

Item - 603
2/19/2015

(O-2016-9)

ORDINANCE NUMBER O- 20559 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 25 2015

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 6, DIVISION 00 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING APPENDICES 56.54A AND 56.54B TO ADD MONTEZUMA NEIGHBORHOOD PARK TO THE 24-HOUR ALCOHOLIC BEVERAGE CONSUMPTION BAN.

WHEREAS, public parks are intended for the enjoyment of the general public, including families with children. In an effort to curtail criminal activity, noise, violence, and dangerous, aggressive, and offensive conduct related to the excessive use and abuse of alcohol, the City of San Diego has established a 24-hour alcohol ban at certain parks; and

WHEREAS, the prohibition of alcohol in public parks contributes to a decrease in violence and undesirable behavior in those parks, resulting in a safer environment for general public use; and

WHEREAS, Montezuma Neighborhood Park, located at 4929 Catoctin Drive in the College area, is experiencing criminal activity and impacts related to alcohol consumption, including disturbances of the peace, encampments, property damage, and littering of alcohol containers and trash; and

WHEREAS, College area neighborhood and community groups have complained regarding these crimes and impacts, and such crimes and impacts continue despite the park's current prohibition on alcoholic beverage consumption from 8:00 P.M. to 8:00 A.M.; and

WHEREAS, College area neighborhood and community groups have accordingly recommended adding Montezuma Neighborhood Park to the 24-hour alcohol ban; and

WHEREAS, the City Council desires to alleviate the alcohol-related impacts by making it unlawful to consume alcohol within Montezuma Neighborhood Park; NOW, THEREFORE,

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

Section 1. That Chapter 5, Article 6, Division 00 of the San Diego Municipal Code is amended by amending Appendix 56.54A, 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 Mission Beach Park, including the Belmont Park public areas and parking lots [No change in text.]

Mission Heights Neighborhood Park
Mission Trails Regional Park
Montclair Neighborhood Park
Montezuma Neighborhood Park
Montgomery-Waller Community Park
Mount Etna Neighborhood Park
Mountain View Community Park

Nestor Neighborhood Park through Crystal Pier and Ocean Beach Pier [No change in text.]

Section 2. That Chapter 5, Article 6, Division 00 of the San Diego Municipal Code is amended by amending Appendix 56.54B, to read as follows:

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

Cabrillo Heights Neighborhood Park through Gershwin Neighborhood Park [No change in text.]

Lake Murray Community Park

Mount Acadia Neighborhood Park
Murray Ridge Neighborhood Park

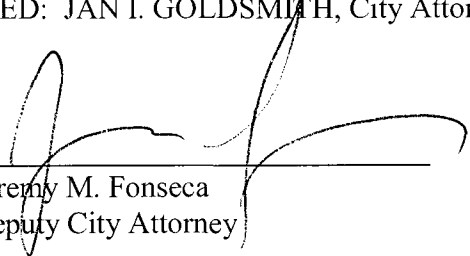
Ocean Beach Community Park through Tecolote Community Park [No change in text.]

Section 3. That a full reading of this Ordinance is dispensed with prior to passage, a written copy having been made available to the 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



Jeremy M. Fonseca
Deputy City Attorney

JMF:meb
June 30, 2015
Or.Dept: Council District 9
Doc. No.: 1053631

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of AUG 17 2015.

ELIZABETH S. MALAND
City Clerk

By



Deputy City Clerk

Approved:

8/21/15
(date)



KEVIN L. FAULCONER, Mayor

Vetoed:

(date)

KEVIN L. FAULCONER, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~
NEW LANGUAGE: Double Underline

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 6,
DIVISION 00 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING APPENDICES 56.54A AND 56.54B TO ADD
MONTEZUMA NEIGHBORHOOD PARK TO THE 24-HOUR
ALCOHOLIC BEVERAGE CONSUMPTION BAN.

§56.54 Alcoholic Beverage Consumption Prohibited in Certain Areas

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

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Mount Acadia Neighborhood Park
Murray Ridge Neighborhood Park

Ocean Beach Community Park through Tecolote Community Park [No change in text.]

JMF:mcb

June 30, 2015

Or.Dept: Council District 9

Doc. No.: 1053633

Passed by the Council of The City of San Diego on AUG 17 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 25 2015

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Sty Meady, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

AUG 04 2015, and on AUG 25 2015

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Sty Meady, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>Ordinance Number O- <u>20559</u></p>
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