

ORDINANCE NUMBER O- 20053 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 19 2011

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 63.0102 AND 63.0105, RELATING TO THE USE OF THE LA JOLLA CHILDREN'S POOL AND BEACH AREAS AND EXCEPTIONS TO THE APPLICATION OF REGULATIONS.

WHEREAS, on May 17, 2010, the City Council directed the City Attorney's Office to return with a draft ordinance amending the San Diego Municipal Code to prohibit dogs from the Children's Pool area at all times; and

WHEREAS, the proposed amendment to San Diego Municipal Code section 63.0102 specifies that it is unlawful to allow any dog, except for service dogs while in service, on the La Jolla Children's Pool beach and adjacent beach areas, defined as the entire adjacent breakwater wall, starting from the top of the stairs of the breakwater wall; the ramp adjacent to the breakwater wall, starting from the top of the ramp; and the stairs to the Children's Pool beach, starting from the top of the stairs leading directly to the beach; and

WHEREAS, the proposed amendment to section 63.0102 also makes changes for consistency and housekeeping, such as expanding the purpose and intent of the regulations of the applicable division pertaining to public parks, playgrounds, beaches, tidelands, and other property and to include the protection of public resources; and

WHEREAS, the proposed amendment to San Diego Municipal Code section 63.0105 now provides that all employees or agents of the City, not just the Park and Recreation Department employees, are exempt from the regulations of Chapter 6, Article 3, Division 1, while performing their duties; 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 sections 63.0102 and 63.0105, to read as follows:

**§63.0102 Use of Public Parks and Beaches Regulated**

**(a) Purpose and Intent**

It is the purpose and intent in enacting this Division to regulate and prohibit certain activities in public parks and beaches within the City of San Diego in the interests of protecting the enjoyment and safety of the public in the use of these facilities, as well as the natural resources of the City of San Diego.

**(b) General Public Park and Beach Regulations**

[No change in text.]

**(c) Regulations for the Use of the La Jolla Children's Pool and Beach Areas**

It is unlawful to allow any dog, except for service dogs while in service, upon the beach of the La Jolla Children's Pool and upon the immediate beach areas, defined as the entire adjacent breakwater wall, starting from the top of the stairs of the breakwater wall; the ramp adjacent to the breakwater wall, starting from the top of the ramp; and the stairs to the Children's Pool beach, starting from the top of the stairs leading directly to the beach, as shown on Figure 1.


**§63.0105 Exceptions to Application of Regulations**

Nothing in this Division shall be construed to prevent any employee or agent of the City of San Diego from performing any duty that, in the opinion of the City Manager or his or her designee, may be thought necessary or proper for the maintenance, improvement, or betterment of any park, plaza or beach as may be in the best interests of the City of San Diego.

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 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  
Deputy City Attorney

SMT:als  
4/18/2011  
Or.Dept:Park & Rec.  
PL#2010-01341

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 17 2011.

ELIZABETH S. MALAND  
City Clerk

By *Mary Dumay*  
Deputy City Clerk

Approved: 519-11  
(date)

*JSL*  
JERRY SANDERS, Mayor

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

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

Figure 1

