

Article 1: Definitions and General Provisions

Division 3: Notice

(“Definitions Applicable to Code Generally”

added 1-8-1990 by O-17408 N.S.)

(Retitled to “Notice” on 8-10-1993 by O-17956 N.S.)

§11.0301 Service of Notices

- (a) Whenever a notice is required to be given under the Municipal Code for enforcement purposes, the notice shall be served by any of the following methods unless different provisions are otherwise specifically stated to apply:
- (1) Personal service; or
 - (2) Certified mail, postage prepaid, return receipt requested. Simultaneously, the same notice may be sent by regular mail. If a notice that is sent by certified mail is returned unsigned, then service shall be deemed effective pursuant to regular mail, provided the notice that was sent by regular mail is not returned.
 - (3) Posting the notice conspicuously on or in front of the property. The form of the posted notice shall be approved by the City Manager.
 - (4) Electronic service by electronic notification or transmission with consent of the parties or in conjunction with another method of notice listed in this section.
- (b) Service by certified or regular mail in the manner described above shall be effective on the date of mailing. Electronic service shall be effective on the date of the electronic notification or transmission if the parties have consented to electronic service.
- (c) The failure of any person with an interest in the property to receive any notice served in accordance with this section shall not affect the validity of any proceedings taken under this Code.
- (d) The notice requirements in this section do not apply to initial Notices of Violation which may be sent by regular mail. Service of a Notice of Violation by regular mail is effective on the date of mailing.

(“Service of Notices” (substantial portions previously contained in former Sec. 12.0101) added 8-10-1993 by O-17956 N.S.)

(Amended 1-8-2020 by O-21164 N.S.; effective 2-9-2020.)

[Editors Note: Amendments as adopted by O-21164 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.
Click the link to view the Strikeout Ordinance highlighting changes to prior language http://docs.sandiego.gov/municode_strikeout_ord/O-21164-SO.pdf]

§11.0302 Proof of Service of Notices

Proof of service of notice may be made by the certificate of any officer or employee of this City or by affidavit of any person over the age of eighteen years. The proof of service shall show that service was done in conformity with this Code or other provisions of law applicable to the subject matter concerned.

(Renumbered from Sec. 12.0102, retitled to “Proof of Service of Notices” and amended 8–10–1993 by O–17956 N.S.)

§11.0303 Constructive Notice of Recorded Documents

Whenever a document is recorded with the County Recorder as authorized or required by the Municipal Code or applicable state codes, recordation shall provide constructive notice of the information contained in the recorded documents.

(“Constructive Notice of Recorded Documents” renumbered from Sec. 12.0103 (portions previously contained in former Sec. 13.0368) and amended 8–10–1993 by O–17956 N.S.)