

#50

(O-93-111)

ORDINANCE NUMBER O- 17902 (NEW SERIES)

ADOPTED ON MAR 29 1993

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54 RELATING TO THE PROHIBITION OF ALCOHOLIC BEVERAGES IN CERTAIN AREAS.

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

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

SEC. 56.54 ALCOHOLIC BEVERAGE CONSUMPTION PROHIBITED IN CERTAIN AREAS

(a) (1) - (4) [NO CHANGES IN TEXT.]

(5) "Seawall" means the wall between the beach and the boardwalk.

(b) Consumption of Alcoholic Beverage Prohibited.

Unless the City Manager has issued a special event permit, it is unlawful for any person to consume any alcoholic beverage at any time unless otherwise permitted by Section 56.54, upon any public property, including but not limited to any public street, sidewalk, alley, plaza, beach, seawall (including on or against the seawall), pier or any public park within the following limits of the City of San Diego, including all sidewalks along the outer perimeter of such areas.

The areas set forth in Section 56.54(b)(1)-(10) are particularized on maps on file in the office of the City Clerk as Document No. 00- 17655-2

(1) - (4) [NO CHANGES IN TEXT.]

(5) The following areas, beaches, parks, parking lots, boardwalks, seawalls (including on or against the seawall), and public rights-of-way within and immediately adjacent to them are specifically included in the ban on consumption of alcohol at any time, unless otherwise permitted by Section 56.54:

Adams Community Park
Adams Elementary School
Allen, Dennis V. Park
Azalea Park
Balboa Park
Bay Terraces Community Park
Birney Elementary School
Boone Park
"C" Street Mini-Park
Cedar Ridge Mini-Park
Central Mini-Park
Chicano Park
Chollas Community Park
City Heights Community Park
City Heights Mini-Park
Clay Avenue Mini-Park
Clay Elementary School
Clay Park

Colina del Sol Community Park
East San Diego Adult Recreation Club
Edison Mini-Park
Emerald Hills Community Park
Encanto Community Park
Encanto Park
Franklin Elementary School
Gompers Park
Grant Hill Park
Hardy Elementary School
Henderson, Willie Athletic Area
Hollywood Park
Hoover Senior High School
"J" Street Mini-Park
Keiller Park
Kellogg Park, including the boardwalk,
seawall and La Jolla Shores Beach
Kennedy, John F. Elementary School
Kennedy, John F. Park
Kensington Park
King, Martin L., Jr. Elementary School
King, Martin L. Jr. Memorial Community Park
"L" Street Mini-Park
La Paz Mini-Park
Laurel Street Mini-Park
Lomita Park
Mann Middle School
Martin Avenue Mini-Park

Memorial Community Park

Mid-City Athletic Area

Mission Beach Park, including
the Belmont Park public areas
and parking lots and excluding
the beach

Mission Trails Regional Park

Montezuma Park

Montgomery-Waller Community Park

Mountain View Park

Normal Heights Park (39th Street Park)

North Park Community Park

Oak Park

Ocean Beach Park, excluding the beach

Ocean View Mini-Park

Old Trolley Barn Park

Oneira Club

Pacific Beach Park (also known
as Ocean Boulevard Park),
excluding the beach

Paradise Hills Community Park

Park de la Cruz

Parkside Park

Penn Athletic Area (South Bay
Terraces Junior High School)

Penn Elementary School

Rolando Mini-Park

Rolando Park Mini-Park

Santa Clara Point

Santa Isabel Mini-Park

Sherman Little Park

Silver Wing Park

Skyline Community Park

Skyview Park

South Mission Beach Park,
excluding the beach

Southcrest Community Park

Valencia Park Elementary School

Wabash Mini-Park

West Mountain View Drive Mini-Park

Wilson Middle School

"Z" Street Mini-Park

30th Street Mini-Park

32nd Street Mini-Park

41st Street Mini-Park

All parking lots in Mission Bay Park

The peninsula of land known as
"The Clam" including all areas
west of Coast Walk and the
La Jolla sea caves, and north
of the public parking lots
adjacent to 1325 Coast Boulevard
which are accessible to pedestrians

The public rights-of-way located
between Mission Boulevard on the
east, Ocean Front Walk on the west,
the South Mission Beach Jetty on
the south, and Loring Street on the
north, including South Palisades Park

The public parking lots and all
sidewalks along the outer perimeter
of the lots at:

(A) the 600 block of Tourmaline
Street;

(B) the 5000 block of Newport
Avenue.

(c) Exceptions to 24 Hour Ban. In the following areas the alcohol ban hours differ from the 24 hour ban; all other terms and restrictions of Section 56.54(b) apply.

(1) It is unlawful to consume alcohol in the following areas between 9:00 p.m. and 9:00 a.m.: That portion of Balboa Park bounded by Upas Street on the north, Highway 163 on the west, Interstate 5 on the south, and Park Boulevard on the east.

(2) It is unlawful to consume alcohol in the following areas between 8:00 p.m. and 8:00 a.m.: All beaches on the Pacific Ocean between the southern boundary of Sunset Cliffs Park and the southern boundary of Torrey Pines State Beach that are not included in Section 56.54(b)(5).

(3) It is unlawful to consume alcohol in the following areas between 10:00 p.m. and 6:00 a.m.: The land areas of Mission Bay Park, including Bayside Walk, Ocean Beach Athletic Area (Robb Field), Pacific Beach Sports Field, Dusty Rhodes Park and all City owned or controlled ocean front areas from the South Mission Beach Jetty to the southern boundary of Torrey Pines State Beach that are not included in Section 56.54(b)(5).

(4) It is unlawful to consume alcohol in the following areas between 12:00 midnight and 6:00 a.m.: All City-owned or controlled ocean front areas from the southern boundary of Sunset Cliffs Park to the South Mission Beach Jetty that are not included in Section 56.54(b)(5).

0-17902

(d) Section 56.54 does not prohibit:

(1) any person from consuming alcoholic beverages within the defined boundaries of a sidewalk cafe located on the public right-of-way.

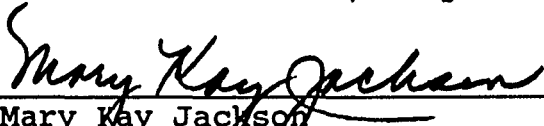
(2) any business from lawfully selling or dispensing alcoholic beverages in accordance with the requirements of local and state law.

(e) Section 56.54 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



Mary Kay Jackson
Deputy City Attorney

MKJ:mb
02/19/93
Or.Dept:Pk.&Rec.
O-93-111
Form=o+t

NEW LANGUAGE - ~~SHADED~~
OLD LANGUAGE - ~~STRICKEN~~

(O-93-111)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 56.54 RELATING TO THE PROHIBITION
OF ALCOHOLIC BEVERAGES IN CERTAIN AREAS.

**SEC. 56.54 ALCOHOLIC BEVERAGE CONSUMPTION
PROHIBITED IN CERTAIN AREAS**

(a) (1) - (4) [NO CHANGES IN TEXT.]

(5) "Seawall" means the wall between the
beach and the boardwalk.

(b) Consumption of Alcoholic Beverage Prohibited.
Unless the City Manager has issued a special event
permit, it is unlawful for any person to consume any
alcoholic beverage at any time unless otherwise
permitted by Section 56.54, upon any public property,
including but not limited to any public street,
sidewalk, alley, plaza, beach, seawall (including
on or against the seawall), pier or any public park
within the following limits of the City of San Diego,
including all sidewalks along the outer perimeter of
such areas.

The areas set forth in Section 56.54(b) (1) - (4) (10)
are particularized on maps on file in the office of
the City Clerk as Document No. ~~OO-17878-1, OO-17878-2,~~
~~OO-17878-3, OO-17878-4~~ OO-_____.

(1) - (4) [NO CHANGES IN TEXT.]

(5) The following areas, beaches, parks, parking lots, boardwalks, seawalls (including on or against the seawall), and public rights-of-way within and immediately adjacent to them are specifically included in the ban on consumption of alcohol at any time, unless otherwise permitted by Section 56.54:

Adams Community Park

Adams Elementary School

Allen, Dennis V. Park

Azalea Park

~~Balboa Park (except that portion bounded by Upas Street on the north, Highway 163 on the west, Interstate 5 on the south, and Park Boulevard on the east)~~

Bay Terraces Community Park

Birney Elementary School

Boone Park

"C" Street Mini-Park

Cedar Ridge Mini-Park

Central Mini-Park

Chicano Park

Chollas Community Park

City Heights Community Park

City Heights Mini-Park

Clay Avenue Mini-Park

Clay Elementary School

Clay Park

Colina del Sol Community Park

East San Diego Adult Recreation Club
Edison Mini-Park
Emerald Hills Community Park
Encanto Community Park
Encanto Park
Franklin Elementary School
Gompers Park
Grant Hill Park
Hardy Elementary School
Henderson, Willie Athletic Area
Hollywood Park
Hoover Senior High School
"J" Street Mini-Park
Keiller Park
Kellogg Park, including the boardwalk,
seawall and La Jolla Shores Beach
Kennedy, John F. Elementary School
Kennedy, John F. Park
Kensington Park
King, Martin L., Jr. Elementary School
King, Martin L. Jr. Memorial Community Park
"L" Street Mini-Park
La Paz Mini-Park
Laurel Street Mini-Park
Lomita Park
Mann Middle School
Martin Avenue Mini-Park
Memorial Community Park
Mid-City Athletic Area

Mission Beach Park, including
the Belmont Park public areas
and parking lots and excluding
the beach

Mission Trails Regional Park

Montezuma Park

Montgomery-Waller Community Park

Mountain View Park

Normal Heights Park (39th Street Park)

North Park Community Park

Oak Park

Ocean Beach Park, excluding the beach

Ocean View Mini-Park

Old Trolley Barn Park

Oneira Club

Pacific Beach Park (also known
as Ocean Boulevard Park),
excluding the beach

Paradise Hills Community Park

Park de la Cruz

Parkside Park

Penn Athletic Area (South Bay
Terraces Junior High School)

Penn Elementary School

Rolando Mini-Park

Rolando Park Mini-Park

Santa Clara Point

Santa Isabel Mini-Park

Sherman Little Park

Silver Wing Park

Skyline Community Park

Skyview Park

South Mission Beach Park,
excluding the beach

Southcrest Community Park

Valencia Park Elementary School

Wabash Mini-Park

West Mountain View Drive Mini-Park

Wilson Middle School

"Z" Street Mini-Park

30th Street Mini-Park

32nd Street Mini-Park

41st Street Mini-Park

All parking lots in Mission Bay Park

The peninsula of land known as
"The Clam" including all areas
west of Coast Walk and the
La Jolla sea caves, and north
of the public parking lots
adjacent to 1325 Coast Boulevard
which are accessible to pedestrians

The public rights-of-way located
between Mission Boulevard on the
east, Ocean Front Walk on the west,
the South Mission Beach Jetty on
the south, and Loring Street on the
north, including South Palisades Park

The public parking lots and all side-
walks along the outer perimeter of the
lots at:

(A) the 600 block of Tourmaline
Street;

(B) the 5000 block of Newport
Avenue.

~~(c) Consumption and Possession of Open Container
of Alcoholic Beverage Prohibited. Unless the City
Manager has issued a special event permit, it is
unlawful for any person to consume or to possess an~~

~~open container of any alcoholic beverage within any
twenty-four hour (24) hour period, except as noted
hereafter, 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 the
600 Block of San Diego Place;~~

~~(3) the parking areas around The Plunge and
Belmont Park Roller Coaster at the 3000 to 3200 Block
of Ocean Front Walk, then the 3000 to 3200 Block of
Mission Boulevard and the 700 Block of Ventura Place;~~

~~(4) the La Jolla Shores parking lot at the
8300 Block of Camino del Oro;~~

~~(5) the 600 Block of Tourmaline Street;~~

~~(6) the public rights-of-way located between
Mission Boulevard on the east, Ocean Front Walk on the
west, the South Mission Beach Jetty on the south, and
Loring Street on the north;~~

~~(7) the oceanfront boardwalk and seawall
commencing at Ocean Beach Pier, excluding the Pier
itself and proceeding northward to the permanent Ocean
Beach lifeguard station;~~

~~(8) the ocean front boardwalk and seawall
commencing at the South Mission Beach Jetty northward
to the southern boundary of Palisades Park, excluding
Crystal Pier;~~

~~(9) the beach, boardwalk and seawall at~~

~~La Jolla Shores,~~

~~(10) the following parks and the public rights-of-way within or immediately adjacent to them:~~

~~(A) Kellogg Park, except as described in section 56.54(e)(4) and (9);~~

~~(B) Pacific Beach Park, except as described in section 56.54(e)(8) and (12);~~

~~(C) Mission Beach Park, except as described in section 56.54(e)(3), (8) and (12);~~

~~(D) South Mission Beach Park, except as described in section 56.54(C)(8) and (12);~~

~~(E) Ocean Beach Park, except as described in section 56.54(e)(7), (12) and (13);~~

~~(F) North Park Community Park and its inset parking area;~~

~~(G) Memorial Park;~~

~~(H) Santa Clara Point;~~

~~(I) Larsen Sports Field, from 12:00 noon to 2:00 a.m.;~~

~~(J) Vista Terrace Neighborhood Park, from 12:00 noon to 2:00 a.m.;~~

~~(K) Colina del Sol Community Park, from 12:00 noon to 2:00 a.m.;~~

~~(11) the public parking lots and all sidewalks along the outer perimeter of the lots at the following locations:~~

~~(A) the 2400 Block of Bacon Street, including the area commonly known as Robb Field;~~

~~(B) the 5200 Block of Voltaire Street;~~
~~(C) the 5200 Block of Brighton Street;~~
~~(D) the 500 Block of Newport Avenue,~~
including the parking area at the foot of Newport Avenue;

~~(E) the 1900 Block of Abbott Street;~~
~~(F) the 1100 to 1300 Block of Sunset~~
Cliffs Boulevard;

~~(G) the 4400 Block of Ladera Street;~~
~~(H) the 2400 to 2500 Block of Sunset~~
Cliffs Boulevard;

~~(I) Mission Trails Regional Park;~~

~~(12) all oceanfront beaches from the southern~~
boundary of Sunset Cliffs Park north to the southern
boundary of Torrey Pines State Beach from 8:00 p.m. to
8:00 a.m., except as described in section 56.54(e)(9);

~~(13) all lands owned or controlled by the~~
City adjoining the waterfront of the Pacific Ocean from
Ratkay Point up to and including the southern boundary of
the Mission Bay Entrance Channel, except as otherwise
described in section 56.54(e)(7), (10)(E), (11)(A)-(H)
and section 56.54(e)(12), and including the Ocean Beach
Fishing Pier, from midnight to 6:00 a.m.;

~~(14) all public beaches and public recreation~~
areas within Mission Bay Park, including Mission Bay
Youth Sports Field, Ocean Beach Athletic Area (Robb
Field), and Dusty Rhodes Park, from 10:00 p.m. to 6:00
a.m. except as otherwise described in section 56.54(e)(1)
and 56.54(e)(10)(H);

~~(15) all lands owned or controlled by the City adjoining the waterfront of the Pacific Ocean from and including the northern boundary of the Mission Bay Entrance Channel (also known as the South Mission Beach Jetty) to the southerly limits of the City of Del Mar except as otherwise described in section 56.54(e)(2)-(6), (8), (9), (10)(A)-(D) and (12), from 10:00 p.m. to 6:00 a.m.~~

~~(16) the areas set forth in section 56.54(e)(2)-(6), (7), (8), (9), (10)(A)-(E), (12) and (13) are particularized in maps on file in the office of the City Clerk as Document No. 00-17655-2.~~

(c) Exceptions to 24 Hour Ban. In the following areas the alcohol ban hours differ from the 24 hour ban; all other terms and restrictions of Section 56.54(b) apply.

(1) It is unlawful to consume alcohol in the following areas between 9:00 p.m. and 9:00 a.m.: That portion of Balboa Park bounded by Upas Street on the north, Highway 163 on the west, Interstate 5 on the south, and Park Boulevard on the east.

(2) It is unlawful to consume alcohol in the following areas between 8:00 p.m. and 8:00 a.m.: All beaches on the Pacific Ocean between the southern boundary of Sunset Cliffs Park and the southern boundary of Torrey Pines State Beach that are not included in Section 56.54(b)(5).

(3) It is unlawful to consume alcohol in the following areas between 10:00 p.m. and 6:00 a.m.: The land areas of Mission Bay Park, including Bayside Walk, Ocean Beach Athletic Area (Robb Field), Pacific Beach Sports Field, Dusty Rhodes Park and all City owned or controlled ocean front areas from the South Mission Beach Jetty to the southern boundary of Torrey Pines State Beach that are not included in Section 56.54(b)(5).

(4) It is unlawful to consume alcohol in the following areas between 12:00 midnight and 6:00 a.m.: All City-owned or controlled ocean front areas from the southern boundary of Sunset Cliffs Park to the South Mission Beach Jetty that are not included in Section 56.54(b)(5).

(d) ~~Exceptions. The provisions of this sSection 56.54 shall not apply to~~ does not prohibit:

(1) any persons from consuming alcoholic beverages within the defined boundaries of a sidewalk cafe located on the public right-of-way.

(2) any business ~~which is~~ from lawfully selling or dispensing alcoholic beverages in accordance with the requirements of local and state law.

(e) ~~This sSection 56.54~~ does not make punishable any act or acts which are prohibited by any law of the State of California.

MKJ:mb
02/18/93/93
Or.Dept:Pk.&Rec.
so-93-111
Form=o+t

Passed and adopted by the Council of The City of San Diego on..... **MAR 29 1993**.....
 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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Juan Vargas	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

.....
SUSAN GOLDING
 Mayor of The City of San Diego, California.

(Seal)

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

By *Mary Cepeda*....., 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

..... **MAR 15 1993**, and on..... **MAR 29 1993**

~~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 *Mary Cepeda*....., Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number.....	0-17902 Adopted..... MAR 29 1993

RECEIVED
93 MAR -4 AM 9: 02
CITY CLERKS OFFICE
SAN DIEGO, CA

MAR 12 1993

MAR 30 1993

MAR 30 1993

#50

204

CERTIFICATE OF PUBLICATION

RECEIVED
CITY CLERK'S OFFICE

93 APR 14 AM 9:34

SAN DIEGO, CALIF.

66

OFFICE OF THE CITY CLERK
CITY ADMINISTRATION BUILDING
202 C STREET, 2ND FLOOR
SAN DIEGO, CA 92101
ATTN: MARY CEPEDA

IN THE MATTER OF

NO.

ALCOHOLIC BEVERAGE CONSUMPTION PROHIBITED IN
CERTAIN AREAS

I, Corey Donahue, 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-17902 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER V, ARTICLE 8, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54 RELATING TO ALCOHOLIC BEVERAGE CONSUMPTION PROHIBITED IN CERTAIN AREAS.
This ordinance is enacted to extend the existing ban on consumption of alcohol to include the area known as "The Clam" in La Jolla; to modify the Balboa Park exemption by prohibiting consumption from 9:00 p.m. to 9:00 a.m. in the Central Mesa area of Balboa Park; and to clarify existing Municipal Code section 56.54.
A complete copy of the ordinance is available for inspection in the office of the City Clerk of the City of San Diego, Second Floor, City Administration Building, 202 C Street, San Diego, CA 92101.
INTRODUCED ON MAR 15 1993
Passed and adopted by the Council of the City of San Diego on MAR 25 1993.
AUTHENTICATED BY: SUSAN GOLDING
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
By MARY CEPEDA, Deputy
Pub. Apr. 12 268332

ORDINANCE NUMBER O-17902 (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:

APRIL 12

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

Dated at San Diego, California this 12th day of APR., 19 93.

Corey Donahue

(Signature)

2 1/2" x 2 = \$16.44