

ORDINANCE NUMBER O-16712 (NEW SERIES)

ADOPTED ON SEP 22 1986

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54 RELATING TO ALCOHOLIC BEVERAGE CONSUMPTION AND POSSESSION PROHIBITED IN CERTAIN AREAS.

WHEREAS, Market Street has recently been renamed Martin Luther King, Jr. Way and the downtown area has expanded in a southwesterly direction,

WHEREAS, there has been an increase in alcohol-related criminal activities and aggressive and/or offensive conduct by persons frequenting the below-listed areas, and

WHEREAS, many citizens of the City of San Diego fear to take their families to said areas for fear of harassment and/or violence, and

WHEREAS, it has been the experience of other coastal communities that prohibition of alcohol at their beaches results in a decrease in undesirable behavior,

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

Section 1. That Chapter V, Article 6, Section 56.54 of the San Diego Municipal Code be, and the same is hereby amended to read as follows:

01060

SEC. 56.54 ALCOHOLIC BEVERAGE CONSUMPTION AND POSSESSION
PROHIBITED IN CERTAIN AREAS

(a) It shall be unlawful for any person without a permit duly issued by the City Manager for a special event to consume any alcoholic beverage, as defined in California Business and Professions Code, Section 23004, upon any public street, sidewalk, alley, plaza, or in any public park within the following limits of the City of San Diego:

Starting at the intersection of Martin Luther King, Jr. Way (formerly Market Street) and Pacific Highway and proceeding northerly on Pacific Highway to its intersection with Ash Street; then easterly on Ash Street to its intersection with 11th Avenue; then southerly on 11th Avenue to its intersection with "A" Street; then easterly on "A" Street to its intersection with 12th Avenue; then southerly on 12th Avenue to its intersection with Imperial Avenue; then westerly on Imperial Avenue to Harbor Drive; then northwesterly on Harbor Drive to Pacific Highway; and then northerly along Pacific Highway to the point of beginning.

The area described above shall include all sidewalks along the outer perimeter of such areas.

The provisions of this section shall not apply to persons consuming alcoholic beverages within the defined boundaries of a sidewalk cafe located on the public right-of-way. A sidewalk cafe is defined in Section 101.0550.

(b) It shall be unlawful for any person without a permit duly issued by the City Manager for a special event to consume or to possess an open container of any alcoholic beverage, as defined in Business and Professions Code section 23004, in the following areas of The City of San Diego:

- (1) All public parking lots within Mission Bay Park;
- (2) the West parking lot of the Jetty at 600 Block San Diego Place;
- (3) the parking areas around The Plunge and Belmont Park Roller Coaster at 3000 to 3200 Block Ocean Front Walk, 3000 to 3200 Block Mission Boulevard and 700 Block Ventura Place;
- (4) the La Jolla Shores parking lot at 8100 to 8300 Block Camino del Oro;
- (5) the 600 Block Tourmaline Street;
- (6) the 2200 to 2300 Block Bacon Street;
- (7) the 5000 Block Voltaire Street;
- (8) the 5000 Block Brighton Street;
- (9) the 5000 Block Newport Street;
- (10) the 1900 Block Abbott Street;
- (11) the 1100 to 1300 Block Sunset Cliffs Boulevard;
- (12) the 4500 Block Ladera Street.

Section 2. 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

Nina B. Deane (for)

Nina B. Deane
Deputy City Attorney

NBD:ls:fs:041
08/18/86;09/09/86
Or.Dept:Police
0-87-32 (REV)
Form=o.none

Passed and adopted by the Council of The City of San Diego on SEP 22 1986
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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"/>
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 Struiksmā	<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 Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

(Seal)

By Ellen Board, 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 SEP 9 1986, and on SEP 22 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.

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-16712 Adopted SEP 22 1986

01064

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE
1986 OCT -9 PM 2:08
SAN DIEGO, CALIF.

CITY OF SAN DIEGO
202 C STREET
12TH FLOOR
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54 RELATING TO ALCOHOLIC BEVERAGE CONSUMPTION AND POSSESSION PROHIBITED IN CERTAIN AREAS.

THOMAS D. KELLEHER

I, _____, 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 0-16712

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:

OCTOBER 6, 1986.

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

Dated at San Diego, California this 6th day of OCT., 19 86.

Thomas D. Kelleher

(Signature)

01065

**ORDINANCE NUMBER O-16712 (NEW SERIES)
ADOPTED ON SEP 22 1986**

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54 RELATING TO ALCOHOLIC BEVERAGE CONSUMPTION AND POSSESSION PROHIBITED IN CERTAIN AREAS.

This ordinance amends a section of the Municipal Code by expanding the boundaries of the downtown area in which consumption of alcoholic beverages is prohibited. It reflects the change of name of Market Street to Martin Luther King, Jr. Way in the boundary description of the downtown restricted area. Further, it prohibits the consumption or possession of alcoholic beverages in public parking lots of Mission Bay Park and certain beach areas.

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 September 9, 1986

Passed and adopted by the Council of The City of San Diego on

September 23, 1986

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California

By **ELLEN BOVARD**, Deputy.

Pub. October 6

56399

4 1/4" x \$10.24 = \$43.52