

ORDINANCE NUMBER O- **18201** (NEW SERIES)

ADOPTED ON AUGUST 14, 1995

AN ORDINANCE AMENDING CHAPTER V, ARTICLE 6,  
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
SECTION 56.54 BANNING ALCOHOL CONSUMPTION  
IN CERTAIN AREAS OF THE CITY OF SAN DIEGO.

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:

**SECTION 56.54 ALCOHOLIC BEVERAGE CONSUMPTION  
PROHIBITED IN CERTAIN AREAS**

(a) Definitions. For purposes of this section,  
the following terms are defined as follows:

"Alcoholic beverage" has the same meaning as  
that set forth in California Business and Professions  
Code section 23004.

"Beach" means the sand or land area bordering  
the water of an ocean or bay.

"Public park" means any property designated,  
dedicated, or developed for park or open space use.

"Seawall" means the wall between the beach  
and the boardwalk.

"Sidewalk cafe" has the same meaning as that  
set forth in San Diego Municipal Code section 101.0550.

(b) Consumption of Alcoholic Beverage Prohibited.

Unless the City Manager has issued a special event permit, or unless otherwise permitted by section 56.54, it is unlawful for any person to consume any alcoholic beverage at any time, upon any public property (not including public parks except as specifically listed below) and public rights-of-way, including but not limited to public streets, parking lots, sidewalks, alleys, plazas, beaches, piers, and seawalls (including on or against seawalls), and including all sidewalks along the outer perimeters of such areas; and upon the following areas, including public rights-of-way within and immediately adjacent to them:

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;  
Cadman Community Park;  
Cedar Ridge Mini-Park;  
Central Mini-Park;  
Chicano Park;  
Chollas Community Park;

City Heights Community Park;  
City Heights Mini-Park;  
Clairemont Community 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;

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;  
Macdowell Neighborhood Park;  
Mann Middle School;  
Marian Bear Natural Park;  
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;  
Mt. Etna Neighborhood Park;  
Mountain View Park;  
Normal Heights Park  
(39th Street Park);  
North Clairemont Community Park;  
North Park Community Park;  
Oak Park;  
Ocean Beach Park,  
excluding the beach;  
Ocean View Mini-Park;  
Old Trolley Barn Park;

Palm Ridge Neighborhood Park;  
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;  
Tecolote Canyon Natural Park;  
Tecolote Community Park;  
Valencia Park Elementary School;  
Wabash Mini-Park;  
West Mountain View Drive Mini-Park;  
Western Hills Neighborhood 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.

(c) Exceptions to 24 Hour Ban. It is unlawful to consume alcohol in the following areas between 8:00 p.m. and 8:00 a.m.:

(1) 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) 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);

(3) all land areas of Mission Bay Park (excluding parking lots), including but not limited to, Bayside Walk, Ocean Beach Athletic Area (Robb Field), Pacific Beach Sports Field, Dusty Rhodes Park, Palisades Park North, Palisades Park South, 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);

(4) 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).

(d) Section 56.54 does not prohibit:

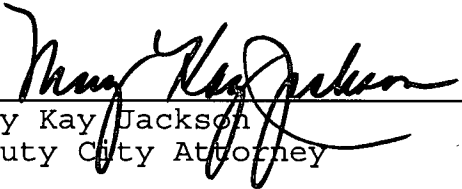
(1) any person from consuming alcoholic beverages within the defined boundaries of a sidewalk cafe located on the public right-of-way, or on property leased from the City.

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

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:js  
07/27/95  
07/31/95 Rev.1  
08/08/95 Rev.2  
Or.Dept:Mayor  
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