

(O-95-2 COR.COPY)

ORDINANCE NUMBER O- 18096 (NEW SERIES)
ADOPTED ON SEP 12 1994

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

WHEREAS, the San Ysidro Port of Entry is one of the busiest
border crossings in the world; and

WHEREAS, thousands of pedestrians pass through this port
into the San Ysidro business district each day; and

WHEREAS, many pedestrians legally import alcoholic beverages
into the United States from Mexico and consume them in the San
Ysidro business district while waiting for the San Diego trolley;
and

WHEREAS, large numbers of unemployed laborers loiter along
San Ysidro Boulevard where they consume alcohol; and

WHEREAS, the pedestrians and unemployed laborers consume
alcoholic beverages, become intoxicated, harass members of the
public, urinate in public and contribute to the perception of an
unsafe environment in San Ysidro; and

WHEREAS, statistics from the San Diego Police Department's
Crime Analysis Unit reveal 798 alcohol-related calls for service
in 1993 on beat 716, which has a population of about 640 and is
part of the area to be included in the proposed alcohol ban
extension; and

WHEREAS, the Association of Concerned San Ysidro Businesses
(A.C.S.Y.B.), a business group formed to address problems in the

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SAN DIEGO, CALIF.

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area of the San Ysidro Port of Entry, has requested and supports a ban on public consumption of alcoholic beverages in the San Ysidro Business district; NOW, THEREFORE,

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), (2), (3) (4) and (5) [No changes in text.]

(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 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)-(6) are particularized on maps on file in the office of the City Clerk as Document No. 00-17655-2.

(1) San Diego Police Department - Central Division
Beginning at the intersection of Interstate 805 and Thorn Street, thence westerly on Thorn Street to 32nd Street, thence north to Upas Street, thence west on Upas

Street to Albatross Street, thence south and southeasterly through the Maple Canyon Open Space to the intersection of Maple Street with Reynard Way, thence south to Laurel Street, thence southwesterly to Harbor Drive, thence south on Harbor Drive to Ash Street, thence westerly on Ash Street extended to the City boundary, easterly and southeasterly along said boundary to the intersection of the 28th Street Pier Road extended, thence northeasterly along said extension and road to 28th Street, thence north on 28th Street to Main Street, thence easterly and southeasterly to Interstate 15, thence northerly along Interstate 15 to its intersection with Interstate 805, thence northerly along Interstate 805 to the intersection of Thorn Street, the Point of Beginning.

(2) San Diego Police Department - Southeastern Division
Beginning at the intersection of Interstate 805 and Interstate 15, thence southwesterly along Interstate 15 to its intersection with Main Street, thence northwesterly and westerly along Main Street to 28th Street, thence south on 28th Street to Pier Road, thence southwesterly along Pier Road extended to the City of San Diego boundary, thence southeasterly along the City of San Diego boundary to the intersection of the City of National City boundary extended westerly, thence along the National City boundary easterly and southerly to the South Bay Freeway, thence easterly, northerly and westerly along the City of San Diego boundary to the intersection with Highway 94, thence westerly to the intersection of Highway 94 and southern line of that City

property identified as Chollas Landfill, thence westerly and northerly along said property line to College Grove Drive, thence westerly along College Grove Drive to 54th Street, thence north on 54th Street to Chollas Parkway (Chollas Creek), thence southwesterly to Euclid Avenue, thence westerly to Home Avenue, thence southwesterly along Home Avenue to Interstate 805, thence northwesterly to the intersection of Interstate 805 and Interstate 15, the Point of Beginning.

(3) San Diego Police Department - Eastern Division
Within Council District 3

Beginning at the intersection of Interstate 8 and Interstate 805, thence southeasterly along Interstate 805 to its intersection with Home Avenue, thence northeasterly along Home Avenue to its intersection with Euclid Avenue, thence easterly and southeasterly to the intersection of Chollas Parkway (Chollas Creek), thence northeasterly to the Chollas Creek intersection with 54th Street, thence south on 54th Street to its intersection with College Grove Drive, thence easterly to the west property line of the City property known as Chollas Landfill, thence southerly and easterly along said property line to the intersection with Highway 94, thence northeasterly along Highway 94 to its intersection with the boundary of the cities of San Diego and La Mesa, thence following said boundary northerly to the intersection of said boundary with Interstate 8, thence westerly along Interstate 8 to the intersection with Interstate 805, the Point of Beginning.

(4) San Diego Police Department - Western Division
Within Council District 3

Beginning at the intersection of Interstate 8 and Interstate 805, thence westerly along Interstate 8 to the intersection of Highway 163, thence south on Highway 163 to University Avenue, thence westerly to Goldfinch Street, thence southerly on Goldfinch Street and Reynard Way to the intersection with Maple Street, thence easterly and northerly through the Maple Street Canyon Open Space to the intersection of Albatross Street and Upas Street, thence easterly on Upas Street to 32nd Street, thence southerly to Thorn Street, thence easterly to the intersection of Thorne Street and Interstate 805, thence northerly to the intersection of Interstate 8 and Interstate 805, the Point of Beginning.

(5) San Diego Police Department - Southern Division

Beginning at the point where the west line of the San Diego and Arizona Eastern Railway right-of-way crosses the international border westerly along the border to a point where a prolongation of Cottonwood Road intersects; thence northerly along the west line of Cottonwood Road to a point where the prolongation of the west line of Cottonwood Road intersects the San Diego and Arizona Eastern Railway right-of-way southerly to the point of origin.

(6) 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 Jolla Recreation Center; 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; Penn Elementary School; Rolando Mini-Park; Rolando Park Mini-Park; San Diego School of Creative and Performing Arts; Santa Clara Point; Santa Isabel Mini-Park; San Ysidro Athletic Area, San Ysidro 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)(6).

(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)(6).

(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)(6).

(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.

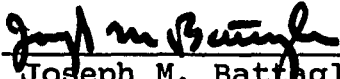
(2) any business from lawfully selling or dispensing alcoholic beverages in accordance with the requirements of

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 
Joseph M. Battaglino
Deputy City Attorney

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07/11/94
08/02/94 COR.COPY
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OLD LANGUAGE - STRIKEOUT
NEW LANGUAGE - UNDERLINED

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STRIKEOUT ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

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OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
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beverage at any time unless otherwise permitted by Section
56.54, upon any public property, including but not limited
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(including on or against the seawall), pier or any public
park within the following limits of The City of San Diego,
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through the Maple Canyon Open Space to the intersection of Maple Street with Reynard Way, thence south to Laurel Street, thence southwesterly to Harbor Drive, thence south on Harbor Drive to Ash Street, thence westerly on Ash Street extended to the City boundary, easterly and southeasterly along said boundary to the intersection of the 28th Street Pier Road extended, thence northeasterly along said extension and road to 28th Street, thence north on 28th Street to Main Street, thence easterly and southeasterly to Interstate 15, thence northerly along Interstate 15 to its intersection with Interstate 805, thence northerly along Interstate 805 to the intersection of Thorn Street, the Point of Beginning.

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(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.

Passed and adopted by the Council of The City of San Diego on SEP 12 1994
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Harry Mathis	<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"/>
Christine Kehoe	<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"/>
Barbara Warden	<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:

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 AUG 08 1994, and on SEP 12 1994.

~~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 18096 Adopted SEP 12 1994

CERTIFICATE OF PUBLICATION

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SAN DIEGO, CALIF.

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

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6

ORDINANCE NUMBER 0-18096 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6, OF THE
SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 66.04
RELATING TO ALCOHOLIC BEVERAGE CONSUMPTION
PROHIBITED IN CERTAIN AREAS.
This ordinance is enacted to extend the existing ban on consumption of
alcoholic beverages by expanding the boundaries of the alcohol
restricted area to include the San Ysidro business district in the Southern
Division of the San Diego Police Department located within City Council
District 8.
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 AUG 08 1994. Passed and adopted by the Council of
the City of San Diego on SEPT 12 1994.
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. Reg. 26 229947

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 0-18096

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:

SEPT. 26

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

Dated at San Diego, California this 26TH day of SEPT., 19 94.

Corey Donahue

(Signature)

$2 \frac{3}{16} \times 2 = 61.44$