

ORDINANCE NUMBER O- 20012 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 07 2010

AN EMERGENCY ORDINANCE AMENDING CHAPTER 5,  
ARTICLE 6, DIVISION 0 OF THE SAN DIEGO MUNICIPAL  
CODE BY AMENDING SECTION 56.54, RELATING TO THE  
PROHIBITION OF ALCOHOL CONSUMPTION AT KATE O.  
SESSIONS MEMORIAL PARK.

WHEREAS, San Diego Municipal Code section 56.54(c) currently prohibits the consumption of alcohol at Kate O. Sessions Memorial Park (Park) during a twelve-hour period each day from 8:00 p.m. to 8:00 a.m.; and

WHEREAS, the citizens of the City of San Diego voted to completely ban the consumption of alcohol on its beaches, a measure known as Proposition D, in the November 4, 2008 election; and

WHEREAS, since that time, there has been a substantial increase in use of the Park by individuals who engage in excessive alcoholic binge drinking behavior to the detriment of the Park and the surrounding community; and

WHEREAS, despite the daily twelve-hour alcohol ban, there are numerous incidents of public intoxication in and around the Park, including: loud noise disturbances, public drunkenness, public urination, driving under the influence of alcohol, and indecent exposure resulting in increased calls for service to the San Diego Police Department; vast amounts of litter and debris at the Park which reduces the enjoyment of residents and visitors and requires the additional expenditure of City funds for Park maintenance; and

WHEREAS, such events have been growing in frequency and duration in recent months, straining City resources and interfering with the peace of the neighboring residential community, as well as heightening the risk to public safety; and

WHEREAS, the City Council has determined that alleviating the negative impacts described above by making it unlawful to consume alcohol within the Park is required for the immediate preservation of the public peace, property, health or safety; and

WHEREAS, pursuant to Charter section 280(a)(3), this ordinance is not subject to veto by the Mayor because it is an emergency ordinance; 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 (h) [No change in text.]

**APPENDIX 56.54A  
24 HOUR BAN**

Adams Community Park - through - San Ysidro Community Park [No change in text.]

Scripps Park  
Serra Senior High School/Park  
Sessions, Kate O. Memorial Park  
Sherman Elementary School/Park  
Sherman Mini-Park  
Silverwing Neighborhood Park  
Skyline Community Park  
Skyview Neighborhood Park

South Bay Community Park - through - Crystal Pier and Ocean Beach Pier [No change in text.]

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

Cabrillo Heights Neighborhood Park - through - Rancho Bernardo Community Park [No change in text.]

San Carlos Community Park  
Serra Mesa Community Park  
Solana Highland Neighborhood Park

Tecolote Community Park


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

[No change in text.]

Section 2. 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 3. That this emergency ordinance shall take effect and be in force on the day of its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Kenneth R. So  
Deputy City Attorney

KRS:mm  
11/09/2010  
Or.Dept: Park & Rec.  
O- 2011-45  
PL#2010-03215

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 07 2010.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk