

ORDINANCE NO. 0-15326
(New Series)

SEP 8 1980

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 3,
DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE BY
ADDING SECTION 63.02.33 REGULATING ROLLER-
SKATING 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:

0-15326

(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.

O-15326

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 S. P. Rosenbaum
S. Patricia Rosenbaum, Deputy

SPR:t1:263.1
8/15/80
Or.Dept.:Pk&Rec

Passed and adopted by the Council of The City of San Diego on **SEP 8 1980**
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.

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

(Seal)

By *Ellen Boward*, 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

AUG 25 1980, and on **SEP 8 1980**.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

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 *Ellen Boward*, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-15326** Adopted **SEP 8 1980**

CERTIFICATE OF PUBLICATION

San Diego, City of
12th floor, City Admin. Bldg.
202 C St., San Diego, CA 92101
ATTN: Ellen Bovard

RECEIVED
CITY CLERK'S OFFICE
1980 SEP 24 PM 2:04
SAN DIEGO, CALIF.

IN THE MATTER OF

NO.

AN 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 ETC.

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. O-15326
(New Series)
AN 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
This ordinance will restrict the permissible areas for roller skating in Balboa Park to those areas of the Park located west of the Cabrillo Bridge and along the publicly dedicated streets and their appurtenant sidewalks.
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of The City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on August 25, 1980.
Passed and adopted by the Council of The City of San Diego on September 8, 1980.
AUTHENTICATED BY:
PETE WILSON,
Mayor of The City of San Diego, California
CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.
(SEAL)
By ELLEN BOVARD, Deputy
Publish September 22, 1980 80-6372

ORDINANCE NO. O-15326 (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 22, 1980

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

Dated at San Diego, California this 22nd day of Sept., 1980.

Camille Simpson
(Signature)

4 1/2 " - 3 32.99