

(O-90-138)

ORDINANCE NUMBER O- 17434 (NEW SERIES)

ADOPTED ON FEB 26 1990

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 3,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 63.20.5 RELATING TO BEACH FIRE RINGS.

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

Section 1. That Chapter VI, Article 3, of the San Diego Municipal Code be and the same is hereby amended by amending Section 63.20.5, to read as follows:

SEC. 63.20.5 SAME - WASTE, REFUSE, ETC. - FIRES

(a) and (b) No change.

(c) Except as provided in this subsection, it shall be unlawful for any person to build, maintain or use a fire on any public beach. In this subsection, the word "use" shall include being present within ten (10) feet of a fire. Fires may be built in a City-provided fire container using fire materials that are limited to charcoal, wood or paper products, none of which contains landscape debris, cloth, rubber, metal, asphalt, foam rubber, plastic or any similar matter or material producing noxious fumes, odors, smoke or leaving any type of solid residue other than ash. Fire materials shall not exceed a height of more than twelve (12) inches above the upper edge of the fire container and must be wholly contained within the inside edge of the

fire container. It shall be permissible to build a fire on a public beach in a portable barbecue or other similar device using fuel material authorized in this subsection. Coals from any portable barbecue or similar device shall either be removed from the beach area or be deposited in a City-provided fire container or designated hot coal container provided on the beach for such purpose.

(d) It shall be unlawful to use a City-provided fire container for any purpose other than the building of fires for cooking or warmth or for the deposit of coals provided for in subsection (c).

(e) No change.

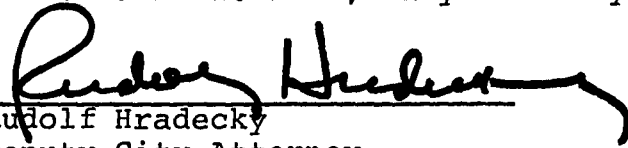
(f) Except as provided in this subsection, it shall be unlawful for any person who has built, maintained or used a fire on the beach to abandon such fire until all ignited fire fuel material has been exhausted or extinguished. In this subsection, the word "used" shall include having been present within ten (10) feet of the fire. Sand, dirt or similar material shall not be employed as an extinguishing material. Extinguished ashes shall not be covered but may be left in fire containers. All unused fire material shall be removed from the beach and the adjacent areas of the beach or park. All refuse or rubbish adjacent to the fire container site shall be removed from the beach or placed in trash cans or receptacles provided for such

purpose, so that the beach is left in a clean, sanitary and presentable condition.

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


Rudolf Hradecky
Deputy City Attorney

RH:mb
01/23/90
Or.Dept:Pk.&Rec.
O-90-138
Form=o.none

Passed and adopted by the Council of The City of San Diego on FEB 26 1990
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"/>
John Hartley	<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"/>
Linda Bernhardt	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

(Seal)

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

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

FEB 12 1990, and on FEB 26 1990

~~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 O-17434 Adopted FEB 26 1990

CERTIFICATE OF PUBLICATION

CITY CLERK'S OFFICE
CITY ADM. BLDG., 2ND FLOOR
SAN DIEGO, CA. 92101.

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 3, OF
THE SAN DIEGO MUNICIPAL CODE...

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-17434 (NEW SERIES)
ADOPTED ON FEB 26 1990**

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 63.20.5 RELATING TO BEACH FIRE RINGS.
This ordinance amends San Diego Municipal Code section 63.20.5(c) by making it unlawful to build, use or maintain a fire on a public beach, except as is provided by ordinance. The revisions extend and clarify the former prohibitions and restrictions applicable to building fires on the beaches and make it clear that fuel material must not extend more than 12 inches above the top nor extend beyond the edges of a fire container. Fire materials are limited to wood, charcoal and paper. Other fuel materials which produce noxious smoke, fumes or odors, such as plastic, rubber, foam rubber, cloth, of which contain asphalt or metal, are prohibited. Provisions are made to allow fires in portable barbecues under specified conditions.
Subsection 63.20.5(d) is amended to make it unlawful to use a City-provided fire container for other than the building of fires for cooking or warmth or the deposit of coals.
Subsection (f) is added to make it unlawful to abandon a fire without extinguishing it, and that extinguished fire material is to be left in the fire container without covering it with sand. Sand or dirt is not to be used to extinguish a fire.
A complete copy of the ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 2nd floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.
Introduced on February 12, 1990 Passed and adopted by the Council of The City of San Diego on February 26, 1990
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. March 12, 1990

ORDINANCE NUMBER O-12434 (NEW SERIES)

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

MAR. 12

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

Dated at San Diego, California this 12 day of MAR, 19 90.

Thomas D. Kelleher
(Signature)

3 3/8 x 2 = 79.92