

ORDINANCE NO. 0-15320  
(New Series)

AUG 25 1980

AN EMERGENCY ORDINANCE AMENDING CHAPTER VI,  
ARTICLE 3, DIVISION 2 OF THE SAN DIEGO  
MUNICIPAL CODE BY ADDING SECTION 63.02.33  
REGULATING ROLLERSKATING IN BALBOA PARK

WHEREAS, rollerskating has become a highly popular sport practiced throughout the paved areas of Balboa Park; and

WHEREAS, many persons on rollerskates have limited control over their movements and their ability to avoid other people; and

WHEREAS, persons on rollerskates have created hazards to pedestrians utilizing the facilities at Balboa Park, particularly those who are handicapped or aged, by accidentally bumping into and knocking down such persons; and

WHEREAS, the number of persons on rollerskates has deterred other members of the public from peacefully and safely utilizing the park because of fear of injury and rollerskaters have impaired the enjoyment of Balboa Park by non-rollerskating persons; and

WHEREAS, members of the public knocked down by persons on rollerskates in Balboa Park have filed complaints with The City of San Diego regarding injuries sustained in rollerskating related accidents; and

WHEREAS, because large numbers of persons use Balboa Park during the summer months, an immediate increased danger is posed by rollerskating to the public peace, property, health or safety, requiring immediate, effective regulation; NOW, THEREFORE,

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

Section 1. That Chapter VI, Article 3, Division 2 of the San Diego Municipal Code be amended by adding Section 63.02.33 to read as follows:

SEC. 63.02.33 USE OF ROLLERSKATES, COASTERS, SKATEBOARDS  
AND SIMILAR DEVICES RESTRICTED IN BALBOA PARK

(a) It shall be unlawful for any person upon rollerskates, or any person riding on or by means of a coaster, skateboard or toy vehicle or similar device to go on any roadway or its appurtenant sidewalk in Balboa Park. This subsection (a) shall not apply to the dedicated public streets, to wit: Park Boulevard, Richmond and Sixth Avenue and their appurtenant sidewalks.

(b) It shall be unlawful for any person upon rollerskates, or any person riding on or by means of a coaster, skateboard or toy vehicle or similar device to go upon the Cabrillo Bridge or the Park Boulevard pedestrian overpass.

(c) It shall be unlawful for any person upon rollerskates or any person riding on or by means of a coaster, skateboard or toy vehicle or similar device to go upon any parking lot in Balboa Park.

(d) It shall be unlawful for any person upon rollerskates, or any person riding on or by means of a coaster, skateboard or toy vehicle or similar device to go upon any walkway, plaza, mall, arcade, stairs, building or hallway in Balboa Park. This subsection (d) shall apply to, but is not limited to, the following areas:

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- (1) Spreckels Organ Pavilion
- (2) Plaza de Balboa
- (3) Spanish Village
- (4) El Prado from the east side of the Plaza de Panama to the junction of Village Place.

(5) All other areas of whatever character as described in this subsection (d) connecting any and all park areas and buildings.

(e) The provisions of subsections (a), (c) and (d) shall not apply to those areas of Balboa Park located west of the Cabrillo Bridge or east of Park Boulevard.

(f) Every person violating this Section shall be, upon the first conviction, guilty of an infraction, and subject to pay a fine in an amount not to exceed \$250. Every person violating this Section shall be, upon the second conviction within one year, subject to pay a fine not to exceed \$500.

Section 2. If any subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this section. The Council hereby declares that it would have adopted the ordinance, and each subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases be declared invalid.

Section 3. Because of the immediate and continued hazard posed by rollerskaters to the public peace, property, health and safety regarding the use of Balboa Park, the Council finds and hereby declares that immediate action to regulate this situation is required and that the invocation of emergency measures pursuant to Section 17 of the Charter of San Diego is appropriate and necessary.

Section 4. This ordinance shall take effect and be in full force upon its passage, pursuant to Section 17 of the Charter of The City of San Diego.

APPROVED: JOHN W. WITT, City Attorney

By S. Patricia Rosenbaum  
S. Patricia Rosenbaum, Deputy

SPR:tl:263.1  
8/15/80  
Or. Dept.: Pk&Rec

0- 15320

AUG 25 1980

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.

(Seal)

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

By *Rita Andrews*, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was passed on the day of its introduction, to wit, on  
AUG 25 1980, said ordinance being of the kind and character  
authorized for passage on its introduction by Section 16 of the Charter.

~~I FURTHER CERTIFY that the final reading of said ordinance was in full.~~

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.

CHARLES G. ABDELNOUR  
City Clerk of The City of San Diego, California.

(Seal)

By *Rita Andrews*, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number	<i>0-15320</i> Adopted <u>AUG 25 1980</u>

CERTIFICATE OF PUBLICATION

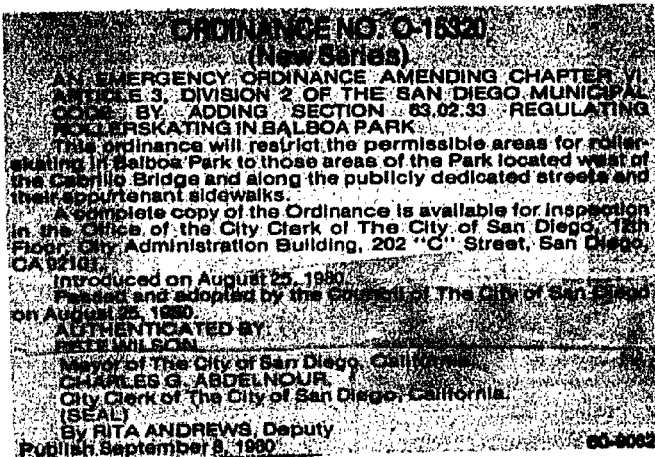
San Diego, City of  
12th floor, City Admin. Bldg.  
202 C St., SAN Diego, CA 92101  
ATTN: Rita Andrews

IN THE MATTER OF

NO.

AN EMERGENCY ORDINANCE AMENDING CHAPTER VI,  
ARTICLE 3, DIVISION 2 OF THE SAN DIEGO MUNICIPAL  
CODE BY ADDING SECTION 63.02.33 REGULATING  
ROLLERSKATING IN BALBOA PARK

I, Camille Simpson, am a citizen  
of the United States and a resident of the County aforesaid; I am over the  
age of eighteen years, and not a party to or interested in the above- entitled  
matter. I am the principal clerk of the San Diego Daily Transcript, a  
newspaper of general circulation, printed and published daily, except  
Saturdays and Sundays, in the City of San Diego, County of San Diego, and  
which newspaper has been adjudged a newspaper of general circulation by  
the Superior Court of the County of San Diego, State of California, under  
the date of January 23, 1909, Decree No. 14894; and the



ORDINANCE NO. 0-15320 (New Series)

is a true and correct copy of which the annexed is a printed copy and was  
published in said newspaper on the following date(s), to wit:

September 8, 1980

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 8th day of Sept., 1980

Camille Simpson  
(Signature)

+ 1/2" - 32.99