

(O-93-56)

ORDINANCE NUMBER O- 17951 (NEW SERIES)ADOPTED ON AUG 09 1993

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE TO REFLECT THE RENUMBERING OF SECTION 63.02.24 WITHIN THE TEXT OF SECTION 22.0207; AND AMENDING CHAPTER VI, ARTICLE 3 RELATING TO PUBLIC PARKS, PLAYGROUNDS, BEACHES, TIDE-LANDS AND OTHER PROPERTY.

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

Section 1. That Chapter II, Article 2, Division 2 of the San Diego Municipal Code is hereby amended by renumbering Section 63.02.24 appearing within the text of Section 22.0207 to read Section 63.0102(b) (24).

Section 2. That Chapter VI, Article 3, of the San Diego Municipal Code is hereby amended by adding Division 1, entitled **USE OF PARK AREAS.**

Section 3. That Chapter VI, Article 3, Division 1 is amended by renumbering Section 63.01 as Section 63.0101 and retitling Section 63.0101 as follows: **USE OF PLAYGROUNDS AND RECREATION AREAS.**

Section 4. That Chapter VI, Article 3, Division 1 is amended by renumbering Section 63.02(a) as Section 63.0102(a); Section 63.02(b) as Section 63.0102(b); Section 63.02.1 as Section 63.0102(b) (1); Section 63.02.02 as Section 63.0102(b) (2); Section 63.02.3 as Section 63.0102(b) (3); Sections 63.02.4 and 63.02.6 as Section 63.0102(b) (4); Section 63.02.5 as Section 63.0102(b) (5);

Section 63.02.7 as Section 63.0102(b)(6); Section 63.02.8(a) as Section 63.0102(b)(7); Section 63.02.8(b) as Section 63.0102(b)(8); Section 63.02.9 as Section 63.0102(b)(9); Section 63.02.10 as Section 63.0102(b)(10); Section 63.02.11 as Section 63.0102(b)(11); Section 63.02.12 as Section 63.0102(b)(12); Section 63.02.13 as Section 63.0102(b)(13); Section 63.02.14 as Section 63.0102(b)(14); Section 63.02.15 as Section 63.0102(b)(15); Section 63.02.16 as Section 63.0102(b)(16); Section 63.02.17 as Section 63.0102(b)(17); Section 63.02.18 as Section 63.0102(b)(18); Section 63.02.19 as Section 63.0102(b)(19); Section 63.02.20 as Section 63.0102(b)(20); Section 63.02.21 as Section 63.0102(b)(21); Section 63.02.22 as Section 63.0102(b)(22); Section 63.02.23 as Section 63.0102(b)(23); Section 63.02.24 as Section 63.0102(b)(24); Section 63.02.25 as Section 63.0102(b)(25); Section 63.02.26 as Section 63.0102(b)(26); Section 63.02.27 as Section 63.0102(b)(27); and Section 63.02.28 as Section 63.0102(b)(28); and amending new Section 63.0102 to read as follows:

**SEC. 63.0102 USE OF PUBLIC PARKS AND BEACHES REGULATED**

(a) It is the purpose and intent in enacting this Division to regulate and prohibit certain activities in public parks and beaches within the City of San Diego in the interests of protecting the enjoyment and safety of the public in the use of the facilities.

(b) It is unlawful for any person within any public park or plaza or public beach or beach areas within the City of San Diego to do any of the acts enumerated in Section 63.0102(b).

(1) Posting of Handbills. It is unlawful to litter, to throw, or deposit on the ground, to post or affix to any tree, fence, or structure situated within or on any City-owned park or plaza any handbills, circulars, pamphlets, tracts, dodgers, papers, or advertisements.

(2) Loose Animals. It is unlawful to bring, leave, turn loose or allow to go free any animal, fowl, or bird of any kind in or upon any City-owned park or plaza; provided, however, that Section 63.0102(b)(2) does not apply to:

(a) Horses being led, ridden, or driven upon any roads or paths therein;

(b) Dogs when fastened to and led by a chain or line not more than eight (8) feet in length of suitable strength;

(c) Dogs which are in special areas of parks designated and posted by the Park and Recreation Director as dog exercise and training areas and so long as the regulations of the Park and Recreation Director with respect to such areas are followed.

(3) Fireworks. It is unlawful to discharge any firearm, firecracker, bomb, torpedo, rocket, or other fireworks without the written consent of the City Manager; provided, however, that as to the discharging of firearms Section 63.0102(b)(3) does not apply to any authorized peace officer or employee of the San Diego Zoo while in the performance of his or her duties.

(4) Destruction of Plants. It is unlawful to injure, destroy, cut or remove any tree, shrub, plant, wood, turf, grass, soil, or rock in or growing in any City-owned park or plaza without the written permission of the City Manager.

(5) Defacement of Property. It is unlawful to cut, break, deface or injure any building, monument, rock, fountain, cage, pen, fence, bench, hydrant, swing, or other structure, apparatus, or property, or to dig caves or other depressions within the cliff areas adjacent to the ocean shoreline without the written permission of the City Manager.

(6) Dumping. It is unlawful to deposit or dump any garbage, refuse, dirt, ashes, broken glass, crockery, bones, tin cans, or like substances, or any carcass of any animal or fowl.

(7) Glass Containers. It is unlawful to have, possess, or use any cup, tumbler, jar, or container made of glass and used for carrying or containing any liquid for drinking purposes, except in locations where such containers are permitted under the terms of a lease, operating agreement, or permit.

(8) Littering. It is unlawful to leave or scatter about any boxes, empty or otherwise, waste paper, remains of meals, newspaper or rubbish of any kind, except that such material and matter may be deposited in receptacles provided for such purpose.

(9) Park Waters. It is unlawful to bathe in the waters of any lake, pond, pool, or at any hydrant; or throw into or deposit any dirt, filth, or foreign matter in the waters of any lake, pond, pool, or in like manner pollute the same; provided, however, that nothing contained in Section 63.0102(b)(9) prohibits persons from swimming in any municipal pool in accordance with the rules and regulations provided therefor.

(10) Mistreatment of Animals. It is unlawful to take, kill, wound, disturb, or maltreat any bird or animal, either wild or domesticated, unless the same shall have been declared noxious by the City Manager and a permit issued for the killing of such noxious animals; provided, however, that Section 63.0102(b)(10) does not apply to any exhibits in the San Diego Zoo of Balboa Park when done by any employee in the course of his or her duties.

(11) Fires. It is unlawful to kindle or allow to be kindled any fire or bonfire, or throw upon the ground a lighted match, lighted cigar or cigarette, or anything that would be liable to set fire to any grass, tree, shrub, building, or other property; provided, however, that nothing in Section 63.0102(b)(11) prohibits persons from kindling fires in stoves, ovens, or similar facilities provided by the Park and Recreation Department.

(12) Overnight Camping. It is unlawful to camp, lodge, sleep, or tarry overnight; provided, however, that nothing in Section 63.0102(b)(12) prohibits any person from being or remaining in any park while in attendance at any function for which the City Manager has previously granted permission.

(13) Sale of Merchandise. It is unlawful to sell or offer for sale any goods, wares, merchandise, article, or thing whatsoever without the written consent of the City Manager; however, sales of articles by nonprofit organizations that are allowed by law and conform to the City Manager's regulations are not prohibited by Section 63.0102(b)(13).

(14) Solicitation. It is unlawful to practice, carry on, conduct, or solicit for any trade, occupation, business or profession without the written consent of the City Manager.

(15) Shows. It is unlawful to set up, maintain, or give any exhibition, show, performance, lecture, concert, place of amusement, or concert hall without the written consent of the City Manager.

(16) Conduct. It is unlawful to engage in any indecent conduct or indulge in any riotous, boisterous, or threatening behavior.

(17) Sports. It is unlawful to play any game of ball or engage in any sport except at such places and at such times as shall be designated for such purpose by the Park and Recreation Department.

(18) Use of Restrooms. It is unlawful for any person to resort to any toilet or restroom set apart for members of the opposite sex, provided that Section 63.0102(b)(18) does not apply to children under ten (10) years of age accompanied by their parent or guardian.

(19) Bicycles. It is unlawful to ride a bicycle except: (1) where posted to authorize bicycle riding; or (2) on any designated bikeway; or (3) on any road designated and established for automotive traffic; or (4) on paved and unpaved park roads used as fire or service roads by authorized motor vehicles unless otherwise posted. Motorcycles or any other motorized vehicles prohibited except on roads designated and established for automotive traffic.

(20) Automobile Speed. It is unlawful to drive an automobile, motorcycle, or other self-driven vehicle upon any park or plaza property at any speed in excess of the limitations established by ordinances of The City of San Diego.

(21) Horses and Vehicles. It is unlawful to leave or hitch any horse, or leave or park any automobile, motorcycle, or other self-driven vehicle on any park or plaza property, except at such places as are provided and designated for those purposes.

(22) Car Washing. It is unlawful to clean, wash, polish, or to make other than emergency repairs upon any automobile, motorcycle, or other self-driven vehicle.

0-17951

(23) Vehicular Traffic. Unless making deliveries or loading onto park or plaza property, it is unlawful to drive or place any dray, truck, wagon, cart, or other traffic vehicle with a manufacturer's rate of capacity of more than one ton, carrying or regularly used or employed in carrying goods, merchandise, lumber, machinery, oil, manure, dirt, sand, soil, or any article of trade or commerce or any offensive article or material whatsoever upon any road or drive in any park or plaza, except such road or drive as may be provided or designated for such use.

(24) Large Groups. Except as otherwise required or permitted by Section 22.0207, it is unlawful for any group of persons exceeding seventy-five (75) in number to hold, conduct, or participate in any celebration, parade, service, picnic, exercise, or other special event in any park, plaza, or beach without having first obtained a permit from the City Manager.

(25) Obstructing Traffic. It is unlawful to obstruct the free travel of any vehicle or pedestrian over any of the walks, roads, or avenues of any park or plaza property.

(26) Park Department Tools. It is unlawful for any person other than a Park and Recreation Department employee while in the performance of his



or her duties, to move or remove from one location to another or destroy any equipment, tools, implements, or materials used by the Park and Recreation Department.

(27) Bridle Trails. It is unlawful to enter upon or use any bridle trail except for the purpose of horseback riding.

(28) Valves. It is unlawful to open or close any valves or switches pertaining to the water or electric services in any park, plaza or beach.

Section 5. That Chapter VI, Article 3, Division 1 of the San Diego Municipal Code is hereby amended by amending and renumbering Section 63.02(c) as Section 63.0103, to read as follows:

**SEC. 63.0103 CITY MANAGER PERMIT PROCEDURE**

Whenever doing any of the acts specified in this Article is conditioned upon obtaining a permit, permission, or consent from the City Manager, the following procedure shall be followed:

(a) An application for a permit shall be filed not less than ten (10) days before the date on which the proposed activity or event is to be conducted; however, the City Manager will have discretion to consider any permit which is filed less than ten (10) days before the proposed activity is to take place;

(b) The application shall include information as to the proposed activity, the sponsoring person or organization, the number of persons expected to attend,

the proposed park area to be used, the proposed date and time of the event, the duration in time, and the proposed alternate park areas and dates, if any;

(c) The City Manager shall within three (3) days after the filing of such application act thereon;

(d) The City Manager shall issue the permit if he or she finds that the activity will not conflict or interfere with any other event previously scheduled and that the activity will not unreasonably add to congestion or interfere with or impede the normal flow of vehicular or pedestrian traffic;

(e) Each permit shall state the date, time and area of the park for which it is issued, and the name of the person or persons to whom it is issued;

(f) Every such permit shall be subject to the provisions regarding noise contained in Chapter V, Article 9.5, beginning with Section 59.5.0101 of this Code;

(g) If the application for a permit is denied, the applicant may submit a new request proposing an alternate date, time, or location;

(h) The City Manager shall notify the applicant in person or by mail of his or her action granting or denying the application or alternative application. The City Manager, in denying an application, may authorize the gathering at such other date, time, or location as will not conflict or interfere with

... ..  
... ..  
previously scheduled events, or add to congestion, or interfere with or impede traffic. If the applicant wishes to accept the proposed alternate date, time, or location, he or she shall, within two (2) days of receiving the City Manager's notification, file a notice of acceptance with the City Manager. The City Manager shall thereupon issue a permit.

(i) When a permit is denied, the applicant may, within fifteen (15) days of denial, appeal the decision to the City Council by filing a petition therefor with the City Clerk. Such denial shall become final if an appeal is not filed. The City Clerk shall cause the matter to be set for hearing before the Council on a regular Council meeting docket within fourteen (14) days after such filing, and, after hearing the petition, the Council may approve or disapprove the issuance of the permit. The decision of the Council shall be final.

(j) Any parade proposed to be conducted in or through any park shall be subject to the provisions of Chapter II, Article 2, Section 22.0207, of this Code.

(k) The City Manager may restrict those activities that increase congestion to certain specified areas, and may make such other regulations as may be reasonably necessary for the enforcement of Section 63.0103.

Section 6. Chapter VI, Article 3, Division 1 of the San Diego Municipal Code is hereby amended by renumbering Section 63.02.29 as 63.0104, and retitling Section 63.0104 as follows:  
**RULES FOR USE OF MUNICIPAL GOLF COURSES.**

Section 7. Chapter VI, Article 3, Division 1 of the San Diego Municipal Code is hereby amended by renumbering Section 63.02.30 as 63.0105, and amending Section 63.0105 to read as follows:

**SEC. 63.0105 EXCEPTIONS TO APPLICATION OF REGULATIONS**

Nothing in this Division shall be construed to prevent any employee or agent of the City of San Diego Park and Recreation Department from doing anything that, in the opinion of the City Manager or Park Director, may be thought necessary or proper for the maintenance, improvement, or betterment of any park or plaza or in the best interests of The City of San Diego.

Section 8. That Chapter VI, Article 3, Division 1 of the San Diego Municipal Code is hereby amended by renumbering Section 63.02.33 as 63.0106, and amending Section 63.0106 to read as follows:

**SEC. 63.0106 USE OF ROLLERSKATES, COASTERS,  
SKATEBOARDS AND SIMILAR DEVICES  
RESTRICTED IN BALBOA PARK**

(a) It is unlawful for any person upon rollerskates, or riding on or by means of a coaster, skateboard, toy vehicle or similar device to go on any roadway or sidewalk in Balboa Park, the Cabrillo

Bridge, the Park Boulevard pedestrian overpass, any walkway, plaza, mall, arcade, stairs, building, or hallway in Balboa Park, including the Spreckels Organ Pavilion, Plaza de Balboa, Spanish Village, along El Prado from the east side of Plaza de Panama to the junction of Village Place and El Prado; upon any parking lot in Balboa Park; or any other areas whatsoever connecting any and all park buildings.

(b) Section 63.0106 does not apply to Park Boulevard, Richmond Street or Sixth Avenue, including the appurtenant sidewalks or those areas of Balboa Park located west of the Cabrillo Bridge or east of Park Boulevard.

(c) Every person violating Section 63.0106 is guilty of an infraction and subject to a fine in an amount not to exceed \$250 on a first conviction, and, on the second conviction within one year, subject to a fine not to exceed \$500.

Section 9. Chapter VI, Article 3, Division 1 of the San Diego is hereby amended by renumbering Section 63.02.24 as 63.0107, and amending Section 63.0107 to read as follows:

**SEC. 63.0107      PARK RANGERS AUTHORIZED TO ENFORCE  
STATE AND LOCAL CODES**

The Park Rangers of the City of San Diego are hereby authorized and empowered to enforce provisions of the San Diego Municipal Code and violations of the California State Codes which are designated as

misdemeanors; to make arrests without a warrant whenever the Park Ranger has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the Park Ranger's presence which is a violation of a statute or Code the Park Ranger has the duty to enforce; and, while engaged in the performance of his or her duties, to arrest persons and issue citations under the provisions of Sections 836.5 and 853.6 of the California Penal Code for violations which occur in the City of San Diego, beach or park areas.

Section 10. Chapter VI, Article 3, Division 1 of the San Diego Municipal Code is hereby amended by renumbering Section 63.02.31 as 63.0108, and amending Section 63.0108 to read as follows:

**SEC. 63.0108 CITY MANAGER DEFINED**

Whenever the term "City Manager" is used in this Division, it means the Park and Recreation Director, or any other person authorized or designated by the City Manager to carry out and enforce the provisions of this Division.

Section 11. Chapter VI, Article 3, of the San Diego Municipal Code is hereby amended by adding Division 2, entitled **SOARING OR GLIDING ACTIVITY**, and renumbering Section 63.02.32 as Section 63.0201 and amending and renaming Section 63.0201 to read as follows:

**SEC. 63.0201 SOARING OR GLIDING REGULATED**

(a) Definitions.

"Full scale glider soaring" means flight by any motorless, heavier-than-air aircraft now known or hereafter invented, used or designed for navigation of or flight in the air in which the pilot, crew and passengers are carried internally within the frame of such aircraft.

"Hang gliding" means flight by any motorless, heavier-than-air contrivance now known or hereafter invented, used or designed for navigation of or flight in the air in which the pilot, crew and passengers are carried externally to the frame of such contrivance.

"Radio-controlled model glider operations" means flight by any unmanned motorless, heavier-than-air contrivance, now known or hereafter invented, used or designed for flight or navigation, which is controlled from the ground by radio signals.

(b) Any person who on any park, beach or other property owned or maintained by The City of San Diego conducts or participates in any soaring or gliding activity, including full scale gliding, hang gliding, and operation of radio-controlled model gliders, in willful or wanton disregard for the safety of persons or property, or without first obtaining a permit from the City, or whose permit has been revoked or suspended, is guilty of a misdemeanor.

(c) No permit shall be issued unless all of the following conditions are met:

(1) The applicant shall submit and maintain a certificate of personal injury and liability insurance in the amount of Five Hundred Thousand Dollars (\$500,000) combined single limit, naming The City as an additional named insured and providing that in the event of cancellation of the policy, the City will be provided at least thirty (30) days' written notice.

(2) The applicant shall present and have approved by the City Manager a complete set of flight regulations, rule and procedures related to safety standards and operations.

(3) The applicant shall agree to abide by all rules and regulations approved by the City Manager for the protection of persons and property during flight operations.

(4) The applicant shall agree to indemnify and save the City harmless from any and all liability for damage to property or injury to or death of persons resulting from applicant's activities on the ground or in the air.

(5) The City Manager determines that the requested location of the gliding or soaring activity does not endanger the safety of persons or property.

(d) A permit shall be issued for a term of twelve (12) months and be renewable during the eleventh month of the term. Each permit shall contain the following information: name and address of holder, date of issuance, expiration date, and location of the approved activity.



(e) Upon notification that a person holding a permit under Section 63.0201 is in violation of Section 63.0201(c)(1) or (3), the City Manager shall order a hearing before a hearing officer appointed by the City Manager, to be conducted within thirty (30) days of such notification. The City Manager upon ordering such hearing shall mail by certified United States mail written notice of such hearing to the person holding the permit at the address shown on the permit currently filed with the City Manager. Failure to respond to such notice shall be considered a surrender of such permit.

(f) Upon denial of a permit under Section 63.0201, the person requesting such permit shall have the right to appeal such decision before the hearing officer within thirty (30) days of such denial.

(g) Hearings shall be conducted with recognition of constitutional rights of due process of law.

(h) The hearing officer's written report of findings of fact and recommendations shall be completed and submitted to the City Manager within ten (10) days of the hearing.

(i) The City Manager shall either affirm or overrule the hearing officer's decision; however, the effect of the City Manager's decision shall be stayed until the time for filing an appeal to the Public Facilities and Recreation Committee has expired or while an appeal is pending.

(j) Within ten (10) days of the City Manager's decision, the appellant may appeal to the Public Facilities and Recreation Committee of the City Council by filing a request therefor with the City Clerk.

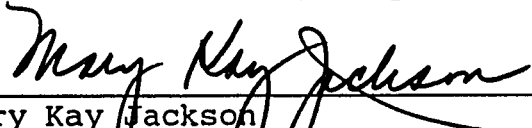
(k) If no appeal is filing within ten (10) days, the City Manager's decision shall be final. Any permits which have been suspended or revoked by the City Manager shall immediately be surrendered to the City Manager and the person surrendering such permit shall cease all soaring or gliding activity permitted under Section 63.0201.

(l) Subject to the permanent rules of the City Council, the decision of the Council Committee shall be the final administrative remedy.

Section 12. Chapter VI, Article 3 of the San Diego Municipal Code is hereby amended by adding Division 3, entitled **MUNICIPAL RECREATION FACILITIES**, to consist of Section 63.03 through Section 63.50.

Section 13. 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  
03/29/93  
07/16/93 Corr.  
Or.Dept:Pk&Rec.  
0-93-56  
Form=o+t

OLD LANGUAGE - STRICKEN  
NEW LANGUAGE - SHADED

(0-93-56)

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2,  
DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE  
TO REFLECT THE RENUMBERING OF SECTION  
63.02.24 WITHIN THE TEXT OF SECTION 22.0207;  
AND AMENDING CHAPTER VI, ARTICLE 3, RELATING  
TO PUBLIC PARKS, PLAYGROUNDS, BEACHES, TIDE-  
LANDS AND OTHER PROPERTY.

Section 22.0207 is amended by renumbering Section ~~63.0224~~  
appearing within the text to read Section ~~63.0102(b)(24)~~.

CHAPTER VI

ARTICLE 3

~~DIVISION 1~~

~~USE OF PARK AREAS~~

SEC. ~~63.01~~ ~~63.0101~~ USE OF PLAYGROUNDS AND RECREATION  
AREAS — ~~AUTHORIZES DIRECTOR TO~~  
~~CONDUCT GAMES AND ATHLETIC CONTESTS~~

[NO CHANGES IN TEXT.]

SEC. ~~63.02~~ ~~63.0102~~ USE OF PUBLIC PARKS AND BEACHES  
REGULATED

(a) ~~Purpose and Intent.~~ It is the purpose and  
intent in enacting this section ~~Division~~ to regulate  
and prohibit certain activities in public parks and  
beaches within the City of San Diego in the interests  
of protecting the enjoyment and safety of the public  
in the use of the facilities.

(b) ~~No person shall~~ ~~It is unlawful for any~~  
~~person~~ within any public park or plaza or public beach

or beach areas within the City of San Diego to do any of the acts hereinafter enumerated in Section 63.0102(b).

~~Sec. 63.02.1 Same Distribution, Posting of Handbills, Etc. Prohibited~~

~~To distribute, circulate, give away, throw or deposit in or on any of said parks or plazas any handbills, circulars, pamphlets, tracts, dodgers, papers or advertisements; or post or offer or affix to any tree, fence, or structure situated within any such park or plaza any handbills, circulars, pamphlets, tracts, dodgers, papers, or advertisements.~~

(1) Posting of Handbills. It is unlawful to litter, to throw, or deposit on the ground, to post or affix to any tree, fence, or structure situated within or on any City-owned park or plaza any handbills, circulars, pamphlets, tracts, dodgers, papers, or advertisements.

~~SEC. 63.02.2 SAME, LOOSE ANIMALS PROHIBITED -- EXCEPTIONS~~

(2) Loose Animals. It is unlawful to bring, leave, turn loose or allow to go free any horse, cow, ox, sheep, goat, ass, swine, dog or animal, fowl, or bird of any kind in or upon such any City-owned park or plaza; provided, however, that this section shall Section 63.0102(b)(2) does not apply to:

(a) Horses being led, ridden, or driven upon any roads or paths therein;

(b) Dogs when fastened to and led by a chain or line not more than eight (8) feet in length of suitable strength;

(c) Dogs which are in special areas of parks designated and posted by the Park and Recreation Director as dog exercise and training areas and so long as the regulations of the Park and Recreation Director with respect to such areas are ~~complied with~~ followed.

~~SEC. 63.02.3 SAME DISCHARGE OF FIREWORKS PROHIBITED~~

(3) Fireworks. It is unlawful ~~to~~ discharge any firearm, firecracker, bomb, torpedo, rocket, or other fireworks without the written consent of the City Manager; provided, however, that as to the discharging of any firearms this Section 63.0102(b)(3) shall ~~does~~ not apply to any authorized peace officer or employee of the ~~Zoological Gardens~~ San Diego Zoo while in the performance of his or ~~their~~ ~~her~~ duties.

~~SEC. 63.02.4 SAME DESTROYING PLANTS, ETC. PROHIBITED~~

~~To injure, destroy or remove any tree, shrub or plant in or growing therein except upon permission or direction of the City Manager.~~

(4) Destruction of Plants. It is unlawful to injure, destroy, cut or remove any tree, shrub, plant, wood, turf, grass, soil, or rock in or growing in any City-owned park or plaza without the written permission of the City Manager.

~~SEC. 63.02.5 SAME DEFACING STRUCTURES, DIGGING CAVES IN CLIFF AREAS, ETC. PROHIBITED~~

~~(5) Defacement of Property. It is unlawful~~  
~~to cut, break, deface, or injure any building,~~  
~~monument, rock, fountain, cage, pen, fence, bench,~~  
~~hydrant, swing, or other structure, apparatus, or~~  
~~property, excepting with the permission or under the~~  
~~direction of the City Manager. It is also unlawful to~~  
~~or~~ to dig caves or other depressions within the cliff  
areas adjacent to the ocean shoreline without the  
written permission of the City Manager.

~~SEC. 63.02.6 SAME -- CUTTING, REMOVING, PLANTS, ETC.~~  
~~PROHIBITED~~

~~To cut or remove any tree, plant, wood, turf,~~  
~~grass, soil or rock.~~

~~SEC. 63.02.7 SAME -- DUMPING REFUSE PROHIBITED~~

~~(6) Dumping. It is unlawful~~ to deposit or  
dump any garbage, refuse, dirt, ashes, broken glass,  
crochery, bones, tin cans, or like substances, or any  
carcass of any animal or fowl.

~~SEC. 63.02.8 SAME -- GLASS CONTAINERS, LITTERING,~~  
~~PROHIBITED~~

~~(a) To~~ ~~(7) Glass Containers. It is unlawful~~  
~~to have, possess, or use any cup, tumbler, jar, or~~  
~~container made of glass and used for carrying or~~  
~~containing any liquid for drinking purposes, except~~  
~~in locations where such containers are permitted under~~  
~~the terms of a lease, operating agreement, or permit.~~

~~(b) To~~ ~~(8) Littering. It is unlawful to leave~~  
~~or scatter about any boxes, empty or otherwise, waste~~  
~~paper, remains of lunches, meals, newspaper or rubbish~~

of any kind, except that such material and matter may be left and deposited in receptacles provided for such purpose.

~~SEC. 63.02.9 SAME -- BATHING OR DEPOSITING FOREIGN MATTER IN LAKE WATERS, PROHIBITED~~

(9) ~~Park Waters.~~ It is unlawful ~~to bathe~~ in the waters of any lake, pond, pool, or at any hydrant; or throw into or deposit any dirt, filth, or foreign matter in the waters of any lake, pond, pool, or in like manner pollute the same; provided, however, that nothing herein contained in Section 63.0102(b)(9) ~~shall be construed to prohibits persons from~~ swimming in any municipal pool in accordance with the rules and regulations provided therefor.

~~SEC. 63.02.10 SAME -- INJURING OR MISTREATING ANIMALS, BIRDS -- PROHIBITED~~

(10) ~~Mistreatment of Animals.~~ It is ~~unlawful to~~ take, kill, wound, disturb, or maltreat any bird or animal, either wild or domesticated, unless the same shall have been declared noxious by the City Manager and a permit issued for the killing of such noxious animals; provided, however, that ~~this section shall~~ Section 63.0102(b)(10) does not apply to any exhibits in the Zoological Gardens San Diego Zoo of Balboa Park when done by any employee in the course of his or her duties as such.

~~SEC. 63.02.11 SAME -- KINDLING FIRES PROHIBITED -- EXCEPTIONS~~

(11) ~~Fires.~~ It is unlawful ~~to~~ kindle or

allow to be kindled any fire or bonfire, or throw upon the ground a lighted match, lighted cigar or cigarette, or anything that would be liable to set fire to any grass, tree, shrub, building, or other property; provided, however, that nothing herein in Section 63.0102(b)(11) shall be construed to prohibits persons from the kindling of fires in stoves, ovens, or similar facilities provided by the Park and Recreation Department.

~~SEC. 63.02.12 SAME -- OVERNIGHT CAMPING PROHIBITED --  
EXCEPTIONS~~

(12) Overnight Camping. It is unlawful to camp, lodge, sleep, or tarry overnight; provided, however, that nothing herein shall be construed to in Section 63.0102(b)(12) prohibits any person from being or remaining in any park while in attendance at any function for which the City Manager has previously granted permission. , permission for the holding of which has been previously granted by the City Manager.

~~SEC. 63.02.13 SAME -- SALE OF MERCHANDISE PROHIBITED~~

(13) Sale of Merchandise. It is unlawful to sell or offer for sale any goods, wares, merchandise, article, or thing whatsoever without the written consent of the City Manager; however, sales of articles by nonprofit organizations that are allowed by law and conform to the City Manager's regulations are not prohibited by Section 63.0102(b)(13).

~~SEC. 63.02.14 SAME -- SOLICITATION FOR BUSINESS  
PROHIBITED~~



(14) Solicitation. It is unlawful to practice, carry on, conduct, or solicit for any trade, occupation, business or profession without the written consent of the City Manager.

~~SEC. 63.0215 SAME -- SHOWS, LECTURES, ETC., PROHIBITED~~

(15) Shows. It is unlawful to set up, maintain, or give any exhibition, show, performance, lecture, concert, place of amusement, or concert hall without the written consent of the City Manager.

~~SEC. 63.02.16 SAME -- INDECENT OR THREATENING CONDUCT PROHIBITED~~

(16) Conduct. It is unlawful to be guilty of to engage in any indecent conduct or indulge in any riotous, boisterous, or threatening behavior.

~~SEC. 63.02.17 SAME -- GAMES OF SPORTS PROHIBITED -- EXCEPTIONS~~

(17) Sports. It is unlawful to play any game of ball or engage in any sport excepting at such places and at such times as shall be designated for such purpose by the Park and Recreation Department.

~~SEC. 63.02.18 SAME -- USE OF TOILETS -- EXCEPTIONS~~

~~No male person shall resort to any toilet set apart for women, and no female person shall resort to any toilet set apart for men, provided that this shall not apply to children accompanied by their father, mother or guardian.~~

(18) Use of Restrooms. It is unlawful for any person to resort to any toilet or restroom set apart for

members of the opposite sex, provided that Section 63.0102(b) (18) does not apply to children under ten (10) years of age accompanied by their parent or guardian.

~~SEC. 63.02.19 BICYCLE, ETC. RIDING ON PATHS PROHIBITED~~

~~To ride a bicycle, triecyle, motorcycle or any other vehicle on any path, bridle trail, walk or in any arcade; provided, however, that nothing herein shall be construed to prohibit the riding of any bicycle, motorcycle or any other vehicle on roads designated and established for automotive traffic.~~

(19) Bicycles. It is unlawful to ride a bicycle except: (1) where posted to authorize bicycle riding; or (2) on any designated bikeway; or (3) on any road designated and established for automotive traffic; or (4) on paved and unpaved park roads used as fire or service roads by authorized motor vehicles unless otherwise posted. Motorcycles or any other motorized vehicles are prohibited except on roads designated and established for automotive traffic.

~~SEC. 63.02.20 SAME -- AUTOMOBILE SPEED~~

(20) Automobile Speed. It is unlawful to drive an automobile, motorcycle, or other self-driven vehicle upon any park or plaza property at any speed in excess of the limitations established by ordinances of The City of San Diego.

~~SEC. 63.02.21 SAME -- HITCHING HORSES, PARKING VEHICLES REGULATED~~

(21) Horses and Vehicles. It is unlawful to leave or hitch any horse, or leave or park any

automobile, motorcycle, or other self-driven vehicle on any park or plaza property, excepting at such place or places as are provided for and designated as places for the leaving or hitching of horses or for the leaving or parking of automobiles, motorcycles or other self-driven vehicles for those purposes.

~~SEC. 63.02.22 SAME -- CLEANING, ETC. OF VEHICLES --~~  
~~PROHIBITED~~

(22) Car Washing. It is unlawful to clean, wash, or polish, or to make other than emergency repairs upon any automobile, motorcycle, or other self-driven vehicle.

~~SEC. 63.02.23 SAME -- TRUCK, DRAY, VEHICULAR TRAFFIC~~

(23) Vehicular Traffic. Unless making deliveries or loading upon onto park or plaza property, it is unlawful to drive or have place any dray, truck, wagon, cart, or other traffic vehicle with a manufacturer's rate of capacity of more than one ton, carrying or regularly used or employed in carrying goods, merchandise, lumber, machinery, oil, manure, dirt, sand, soil, or any article of trade or commerce or any offensive article or material whatsoever upon any road or drive in any park or plaza, except such road or drive as may be especially provided or designated for such use.

~~The prohibition contained in the preceding paragraph shall not apply to vehicles having a manufacturer's rate of capacity of less than one ton.~~

~~SEC. 63.02.24 SAME -- CELEBRATION, PARADE, PICNIC, ETC.~~

(24) Large Groups. Except as otherwise required or permitted by Section 22.0207, it is unlawful for any company, society, organization or group of persons exceeding seventy-five (75) in number to hold, conduct, or participate in any celebration, parade, service, picnic, exercise, or other special event in any park, plaza, or beach without having first obtaining obtained a permit from the City Manager.

~~SEC. 63.02.25 SAME -- OBSTRUCTING PEDESTRIAN OR VEHICULAR TRAFFIC PROHIBITED~~

(25) Obstructing Traffic. It is unlawful to obstruct the free travel of any vehicle or pedestrians over any of the walks, roads, or avenues of any park or plaza property.

~~SEC. 63.02.26 SAME -- TAMPERING WITH TOOLS, EQUIPMENT, ETC., PROHIBITED~~

(26) Park Department Tools. It is unlawful for any person other than a Park and Recreation Department employee while in the performance of his or her duties, to move or remove from one location to another or destroy any equipment, tools, implements, or materials used by the Park and Recreation Department. provided, however, that this section shall not apply to any employee of the Park Department while in the performance of his duties.

~~SEC. 63.02.27 SAME -- BRIDLE TRAIL LIMITED TO HORSEBACK RIDING~~

~~(27) Bridle Trails. It is unlawful to enter upon or use any bridle trail except for the purpose of horseback riding.~~

~~SEC. 63.02.28 SAME TAMPERING WITH VALVES OR SWITCHES PROHIBITED~~

~~(28) Valves. It is unlawful to open or close any valves or switches pertaining to the water or electric services in any park, plaza or beach.~~

~~SEC. 63.0103 CITY MANAGER PERMIT PROCEDURE~~

~~(e) Whenever doing any of the acts hereinafter enumerated specified in this Article is conditioned upon obtaining a permit, permission, or consent from the City Manager, the following procedure shall be followed:~~

~~(1) (a) An application for a permit shall be filed not less than ten (10) days before the date on which the proposed activity or event is to be conducted; however, the City Manager will have discretion to consider any permit which is filed less than ten (10) days before the proposed activity is to take place;~~

~~(2) (b) The application shall include information as to the proposed activity, the sponsoring person or organization, the number of persons expected to attend, the proposed park area to be used, the proposed date and time of the event, the duration in time, and the proposed alternate park areas and dates, if any;~~

~~(3)~~ (c) The City Manager shall within three (3) days after the filing of such application act thereon;

~~(4)~~ (d) The City Manager shall issue the permit if he ~~or she~~ finds that the activity will not conflict or interfere with any other event previously scheduled and that the activity will not unreasonably add to congestion or interfere with or impede the normal flow of vehicular or pedestrian traffic;

~~(5)~~ (e) Each permit shall state the date, time and area of the park for which it is issued, and the name of the person or persons to whom it is issued;

~~(6)~~ (f) Every such permit shall be subject to the provisions regarding noise contained in Chapter V, Article 9.5, beginning with Section 59.5.0101 of this Code;

~~(7)~~ (g) If the application for a permit is denied, the applicant may submit a new request proposing an alternate date, time, or location;

~~(8)~~ (h) The City Manager shall notify the applicant in person or by mail of his ~~or her~~ action granting or denying the application or alternative application. The City Manager, in denying an application, may authorize the gathering at such other date, time, or location as will not conflict or interfere with previously scheduled events, or add to congestion, or interfere with or impede traffic. If the applicant wishes to accept the proposed

alternate date, time, or location, he or she shall, within two (2) days of receiving the City Manager's notification, file a notice of acceptance with the City Manager. The City Manager shall thereupon issue a permit.

~~(9)~~ (1) When a permit is denied, the applicant may, within fifteen (15) days of denial, appeal the decision to the City Council by filing a petition therefor with the City Clerk. Such denial shall become final if an appeal is not filed. The City Clerk shall cause the matter to be set for hearing before the Council on a regular Council meeting docket within fourteen (14) days after such filing, and, after hearing the petition, the Council may approve or disapprove the issuance of the permit. The decision of the Council shall be final.

~~(10) The City Manager may consider an application for a permit which is filed less than ten (10) days before the activity is proposed to take place.~~

~~(11)~~ (j) Any parade proposed to be conducted in or through any park shall be subject to the provisions of Chapter II, Article 2, Section 22.0207, of this Code.

~~(12)~~ (k) The City Manager may restrict those activities that increase congestion to certain specified areas, and may make such other regulations as may be reasonably necessary for the enforcement of ~~this section~~ Section 63.0103.

SEC. ~~63.02.29~~ **63.0104** PUBLIC PARKS --- RULES FOR  
USE OF MUNICIPAL GOLF COURSES

[NO CHANGES IN TEXT.]

SEC. ~~63.02.30~~ **63.0105** SAME --- EXCEPTIONS TO  
APPLICATION OF REGULATIONS

Nothing in this Ordinance **Division** shall be construed to prevent any employee **or agent** of the **City of San Diego** Park and Recreation Department from doing anything that, in the opinion of the City Manager or ~~the~~ Park Director, may be thought necessary or proper for the maintenance, improvement, or betterment of any ~~of said parks or plaza; and, further, nothing herein contained shall be construed to prevent any employee or agent of the City of San Diego from doing anything that, in the opinion of the City Council, may be thought necessary or proper for the~~ **park or plaza** **or in the best** interests of The City of San Diego.

SEC. ~~63.02.33~~ **63.0106** USE OF ROLLERSKATES,  
COASTERS, SKATEBOARDS  
AND SIMILAR DEVICES  
RESTRICTED IN BALBOA PARK

~~(a) It shall be unlawful for any person upon rollerskates, or any person riding on or by means of a coaster, skateboard or toy vehicle or similar device to go on any roadway or it appurtenant sidewalk in Balboa Park. This subsection (a) shall not apply to the dedicated public streets, to wit: Park Boulevard, Richmond and Sixth Avenue and their appurtenant sidewalks.~~



~~(b) It shall be unlawful for any person upon rollerskates, or any person riding on or by means of a coaster, skateboard or toy vehicle or similar device to go upon the Cabrillo Bridge or the Park Boulevard pedestrian overpass.~~

~~(c) It shall be unlawful for any person upon rollerskates, or any person riding on or by means of a coaster, skateboard or toy vehicle or similar device to go upon any parking lot in Balboa Park.~~

~~(d) It shall be unlawful for any person upon rollerskates, or any person riding on or by means of a coaster, skateboard or toy vehicle or similar device to go upon any walkway, plaza, mall, arcade, stairs, building or hallway in Balboa Park. This subsection (d) shall apply to, but is not limited to, the following areas:~~

~~(1) Spreckles Organ Pavilion~~

~~(2) Plaza de Balboa~~

~~(3) Spanish Village~~

~~(4) El Prado from the east side of the Plaza de Panama to the junction of Village Place.~~

~~(5) All other areas of whatever character as described in this subsection (d) connecting any and all park areas and buildings.~~

~~(e) The provisions of subsections (a), (c) and (d) shall not apply in those areas of Balboa Park located west of the Cabrillo Bridge or east of Park Boulevard.~~

~~(f) Every person violating this Section shall be, upon the first conviction, guilty of an infraction, and subject to pay a fine in an amount not to exceed \$250. Every person violating this Section shall be, upon the second conviction within one year, subject to pay a fine not to exceed \$500.~~

(a) It is unlawful for any person upon rollerskates, or riding on or by means of a coaster, skateboard, toy vehicle or similar device to go on any roadway or sidewalk in Balboa Park, the Cabrillo Bridge, the Park Boulevard pedestrian overpass, any walkway, plaza, mall, arcade, stairs, building, or hallway in Balboa Park, including the Spreckels Organ Pavilion, Plaza de Balboa, Spanish Village, along El Prado from the east side of Plaza de Panama to the junction of Village Place and El Prado; upon any parking lot in Balboa Park; or any other areas whatsoever connecting any and all park buildings.

(b) Section 63.0106 does not apply to Park Boulevard, Richmond Street or Sixth Avenue, including the appurtenant sidewalks or those areas of Balboa Park located west of the Cabrillo Bridge or east of Park Boulevard.

(c) Every person violating Section 63.0106 is guilty of an infraction and subject to a fine in an amount not to exceed \$250 on a first conviction, and, on the second conviction within one year, subject to a fine not to exceed \$500.

SEC. ~~63.02.34~~ 63.0107

PARK RANGERS AUTHORIZED TO  
ENFORCE STATE AND LOCAL CODES  
~~— ARRESTS AND CITATIONS~~

~~A. Purpose and Intent. IT is the purpose and intent of the Council in enacting this section that all City Park Rangers be specifically authorized pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, to make arrests without a warrant whenever any such Park Ranger has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the Park Rangers presence which is a violation of a statute or ordinance which such Park Ranger has the duty to enforce.~~

~~B. The Park Rangers of the City of San Diego be and they are hereby authorized, and empowered and given the duty to enforce provisions of the San Diego Municipal Code and misdemeanors as designated in violations of the California State Codes, which are designated as misdemeanors; to make arrests without a warrant whenever any such the Park Ranger has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the Park Ranger's presence which it is his duty to enforce in the Park Rangers presence, is a violation of a statute or Code the Park Ranger has the duty to enforce; and, while engaged in the performance of their his or her duties, to arrest persons and issue citations for violations of said Codes under the provisions of Sections 836.5 and 853.6 of the California Penal Code~~

~~of the State of California when for violations which~~  
occur in the City of San Diego, beach or park areas.

~~SEC. 63.02.31 SAME --- DEFINITION~~  
~~SEC. 63.0108 CITY MANAGER DEFINED~~

Whenever the term "City Manager" is used herein in  
this Division, it shall mean and include means the Park  
and Recreation Director, or any other person authorized  
or designated by the City Manager to carry out and  
enforce the provisions of this Section Division.

## DIVISION 2

### SOARING OR GLIDING ACTIVITY

~~SEC. 63.002.32~~ 63.0201 SOARING OR GLIDING ACTIVITY  
REGULATED --- PERMIT

~~(a) The following words and phrases, wherever  
used in this section, shall be construed as defined  
herein unless from the context a different meaning is  
intended or unless a different meaning is specifically  
defined and more particularly directed to the use of  
such words or phrases.~~

~~(1) "Hang gliding" shall mean flight by any  
motorless, heavier than air, contrivance now known or  
hereafter invented, used or designed for navigation of  
or flight in the air in which the pilot, crew and  
passengers are carried externally to the frame of such  
contrivance.~~

~~(2) "Full scale glider sailing" shall mean  
flight by any motorless, heavier than air aircraft now  
known or hereafter invented, used or designed for~~

~~navigation of or flight in the air in which the pilot, crew and passengers are carried internally within the frame of such aircraft.~~

~~(3) "Radio-controlled model glider operations" shall mean flight by any unmanned motorless, heavier than air contrivance, now known or hereafter invented, used or designed for flight or navigation, which is controlled from the ground by radio signals.~~

(a) Definitions.

"Full scale glider soaring" means flight by any motorless, heavier-than-air aircraft now known or hereafter invented, used or designed for navigation of or flight in the air in which the pilot, crew and passengers are carried internally within the frame of such aircraft.

"Hang gliding" means flight by any motorless, heavier-than-air contrivance now known or hereafter invented, used or designed for navigation of or flight in the air in which the pilot, crew and passengers are carried externally to the frame of such contrivance.

"Radio-controlled model glider operations" means flight by any unmanned motorless, heavier-than-air contrivance, now known or hereafter invented, used or designed for flight or navigation, which is controlled from the ground by radio signals.

(b) Any person who, on any park, beach or other

property owned or maintained by The City of San Diego conducts or participates in any soaring or gliding activity, including ~~but not limited to, hang gliding, full scale glider soaring, and operation of radio-controlled model gliders,~~ full scale gliding, hang gliding, and operation of radio-controlled model gliders, in willful or wanton disregard for the safety of persons or property, or without first having obtained obtaining a permit from the City, or whose permit has been revoked or suspended shall be is guilty of a misdemeanor.

(c) No permit shall be issued unless all of the following conditions are met:

(1) The applicant shall submit and maintain a certificate of personal injury and liability insurance in the amount of Five Hundred Thousand Dollars (\$500,000) combined single limit, naming The City as an additional named insured and providing that in the event of cancellation of the policy, the City will be provided at least thirty (30) days' written notice.

(2) The applicant shall present and have approved by the City Manager a complete set of flight regulations, rule and procedures related to safety standards and operations.

(3) The applicant shall agree to abide by all rules and regulations approved by the City Manager for the protection of persons and property during flight operations.

(4) The applicant shall agree to indemnify and save ~~the~~ City harmless from any and all liability for damage to property or injury to or death of persons resulting from applicant's activities on the ground or in the air.

(5) The City Manager determines that the requested location of the gliding or soaring activity does not endanger the safety of persons or property.

(d) A permit shall be issued for a term of twelve (12) months and be renewable during the eleventh month of the term. Each permit shall contain the following information: name and address of holder, date of issuance, expiration date, ~~the~~ ~~and~~ location of the approved activity.

(e) Upon notification that a person holding a permit under ~~this section~~ Section 63.0201 is in violation of ~~subsection~~ Section 63.0201(c)(1) or (3) ~~of this section,~~ the City Manager shall order a hearing before a hearing officer appointed by the City Manager, to be conducted within ~~thirty~~ (30) days of such notification. The City Manager upon ordering such hearing shall mail by certified ~~or registered~~ United States mail written notice of such hearing to the person holding the permit at the address shown on the permit currently filed with the City Manager. Failure to respond to such notice shall be considered ~~to be~~ a surrender of such permit.

(f) Upon denial of a permit under ~~this section~~ ~~Section 63.0201~~, the person requesting such permit shall have the right to appeal such decision before the hearing officer within ~~thirty (30)~~ days of such denial.

(g) Hearings ~~heard by a hearing officer~~ shall be conducted with recognition of constitutional rights of due process of law, ~~including proper notice, the right to appear at the hearing personally or with representation, the right to present evidence, the right to confront and examine witnesses and the right to have written findings and conclusions.~~ The hearing officer ~~may consider hearsay evidence as part of his determination except that no finding or recommendation may be based solely on such hearsay evidence unless the hearsay evidence is supportive or supplementary to other legally competent evidence.~~

(h) The hearing officer's written report of findings of fact and recommendations shall be completed and submitted to the City Manager ~~for approval~~ within ~~ten (10)~~ days of the hearing.

(i) ~~The City Manager shall either affirm or overrule the hearing officer's decision; however, the effect of the City Manager's decision by the City Manager to revoke or suspend a permit issued under this section shall be stayed while until the time for filing an appeal to the Public Facilities and Recreation Committee is pending or until the time for filing such appeal has expired or while an appeal is pending.~~



(j) Within ten (10) days of the decision of the City Manager, the appellant may appeal to the Public Facilities and Recreation Committee of the City Council by filing a request therefor with the City Clerk. A ~~decision of the City Manager shall be final if an appeal is not filed in accordance herewith.~~

(k) If no appeal is filing within ten (10) days, ~~the City Manager's decision shall be final.~~ Any permits which have been suspended or revoked by the City Manager shall immediately be surrendered to the City Manager and the person surrendering such permit shall cease all soaring or gliding activity permitted under ~~this section~~ Section 63.0201.

~~(l) The appellant shall present his case to the Council Committee. The department representing the City Manager shall then present its case after which the appellant shall be afforded an opportunity for rebuttal.~~

~~(m) The Public Facilities and Recreation Committee members may at any state of the proceedings direct questions to the appellant or the department. It may also summon witnesses or call for other evidence and continue the hearing to a later date.~~

~~(n) After the presentation by the appellant and the department, the Public Facilities and Recreation Committee shall, upon motion, close the hearing and make its decision on the appeal. Three affirmative votes of a Council Committee are required to reverse, modify, or~~

~~uphold the decision of a hearing officer. If the decision of the City Manager to suspend or revoke the permit is upheld, the permit shall be immediately surrendered to the City Manager.~~

~~(e)~~ (1) Subject to the permanent rules of the City Council, the decision of the Council Committee shall be the final administrative remedy.

~~(p) Any person who conducts or participates in any soaring or gliding activity under this section with a suspended or revoked permit shall be guilty of a misdemeanor.~~

~~(q) Any person who operates any hang glider, full scale glider, or radio-controlled model glider on any park, beach, or other property owned or maintained by the City of San Diego, in willful or wanton disregard for the safety of persons or property shall be guilty of a misdemeanor.~~

### DIVISION 3

### MUNICIPAL RECREATION FACILITIES

SEC. 63.03 through SEC. 63.50

[NO CHANGES IN TEXT.]

MKJ:mb  
03/29/93  
07/16/93 Corr.  
Or.Dept:Pk.&Rec.  
so-93-56  
Form=o+t

AUG 09 1993

Passed and adopted by the Council of The City of San Diego on .....  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING

Mayor of The City of San Diego, California.

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

JUL 26 1993

AUG 09 1993

....., and on .....

~~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 *Mary-Cepeda* Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Ordinance Number 0-17951 Adopted AUG 09 1993

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK OFFICE  
93 AUG 24 AM 9:58  
SAN DIEGO, CALIF.

OFFICE OF THE CITY CLERK  
CITY ADMIN. BLDG.  
202 C STREET, 2ND FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER 11, ARTICLE 2,...

**ORDINANCE NUMBER O-17951 (NEW SERIES)**

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2, DIVISION 2 OF THE SAN DIEGO MUNICIPAL CODE TO REFLECT THE RENUMBERING OF SECTION 83.02.24 WITHIN THE TEXT OF SECTION 22.0207; AND AMENDING CHAPTER VI, ARTICLE 3 RELATING TO PUBLIC PARKS, PLAYGROUNDS, BEACHES, TIDELANDS AND OTHER PROPERTY.  
This ordinance results from a proposed change to bicycle-riding regulations, which will clarify where bicycle riding is allowed; certain other subsections which were out of date or unclear are corrected and clarified.  
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 July 28, 1993  
Passed and adopted by the Council of the City of San Diego on August 9, 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  
(SEAL)  
By MARY CEPEDA, Deputy  
Pub. Aug. 23 277513

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-17951 (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:

AUG. 23

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

Dated at San Diego, California this 23rd day of AUG., 19 93.

*Corey Donahue*  
\_\_\_\_\_  
(Signature)

2 1/2" x 2 = \$ 66.50