

ORDINANCE NUMBER 17021 (NEW SERIES)

ADOPTED ON FEB 08 1988

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.

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:

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 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 the easterly boundary of 11th Avenue; then southerly along the easterly boundary of 11th

Avenue to the northerly boundary of Russ Boulevard; then easterly along the northerly boundary of Russ Boulevard to the easterly boundary of Interstate Highway 5; then southerly on the easterly boundary of Interstate Highway 5 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) The "beach area" starting at Ratkay Point and proceeding northerly along the waterfront of

the Pacific Ocean and waters of Mission Bay to the northerly boundry of the Mission Bay channel entrance between the hours from twelve o'clock midnight and six o'clock a.m. and the "beach area" starting at the northerly boundry of the Mission Bay channel entrance and proceeding northerly along the waterfront of the Pacific Ocean and waters of Mission Bay to the southerly limits of the City of Del Mar between the hours from ten o'clock p.m. and six o'clock a.m.

"Beach area" means any beach or land and the waters abutting or adjacent thereto within the limits of The City of San Diego and of all lands owned or controlled by the City adjoining the waterfront of the Pacific Ocean and the waters of Mission Bay.

"Beach area" includes the Ocean Beach Fishing Pier, Torrey Pines State Beach and any public area, boardwalk and public right-of-way such as exists along Ocean Front Walk extending up to the boundaries of adjacent property owners including fences and walls maintained under Encroachment Removal Agreements.

(2) Fiesta Island and all public beaches and public recreation areas within Mission Bay Park between the hours from ten o'clock p.m. and six o'clock a.m.;

(3) all public parking lots within Mission Bay Park.

(4) the West parking lot of the Jetty at 600 Block San Diego Place;

(5) 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;

(6) the La Jolla Shores parking lot at 8300 Block Camino del Oro;

(7) the 600 Block Tourmaline Street.

The public parking lots at the following locations:

(8) The 2400 Block Bacon Street, including the area commonly known as Robb Field;

(9) the 5200 Block Voltaire Street;

(10) the 5200 Block Brighton Street;

(11) the 5000 Block Newport Avenue, including the parking area at the foot of Newport Avenue;

(12) the 1900 Block Abbott Street;

(13) the 1100 to 1300 Block Sunset Cliffs Boulevard;

(14) the 4400 Block Ladera Street;

(15) the 2400 to 2500 Block Sunset Cliffs Boulevard.

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

(c) This section does not make punishable any act or acts which are prohibited by any law of the State of California.

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 Joseph M. Battaglino  
Joseph M. Battaglino  
Deputy City Attorney

JMB:ls:041  
11/17/87  
REV. 01/27/88  
Or.Dept:Police  
O-88-85  
Form=o.none

51

(O-88-85 REV.)

STRIKEOUT ORDINANCE

OLD LANGUAGE - STRIKEOUT  
NEW LANGUAGE - UNDERLINED

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 ~~Market~~  
~~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 the easterly boundary of 11th Avenue; then southerly along the easterly boundary of 11th Avenue to the northerly boundary of Russ Boulevard; then easterly along the northerly boundary of Russ Boulevard to the easterly boundary of Interstate Highway 5; then southerly on the easterly boundary of Interstate Highway 5 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) The "beach area" starting at Ratkay Point and proceeding northerly along the waterfront of the Pacific Ocean and waters of Mission Bay to the northerly boundary of the Mission Bay channel entrance between the hours from twelve o'clock midnight and six o'clock a.m. and the "beach area" starting at the northerly boundary of the Mission Bay channel entrance and proceeding northerly along

the waterfront of the Pacific Ocean and waters of Mission Bay to the southerly limits of the City of Del Mar between the hours from ten o'clock p.m. and six o'clock a.m.

"Beach area" means any beach or land and the waters abutting or adjacent thereto within the limits of The City of San Diego and of all lands owned or controlled by the City adjoining the waterfront of the Pacific Ocean and the waters of Mission Bay.

"Beach area" includes the Ocean Beach Fishing Pier, Torrey Pines State Beach and any public area, boardwalk and public right-of-way such as exists along Ocean Front Walk extending up to the boundaries of adjacent property owners including fences and walls maintained under Encroachment Removal Agreements.

(2) Fiesta Island and all public beaches and public recreation areas within Mission Bay Park between the hours from ten o'clock p.m. and six o'clock a.m.;

(1) (3) all public parking lots within Mission Bay Park.

(2) (4) the West parking lot of the Jetty at 600 Block San Diego Place;

(3) (5) the parking areas around The Plunge and Belmont Park Roller Coaster at 3000 to



Block Mission Boulevard and 700 Block Ventura Place;

(6) the La Jolla Shores parking lot at 8300 Block Camino del Oro;

(7) the 600 Block Tourmaline Street.

The public parking lots at the following locations:

(8) The 2400 Block Bacon Street, including the area commonly known as Robb Field;

(9) the 5200 Block Voltaire Street;

(10) the 5200 Block Brighton Street;

(11) the 5000 Block Newport Avenue, including the parking area at the foot of Newport Avenue;

(12) the 1900 Block Abbott Street;

(13) the 1100 to 1300 Block Sunset Cliffs Boulevard;

(14) the 4400 Block Ladera Street;

(15) the 2400 to 2500 Block Sunset Cliffs Boulevard.

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

(c) This section does not make punishable any act or acts which are prohibited by any law of the State of California.

Passed and adopted by the Council of The City of San Diego on FEB 08 1988,  
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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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 Jana M. Martin, 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

JAN 26 1988, and on FEB 08 1988.

~~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 Jana M. Martin, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-17021</u>	Adopted <u>FEB 08 1988</u>

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101  
ATTN: TENA MARTIN

IN THE MATTER OF  
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.

NO.

ORDINANCE NUMBER O-17021 (NEW SERIES)  
ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF  
SAN DIEGO MUNICIPAL CODE BY AMENDING SEC  
56.54 RELATING TO ALCOHOLIC BEVERAGE CON  
SUMPTION AND POSSESSION PROHIBITED IN CERTAIN  
AREAS.  
This ordinance amends Chapter V, Article 6, section 56.54 to ex-  
tend the boundaries of the restricted area for alcoholic beverage  
possession and consumption by adding the "beach area" from  
Point north to the northerly boundary of the Mission Bay  
channel entrance between the hours from twelve o'clock midnight  
to six o'clock a.m. and the "beach area" from the northerly bound-  
ary of the Mission Bay channel entrance north to the southerly limits  
of the City of Del Mar between the hours from ten o'clock p.m. and  
six o'clock a.m. "Beach area" includes the Ocean Beach Fishing  
Pier, Pines State Beach and any public area, boardwalk and  
right-of-way. Also added are Fiesta Island and all public  
parks and public recreation areas within Mission Bay Park be-  
tween the hours from ten o'clock p.m. and six o'clock a.m.  
Enacted JAN 20 1988  
Passed and adopted by the Council of The City of San Diego FEB  
22 1988  
CERTIFICATED BY: MAUREEN O'CONNOR  
Clerk of The City of San Diego, California  
CHARLES G. ABDELNOUR  
Clerk of The City of San Diego, California  
TENA MARTIN Deputy  
February 22

I, THOMAS D. KELLEHER, 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-17021 (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:

FEB. 22

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

Dated at San Diego, California this 22 day of FEB., 19 88.



(Signature)

31 lines x .98 = 60.76

27/8 x 2 x 10.78 = 561.78