

ORDINANCE NUMBER O- 20059 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 26 2011

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2,
DIVISION 40 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 22.4005, RELATING TO SPECIAL
EVENTS

WHEREAS, the Special Events Ordinance of the San Diego Municipal Code (section 22.4001, *et seq.*) regulates the conducting of Special Events, which include concerts, parades, circuses, fairs, festivals, block parties, community events, spectator sports, mass participation sports, and other organized activities that are conducted on public streets, parks, beaches, or other property owned by the City of San Diego or which impact those properties and facilities and involve the provision of City public safety services in response thereto; and

WHEREAS, staff desires to amend the Special Events Ordinance to clarify that conducting a fireworks display involving persons gathering on City-owned property for the primary purpose of watching those fireworks is exempt from the requirement to obtain a Special Event Permit, unless the fireworks display also involves the sale of food or alcohol at certain locations, which would then cause the fireworks display to require a Special Event Permit; and

WHEREAS, such amendments to the San Diego Municipal Code do not change the current practice of regulating Special Events or processing Special Event Permits, but instead ensure the Code more clearly reflects the City's current practice; NOW, THEREFORE,

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

Section 1. That Chapter 2, Article 2, Division 40 of the San Diego Municipal Code is amended by amending section 22.4005 to read as follows:

§22.4005 Exceptions to Special Event Permit Requirement

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

(c) The following activities are exempt from the Special Event Permit requirement:

(1) through (3) [No change in text.]

(4) Demonstrations that do not involve the use of vehicles, animals, fireworks, pyrotechnics or equipment (other than sound equipment), provided that:

(A) no fee or donation is charged or required as a condition of participation in or attendance at such Demonstration; and

(B) the Chief of Police is notified at least thirty-six (36) hours in advance of the commencement of the Demonstration;

(5) a fireworks display involving an assembly of Persons gathered on City public property for the primary purpose of watching such fireworks display, unless the fireworks display also involves the sale of food or alcohol at a location not exempted by section 22.4005(c)(6);

(6) activities held inside a Building or a facility intended for such activities; and

(7) film-making activities conducted under the aegis of the Motion Picture and Television Bureau of the San Diego Chamber of Commerce, or successor agency, when provisions for cost recovery for City support services have been made.

Section 2. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made 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

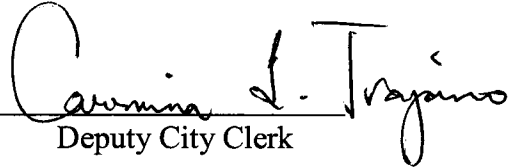


Kenneth R. So
Deputy City Attorney

KRS:DLH:hm
4/12/2011
Or.Dept:Special Events
PL#2011-05820

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~_____~~ **MAY 24 2011**

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5.26.11
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor