

ORDINANCE NUMBER O-\_\_\_\_\_ (NEW SERIES)

DATE OF FINAL PASSAGE \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 6, ARTICLE 2, DIVISION 10, OF THE SAN DIEGO MUNICIPAL CODE, BY AMENDING SECTIONS 62.1001, 62.1002, 62.1003, 62.1004, 62.1005, 62.1007, 62.1009, 62.1010, 62.1011, 62.1012, 62.1013, AND ADDING SECTIONS 62.1006, 62.1008, 62.1014, 62.1015, 62.1016, 62.1017, 62.1018, AND 62.1019 ALL RELATING TO REGULATING NEWSRACKS WITHIN THE PUBLIC RIGHT-OF-WAY.

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

Section 1. That Chapter 6, Article 2, Division 10, of the San Diego Municipal Code by amending Sections 62.1001, 62.1002, 62.1003, 62.1004, 62.1005, , 62.1007, 62.1009, 62.1010, 62.1011, 62.1012, 62.1013, and adding Sections 62.1006, 62.1008, 62.1014, 62.1015, 62.1016, 62.1017, 62.1018, and 62.1019; to read as follows:

**§62.1001 Statement of Findings and Intent**

- (a) The Council finds the uncontrolled proliferation and placement of *newsracks* in the *public right-of-way* constitutes a threat to public health, safety, and general welfare including impeding pedestrian, wheelchair, and vehicular traffic; interfering with ingress and egress to and from buildings, vehicles, and public transportation; obstructing views of traffic signs and street-crossing pedestrians; and impeding performance of essential utility, traffic control, and emergency services. *Newsracks* that unreasonably interfere with these activities constitute a public nuisance.

- (b) The Council further finds unreasonably deteriorated or inadequately maintained *newsracks* threaten the public health and safety, and constitute a public nuisance.
- (c) The Council further finds *newsracks* not reasonably maintained in a neat and clean condition threaten the general welfare including the aesthetic appearance of the *public right-of-way*, and constitute a public nuisance.
- (d) The Council further finds regulations specific to the Gaslamp Quarter Planned District are necessary to protect public health, safety, and general welfare including the character of this nationally designated historic district where pedestrian and vehicular traffic is intensified due to the vast numbers of sidewalk cafes, restaurants, businesses, working citizens, and visitors within this compact area located between San Diego's major landmarks including the Convention Center, PETCO Park, and the Marina Planned District.
- (e) The Council further finds regulations specific to the San Diego Metropolitan Transit System are necessary to protect the public health, safety, and general welfare including the safe operation of the public transit system and security of its employees and patrons.
- (f) The intent of these provisions is to ensure the public health, safety, and general welfare is protected without unreasonably restricting the dissemination of constitutionally protected information.
- (g) It is not the intent of these provisions to regulate the placement of *newsracks* on private property. It shall remain the responsibility of the

*permittee* to determine the property lines and ensure *newsracks* are placed within the *public right-of-way* in compliance with this division.

**§62.1002 Definitions**

Each italicized word or phrase in this division is defined in accordance with San Diego Municipal Code sections 11.0210 and 113.0103, and as defined in this section. The definitions below shall prevail in their application to this division over conflicting definitions in the Code.

- (a) *Bus stop* means any location designated for passenger loading of buses owned, operated, or controlled by the San Diego Metropolitan Transit System.
- (b) *Combination dispenser* means a common structure housing two or more *newsracks*.
- (c) *Corral* means the physically detectable boundary designated by the *director* within which all *newsracks* in the Gaslamp Quarter Planned District shall be located. No *newsracks* other than those permitted to be located in *corrals* are allowed within the Gaslamp Quarter Planned District.
- (d) *Director* means the representative of Neighborhood Code Compliance designated as the enforcement official for this division.
- (e) *Newsrack* means any self-service container, storage unit, or other dispenser that rests or projects, in whole or in part, in or upon any portion of the *public right-of-way*, and is installed, used, or maintained for the display, sale, or distribution of a single publication. Unless otherwise

stated, the term *newsrack* includes *sharednewsrack* and *combination dispenser* and the same standards apply to all three.

- (f) *Operable element* means any component of a *newsrack* requiring handling or manipulation to obtain the publication therein including the door or coin mechanism.
- (g) *Permittee* means the person or entity designated on the application and permit as responsible for the *newsrack*.
- (h) *Roadway* means that part of a public right-of-way that is designated and used primarily for vehicular travel.
- (i) *Sharednewsrack* means any single *newsrack* housing more than one publication.
- (j) *Trolley stop* means any location designated for passenger loading of trolleys or light rail vehicles owned, operated, or controlled by the San Diego Metropolitan Transit System.

**§62.1003 General Prohibitions**

The placement, installation, use, or maintenance of any *newsrack* in violation of this division is prohibited, including *newsracks* endangering the safety of persons or property.

**§62.1004 General Standards for Newsracks**

*Newsracks* shall comply with the standards set forth in this section:

- (a) Any *operable element* of a *newsrack* shall not exceed 48 inches in height or be less than 15 inches above the *public right-of-way* on which it is located.

- (b) No *newsrack* or *sharednewsrack* shall exceed 52 inches in height, 30 inches in width, or 24 inches in depth. No *combination dispenser* shall exceed 60 inches in height, 120 inches in width, or 30 inches in depth.
- (c) No exterior or interior component of any *newsrack* shall advertise, publicize, or promote anything other than the display, sale, or purchase of the publication(s) therein.
- (d) *Newsracks* shall only contain current editions of the publication(s) for which the permit was issued.
- (e) Coin-operated *newsracks* shall be equipped with a functional coin–return mechanism.
- (f) Each *newsrack* shall have permanently affixed in a readily visible place the current name, address, and telephone number of the *permittee*.
- (g) Each *newsrack* shall have a door, covering, and/or other appropriate device(s) preventing the publications therein from getting wet or flying out due to rain, wind, or similar environmental conditions.
- (h) Each *newsrack* shall be maintained in a reasonably neat and clean condition and in good repair including: (1) reasonably free of dirt, trash, debris, foreign objects, graffiti, stickers, dents, and grease; (2) reasonably free of chipped, faded, peeling, and cracked paint in any visible painted areas; (3) reasonably free of rust and corrosion in any visible unpainted metal areas; (4) any clear parts through which publications are visible shall be unbroken and reasonably free of cracks, scratches, dents, blemishes, and discoloration; (5) any paper or cardboard parts or inserts

shall be reasonably free of tears, peeling, or fading; and (6) no structural components shall be broken or unduly misshapen.

- (i) Only drop-in type anchor bolts may be used to secure *newsracks* to the *public right-of-way*.
- (j) *Newsracks* shall not be chained, bolted, or otherwise attached to the private property of another, any street furniture, tree, sign, or other permanently fixed object.
- (k) In addition to the requirements of this division, *newsracks* shall comply with all conditions of the permit.

**§62.1005 Standards for Proper Removal of Newsracks**

Upon removal of any *newsrack* the *permittee* shall eliminate any potential hazards to the public, such as bolts, brackets, or holes, and shall restore any disturbed area of the *public right-of-way* to the same or reasonably similar condition as any adjoining *public right-of-way* by removing any protrusions, cleaning the cavity of debris, filling the cavity with high strength epoxy or grout to meet the elevation of the adjoining *public right-of-way*, and avoiding potential depressions by taking into account shrinkage and settlement of the new material. The *public right-of-way* shall be level and free of protrusions or depressions. The *permittee* shall match as closely as reasonably possible the color, texture, and material of any adjoining *public right-of-way* surface.

**§62.1006 Location Standards for Newsracks**

*Newsracks* shall be located in accordance with this section:

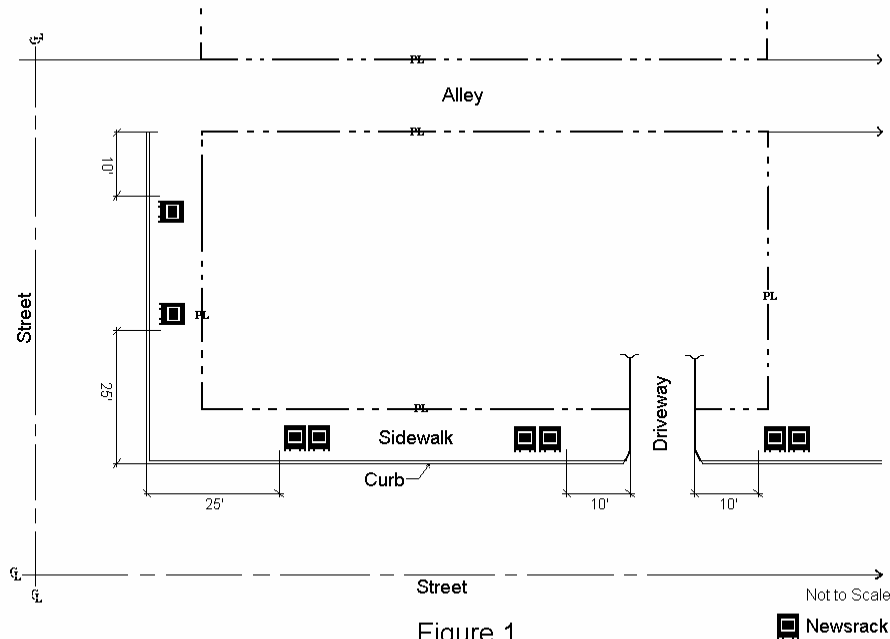
- (a) No portion of any *newsrack* shall project into or be located in any *roadway*.
- (b) *Newsracks* shall not be placed within 6 inches of the *roadway* edge of any curb painted red.
- (c) *Newsracks* shall be located only adjacent to the curb (if there is no curb, then to the edge of the *roadway*), or the wall of a building.
- (d) *Newsracks* located adjacent to the curb (or edge of the *roadway*) shall be located no less than 18 inches or more than 24 inches from the *roadway* edge and shall not open toward the *roadway*.
- (e) *Newsracks* located adjacent to a building shall be located parallel to and not more than 6 inches from the wall. The *director* may approve a distance of more than 6 inches if required for proper maintenance of surface behind the *newsrack*, and the safe flow of pedestrian or wheelchair traffic is not impaired.
- (f) No portion of a *newsrack* shall be located directly in front of any display window except near the curb.
- (g) No *newsrack* shall be located directly opposite another *newsrack* on the same *public right-of-way*.
- (h) *Newsracks* may be placed next to each other, provided no group of *newsracks* extends more than 10 feet along a curb and a clear paved space of at least 4 feet separates each group of *newsracks*. In the event the *director* determines a violation exists, priority to remain shall be given

first to *newsracks* evidencing the earliest date of installation, followed by *newsracks* with the highest frequency of publication.

- (i) No *newsrack* shall be placed, installed, used, or maintained:
  - (1) Within 3 feet of marked crosswalk.
  - (2) Within 25 feet of an intersection measured perpendicular to the curb of the cross street as shown in Figure 1 below.
  - (3) Within 3 feet of fire hydrant, fire call box, fire lane, police call box or emergency facility.
  - (4) Within 10 feet of driveway or *alley* as shown in Figure 1 below.



### Visibility Standards for Newsracks



- (5) At any location reducing the clear space for the passageway of pedestrians to less than 4 feet. When feasible, *newsracks* should be placed to allow the widest path of travel.
- (6) Within 3 feet of or on any public area improved with lawn, flowers, shrubs, trees, or other landscaping approved by the City.
- (7) Within 150 feet of another *newsrack* containing the same publication and located on the same side of the *public right-of-way* in the same *block*.
- (8) Within 5 feet of a curb painted blue, or within 3 feet of a curb painted yellow or white.

- (9) So as to unreasonably obstruct or interfere with: the flow of pedestrian, wheelchair or vehicular traffic; sites used for public utility purposes or other government use; the ingress or egress to or from any residence or building; or the use of poles, posts, traffic signs and signals, mailboxes, or other objects permitted by the City at that site.

**§62.1007 Additional Location Standards for the Metropolitan Transit System**

The following additional location standards apply to *bus* and *trolley stops*. No *newsrack* shall be placed, installed, used, or maintained:

- (a) Within 6 feet ahead of or 30 feet to the rear of any sign marking a designated *bus stop* and no closer than 10 feet to the curb within this distance.
- (b) Along Broadway Street, between Harbor Drive and Park Boulevard, within 6 feet ahead of or 100 feet to the rear of any sign marking a designated *bus stop* and no closer than 10 feet to the curb within this distance.
- (c) Within 6 feet in any direction of any transit shelter, bench, information kiosk, pole, or sign.
- (d) Within 10 feet of any edge of a *trolley stop*.

**§62.1008 Additional Standards for the Gaslamp Quarter Planned District**

The following additional location and other standards apply to the Gaslamp Quarter Planned District with boundaries defined in San Diego Municipal Code section 103.0401:

- (a) Only *newsracks* with permits to be located within *corrals* are allowed in the district. The size, number, composition, and locations of these *corrals* shall be reasonably established and modified as necessary by the *director* after input from interested parties, which for purposes of this section includes holders of *newsrack* permits specific to the district and the Gaslamp Quarter Association. The current size, number, composition, and location standards shall be posted on the City's Website and available in the Office of the City Clerk.
- (b) *Newsracks* installed or maintained in the district without a permit specific to the Gaslamp Quarter Planned District may be summarily removed in accordance with section 62.1013.
- (c) Construction and maintenance of *corrals* shall be the sole and joint responsibility of the *permittees* within the *corral*. Any violation of this division relating to any *corral* shall be assigned equally to all *permittees* located within that *corral*. Any injury to persons or property, including all claims or liability, resulting from or relating to any *corral* shall be the joint and several responsibility of the *permittees* located within that *corral* or otherwise responsible for its construction or maintenance at the time of the alleged incident.
- (d) Space within *corrals* shall be allocated in accordance with this section as follows:
  - (1) An interested publication, or distributor of multiple

publications to be dispensed within a *shared newsrack*, can apply for only one *newsrack* in each *corral*.

- (2) Limited space within the *corrals* shall be allocated by frequency of publication and each *corral* will be partitioned as follows: five spaces will be allocated to daily publications, two to weekly publications, and one to less frequent publications. For purposes of this division, “daily” frequency means a publication of no fewer than five new editions per week. “Weekly” means no fewer than four new editions per month. “Monthly” means no fewer than one new edition per month. “Quarterly” means no fewer than four new editions per year. “Semi-annual” means no fewer than two new editions per year. “Annual” means no fewer than one new edition per year. *Shared newsracks* shall be categorized by the lowest frequency of any publication therein.
- (3) If the number of applications for a particular frequency is less than the spaces available, the *director* will allow the next highest frequency to apply for that space. If space still remains, an

interested party may apply for more than one space within a specified *corral*, not to include the same publication.

- (4) If the number of applications exceeds the number of spaces available, the following will be used:
  - (A) The *director* will request the interested parties meet to determine if a signed agreement can be reached. If an agreement is reached, the *director* will assign the permits based on the agreement so long as it conforms with the requirements of this division.
  - (B) If an agreement cannot be reached, the *director* will hold a lottery to allocate the available spaces within each frequency category.
  - (C) If space still remains, the *director* will hold a lottery weighed in accordance with the ratio established in section 62.1008(d)(2) to allocate remaining space(s).

**§62.1009 Permit Requirements and Standards**

It is unlawful to install or maintain any *newsrack* without first obtaining a permit from the *director*. Notwithstanding the above, an existing *permittee* may install 5

percent additional *newsracks* than approved in the permit without prior amendment of the permit or payment of applicable fees, which will be due at the next permit application or permit payment period.

- (a) **General Provisions.** Notwithstanding provisions specific to the Gaslamp Quarter Planned District, one permit will be issued per applicant covering all *newsracks* in each application. Each permit may be amended quarterly provided fees are paid for additional *newsracks*. A condition of any permit issued under this division is that *permittee* shall keep an accurate record readily identifying the locations of its *newsracks* to be made available to the *director* upon request within two *business days*. This information may be used to spot check the accuracy of information provided in the permit application or compliance with conditions of any existing permit or this division.
- (b) **Initial Permit Applications.** Applicants interested in installing or maintaining *newsracks* shall initially submit to the *director* within 90 days of the effective date of this ordinance a “Newsrack Permit Application” available from Neighborhood Code Compliance providing all information and/or documents requested therein. Applications that fail to provide all of the information and/or documents shall be deemed incomplete and shall not be processed.
- (c) **Permit Renewal Applications.** Existing *permittees* interested in renewing their permits shall submit to the *director* annually by January 15 a “Newsrack Permit Renewal Application” available from Neighborhood

Code Compliance providing all information and/or documents requested therein. Applications that fail to provide all of the information and/or documents shall be deemed incomplete and shall not be processed.

- (d) **Gaslamp Quarter Planned District Permits.** *Newsracks* within the Gaslamp Quarter Planned District require a permit specific to this district, and requirements of section 62.1008 apply to this permit process. The timeframe for issuance of *newsrack* permits outside this district does not apply, and the *director* shall process applications for permits within this district within a reasonable timeframe. *Permits* in this district shall be in effect for three years from the date of issuance, provided the *permittee* is in compliance with this division and all conditions of the permit. Fees shall be paid annually.
- (e) **Review of Permits.** Once submitted, a permit application will be reviewed and acted upon within fifteen *business days*. If the applicant is not notified in writing within fifteen *business days* of approval, denial, or extension of the permit review period the permit application shall be deemed approved. The permit review period may be extended if additional information is necessary or special conditions are placed on the permit by the City.
- (f) **Issuance of Permits.** Upon a finding by the *director* that the application is complete, accurate, and in compliance with this division, a permit shall be issued.

- (g) **Denial of Permit.** Permits may be denied for noncompliance with this division or failure to provide accurate and complete information. If a permit is denied, the *director* shall promptly notify the applicant in writing of the specific cause of such denial.
- (h) **Permit Revocation.** A permit may be revoked if more than 5 percent of the *newsracks* designated therein are documented to be in violation of this division, or if the information in the permit application or related supporting documents is inconsistent with the number or locations of the *newsracks* by more than five percent. If a permit is revoked, the offending publication, or distributor if applicable, shall not be approved for a permit under this division for one year.
- (i) **Sale or Transfer of Permits.** Permits shall not be sold or transferred except as a part of the sale of all of the related business assets of the *permittee*. The proposed new *permittee* shall notify the *director* in writing within ten *business days* that the permit has been sold or transferred. The notification shall include the name and contact information for the proposed new *permittee*. No transfer or sale shall be effective until the proposed new *permittee* executes a Hold Harmless Agreement and obtains the requisite insurance coverage. Until such time, the existing *permittee* shall maintain the required insurance coverage and shall remain liable for any personal injury or property damage caused by or related to the *newsrack*.



**§62.1010 Indemnification Requirement**

The Newsrack Permit Application and any Newsrack Permit Renewal Application shall include a Hold Harmless Agreement in substantial compliance with this section which must be executed by the *permittee* prior to the issuance of any permit under this division. The *permittee* shall agree to defend, indemnify, protect and hold the City, and its elected officials, officers, representatives, agents, and employees harmless from and against all claims asserted or liability established for damages or injuries to any person or property, including its own employees, agents, or officers which arise from or are connected with or are caused or claimed to be caused by any *newsrack* owned by or attributable to *permittee*; provided however, that *permittee's* duty to indemnify and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the City.

**§62.1011 Insurance Requirement**

As a condition of any permit under this division, the *permittee* shall within ten *business days* of the approval of the permit, but prior to the installation, use, or maintenance of any *newsrack*, obtain and maintain at all times during the term of any permit approved under this division, and at all times *permittee's newsrack(s)* remain(s) on any portion of the *public right-of-way*, the following: Commercial Liability Insurance subject to approval by the City Attorney and in substantial conformance with this section covering any liability arising from or connected with, or caused or claimed to be caused by, any *newsrack* owned by or attributable to *permittee* in a reasonable and sufficient amount to cover the risks

associated with the *newsrack(s)*, including any *corrals*. No *newsrack* or, if applicable, *corral*, may be installed, used, or maintained until *permittee* provides the *director* with proof of the requisite insurance, including any endorsements.

**§62.1012 General Enforcement Provision**

Notwithstanding any condition upon which summary removal is available, enforcement action may be initiated upon determination by the *director* that a *newsrack* has been installed, used, maintained, or removed in violation of this division or any condition of the permit. The *permittee* will be notified in writing of the alleged violations and requested to voluntarily rectify the offending condition within five *business days* of the date of the notification. Failure to achieve timely compliance may result in the issuance of a *Notice of Violation* with a compliance date of five *business days* from the date of the notice. The *Notice of Violation* shall comply with San Diego Municipal Code section 12.0103. Failure to comply with the *Notice of Violation* may result in the use of any applicable remedy in the Code, including removal of the offending *newsrack*. All administrative and judicial remedies set forth in San Diego Municipal Code Chapter 1, Article 2, Divisions 3-10 are available to the *director* for any violation of this division.

**§62.1013 Summary Removal of Newsracks**

- (a) **Conditions for Summary Removal.** If the *director* determines: (1) the condition or placement of a *newsrack* poses a threat to the safety of pedestrians or wheelchair users, or the safe flow of vehicles; (2) a *newsrack* is located within the *public right-of-way* without a permit; or (3)

the *director* is unable to readily identify the *permittee* or otherwise responsible party for a *newsrack* based exclusively on information provided in the current permit, related permit application, or affixed to the offending *newsrack*, the *director* may cause the *newsrack* to be summarily removed without prior notice.

**(b) Procedure Upon Summary Removal.** Upon summary removal of a *newsrack*, the following post removal procedures shall apply:

**(1) Newsracks with Readily Identifiable Responsible Party.** The following post removal procedure applies to any summarily removed *newsrack* with a readily identifiable *permittee* or otherwise responsible party based exclusively on information provided in the current permit, related permit application, or affixed to the offending *newsrack*. If a current telephone number is provided, the *director* shall promptly call to advise of the removal. Unless the offending *newsrack* is reclaimed beforehand and all reasonably incurred removal and storage fees are paid in full, a Notice of Summary Removal & Hearing shall be served in accordance with section 62.1013(c), except when such notice and hearing is waived by the *permittee* or otherwise responsible party.

**(2) Newsracks Without Readily Identifiable Responsible Party:** If the responsible party is not readily identifiable based exclusively on information provided in a current permit, related permit application, or information affixed to the *newsrack*, no further

action on behalf of the City is required. If the responsible party thereafter notifies the *director* to reclaim the offending *newsrack*, and the *newsrack* has not been deemed abandoned and disposed of in accordance with section 62.1018, a notice of Notice of Summary Removal & Hearing shall be served in accordance with section 62.1013(c), unless waived by the responsible party.

(c) **Post Summary Removal Hearing and Notice Procedures.** If the *permittee* or otherwise responsible party does not dispute the merits of the removal, they may waive their rights to a post removal notice and hearing and may reclaim the offending *newsrack* upon payment of all reasonably incurred removal and storage fees. In all other cases, the following procedure shall apply:

- (1) Within 10 business days of summary removal or notification by a previously unidentifiable responsible party, the *director* shall serve by certified mail, postage prepaid, return receipt requested a Notice of Summary Removal & Hearing providing the following information: reasonably identifying the offending *newsrack* and its proximate location upon removal; specifically describing the alleged violation(s); and including a notice of a post removal hearing in compliance with section 62.1013(c)(2).
- (2) Any post removal hearing and notice thereof shall comply with San Diego Municipal Code, Chapter 1, Article 2,

Division 4, and shall be heard as soon as reasonably feasible upon at least 10 calendar days notice.

**§62.1014 Permit Fees**

All *newsracks* require timely payment of an annual permit fee established by the *director* and on file in the Office of the City Clerk. No refunds are provided for *newsracks* taken out of service.

(a) **Citywide Permit Fee Excluding the Gaslamp Quarter Planned**

**District.** Except for the Gaslamp Quarter Planned District, the citywide fee is based on the total number of *newsracks* in service in the *public right-of-way*. This fee shall be sufficient to recover the costs of processing the permit application and enforcing permit requirements.

(b) **Permit Fee in the Gaslamp Quarter Planned District.** A separate permit fee applies to *newsracks* located in the Gaslamp Quarter Planned District. This fee shall be sufficient to recover costs associated with processing the permit application, enforcing permit requirements, and administering the lottery.

**§62.1015 Recovery of Costs, Fees and Penalties**

Recovery of costs, fees, and penalties shall be in accordance with Chapter 1, Article 3 of this Code. The *director* may set fees on an annual basis to recover all reasonable costs of reinspection and removal of *newsracks*. Any time a *newsrack* is caused to be removed, summarily or otherwise, due to violations of this division, the City may recover all reasonable costs to include:

- (a) Cost of the investigative and administrative staff to process the case.
- (b) Cost of *newsrack* removal including the costs of any necessary *sidewalk* repair or storage of the *newsrack*.

**§62.1016 Correction of Minor Violations**

Unless expressly denied by the *permittee* in the permit application, the City is authorized at its discretion to correct minor *newsrack* violations easily curable on the spot.

**§62.1017 Public Nuisance**

Any *newsrack* or any publication offered for sale or distribution, in violation of this division shall constitute a public nuisance, as defined in Municipal Code section 11.0210, and may be abated in accordance with applicable provisions of law. No minor violation which is easily curable on the spot shall constitute a public nuisance under this division or in itself be grounds for permit revocation.

**§62.1018 Abandonment**

A *newsrack* shall be deemed abandoned if: (1) it is summarily removed and unclaimed for thirty continuous calendar days from the date of removal, or (2) remains empty or without a permitted publication for thirty continuous calendar days. *Newsracks* deemed abandoned may be treated in the manner provided in section 62.1012 for *newsracks* in violation of this division. The City may dispose of and shall not be responsible for any *newsrack*, including its contents, deemed abandoned for 120 continuous calendar days.

**§62.1019 Appeal**

Any person or entity aggrieved by a finding, determination, notice, or action taken by the *director* under this division may appeal the same by filing an appeal in accordance with San Diego Municipal Code section 12.0501. San Diego Municipal Code, Chapter 1, Article 2, Division 5 shall apply to any appeal under this division.

Section 2. 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.

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By \_\_\_\_\_  
Jana L. Garmo  
Deputy City Attorney

JLG:als  
08/02/06  
Or.Dept:NCCD  
O-2007-24  
MMS#906

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

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor