

ORDINANCE NUMBER O-_____ (NEW SERIES)

DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 8 OF THE SAN DIEGO MUNICIPAL CODE BY RENAMING ARTICLE 1; RENUMBERING DIVISION 0 TO DIVISION 1 AND ADDING TITLE "DEFINITIONS, AUTHORITY, AND ENFORCEMENT"; BY REPEALING SECTIONS 81.01, 81.01.1, 81.01.2, 81.01.3, 81.01.4, 81.01.5, 81.01.6, 81.01.7, 81.01.8, 81.01.9, 81.01.10, 81.01.11, 81.01.12, 81.01.13, 81.01.14, 81.01.15, 81.01.16, 81.01.17, 81.01.18, 81.01.19, 81.01.20, 81.01.21, 81.01.22, 81.01.23, 81.01.24, 81.01.25, 81.01.26, 81.01.27, 81.01.28, 81.01.29, AND 81.01.30; AND BY ADDING SECTIONS 81.0101, 81.0102, AND 81.0103; FURTHER AMENDING CHAPTER 8, ARTICLE 1, AND AMENDING ARTICLES 2, 4, AND 5 BY RENUMBERING AND REORGANIZING SECTIONS 81.02, 81.03, 81.04, 81.05, 81.06, 81.07, 81.07.1, 81.08, 81.09, 81.10, AND 81.11; AMENDING CHAPTER 8, ARTICLE 6 BY RENUMBERING DIVISION 00 TO DIVISION 1, ADDING TITLE "DEFINITIONS, AUTHORITY, AND ENFORCEMENT" AND RENUMBERING SECTIONS 86.01, 86.02, 86.02.1, 86.02.2, 86.03, 86.03.1, 86.04, 86.05, 86.06, 86.07, 86.08, 86.08.1, 86.09, 86.09.1, 86.09.2, AND 86.09.3; BY AMENDING AND RENUMBERING SECTION 86.09.04; BY RENUMBERING SECTIONS 86.09.05, 86.09.06, 86.10, 86.10.2, AND 86.10.3; BY AMENDING AND RENUMBERING SECTION 86.10.4; BY RENUMBERING SECTIONS 86.11; 86.13, 86.14, 86.15, 86.16, 86.17, 86.18, 86.19, 86.19.1, 86.19.2, 86.19.3, 86.19.4, AND 86.22; BY AMENDING AND RENUMBERING SECTIONS 86.12 AND 86.23; BY ADDING SECTIONS 86.0138, 86.0139, 86.0140, 86.0141, 86.0142, AND 86.0143; BY RENUMBERING SECTIONS 86.24, 86.24.1, 86.25, AND 86.26; AND BY RENUMBERING SECTIONS 86.27, 86.28, 86.29, 86.30, AND 86.31; ALL REGARDING TRAFFIC, VEHICLES, AND PARKING IN THE CITY OF SAN DIEGO.

WHEREAS, the proliferation of oversized vehicles, recreational vehicles, and trailers parked on city streets has a detrimental effect on public health, safety, welfare, and quality of life issues; and,

WHEREAS, restricting the parking of such vehicles will increase the availability of parking for city residents and visitors, preserve the character of city neighborhoods, and benefit the health, safety and welfare of city residents; and,

WHEREAS, the City Council desires to adopt such restrictions within a pilot area; and,
WHEREAS, permits for temporary overnight parking of recreational vehicles will be authorized to accommodate city residents who are expecting guests, or who are preparing for or returning from vacations; and,

WHEREAS, other administrative changes to Chapter 8 of the Municipal Code are necessary to bring its provisions into conformance with current formatting and numbering standards; NOW, THEREFORE,

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

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

Article 1: General Rules and Authority

Section 2. That Chapter 8, Article 1, of the San Diego Municipal Code is amended by renumbering Division 0 to Division 1, adding title "Definitions, Authority, and Enforcement," repealing sections 81.01, 81.01.1, 81.01.2, 81.01.3, 81.01.4, 81.01.5, 81.01.6, 81.01.7, 81.01.8, 81.01.9, 81.01.10, 81.01.11, 81.01.12, 81.01.13, 81.01.14, 81.01.15, 81.01.16, 81.01.17, 81.01.18, 81.01.19, 81.01.20, 81.01.21, 81.01.22, 81.01.23, 81.01.24, 81.01.25, 81.01.26, 81.01.27, 81.01.28, 81.01.29, and 81.01.30, and adding new sections 81.0101, 81.0102, and 81.0103, to read as follows:

Division 1: Definitions, Authority, and Enforcement

§81.0101 Motor Vehicle Code Definitions

Whenever any words or phrases used in this Chapter are not defined in this Chapter but are defined in the *Vehicle Code*, the *Vehicle Code* definitions shall apply.

§81.0102 Definitions

Except as otherwise provided, for purposes of this Chapter:

Alley means any unnamed highway having a width of 25 feet or less and not provided with a sidewalk or sidewalks.

Bus(es) means any motor bus, motor coach, trackless trolley or passenger stage used as a common carrier of passengers.

Bus loading zone means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of *buses* during loading and unloading of passengers.

CALTRANS means the State of California Department of Transportation or its successor agency.

Central Traffic District means that portion of the City of San Diego bounded and described as follows: Beginning at the intersection of the west line of Second Avenue and the north line of B Street; thence east to the west line of Fourth Avenue; thence north to the north line of A Street; thence east to the east line of Sixth Avenue; thence south to the north line of B Street; thence east to the east line of Eighth Avenue; thence south to the north line of Broadway; thence east to the west line of Ninth Avenue; thence south to the south line of Broadway; thence west to the east line of Eighth Avenue; thence south to the south line of F Street; thence west to the east line of Sixth Avenue; thence south to the south line of G Street; thence west to the west line of Fourth Avenue; thence north to the south line of F Street; thence west to the west line of Second Avenue; thence north to the south line of Broadway; thence west to the east line of First Avenue; thence north to the north line of Broadway; thence east to the west line of Second Avenue; thence north to the north line of B Street, the point of beginning.

Freeway means a divided arterial highway for through *traffic* with full control of access and with *grade separations* at intersections.

Grade separation means every structure by means of which any street passes over or under any stationary rails or tracks or another street.

Heavy duty commercial vehicle means a commercial vehicle having a manufacturer's gross vehicle weight rating of 10,000 pounds or more.

Interstate truck means a truck tractor and semi-trailer or trailer or truck tractor, semi-trailer and trailer with unlimited length as regulated by the *Vehicle Code*.

Interstate truck service area means an area within 1/2 of a lane mile of an interstate highway which provides lodging, food, fuel or servicing to *interstate trucks*.

Limited access highway means a highway with partial control of access to give preference to through *traffic* to a degree that, in addition to access connections with selected public roads, there may be some crossings at grade and some private driveway connections.

Loading zone means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Median strip means a directional separator located between two roadways carrying through *traffic* in opposite directions.

Non-motorized vehicle means any trailer or trailer bus, as defined in *Vehicle Code* sections 630 and 636.

Official traffic control devices means all signs, signals, markings, and devices placed or erected by authority of a public body or official having jurisdiction for the purpose of regulating, warning, or guiding *traffic*.

Official traffic signals means any device, whether manually, electrically or mechanically operated, by which *traffic* is alternately directed to *stop* and proceed and which is erected by authority of a public body or official having jurisdiction.

Oversized vehicle means any vehicle, including any attached trailers, vehicles or loads thereon, that exceeds 27 feet in length or 7 feet in height.

Parking lot means those parking lots contained within *public parks*.

Park road means a right-of-way within a *public park* that is not a publicly dedicated street.

Parking, park or *parked* means to stand or leave *standing* any unoccupied vehicle, other than temporarily for the purpose of and while actually engaged in loading or unloading passengers or materials.

Parking meter means a mechanical, electro-mechanical or electronic device installed for the purpose of controlling the period of time a vehicle occupies a parking space.

Parkway means that portion of the right-of-way not used either as a roadway or as a sidewalk.

Passenger loading zone means the space adjacent to a curb or edge of a roadway reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Pedestrian means any *person* who goes or travels on foot.

Person has the same meaning as in Municipal Code section 11.0210.

Police Officer means every officer of the Police Department of the City of San Diego or any officer authorized to direct or regulate *traffic* or to make arrests for violations of *traffic* regulations.

Public mass transit guideway means the rails, fixed guideway, or other permanently fixed device upon which a *public mass transit vehicle* travels and includes a two-foot wide strip parallel to and measured from the outermost portion of the rail, guideway, or device.

Public mass transit vehicle means any vehicle, conveyance, or device primarily used for the transport of people which travels upon rails or fixed guideways.

Public park has the same meaning as in Municipal Code section 56.54.

Recreational vehicle means:

- (a) any camp trailer, camper, trailer coach, or house car, as defined in *Vehicle Code* sections 242, 243, 635 or California Health and Safety Code section 18010; or
- (b) any boat, dune buggy, all-terrain vehicle (“ATV”) or other motorized or towed vehicle designed, maintained, or used primarily for recreational purposes.

Residence district has the same meaning as in *Vehicle Code* section 515.

School bus has the same meaning as in *Vehicle Code* section 545.

Sightseeing bus means any *bus* which:

- (a) transports passengers for purposes of showing points of interest over the public streets of the *City*; and
- (b) charges a fee or compensation therefore; regardless of whether any fee or compensation is paid to the driver of such *sightseeing bus*, either by the passenger or by the owner or by the person who employs the driver or contracts with the driver or hires such *sightseeing bus* with a driver to transport or convey any passenger; and irrespective of whether or not such driver receives any fee or compensation for his or her services as driver.

Sightseeing bus zone means that space adjacent to a curb or edge of a roadway reserved for the exclusive use of *sightseeing buses*.

Stop means the complete cessation of movement.

Stopping or *standing* means the complete cessation of movement of a vehicle, whether occupied or not, except when necessary to avoid conflict with other *traffic* or in compliance with the directions of a *Police Officer* or *official traffic control device*.

Terminal means any facility at which freight is consolidated to be shipped or where full load consignments may be loaded and unloaded or at which *interstate trucks, buses, school buses, trailers, and semitrailers* are regularly maintained, stored, or manufactured.

Traffic means *pedestrians, ridden or herded animals, vehicles, trains, and other conveyances* either singly or together while using any street for purposes of travel.

Vehicle Code means the California Vehicle Code.

§81.0103 Official Standard Time

Whenever certain hours are named in this Chapter, they shall refer to the standard time or daylight savings time that is currently in use in the *City*.

Section 3. That Chapter 8, Articles 1, 2, 4 and 5 of the San Diego Municipal Code are amended by renumbering and reorganizing sections 81.02 through 81.11 of Article 1 as follows: section 81.02 to read section 82.26, section 81.03 to read section 82.27, section 81.04 to read section 82.28, section 81.05 to read section 81.0104, section 81.06 to read section 81.0105, section 81.07 to read section 85.11, section 81.07.1 to read section 85.12, section 81.08 to read section 82.29, section 81.09 to read section 82.30, section 81.10 to read section 82.31 and section 81.11 to read section 84.17, to read as follows:

§81.0104 Public Employees to Obey Traffic Regulations

[Renumbered from §81.05; no change in text.]

§81.0105 Exemption to Certain Vehicles

[Renumbered from §81.06; no change in text.]

§82.26 Authority of Police and Fire Department Officials

[Renumbered from §81.02; no change in text.]

§82.27 Traffic Control and Direction

[Renumbered from §81.03; no change in text.]

§82.28 Obedience to Authorized Personnel and Traffic Regulations

[Renumbered from §81.04; no change in text.]

§82.29 Authority of Police in Crowds

[Renumbered from §81.08; no change in text.]

§82.30 Police Personnel Authorized to Remove Vehicles from Highway

[Renumbered from §81.09; no change in text.]

- §82.31 Removal and Disposal of Abandoned, Etc., Vehicles Not on Highways**
[Renumbered from §81.10; no change in text.]
- §84.17 Food and Beverage Prohibited on any Vehicle Operated as Common Carrier**
[Renumbered from §81.11; no change in text.]
- §85.11 Report of Damage to Certain Property**
[Renumbered from §81.07; no change in text.]
- §85.12 Charges for Police Services**
[Renumbered from §81.07.1; no change in text.]

Section 4. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by adding a new Division 1 titled “General Parking Regulations,” and by renumbering section 86.01 to read section 86.0101, section 86.02 to read section 86.0102, section 86.02.1 to read section 86.0103, section 86.02.2 to read section 86.0102(a), section 86.03 to read section 86.0104, section 86.03.1 to read section 86.0105, section 86.04 to read section 86.0106, section 86.05 to read section 86.0107, section 86.06 to read section 86.0108, section 86.07 to read section 86.0109, section 86.08 to read section 86.0110, section 86.08.1 to read section 86.0111, section 86.09 to read section 86.0112, section 86.09.1 to read section 86.0113, section 86.09.2 to read section 86.0114 and section 86.09.3 to read section 86.0115; to read as follows:

Article 6: Stopping, Standing, Parking of Vehicles, and Impound Procedures

Division 1: General Parking Regulations

- §86.0101 Nonenforcement Days**
[Renumbered from §86.01; no change in text.]
- §86.0102 Parking**
[Renumbered from §86.02; no change in text.]
- §86.0102(a) Exception**
[Renumbered from §86.02.2; no change in text.]

- §86.0103 One-Way Street Parking**
[Renumbered from §86.02.1; no change in text.]
- §86.0104 Angle Parking**
[Renumbered from §86.03; no change in text.]
- §86.0105 Passenger Loading Zones**
[Renumbered from §86.03.1; no change in text.]
- §86.0106 Parking Time Limit**
[Renumbered from §86.04; no change in text.]
- §86.0107 Tow-Away Zones**
[Renumbered from §86.05; no change in text.]
- §86.0108 Parking, Standing, Loading Zones, Street Sweeping Zones**
[Renumbered from §86.06; no change in text.]
- §86.0109 Temporary No Parking**
[Renumbered from §86.07; no change in text.]
- §86.0110 Vehicles Backed to Curb**
[Renumbered from §86.08; no change in text.]
- §86.0111 Parking on a Grade**
[Renumbered from §86.08.1; no change in text.]
- §86.0112 Standing or Parking in Specified Places Prohibited**
[Renumbered from §86.09; no change in text.]
- §86.0113 Parking on Private Property — Prohibited**
[Renumbered from §86.09.1; no change in text.]
- §86.0114 Parking or Standing in Disabled Persons Parking Zones**
[Renumbered from §86.09.2; no change in text.]
- §86.0115 Parking or Standing in Consular Parking Zones**
[Renumbered from §86.09.3; no change in text.]

Section 5. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by amending and renumbering section 86.09.04 to section 86.0116, to read as follows:

§86.0116 Parking or Standing in Fire Apparatus Access Roadways

It is unlawful to *park* or leave *standing* any vehicle on public or private property in a Fire Apparatus Access Roadway at any time.

Section 6. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by renumbering section 86.09.05 to read section 86.0117, section 86.09.06 to read section 86.0118, section 86.10 to read section 86.0119, section 86.10.2 to read section 86.0120 and section 86.10.3 to read section 86.0121.

§86.0117 Parking or Standing in Designated Street Sweeping Zones at Certain Posted Times

[Renumbered from §86.09.05; no change in text.]

§86.0118 Parking in Excess of Seventy-Two (72) Hours Prohibited

[Renumbered from §86.09.06; no change in text.]

§86.0119 Stopping or Standing in Loading Zones

[Renumbered from §86.10; no change in text.]

§86.0120 Same — Bus Loading Zone

[Renumbered from §86.10.2; no change in text.]

§86.0121 Parking in Alleys

[Renumbered from §86.10.3; no change in text.]

Section 7. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by amending and renumbering section 86.10.4 to section 86.0122, to read as follows:

§86.0122 Standing or Loading only in Certain Places — Sightseeing Bus Zone

Between the hours of 6:00 a.m. and 6:00 p.m., Sundays and holidays included, it shall be unlawful for the driver of any vehicle, other than a *sightseeing bus*, to *stop*, leave *standing*, or *park* said vehicle in any *sightseeing bus zone*.

Section 8. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by renumbering section 86.11 to read section 86.0123, by renumbering section 86.12 to read section 86.0124 and amending, by renumbering section 86.13 to read section 86.0125, section 86.14 to read section 86.0126, section 86.15 to read section 86.0127, section 86.16 to read section 86.0128, section 86.17 to read section 86.0129, section 86.18 to read section 86.0130, section 86.19 to read section 86.0131, section 86.19.1 to read section 86.0132, section 86.19.2 to read section 86.0133, section 86.19.3 to read section 86.0134, section 86.19.4 to read section 86.0135 and section 86.22 to read section 86.0136.

§86.0123 Parking Meter Zones and Rates—Authority
[Renumbered from §86.11; no change in text.]

§86.0124 Parking Meters — Parking Regulated

- (a) The City Manager is instructed to have lines or markings painted or placed upon the curb or upon the street adjacent to each single-space *parking meter* for the purpose of designating the parking space for which said meter is to be used, and each vehicle parking alongside of or next to any single-space *parking meter* shall park within the lines or markings so established, and the City Manager is instructed to have lines or markings painted or placed upon the curb or upon the street in any *parking meter* zone that is controlled by a multi-space *parking meter* that does not produce a receipt to be used by the parking user as proof of valid parking as described in section 86.0126.

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

§86.0125 Parking Meter Zones — Established
[Renumbered from §86.13; no change in text.]

§86.0126 Parking Meter — Overtime
[Renumbered from §86.14; no change in text.]

- §86.0127 Parking Meter — Extra Time Prohibited**
[Renumbered from §86.15; no change in text.]
- §86.0128 Parking Meter — Time of Operation**
[Renumbered from §86.16; no change in text.]
- §86.0129 Parking Meter — Tampering With**
[Renumbered from §86.17; no change in text.]
- §86.0130 Parking Meter — Slug or Device Prohibited**
[Renumbered from §86.18; no change in text.]
- §86.0131 City Parking Facilities — Regulated**
[Renumbered from §86.19; no change in text.]
- §86.0132 City Parking Facilities — Parking in Marked Zones and Stalls**
[Renumbered from §86.19.1; no change in text.]
- §86.0133 City Parking Facilities — Penalty, Impounding of Vehicles Authorized**
[Renumbered from §86.19.2; no change in text.]
- §86.0134 Disabled Parking in City Parking Facilities**
[Renumbered from §86.19.3; no change in text.]
- §86.0135 City-Owned Parking Facilities — Santa Clara Point — Parking of Boats Prohibited**
[Renumbered from §86.19.4; no change in text.]
- §86.0136 Display of Warning Devices When Commercial Vehicle Disabled**
[Renumbered from §86.22; no change in text.]

Section 9. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by amending and renumbering section 86.23 to section 86.0137, to read as follows:

- §86.0137 Prohibition of Use of Streets for Storage, Service or Sale of Vehicles or For Habitation**
- (a) It is unlawful for any *person* to leave *standing* or *park* any vehicle upon any street while selling merchandise therefrom unless authorized by other provisions of this Municipal Code.

- (b) It is unlawful for any *person* to leave *standing* 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 leave *standing* 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 leave *standing* any such vehicle upon any public street, except while such vehicle is under lease, rental, or charter by a customer.
- (e) It is unlawful for any *person* whose business involves the repair, servicing of vehicles or vehicle components to store, leave *standing*, 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 1/10 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 *Vehicle Code*.

- (i) It is unlawful for any *person* to *park* an unattached semi-trailer or auxiliary dolly on any street except for the purpose of loading or unloading it.

Section 10. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by adding new sections 86.0138, 86.0139, 86.0140, 86.0141, 86.0142, and 86.0143, to read as follows:

§86.0138 Prohibition of Parking of Oversized, Non-Motorized and Recreational Vehicles

- (a) Except as provided in section 86.0139 or otherwise expressly provided to the contrary herein, or unless such *parking* or *standing* is authorized by the City Manager and appropriate signs permitting such *parking* or *standing* are posted:
 - (1) it is unlawful for any *person* to *park* or leave *standing* upon any public street, *park road* or *park parking lot*, any *oversized, non-motorized* or *recreational vehicle* between the hours of 2:00 a.m. and 6:00 a.m.
 - (2) it is unlawful for any *person* to *park* or leave *standing* within 50 feet of any intersection of public streets, a public street and *park road*, a public street and *alley* or a *park road* and *alley*, as measured from the prolongation of the curb lines or the edge of the pavement of the cross street or *alley*, any *oversized, non-motorized* or *recreational vehicle* at any time.

- (b) This section and sections 86.0139 through 86.0142 are only applicable within the boundaries of the pilot area described as that portion of the City of San Diego south of the northern City limits, west of Interstate 5, north of West Laurel Street and San Diego Bay, and east of the Pacific Ocean; and that portion of the City of San Diego east of Interstate 5, south of Balboa Avenue, west of Tecolote Canyon Natural Park, the University of San Diego, Linda Vista Road and Morena Boulevard, and north of Interstate 8; all as further illustrated in Figure 1 below.

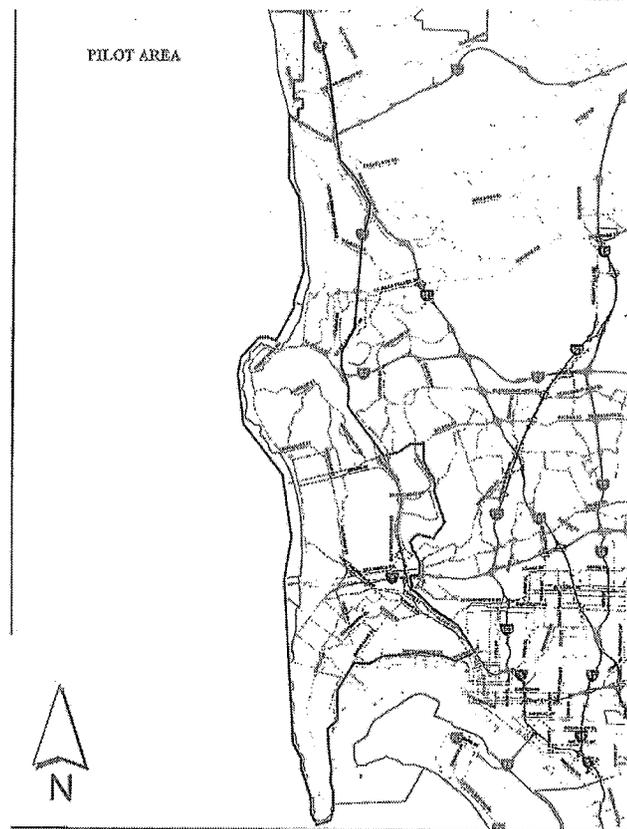


Figure 1

§86.0139 Exceptions to Prohibition on Parking of Oversized, Non-Motorized and Recreational Vehicles

- (a) Section 86.0138(a)(1) does not apply to any *oversized vehicle* on a public street while actively engaged in loading or unloading goods, wares, or merchandise from or to any building or structure.
- (b) Section 86.0138(a)(1) does not apply to any *oversized vehicle* on a public street when such *oversized vehicle* is *parked* or *left standing* in connection with, and in aid of, the performance of a service to or on a property in the block in which such *oversized vehicle* is *parked* or *left standing*.
- (c) Section 86.0138 does not apply to any vehicle on a public street belonging to federal, state, or local authorities, or a public utility.
- (d) Section 86.0138(a)(1) does not apply to any *school bus* on a public street involved in the transportation of students, or to any *bus* on a public street used for the transportation of youths or disabled persons during the course of the activity for which they were transported.
- (e) Section 86.0138 does not apply to commercial *loading zones*.
- (f) Section 86.0138(a)(1) does not apply to any vehicle displaying a valid permit issued pursuant to section 86.0142.

§86.0140 Notice

- (a) The prohibitions and restrictions contained in section 86.0138 shall be effective upon the posting of signs providing notice.
- (b) The City Manager shall post and maintain appropriate signs providing notice of the prohibitions contained in section 86.0138.

§86.0141 Enforcement Remedies

A violation of section 86.0138 shall be an infraction punishable by a fine of \$100.

§86.0142 Permit Process for Temporary Overnight Parking on Public Streets

- (a) The City Manager has the authority to adopt procedural rules and regulations governing the permit process, and to issue a parking permit for the *parking* of a *recreational vehicle* on a public street to any resident of the *City* or a bona fide guest of such resident, if:
- (1) a written application is made to the City Manager including the address of the resident;
 - (2) the appropriate fees as described in section 86.0142(g) are paid; and
 - (3) the City Manager determines that the vehicle will not create a safety hazard.
- (b) The permit shall state the address of the resident and the permit shall only be valid within the same block as the resident's address, on either side of the street.
- (c) The duration of the permit shall not exceed seventy-two hours.
- (d) Permits may not be issued for consecutive periods without at least twenty-four hours between the permitted periods.
- (e) No more than 24 permits shall be issued relating to any one address in any one calendar year period.
- (f) Proof of residency and proof of *recreational vehicle* ownership or *recreational vehicle* use and control shall be demonstrated in a manner determined by the City Manager.

- (g) The fee for obtaining a permit shall be established by resolution of the *Council* based upon the recommendation of the City Manager. A copy of the fee schedule shall be filed in the ratebook of *City* fees and charges on file in the office of the City Clerk.
- (h) The *recreational vehicle* shall not be used for overnight camping, lodging or for accommodation purposes while parked on the public street.

§86.0143 Sunset Provision

This section and sections 86.0138 through 86.0142 of this Division shall remain in effect for two years from the date they are effectively certified by the California Coastal Commission, at which time sections 86.0138, 86.0139, 86.0140, 86.0141, and 86.0142 shall be automatically repealed unless an extension is approved by majority vote of the City Council.

Section 11. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by renumbering section 86.24 to read section 86.0144, section 86.24.1 to read section 86.0145, section 86.25 to read section 86.0146 and section 86.26 to read section 86.0147.

§86.0144 Stopping, Standing or Parking On Grade Separations

[Renumbered from §86.24; no change in text.]

§86.0145 Removal of Vehicles From Grade Separations

[Renumbered from §86.24.1; no change in text.]

§86.0146 Parking On Median Strip Prohibited

[Renumbered from §86.25; no change in text.]

§86.0147 Parking On Parkway Restricted

[Renumbered from §86.26; no change in text.]

Section 12. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by amending and renumbering section 86.27 to section 86.0148, to read as follows:

§86.0148 Parking of Heavy Duty Commercial Vehicles in Residence Districts

It is unlawful for any *person* to *park* any *heavy duty commercial vehicle* on a street in any *residence district* except:

- (a) while loading or unloading property, or
- (b) when such vehicle is *parked* in connection with, and in aid of, the performance of a service to or on a property in the block in which the vehicle is *parked*, or
- (c) the vehicle is *parked* immediately in front of or along side of premises actively devoted to industry or commerce and lying contiguous to the street.

Section 13. That Chapter 8, Article 6, of the San Diego Municipal Code is amended by renumbering section 86.28 to read section 82.32, section 86.29 to read section 82.33, section 86.30 to read section 82.34, and section 86.31 to read section 82.35, to read as follows.

§82.32 Police-Initiated Impounds – Compliance with California Vehicle Code

[Renumbered from §86.28; no change in text.]

§82.33 Police-Initiated Impounds – Notice of Stored Vehicles

[Renumbered from §86.29; no change in text.]

§82.34 Police Initiated Impounds – Conduct of Post-Storage Hearing

[Renumbered from §86.30; no change in text.]

§82.35 Police Initiated Impounds – Costs Related to Post-Storage Hearing

[Renumbered from §86.31; no change in text.]

Section 14. That the various sections listed below in the San Diego Municipal Code are amended by renumbering section references appearing within the text of those sections to refer to different section numbers, to read as follows:

<u>Municipal Code Section</u>	<u>Section Reference Deleted</u>	<u>New Section Reference</u>
66.0102	81.01.5	81.0102
22.4014	81.03	82.27
22.4020	81.03	82.27
82.24(a)	81.06	81.0105
86.2011	81.06	81.0105
86.2108(b)	81.06	81.0105
86.05	81.09	82.30
86.07	81.09	82.30
86.03.1	86.01	86.0101
86.02	86.02.1	86.0103
86.02	86.02.2	86.0102(a)
86.02.02	86.02	86.0102
86.09.05	86.06	86.0108
86.10.3	86.06	86.0108
81.09	86.07	86.0109
82.06	86.11	86.0123
82.06	86.14	86.0126
82.06	86.15	86.0127
86.19.4	86.19.2	86.0133

Section 15. That a full reading of this ordinance is dispensed with prior to passage, since a written or printed copy was made available to the City Council and the public prior to the day of its passage.

Section 16. With the exception of Section 10, this ordinance shall take effect and be in force on the thirtieth day from and after its final passage. Section 10 shall take effect and be in force on the thirtieth day from and after its final passage or on the date it is effectively certified by the California Coastal Commission, whichever occurs later.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

Katherine Anne Malcolm
Deputy City Attorney

KAM:mb
03/19/13
Or.Dept:C.Dist 2
Doc.No:523837

I hereby certify that the foregoing ordinance was passed by the Council of the City of San Diego,
at its meeting of _____.

ELIZABETH S. MALAND, City Clerk

By _____
Deputy City Clerk

Approved: _____
(date) BOB FILNER, Mayor

Vetoed: _____
(date) BOB FILNER, Mayor

DRAFT