

ORDINANCE NUMBER O- **19075** (NEW SERIES)

ADOPTED ON **JUL 08 2002**

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 63.20.5 RELATING TO WASTE, REFUSE, AND FIRES IN CITY BEACH AREAS.

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

Section 1. That Chapter 6, Article 3, of the San Diego Municipal Code is hereby amended by amending Section 63.20.5 to read as follows:

**§63.20.5 Waste, Refuse, Fires**

- (a) It is unlawful for any person to leave, discard, deposit, or throw away any glass container, tin can, waste food, papers, or any refuse or rubbish upon any beach area in the City of San Diego. All waste materials shall be deposited in trash cans or receptacles provided for that purpose.
  
- (b) It is unlawful for any person to move, rummage through, turn over, remove, deface, or knock down any trash can or receptacle placed in any beach area by the City.

- (c) It is unlawful for any person to build, maintain, use, or be within ten (10) feet of a fire on any public beach that is not in a City-provided fire container. Fires may be built using fire materials limited to charcoal, clean wood, or paper products, none of which contains landscape debris, paint, stain, sealer, wood preservative, cloth, rubber, metal (including nails and other hardware), asphalt, foam rubber, plastic, or any similar matter or material producing noxious fumes, odors, smoke, or leaving any type of solid residue other than ash. Fire materials shall not exceed a height of more than twelve (12) inches above the upper edge of the fire container and must be wholly contained within the inside edge of the fire container. It is permissible to build a fire on a public beach in a portable barbecue or other similar device using fuel material authorized in Section 63.20.5(c). Coals from any portable barbecue or similar device shall either be removed from the beach area or be deposited in a City-provided fire container or designated hot coal container provided on the beach for such purposes.
- (d) It is unlawful to use a City-provided fire container for purposes of disposal or for any purpose other than the building of fires for cooking or warmth or for the deposit of coals.

- (e) It is unlawful for any person to possess or use any container made of glass upon any beach or adjacent sidewalk area in the City of San Diego.
  
- (f) It is unlawful for any person who has built, maintained, used, or been within ten (10) feet of a fire on the beach to abandon the fire until all ignited fire fuel material has been exhausted or extinguished. Sand, dirt, or similar material shall not be employed as an extinguishing material. Extinguished ashes shall not be covered but may be left in fire containers. All unused fire material must be removed from the beach and the adjacent public areas of the beach or park. All refuse or rubbish adjacent to the fire container must be removed from the beach or placed in trash receptacles provided for such purpose, so that the beach is left in a clean, sanitary, and presentable condition.

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 shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By Kathryn E. Lange  
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