

ORDINANCE NO. 11306 APR 18 1974
(New Series)

AN ORDINANCE INCORPORATING THAT PROPERTY IN THE PENINSULA COMMUNITY PLAN LOCATED WESTERLY OF ROSECRANS STEEET, BETWEEN NIMITZ BOULEVARD ON THE NORTH AND CANON STREET ON THE SOUTH, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-3 ZONE, AS DEFINED BY SECTION 101.0411 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 31 (NEW SERIES), ADOPTED SEPTEMBER 6, 1932, AND ORDINANCE NO. 32 (NEW SERIES), ADOPTED SEPTEMBER 12, 1932, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICT HEREWITH.

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

Section 1. That property in the Peninsula Community Plan located westerly of Rosecrans Street, between Nimitz Boulevard on the north and Canon Street on the south, in the City of San Diego, California, within the boundary of the district designated "R-3" on Zone Map Drawing No. C-392.2, filed in the office of the City Clerk as Document No. 746854, be, and it is hereby incorporated into R-3 Zone as such zone is described and defined by Section 101.0411 of the San Diego Municipal Code.

Section 2. That Ordinance No. 31 (New Series), adopted September 6, 1932, and Ordinance No. 32 (New Series), adopted September 12, 1932, of the Ordinances of The City of San Diego be, and the same are hereby repealed insofar as they conflict herewith.

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

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad
Frederick C. Conrad, Chief Deputy

FCC:mmb
3-25-74
23-73-3
Subarea 3B

MICROFILMED

MAY 2 1978

C0944

Passed and adopted by the Council of The City of San Diego on APR 18 1974
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: PETE WILSON
 Mayor of The City of San Diego, California.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

(Seal)

By *Yplanda Limon*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on APR 2 1974, and on APR 18 1974.

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

EDWARD NIELSEN
 City Clerk of The City of San Diego, California.

(Seal)

By *Yplanda Limon*, Deputy.

RECEIVED
 CITY CLERK'S OFFICE
 1974 MAR 27 AM 10:30
 SAN DIEGO, CALIF.

MICROFILMED
 MAY 2 1978

Office of the City Clerk, San Diego, California

Ordinance Number 11306 Adopted APR 18 1974

RECEIVED
CITY CLERK'S OFFICE

1974 MAY 13 PM 2:36

SAN DIEGO, CALIF.

ATTORNEY (S)

- CITY OF SAN DIEGO,
202 "C" St., 12th Floor,
San Diego, CA.

CERTIFICATE OF PUBLICATION

No. _____

IN THE MATTER OF

NUDITY ON PUBLIC LANDS

MAY 13 1974 *ey*

Patricia M. Applestill

I, *ey* hereby certify that San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

ORDINANCE NO. 11307
(New Series)

is a true and correct copy of which this certificate is annexed and was published in said newspaper on

April 25, 1974

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

May 9, 1974

Patricia M. Applestill

(Signature)

10 1/2" @ 4.42

46.41 *ey*

0946

ORDINANCE NO. 1155

(New Series)

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING THERETO SECTION 56.53 RELATING TO NUDITY ON PUBLIC LANDS.

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

Section 1. That Chapter V, Article 6, of the San Diego Municipal Code be and the same is hereby amended by adding thereto Section 56.53 relating to nudity on public lands, to read as follows:

SEC. 56.53 NUDITY ON PUBLIC LANDS

a. **PURPOSE AND INTENT.** The presence of persons who are nude and exposed to public view in or on public rights of way, public parks, public beaches or any other public land, or in or on any private property open to public view from any public right of way, public beach, public park, or other public land, is offensive to members of the general public unwillingly exposed to such persons. Nudity, if it is to be permitted to be exposed to public view, should be confined to a defined area. The provisions of this section are enacted for the purpose of securing and promoting the public health, morals and general welfare of all persons in the City of San Diego.

b. **DEFINITIONS.** Whenever in this section the word "nude" is used, it shall mean devoid of an opaque covering which covers the genitals, public hair, buttocks, perineum, anus or anal region of any person, or any portion of the breast, at or below the areola thereof of any female person.

Whenever in this section the term "public right of way" is used, it shall mean any place of any nature which is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter, crossing, intersection, parkway, highway, alley, lane, mall, court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, square, and any other similar public way.

c. **NUDITY PROHIBITED.** No person over the age of ten years shall be nude and exposed to public view in or on any public right of way, public park, public beach or waters adjacent thereto, or other public land, or in or on any private property open to public view from any public right of way, public beach, public park, or other public land, except in those areas of the public beach and adjacent waters designated by the Council of The City of San Diego by resolution as a "Swimsuit Optional" zone. The City Manager shall place appropriate signs marking the limits of said zone.

d. The provisions of this section shall not apply to live theatrical performances performed in a theater, concert hall, or other similar establishment located on public land.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on April 4, 1974.

Passed and adopted by the Council of The City of San Diego on April 18, 1974.

AUTHENTICATED BY:

PETE WILSON,
Mayor of The City of San Diego, California.
EDWARD NIELSEN,
City Clerk of The City of San Diego, California.
By **YULIANA LIBERTY,** Deputy.

Approved: _____
Date: _____

00947