

ORDINANCE NUMBER O- 19962 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 21 2010

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 6, DIVISION 0 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54 AND ITS APPENDICES BY ADDING BALBOA PARK TO THE 24 HOUR BAN, EXCEPT FOR DESIGNATED LAWN AREAS, AND REPEALING SECTIONS 56.70, 56.71, AND 56.72, ALL RELATING TO ALCOHOLIC BEVERAGE CONSUMPTION PROHIBITED IN CERTAIN AREAS.

WHEREAS, there has been an increase in alcohol-related criminal activities, noise, violence, and dangerous, aggressive and offensive conduct related to the excessive use and abuse of alcohol in Balboa Park; and

WHEREAS, on September 25, 2007, the Balboa Park Cultural Partnership sent a letter of endorsement to the Balboa Park Committee in support of a proposal to amend San Diego Municipal Code [Code] section 56.54 to delete 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 from the 12 Hour Ban, add that portion of Balboa Park to the 16 Hour Ban, and limit alcohol consumption within that portion to nine designated lawn areas; and

WHEREAS, on January 3, 2008, the Balboa Park Committee voted unanimously to recommend such amendments; and

WHEREAS, on January 17, 2008, the Park and Recreation Board voted unanimously to recommend such amendments; and

WHEREAS, on November 4, 2008, the voters of the City of San Diego passed Proposition D, which amended San Diego Municipal Code section 56.54 to make consumption of alcohol unlawful 24 hours a day at City beaches, Mission Bay Park, and all coastal parks; and

WHEREAS, the passage of proposition D requires a repeal of sections 56.70, 56.71, and 56.72 of the Code relating to the prohibition of kegs containing alcoholic beverages on beaches on the Fourth of July, as those sections are unnecessary; and

WHEREAS, certain further amendments to the Code are necessary for purposes of clarity and consistency with the provisions of Proposition D; 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 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(d) [Appendix 56.54C]  
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  
Calumet Park

Cedar Ridge Mini-Park  
Central Mini-Park  
Charlotte 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

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

Famosa Slough and Channel  
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  
Hermosa Park  
Hermosa Terrace Park  
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,  
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)

La Strand Park  
Laureate Park  
Laurel Street Mini-Park  
Lewis Middle School/Park  
Linda Vista Community Park  
Lindberg Neighborhood Park  
Lomita Neighborhood Park

Macdowell Neighborhood Park  
Marian Bear Memorial 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

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  
Nicholson's Point 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  
Ocean Boulevard Park (Pacific Beach Park)  
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

Scripps 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  
Southcrest Community Park  
Spreckels Elementary School/Park  
Standley Junior High School/Park  
Sunny Slope Neighborhood Park  
Sunset Cliffs Natural Park

Taylor Library Park  
Tecolote Canyon Natural Park  
Tierrasanta Elementary School/Park  
Torrey Pines City Park  
Tourmaline Surfing 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  
Windansea Park

30th Street Mini-Park  
32nd Street Mini-Park (north of Redwood)  
39<sup>th</sup> 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 Natural 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;

Crystal Pier and Ocean Beach Pier

APPENDIX 56.54B  
**12 HOUR BAN – 8:00 P.M. – 8:00 A.M.**

Cabrillo Heights Neighborhood Park  
Carmel Creek Neighborhood Park  
Carmel Del Mar Neighborhood Park  
Cleator, Bill, Neighborhood Park  
Collier Neighborhood Park

East Clairemont Athletic Area

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

APPENDIX 56.54C  
**16 HOUR BAN – 8:00 P.M. – NOON**

Within Balboa Park, the following nine designated lawn areas only, as depicted in Map 56.54C-A, excluding all sidewalks and hard surfaces:

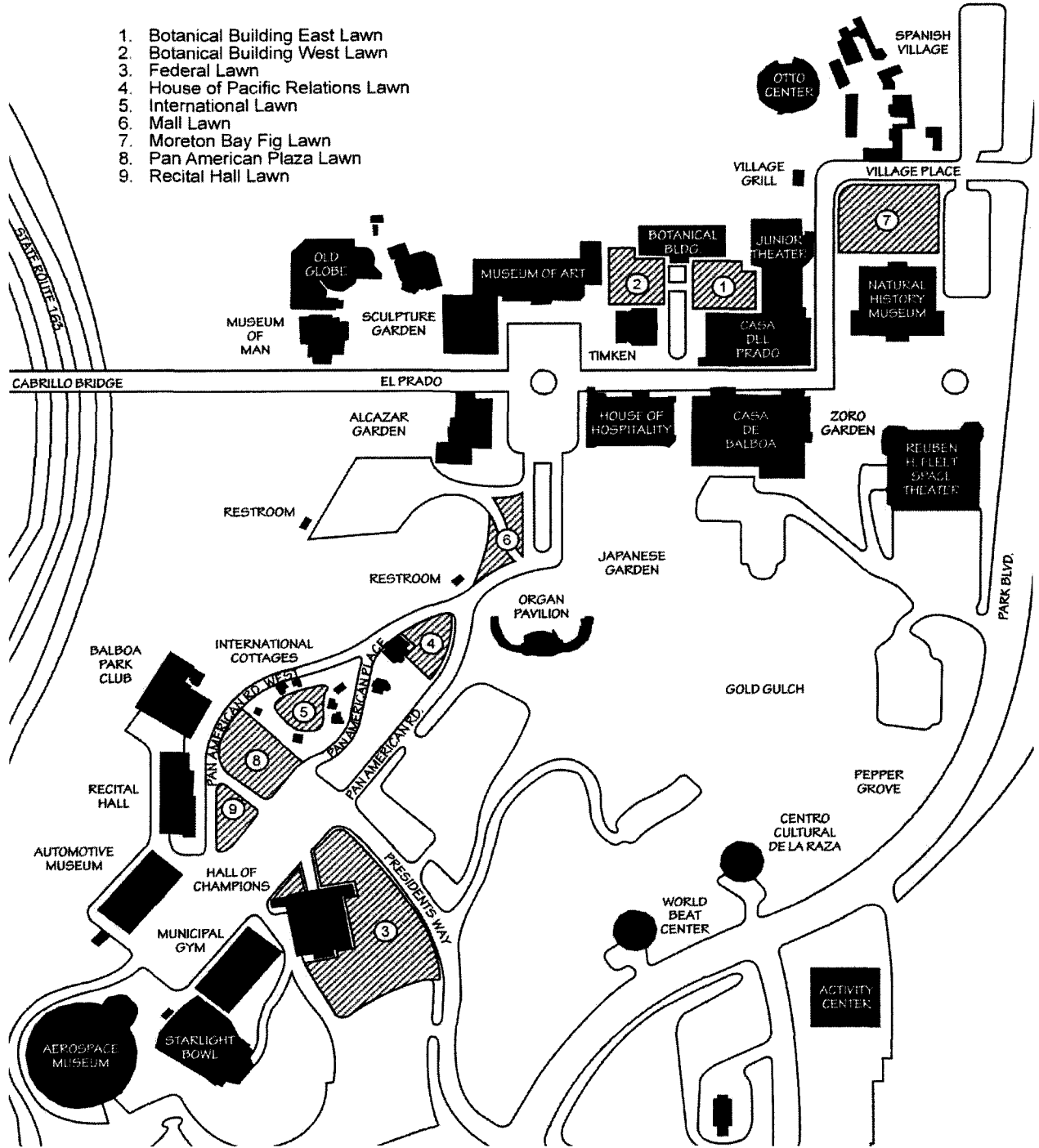
Botanical Building East Lawn  
Botanical Building West Lawn  
Federal Building Lawn  
House of Pacific Relations Lawn  
International Lawn  
Mall Lawn  
Moreton Bay Fig Lawn  
Pan American Plaza Lawn  
Recital Hall Lawn



# Map 56.54C-A

## Balboa Park Designated Lawn Areas

1. Botanical Building East Lawn
2. Botanical Building West Lawn
3. Federal Lawn
4. House of Pacific Relations Lawn
5. International Lawn
6. Mall Lawn
7. Moreton Bay Fig Lawn
8. Pan American Plaza Lawn
9. Recital Hall Lawn



Section 2. That Chapter 5, Article 6, Division 0, of the San Diego Municipal Code is amended by repealing sections 56.70, 56.71, and 56.72.

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 Shannon M. Thomas  
Shannon M. Thomas  
Deputy City Attorney

KAD:mm:js  
SMT:cw  
07/07/09:02/25/10  
Or. Dept: Park & Rec.  
O-2010-80  
MMS#8902  
Companion: O-2010-79

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUN 15 2010.

ELIZABETH S. MALAND  
City Clerk

By Paul Richard  
Deputy City Clerk

Approved: 6.21.10  
(date)

JSL  
JERRY SANDERS, Mayor

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

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