

ORDINANCE NUMBER O- 19892 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 31 2009

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 6,  
DIVISION 0, OF THE SAN DIEGO MUNICIPAL CODE BY  
AMENDING SECTION 56.54 TO INCLUDE THE  
CHILDREN'S MUSEUM PARK WITHIN APPENDIX 56.54A.

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 criminal activity, noise, violence, and dangerous, aggressive and offensive conduct related to the excessive use and abuse of alcohol near the Park; and

WHEREAS, such alcohol-related activity interferes with the enjoyment of the Park by children and their families; and

WHEREAS, it has been the experience of the City that prohibition of alcohol at City parks results in a decrease in violence and undesirable behavior; NOW, THEREFORE,

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

Section 1. That Chapter 5, Article 6, Division 0, of the San Diego Municipal Code is amended by amending section 56.54 to read as follows:

**§56.54 Alcoholic Beverage Consumption Prohibited in Certain Areas**

(a) through (g) [No change in text.]

**APPENDIX 56.54A  
24 HOUR BAN**

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) [Appendix 56.54B]  
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 Museum 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

Dailard Elementary School/Park  
Dana Center  
Doyle Community Park

East San Diego Adult Recreation Club  
Edison Elementary School/Park  
Emerald Hills Neighborhood Park  
Encanto Community Park

Fanuel Street 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 Neighborhood 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  
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;

Mata Mini- Park  
Memorial Community Park  
Mesa Verde Neighborhood Park  
Mesa Viking Neighborhood 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) [Appendix 56.54C]

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) [Appendix 56.54C];

Ocean Boulevard Park (Pacific Beach Park), including the boardwalk and seawall, and excluding the beach, as described in Section 56.54(d) [Appendix 56.54C]

Old Trolley Barn Neighborhood Park

Pacific Beach Community Park  
Pacific Beach Middle School/Park  
Bob McEvoy Youth Fields (Mission Bay/Pacific Beach 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) [Appendix 56.54C]  
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  
Walker Neighborhood 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.

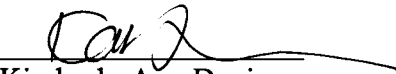
Appendix 56.54B [No change in text.]

Appendix 56.54C [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  
05/22/09  
Or. Dept: Park & Rec.  
O-2009-153  
MMS#9235  
Companion: RA-2009-130, R-2009-1193, R-2009-1199 and O-2009-143

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)

\_\_\_\_\_  
JERRY SANDERS, Mayor