

(O-86-144)

ORDINANCE NUMBER O- 16604 (NEW SERIES)

ADOPTED ON MAR 3 1986

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 9, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 59.0102, 59.0103 AND 59.0104 AND REPEALING SECTIONS 59.0105, 59.0106 AND 59.0107, RELATING TO THE SAN DIEGO JACK MURPHY STADIUM AND PARKING FACILITY.

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

Section 1. That Chapter V, Article 9, Division 1, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 59.0102, 59.0103 and 59.0104 to read as follows:

SEC. 59.0102 DEFINITIONS

Whenever in this Division the words or phrases in this section defined are used, they shall have the respective meanings assigned to them as follows:

(a) "San Diego Jack Murphy Stadium" shall mean that certain multipurpose sports structure located in Mission Valley in the City of San Diego, the peripheral boundaries of which are the gates for access and egress and the walls surrounding the outer perimeter buildings; also referred to as "Stadium."

(b) "San Diego Jack Murphy Stadium Parking Facility" shall mean all parking areas, entrances and exits continuous from street grade and all passenger waiting areas at the San

Diego Jack Murphy Stadium; also referred to as "Stadium Parking Facility."

(c) "Parking Space" shall mean any area marked with lines designating a parking space at the San Diego Jack Murphy Stadium Parking Facility except those parking spaces designated and numbered as "Tailgate Parking Spaces."

Parking spaces may be marked for small cars or for standard size cars. Parking space for vehicles exceeding twenty feet (20') in length shall mean two spaces marked for standard size cars.

(d) "Tailgate Parking Spaces" shall mean reserved and numbered spaces measuring 40 feet in length for parking vehicles located in a designated tailgate parking area.

(e) "Person" shall mean and include any person, association, partnership, firm or corporation.

(f) "Vehicle" shall mean any device, in, upon, or by which a person or property is or may be propelled, moved or drawn upon a highway and shall include, but not be limited to, the following: automobile, truck, bus, motorcycle, motor-driven cycle, cart, and mini-cycle or bicycle when operated under engine power.

(g) "Stadium Manager" shall refer to the administrative officer assigned by the City Manager as responsible for management of San Diego Jack Murphy Stadium and Stadium Parking Facility.

(h) "Stadium security personnel" shall refer to all employees, contractors, employees of contractors, or other

agents of San Diego Jack Murphy Stadium charged with responsibility for the orderly conduct of individuals attending Stadium events.

(i) "Event" in Section 59.0103 shall refer to any sporting, athletic, musical, or other type of scheduled activity, conducted under contract with the City, occurring within San Diego Jack Murphy Stadium. "Event" in Section 59.0104 shall also refer to any scheduled contractual activity occurring within San Diego Jack Murphy Stadium Parking Facility, including, but not limited to: swap meets, flea markets, and other such activities where permits are authorized for non-Stadium functions.

(j) "Conclusion of an event" shall refer to the expiration of the allotted playing time or termination of play in relation to any particular sporting event. In relation to non-sporting events, the event shall be deemed concluded at the time designated by the permit granted for the use of the Stadium or Stadium Parking Facility, or the end of any particular band performance, stage show, program, or concert, whichever is earlier.

(k) "Area not open to the general public," shall include, but shall not be limited to the playing field, including the dirt track surrounding the turf, dugouts, bull pen areas, team locker rooms, office and administrative areas, roofs, signs, architectural supports and superstructure, fencing, walls, lighting supports and standards, trees, ladders, stages, back stage areas, and any

elevators, stairways, tunnels or other areas which are either plainly marked as not being open to the general public or posted with police, security or other Stadium personnel who state that these areas are closed to the general public when such police, security, or other Stadium personnel are either in uniform or identify themselves as acting in such capacity.

SEC. 59.0103 ACTIVITIES PROHIBITED WITHIN
SAN DIEGO JACK MURPHY STADIUM

(a) No person shall intentionally throw, discharge, launch or spill any solid object (including footballs, baseballs, beach balls, frisbees or other such devices) or liquid substance or otherwise cause such object or substance to be thrown, discharged, launched, spilled or to become airborne.

(b) No person shall explode, set-off, discharge or otherwise release or cause to be released any smoke bomb, fireworks, stink bomb, or other substance which is physically harmful or otherwise irritating, offensive, repugnant or disgusting to the eyes or sense of smell.

(c) No person in the Stadium shall leave the area or areas set aside for spectators and enter any area of the Stadium not open to the general public, including, but not limited to, the grounds, playing field, stage, or any other area set apart for the participants, performers, officials, attendants or service personnel at any time before, during, or after a Stadium event.

(d) No person shall bring into or possess within San Diego Jack Murphy Stadium any can, bottle, thermos, vacuum bottle, canteen or other similar container unless expressly authorized by the Stadium Manager.

(e) No person shall gain or attempt to gain admittance to San Diego Jack Murphy Stadium except through an access gate open for public access and by presenting a valid event ticket or otherwise paying the posted charge required for admission or to enter or attempt to enter San Diego Jack Murphy Stadium during non-event days or hours without permission.

(f) No person of either sex shall enter the clearly marked and designated restroom facilities of the opposite sex at San Diego Jack Murphy Stadium.

(g) Any person who behaves in so noisy, boisterous or rowdy a manner as to disturb spectators or participants at any Stadium event or violates any local ordinance or state law shall be subject to ejection from the Stadium by San Diego Police Department officers or Stadium security personnel. No person shall refuse to obey an ejection order made pursuant to enforcement of this subsection, or to re-enter the Stadium during that event after such ejection by purchase of another ticket or by any other means.

(h) No person shall bring into or possess within San Diego Jack Murphy Stadium any noise making device including but not necessarily limited to air horns, powered megaphones, bugles, drums, tambourines or other musical instruments unless expressly authorized by the Stadium Manager.

(i) No person shall lead, conduct or otherwise bring or allow to remain in San Diego Jack Murphy Stadium any animal, bird, fish or reptile, except trained guide dogs or dogs for the disabled, certified by the State of California in actual use.

(j) No person shall remain within San Diego Jack Murphy Stadium more than one hour after the conclusion of the event for which admitted. It shall be unlawful for any person to refuse to obey the lawful order of a police officer or Stadium security personnel made pursuant to enforcement of this subsection.

(k) No person shall bring, or cause to be brought, for the purposes of sale or barter, or have for sale, or sell or exchange, or offer for sale or exchange any food, drink, service, goods, wares, ticket or merchandise within any portion of San Diego Jack Murphy Stadium including the perimeter sidewalk of the Stadium without first having obtained a City business license and permit from the Stadium Manager.

(l) The above subsections (a) - (k) shall not apply to any duly authorized employee, agent or officer of the Stadium or the City of San Diego while acting in the course and scope of his/her employment, nor shall it apply to any duly authorized participant, performer, official, Stadium security or service personnel specifically authorized to perform such an act by the Stadium Manager or the City of San Diego while acting in the scope of his/her employment or participation.

SEC. 59.0104 ACTIVITIES PROHIBITED WITHIN
THE SAN DIEGO JACK MURPHY
STADIUM PARKING FACILITY

(a) No person shall intentionally throw, discharge, launch or spill any solid object (including footballs, baseballs, frisbees and other such devices) or liquid substance or otherwise cause such object or substance to be thrown, discharged, launched, spilled or to become airborne within the San Diego Jack Murphy Stadium Parking Facility.

(b) No person shall explode, set-off, discharge or otherwise release or cause to be released any smoke bomb, fireworks, stink bomb, or other substance which is physically harmful or otherwise irritating, offensive, repugnant or disgusting to the eyes or sense of smell within the San Diego Jack Murphy Stadium Parking Facility.

(c) No person shall participate in any activity, including, but not limited to vehicle driver training, running, jogging, volleyball, baseball, soccer, football, roller skating, bicycle riding, skate boarding or frisbee within the San Diego Jack Murphy Stadium Parking Facility unless expressly authorized by the Stadium Manager.

(d) No person shall lead, conduct or otherwise bring or allow to remain in the San Diego Jack Murphy Stadium Parking Facility any animal, bird, fish or reptile except trained guide dogs or dogs for the disabled certified by the State of California in actual use.

(e) No person shall bring or attempt to bring a vehicle into San Diego Jack Murphy Stadium Parking Facility without paying the prescribed charge required for admission.

(f) For purposes of the California Vehicle Code, all surfaced areas of the facility, on which vehicles normally travel to enter and leave parking spaces and tailgate parking spaces, shall be considered to be "highways" as defined in Vehicle Code section 360.

(g) (1) No person shall park or stand any vehicle in more than one parking space or, where applicable, in more than one

Tailgate Parking Space. If the vehicle exceeds twenty feet (20') in length, the driver thereof shall only park said vehicle in parking spaces for standard size vehicles and pay for the additional space and display evidence of such payment unless parked in a Tailgate Parking Space.

(2) No person shall utilize in any manner more than the parking space or Tailgate Parking Space that his vehicle is entitled to occupy under the provisions of this Division.

(3) No person shall interfere in any manner with the use of an adjacent parking space.

(h) Vehicles parked in violation of subsection (g) may be towed at the owner's expense to a place designated by the City Manager.

(i) No person shall remain within San Diego Jack Murphy Stadium Parking Facility more than two hours after the conclusion of any event occurring within the Stadium or in the Stadium Parking Facility. It shall be unlawful for any person to refuse to obey the lawful order of a police officer or Stadium security personnel made pursuant to enforcement of this subsection.

(j) No person shall bring, or cause to be brought, for the purposes of sale or barter, or have for sale, or sell or exchange, or offer for sale or exchange any food, drink, service, goods, wares, ticket or merchandise within any portion of San Diego Jack Murphy Stadium Parking Facility including the perimeter sidewalk of the Stadium without first having obtained a City business license and permit from the Stadium Manager.

(k) The above subsections (a) - (j) shall not apply to any duly authorized employee, agent or officer of the Stadium or the City of San Diego while acting in the course and scope of his/her employment, nor shall it apply to any duly authorized participant, performer, official, Stadium security or service personnel specifically authorized to perform such an act by the Stadium Manager or the City of San Diego while acting in the scope of his/her employment or participation.

Section 2. That Chapter V, Article 9, Division 1 of the San Diego Municipal Code be and the same is hereby amended by repealing Sections 59.0105, 59.0106 and 59.0107, as follows:

SEC. 59.0105 TOWING

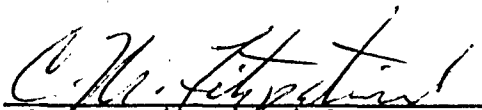
SEC. 59.0106 RESTROOM FACILITIES AT.
SAN DIEGO JACK MURPHY STADIUM

SEC. 59.0107 FOOD AND BEVERAGE CATERING
IN THE SAN DIEGO JACK MURPHY
STADIUM PARKING FACILITY

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


C. M. Fitzpatrick
Assistant City Attorney

CMF:js:271.1
02/04/86
Or.Dept:Stad.
O-86-144
Form=o.none

00238

0-16604

55

Passed and adopted by the Council of The City of San Diego on MAR 3 1986
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA
Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.
By June G. Blackwell, Deputy.

(Seal)

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 MAR 3 1986 and on FEB 18 1986.

~~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.
By June G. Blackwell, Deputy.

(Seal)

00239

Office of the City Clerk, San Diego, California

Ordinance Number 0-16604 Adopted MAR 3 1986

RECEIVED
CITY CLERK'S OFFICE

1936 FEB -5 PM 3:55

SAN DIEGO, CALIF.

00240

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO
OFFICE OF CITY CLERK
ATTN: JUNE A. BLACKNELL
202 C STREET, 12TH FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF
AN ORDINANCE AMENDING CHAPTER V, ARTICLE 9, DIVISION 1, OF
THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 59.0102,
59.0103 AND 59.0104 AND REPEALING SECTIONS 59.0105, 59.0106
AND 59.0107

NO.

ORDINANCE NUMBER O-16604 (NEW SERIES)

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 9, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 59.0102, 59.0103 AND 59.0104 AND REPEALING SECTIONS 59.0105, 59.0106 AND 59.0107 RELATING TO THE SAN DIEGO JACK MURPHY STADIUM AND PARKING FACILITY.

The San Diego Municipal Code is amended to prohibit certain activities within San Diego Jack Murphy Stadium and San Diego Jack Murphy Stadium Parking Facility, which are deemed to be detrimental and injurious to the public health, safety and welfare and to regulate business activities and parking operations within these facilities.

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 FEB 18, 1986.

Passed and adopted by the Council of The City of San Diego on MAR 3, 1986.

AUTHENTICATED BY:

ED STRUIKEMA

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR,

City Clerk of The City of San Diego, California.

By JUNE A. BLACKNELL, Deputy.

Published March 17, 1986

44709

I, Gerald F. Blair, 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 NUMBER O-16604 (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:

MARCH 17, 1986

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

Dated at San Diego, California this 17th day of MARCH, 1986.

Gerald F. Blair

(Signature)

00241

$2\frac{3}{8} \times 2 \times 9.76 = \46.36