a rate charged per passenger, and any additional charges such as those based on mileage or distance.

Operating permit through Owner [No change in text.]

Pedal assist device means an electric or motorized unit that helps propel a *pedicab*, eliminating the exclusive use of human power.

Pedicab means:

- (a) ~~A bicycle that: (1) has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, (2) is operated by a person, and (3) is used for transporting passengers for hire; or~~
- (b) ~~A bicycle that: (1) pulls a trailer, sidecar, or similar device, (2) transports, or is capable of transporting, passengers on seats attached to the trailer, sidecar, or similar device, (3) is operated by a person, and (4) is used for transporting passengers for hire~~ has the same meaning as in California Vehicle Code section 467.5.

Pedicab Decal through Seatbelt [No change in text.]

Specialized pedicab shall have the meaning set forth in California Vehicle Code section 467.5(c).

Traditional pedicab shall have the meaning set forth in California Vehicle Code sections 467.5(a) and 467.5(b).

§33.4604 Police Permit Required for Pedicab Operator

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

(c) It is unlawful for a *pedicab operator* to use an *operating permit* for a *traditional pedicab* to operate a *specialized pedicab*.

(d) It is unlawful for a *pedicab operator* to use an *operating permit* for a *specialized pedicab* to operate a *traditional pedicab*.

§33.4608 Fare Schedule

(a) *Pedicab operators* shall post a “~~per passenger~~” fare schedule *fare schedule sign* on the *pedicab* that meets the size, format, and location requirements of section 33.4609.

- (b) ~~The fare schedule shall be clearly visible to all passengers while seated in the pedicab.~~ The full fare for the trip shall be agreed upon by passenger(s) and operator prior to trip departure.
- (c) It is unlawful for any operator to charge a passenger a fare greater than the posted ~~fare schedule~~ fare schedule.

§33.4609 Fare Schedule Sign Requirements

- (a) Size – A ~~fare schedule~~ fare schedule sign shall be a minimum of 8-1/2 inches in width by 6 inches in height.
- (b) [No change in text.]
- (c) Format – The ~~fare schedule~~ fare schedule sign shall include the following text:
 - Line 1– FARE SCHEDULE (~~A~~all capitalized with minimum font size of 36).
 - Line 2– (PER PERSON) (~~A~~all capitalized with minimum font size of 36).
 - Line 3– Rate charged (~~M~~minimum font size of 36).
 - Line 4– Full fare shall be agreed upon prior to trip departure (minimum font size of 36).
- (d) Location Requirements – The ~~fare schedule~~ fare schedule sign shall be securely attached to the *pedicab* in a location clearly visible to all passengers while seated in the *pedicab*, and shall also be displayed and securely attached on the outside of the pedicab.

§33.4610 Prohibitions on the Operation of Pedicabs

- (a) It is unlawful for any *person* under the age of eighteen (18) to operate a traditional pedicab.

- (b) It is unlawful for any person under the age of twenty-one (21) to operate a specialized pedicab.
- (bc) It is unlawful to operate a *pedicab* in a manner that results in damage to public property.
- (ed) It is unlawful to operate a *pedicab* in a manner that creates or generates ~~public nuisance~~ noise in violation of section 59.5.0501 or section 59.5.0502 of the Municipal Code.
- (de) It is unlawful to operate, or for any *owner* to allow to be operated, a traditional pedicab having more than one attached trailer or sidecar, or a specialized pedicab with any attached trailer or sidecar.
- (ef) It is unlawful to operate, or for an *owner* to allow to be operated, a *pedicab* while carrying a number of passengers that exceeds the number of available seats.
- (fg) It is unlawful to operate a *pedicab* unless all passengers are restrained by *seatbelts*.
- (h) It is unlawful to operate, or for an owner to allow to be operated, a pedicab in violation of the City's open container ordinance as set forth in Municipal Code section 56.54.
- (i) It is unlawful to operate, or for an owner to allow to be operated, a pedicab unless the operator's permit, company name, and contact information are displayed and clearly visible within the seating area of the pedicab.
- (j) It is unlawful to operate, or for any owner to allow to be operated, a pedicab that produces a sound level that exceeds the applicable decibel

limit for a respective zoning district as set forth in section 59.5.0401 of the Municipal Code.

§33.4611 Other Laws Applicable to Pedicab Owners and Operators

- (a) *Operators and owners of traditional pedicabs* are subject to all applicable laws, rules, and regulations of the Municipal Code and the California Vehicle Code pertaining to the operation of bicycles upon streets, except those provisions that by their very nature can have no application.
- (b) *Operators and owners of specialized pedicabs must comply with all the requirements set forth in California Vehicle Code section 21215.*

§33.4613 Application for Pedicab Decal or Pedicab Restricted Zone Decal

- (a) [No change in text.]
- (b) Each applicant for a *Pedicab Decal* or *Pedicab Restricted Zone Decal* shall provide the following information to the *Chief of Police*:
 - (1) through (3) [No change in text.]
 - (4) Written proof that the applicant is at least eighteen (18) years of age for *traditional pedicabs*, or proof that the applicant is at least twenty-one (21) years of age for *specialized pedicabs*;
 - (5) through (14) [No change in text.]
- (c) through (e) [No change in text.]

§33.4618 Equipment Regulations for Pedicabs

- (a) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* during the hours of *darkness*, without:
 - (1) Using battery-operated ~~taillights~~ tail lights mounted on the right and left, respectively, at the same level on the rear exterior of the

passenger compartment. ~~Taillights~~ Tail lights shall be red in color and plainly visible from all distances within 500 feet of the rear of the *pedicab*; and

(2) Using a battery-operated headlight that is mounted at the front of the *pedicab*. The headlight shall be white in color and plainly visible from all distances within 300 feet of the front of the *pedicab*.

(b) through (d) [No change in text.]

(e) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* with strobing, flashing, or multi-color changing lights. Only static, single-color lights are allowed.

(f) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* with a *pedal assist device*.

(g) It is unlawful to operate, or for any *owner* to allow to be operated, a *pedicab* with any sound production or reproduction device, radio receiving set, musical instrument, drums, phonograph, television set, loud speaker or sound amplifier, or other similar machine or device in such a manner as to be plainly audible at a distance of fifty (50) feet from the *pedicab* when the *pedicab* is upon a public street or highway.

§33.4620 Insurance Requirements

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

(g) *Operators of specialized pedicabs* must also comply with the insurance requirements set forth in California Vehicle Code section 21215.

Chapter 8: Traffic and Vehicles

Article 3: Pedicabs, Pedestrians and Bicycles

Division 1: Pedicabs - Operation, Parking, and Zone Restrictions

§83.0102 Definitions

~~Defined terms~~ Defined terms appearing in this Division are shown in italics.

~~Whenever any w~~Words or phrases used in this Division are not defined in this Division but are defined in the California Vehicle Code, ~~the words or phrases~~ shall have the meaning set forth in the California Vehicle Code. For purposes of this Division:

~~Darkness~~ means any time from one-half hour after sunset to one-half hour before sunrise and any time when visibility is not sufficient to render clearly discernible any ~~person or vehicle~~ on the highway at a distance of 1000 feet.

~~Enforcement Hearing Officer~~ has the same meaning as that term is defined in Section 12.0403 of this Municipal Code.

Martin Luther King Promenade [No change in text.]

~~Operating Permit~~ means a badge worn by the ~~operator~~ that includes a color passport-sized photo and other information, issued by the City pursuant to Section 83.0104, authorizing a ~~person~~ to operate a ~~pedicab~~ as a business.

~~Operator~~ means any ~~person~~ who pedals, steers, uses the brakes, or otherwise controls a ~~pedicab~~ within the City of San Diego has the same meaning as in San Diego Municipal Code (Municipal Code) section 33.4602.

~~Owner~~ means any ~~person~~ who owns a ~~pedicab~~ has the same meaning as in Municipal Code section 33.4602.

Pedicab means:

- (a) ~~A bicycle that has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by a person, and that is used for transporting passengers for hire; or~~
- (b) ~~A bicycle that pulls a trailer, sidecar, or similar device, that transports, or is capable of transporting, passengers on seats attached to the trailer, sidecar, or similar device, that is operated by a person, and that is used for transporting passengers for hire~~ has the same meaning as in California Vehicle Code section 467.5.

Pedicab Decal means the numbered decal issued by the City to a *pedicab owner* for display on the *pedicab* to indicate that the *pedicab* is permitted to operate everywhere in the City of San Diego except those areas designated as *Restricted Pedicab Zones* has the same meaning as in Municipal Code section 33.4602.

Pedicab Parking Zone [No change in text.]

Pedicab Restricted Zone Decal means the numbered decal issued by the City to a *pedicab owner* for display on the *pedicab* to indicate that the *pedicab* is permitted to operate anywhere in the City of San Diego including those areas designated as *Restricted Pedicab Zones* has the same meaning as in Municipal Code section 33.4602.

Person through Restricted Pedicab Zone [No change in text.]

Seatbelt means the safety strap or harness designed to hold a *person* securely in a seat has the same meaning as in Municipal Code section 33.4602.

Special Event [No change in text.]

Specialized pedicab shall have the meaning set forth in California Vehicle Code section 467.5(c).

Traditional pedicab shall have the meaning set forth in California Vehicle Code sections 467.5(a) and 467.5(b).

§83.0103 Other Laws Applicable to Pedicab Owners and Operators

- (a) Operators and owners of traditional pedicabs are subject to all applicable laws, rules, and regulations of the Municipal Code and the California Vehicle Code pertaining to the operation of bicycles upon streets, except those provisions that by their very nature can have no application.
- (b) Operators and owners of specialized pedicabs must comply with all the requirements set forth in California Vehicle Code section 21215.

§83.0105 Prohibitions on Where Pedicabs May Operate

- (a) It is unlawful to operate a traditional pedicab on a City street with a posted speed limit in excess of 25 miles per hour unless ~~the pedicab~~ it is operated within a class II bike lane.
- (b) It is unlawful to operate a specialized pedicab on a City street with a posted speed limit in excess of 30 miles per hour.
- (bc) It is unlawful to operate a pedicab on Garnet Avenue west of Ingraham Street; Pacific Beach Drive west of Riviera Drive; Riviera Drive; Sunset Cliffs Boulevard; Newport Avenue west of Sunset Cliffs Boulevard; Prospect Avenue between Coast Boulevard and Fay Avenue; Girard Avenue between Pearl Street and Torrey Pines Road.

- (ed) It is unlawful to operate a *pedicab* on the *Martin Luther King Promenade*.
- (ed) It is unlawful to operate a *pedicab* upon a sidewalk except as may be necessary to enter or leave adjacent property.

LLP:hm:cw:ccm
06/12/18
07/26/18
Or.Dept: Police
Doc. No.: 1800355
REV.1

Passed by the Council of The City of San Diego on AUG 07 2018, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|-----------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Barbara Bry | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lorie Zapf | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Ward | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Myrtle Cole | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mark Kersey | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Cate | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Scott Sherman | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| David Alvarez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Georgette Gomez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage AUG 20 2018

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUL 24 2018

AUG 20 2018

, and on _____

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O-_____

20982