

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 5, ARTICLE 9.5, DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 59.5.0401, PERTAINING TO NOISE AND ABATEMENT CONTROL; BY AMENDING CHAPTER 6, ARTICLE 2, DIVISIONS 1 THROUGH 3 BY REPEALING DIVISIONS 1 - 3; AND BY AMENDING CHAPTER 6, ARTICLE 2, DIVISION 7 BY AMENDING AND RENUMBERING SECTION 62.07 TO 62.0701, AND ADDING SECTION 62.0702, PERTAINING TO PUBLIC RIGHTS-OF WAY AND LAND DEVELOPMENT.

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

Section 1. That Chapter 5, Article 9.5, Division 4, of the San Diego Municipal Code is amended by amending Section 59.5.0401, to read as follows:

§59.5.0401 Sound Level Limits

- (a) It shall be unlawful for any person to cause noise by any means to the extent that the one-hour average sound level exceeds the applicable limit given in the following table, at any location in the City of San Diego on or beyond the boundaries of the property on which the noise is produced. The noise subject to these limits is that part of the total noise at the specified location that is due solely to the action of said person.

TABLE OF APPLICABLE LIMITS

Land Use	Time of Day	One-Hour Average Sound Level (decibels)
1. Single Family Residential:	7 a.m. to 7 p.m.	50
	7 p.m. to 10 p.m.	45
	10 p.m. to 7 a.m.	40
2. Multi-Family Residential (Up to a maximum density of 1/2000)	7 a.m. to 7 p.m.	55
	7 p.m. to 10 p.m.	50
	10 p.m. to 7 a.m.	45
3. All other Residential	7 a.m. to 7 p.m.	60
	7 p.m. to 10 p.m.	55
	10 p.m. to 7 a.m.	50
4. Commercial	7 a.m. to 7 p.m.	65
	7 p.m. to 10 p.m.	60
	10 p.m. to 7 a.m.	60
5. Industrial or Agricultural	any time	75

(b) - (e) [No change.]

Section 2: That Chapter 6, Article 2, Divisions 1 through 3, of the San Diego Municipal Code is amended by repealing Divisions 1 through 3.

Section 3: That Chapter 6, Article 2, Division 7, of the San Diego Municipal Code is amended by amending and renumbering Section 62.07 to 62.0701, and by adding Section 62.0702, to read as follows:

§62.0701 Curbs – Regulations for Painting Street Numbers

[No change.]

§62.0702 City Streets – Painting, Disfiguring Prohibited

Unauthorized persons shall not paint, daub sticky substance, deface, mar or place any sign or advertisement upon any public street or alley or part of a public street or alley.

Section 4. 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 5. That this ordinance shall take effect and be in force on the date it is effectively certified by the California Coastal Commission as a City of San Diego Local Coastal Program amendment, but not sooner than thirty days from the date of adoption by the City Council.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____
Jana L. Garmo
Deputy City Attorney

JLG:mm
10/17/05
Or.Dept:DSD
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