

ORDINANCE NO. 10616 (NEW SERIES)

ORDINANCE AMENDING SECTION 64.202 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO CORRECT A TYPOGRAPHICAL ERROR

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. In April of 2018 two definitions were dropped from Section 64.202 of the County Code inadvertently. This ordinance restores those definitions, without revision.

Section 2. Section 64.202 of the County Code of Regulatory Ordinances (County Code) is revised to read as follows:

SEC. 64.202. DEFINITIONS.

The following definitions shall apply to this chapter:

(a) "Abate" means to eliminate a public nuisance or to reduce the degree or intensity of a public nuisance.

(b) "Director" means the Director of the Department of Environmental Health and any other person the Director employs or appoints to implement or enforce this chapter.

(c) "Eye gnat" means a very small fly endemic to the San Diego area with the scientific name *Hippelates spp.* or *Liohippelates spp.* (formerly *Hippelates spp.*)

(d) "Hearing officer" means a County hearing officer appointed pursuant to County Administrative Code sections 650 et seq.

(e) "Property" has the same meaning as the term property in Health and Safety Code section 2002(h).

(f) "Property owner" means the person, entity or agency claiming ownership, title or right to property. To the extent provided by section 2005 of the Health and Safety Code, "property owner" also includes any person, city, county, special district, school district, the state, or any agency or subdivision of the state, including the California State University and the University of California. Where land or water is leased or is made available for use by a person or agency pursuant to a license, right of entry agreement, right of entry permit, or any other similar arrangement, "property owner" includes the lessee or other person or agency legally entitled to use the property or water.

(g) "Public Nuisance" means any of the following:

(1) Any property, excluding water, that has been artificially altered from its natural condition so that it now supports the development, attraction, or harborage of vectors. The presence of vectors in their developmental stages on a property is prima facie evidence that the property is a public nuisance.

(2) Any water that is a breeding place for vectors. The presence of vectors in their developmental stages in the water is prima facie evidence that the water is a public nuisance.


(3) Any activity that supports the development, attraction, or harborage of vectors, or that facilitates the introduction or spread of vectors.

(h) "Vector" means an animal capable of transmitting the causative agent of human disease. "Vector" also includes eye gnats.

Section 3. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in The Daily Transcript, a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL
BY
Rodney Lorang, Senior Deputy

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 26th day of June, 2019.



DIANNE JACOB
Chairwoman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

ATTEST my hand and the seal of the Board of Supervisors this 26th day of June, 2019.

ANDREW POTTER
Clerk of the Board of Supervisors

By 

Joana Santiago, Deputy



Ordinance No.: 10616 (N.S.)
06/26/19 (04)