

ORDINANCE NUMBER O- 18582 (NEW SERIES)

ADOPTED ON SEP 08 1998

AN ORDINANCE AMENDING SECTION 56.54 OF THE SAN
DIEGO MUNICIPAL CODE PERTAINING TO ALCOHOL
CONSUMPTION IN BEACH AREAS

WHEREAS, the San Diego Municipal Code currently prohibits drinking alcohol in the beach areas of the City between the hours of 8:00 p.m. and 8:00 a.m; and

WHEREAS, police statistics regularly cite alcohol as a contributing factor in assaults and disturbances in the beach areas of the City; and

WHEREAS, many of the alcohol-related problems in the beach areas can be traced to irresponsible drinking that begins in the morning hours; and

WHEREAS, the alcohol-related problems pose a threat to public safety in the beach areas, and negatively impact the business of the beach-area merchants; NOW THEREFORE,

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

Section 1. That Chapter V, Article 6, Division 5 of the San Diego Municipal Code is hereby amended by amending Section 56.54 to read as follows:

- (a) [No change in text].
- (b) Unless the City Manager or designee 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 and beaches except as specifically listed below) and public

rights-of-way, including but not limited to public streets, parking lots, sidewalks, alleys, plazas, 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/Park; Alcott Elementary School/Park; Allen, Dennis V., Neighborhood Park; Azalea Community Park; Balboa Park areas not included in Section 56.54(c)(1); Bay Terraces Neighborhood Park; Bay Terraces Junior High School/Park; Berry Neighborhood Park; Birdland Neighborhood Park (Fletcher Elementary School/Park); Bird Rock Elementary School/Park; Birney Elementary School/Park; Black Mountain Middle School/Park; Boone Neighborhood Park; Cabrillo Elementary School/Park; Cabrillo Mini-Park; Cabrillo Recreation Center; Cadman Community Park; Cadman Elementary School/Park; Cedar Ridge Mini-Park; Central Mini-Park; Chicano Neighborhood Park; Children's Park & Pond; Chollas Canyon Park; Chollas Lake Community Park; City Heights Community Park; City Heights Mini-Park; Clay Elementary School/Park; Clay Mini-Park; Clay Neighborhood Park; Cliffridge Athletic Area; Colina del Sol Community Park; Crown Point Elementary School/Park; Dailard Elementary School/Park; Dana Center; Decatur Elementary School/Park; Doyle Elementary School/Park; East San Diego Adult Recreation Club; Edison Elementary School/Park; Emerald Hills Neighborhood Park; Encanto Community Park; Ericson Elementary School/Park; Field Elementary School/Park; Forward Elementary School/Park; Franklin Elementary School/Park; Gaslamp Square Park; Golden Hill Community Park;

Gompers Neighborhood Park; Grant Elementary School/Park; Grant Hill Neighborhood Park; Hardy Elementary School/Park; Henderson, Willie, Athletic Area; Hollywood Neighborhood Park; Hoover Senior High School/Park; Horton Plaza Park; Hourglass Community Park; Howard Lane Neighborhood Park; "J" Street Mini- Park; Jerabek Elementary School/Park; Juarez Elementary School/Park; Keiller Neighborhood Park; Kellogg Park, including the boardwalk, seawall and La Jolla Shores Beach; Kelly Neighborhood Park; Kennedy, John F., Elementary School/Park; Kennedy Neighborhood Park; Kensington Neighborhood Park; King, Martin Luther Community Park; King, Martin Luther, Elementary School/Park; "L" Street Mini-Park (at 28th Street); La Jolla Athletic Area (Allen Field); La Jolla Community Park; La Jolla Elementary School/Park; La Jolla Senior High School/Park; La Paz Mini- Park (undeveloped); Laurel Street Mini-Park; Lewis Middle School/Park; Linda Vista Community Park; Lindberg Neighborhood Park; Community Park; Lomita Neighborhood Park; Macdowell Neighborhood Park; Mann Middle School/Park; Marian Bear Memorial Park;

Marine Street Beach, including the beach, bluffs, stairs, and adjacent public rights-of-way between the northern property line of 274 Coast Boulevard and the westerly extension of the northern side of Westbourne Street;

Marston Middle School/Park; Mason Elementary School/Park; Mata Mini-Park; Memorial Community Park; Mid-City Athletic Area; Mira Mesa Senior High School/Park;

Mission Beach Park, including the Belmont Park public areas and parking lots, including the boardwalk and seawall, and excluding the beach, as described in

Section 56.54(d)(1);

Mission Heights Neighborhood Park; Mission Trails Regional Park;
Montclair Neighborhood Park; Montgomery-Waller Community Park; Mount Etna
Neighborhood Park; Mountain View Community Park; Nestor Neighborhood Park;
North Clairemont Community Park; North Mountain View Mini-Park; North Park
Community Park; Oak Neighborhood Park; Ocean Beach Elementary School/Park;

Ocean Beach Park, including the boardwalk and seawall, and excluding the
beach; as described in Section 56.54(d)(1);

Ocean Boulevard Park (Pacific Beach Park), including the boardwalk and
seawall, and excluding the beach, as described in Section 56.54(d)(1);

Old Trolley Barn Neighborhood Park; Pacific Beach Community Park;
Pacific Beach Middle School/Park; Pacific Beach Sports Field (Mission Bay Youth
Field); Palisades Park North (undeveloped); Palisades Park South (Law Street);
Palm Ridge Neighborhood Park, Pantoja Mini-Park; Paradise Hills Community
Park; Park de la Cruz; Parkside Neighborhood Park; Penn Elementary School/Park
(Athletic Area); Plumosa Neighborhood Park; Point Loma Community Park;
Portola Middle School/Park; Presidio Community Park; Rolando Mini-Park; Rose
Canyon Park; San Diego School of Creative and Performing Arts; Santa Clara
Point; Santa Isabel Mini-Park; San Ysidro Athletic Area (Larsen Field); San Ysidro
Col. Irving Solomon Center; San Ysidro Community Park; Serra Senior High
School/Park; Sherman Elementary School/Park; Sherman Mini-Park; Silverwing
Neighborhood Park; Skyline Community Park; Skyview Neighborhood Park; South
Bay Community Park; (South) Clairemont Community Park;

South Mission Beach Park, including the boardwalk and seawall, and excluding the beach, as described in Section 56.54(d)(1);

Southcrest Community Park; Spreckels Elementary School/Park; Standley Junior High School/Park; Sunny Slope Neighborhood Park; Taylor Library Park; Tecolote Canyon Natural Park; Tierrasanta Elementary School/Park; Union Place Circle Park; Valencia Elementary School/Park; Villa del Norte Mini-Park; Vista Terrace Neighborhood Park; Wabash Mini-Park; Wagenheim Middle School/Park; Walker Elementary School/Park; Washington Elementary School/Park; Western Hills Neighborhood Park; Widman, Marie, Memorial Neighborhood Park (Little Encanto Park); Wilson Middle School/Park; 30th Street Mini-Park; 32nd Street Mini-Park (north of Redwood); 39th Street Mini-Park; 41st Street Mini-Park; All parking lots in Mission Bay Park;

All parking lots on the Pacific Ocean between the southern boundary of Sunset Cliffs Park and the southern boundary of Torrey Pines State 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 — 12 Hours

It is unlawful to consume alcohol in the following areas between 8:00 p.m. and 8:00 a.m., unless the City Manager or designee has issued a special event permit or unless otherwise permitted by Section 56.54:

(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) Cabrillo Heights Neighborhood Park; Carmel Creek Neighborhood Park; Carmel Del Mar Neighborhood Park; Cleator, Bill, Neighborhood Park; Collier Neighborhood Park; East Clairemont Athletic Area; Famosa Slough and Channel; Gershwin Neighborhood Park; Lake Murray Community Park; Montezuma Neighborhood Park; Mount Acadia Neighborhood Park; Murray Ridge Neighborhood Park; Ocean Beach Community Park; Olive Grove Community Park; Pioneer Park (Mission Hills); Presidio Park; Rancho Bernardo Community Park; San Carlos Community Park; Serra Mesa Community Park; Sessions, Kate, Neighborhood Park; Solana Highland Neighborhood Park; Tecolote Community Park.

(d) Exceptions to 24 Hour Ban -- 16 hours

It is unlawful to consume alcohol in the following areas between 8:00 p.m. and Noon, unless the City Manager or designee has issued a special event permit or unless otherwise permitted by Section 56.54:

(1) All beaches on the Pacific Ocean and adjacent parks and perimeter sidewalks between the southern boundary of Sunset Cliffs Park and the southern boundary of Torrey Pines State Park that are not included in section 56.54(b);

(2) All land areas of Mission Bay Park, including Bayside Walk, Ocean Beach Athletic Area (Robb Field) and Dusty Rhodes Park, but excluding parking lots, Santa Clara Point, and Bob McEvoy Youth Fields (Mission Bay Youth Fields).


(e) 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: CASEY GWINN, City Attorney

By 
Theresa C. McAteer
Deputy City Attorney

TCM:rc
7/15/98
Or.Dept:PS&NS
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