

(O-99-56)

ORDINANCE NUMBER O-**18605** (NEW SERIES)

ADOPTED ON **DEC 07 1998**

AN ORDINANCE AMENDING CHAPTER VI, ARTICLE 3, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 63.0120 RELATING TO CURFEWS IN DOWNTOWN PARKS.

WHEREAS, numerous citizens had expressed concerns regarding illegal, unsanitary, and other undesirable activities which had been occurring within downtown parks, continuing well into the night and early morning hours, and which had created an atmosphere of intimidation for general park users; and

WHEREAS, community leaders and individual residents from surrounding park neighborhoods had also voiced concerns regarding the disturbing effects associated with the variety of illicit activities observed within Gaslamp Square Park and Pantoja Park; and

WHEREAS, those illicit activities would have negative and highly visible impacts on the parks in the downtown area, in particular Children's Park and Washington Elementary School Park, renamed Amici Park, both used primarily by children; and

WHEREAS, the potential for exposure to drug paraphernalia and other debris from prior evening activities gave rise to serious public health and safety issues; and

WHEREAS, on June 24, 1996, representatives of the Centre City Development Corporation, the City Attorney's Office, the Police Department, and the Park and Recreation Department met to address these citizen concerns, and recommended establishing a downtown

park curfew from midnight to 6:00 a.m. in order to make the parks safer and more enjoyable for all San Diegans; and

WHEREAS, the San Diego Police Department and the San Diego Unified School District supported a curfew, which would enable the Police Department to more easily clear the parks and curb illegal activities; and

WHEREAS, the Public Safety and Services Committee at its meeting of September 18, 1996, recommended adoption of the curfew on a one-year trial basis, as set forth in City Manager's Report No. 96-181; and

WHEREAS, Ordinance O-18357 was adopted on November 12, 1996, effective December 11, 1996, which imposed the curfew for one year, and expired on December 11, 1997; and

WHEREAS, the downtown parks curfew has been a valuable asset in preserving ambiance, cleanliness and safety in our public parks for the enjoyment of our residents and visitors; and

WHEREAS, although reported crime statistics are light for the neighborhoods in which the parks are located, statistics provided by the Crime Analysis Unit of San Diego's Police Department show a 3% decrease in reported crime in the census tract containing Pantoja, Children's and Gaslamp Square Parks and an 18% decrease in reported crime in the census tract containing Amici Park in calendar year 1997 with the curfew as compared to calendar year 1996 without; and

WHEREAS, the downtown community believes a permanent downtown park curfew will be a positive step towards the goal of assuring safety of citizens utilizing downtown; and

WHEREAS, the San Diego Police Department and the San Diego Unified School District support the recommendation of a permanent downtown parks curfew; NOW, THEREFORE,

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

Section 1. That Chapter VI, Article 3, Division 1 of the San Diego Municipal Code is permanently amended by amending Section 63.0120, to read as follows:


SEC. 63.0120 Nighttime Curfew for Certain Downtown Public Parks

It is unlawful for any person to be on the grounds of the following parks from midnight until 6:00 a.m.: Children's Park, Gaslamp Square Park, Pantoja Park, and Amici Park.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. This ordinance will take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By 
Lofi W. Girard
Deputy City Attorney

LWG:cdk
09/28/98
Or.Dept:Pk.&Rec.
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