

ORDINANCE NUMBER O- **19891** (NEW SERIES)  
DATE OF FINAL PASSAGE **JUL 31 2009**

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3,  
DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 63.0120, RELATING TO NIGHTTIME  
CURFEW FOR THE CHILDREN'S MUSEUM PARK.

WHEREAS, pursuant to that certain Disposition Agreement between the Redevelopment Agency of the City of San Diego (Agency) and the Children's Museum, a California nonprofit public benefit corporation (Museum) dated August 18, 1994, and as amended by the Amendment to the Disposition Agreement and Lease dated April 14, 1999, the First Implementation Agreement to Disposition Agreement dated December 7, 2001, the Second Implementation Agreement to Disposition Agreement dated December 4, 2002, the Third Implementation Agreement to Disposition Agreement dated March 29, 2006, and the Fourth Implementation Agreement to Disposition Agreement dated April 16, 2008 (collectively, Disposition Agreement), the Children's Museum Park (Park) was designed by the Museum and constructed by the Agency; and

WHEREAS, the Park occupies an approximately one acre site adjacent to the Children's Museum, located on the block bounded by Union, Front, Island, and Market Streets in downtown San Diego; and

WHEREAS, pursuant to resolution No. RA-2009-130, the Agency transferred fee title to the Park to the City of San Diego (City), in accordance with the Disposition Agreement, and

WHEREAS, the Park is intended for and designed to be used by children; and

WHEREAS, there is alcohol-related, gang-related, and other criminal activity near the Park at night; NOW, THEREFORE,

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

Section 1. That Chapter 6, Article 3, Division 1, of the San Diego Municipal Code is amended by amending section 63.0120 to read as follows:

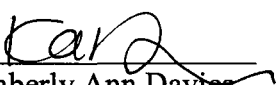
**§63.0120 Nighttime Curfew for Certain Downtown Public Parks and the Spruce Street Pedestrian Bridge**

- (a) 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, Amici Park and the Children's Museum Park.
- (b) [No change in text.]

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Kimberly Ann Davies  
Deputy City Attorney

KAD:mm  
05/27/09  
Or. Dept: Park & Rec.  
O-2009-143  
MMS#9101  
Companion: RA-2009-130, R-2009-1193, R-2009-1199 and O-2009-153

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 28 2009.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7-31-09  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor

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