

John... 7/19/2016
Subitem A
(O-2016-140) # 53

ORDINANCE NUMBER O- 20678 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 19 2016

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 63.0120 TO REMOVE AMICI PARK AND ADD A NIGHTTIME CURFEW AT THE UNIVERSITY HEIGHTS OPEN SPACE PARK, AND BY AMENDING THE TITLE OF SECTION 63.0120.

WHEREAS, public parks in San Diego are intended for the enjoyment of the general public, including families with children and, in an effort to curtail violations of public laws during nighttime hours, the City of San Diego previously established nighttime curfews at certain public parks; and

WHEREAS, the nighttime curfews in City parks serve as an effective means for the Police Department to minimize illegal use of the parks and prevent criminal and unsanitary activities, resulting in a safer environment for general public use; and

WHEREAS, Amici Park is no longer a City controlled park as it was leased from the San Diego Unified School District and the lease has ended; and

WHEREAS, the University Heights Open Space Park does not currently have a nighttime curfew; and

WHEREAS, the University Heights Recreation Council, the Community Parks Division II Area Committee and the City's Park and Recreation Board have voted to recommend adding the University Heights Open Space Park to the nighttime curfew; and

WHEREAS, numerous incidents of lewd behavior have been witnessed in and around the University Heights Open Space Park including public intoxication, noise disturbances, drug use, and drug sales; and

WHEREAS, the City Council desires to alleviate the negative impacts of persons frequenting the University Heights Open Space Park during the nighttime hours by providing a nighttime curfew on portions of the park; NOW THEREFORE,

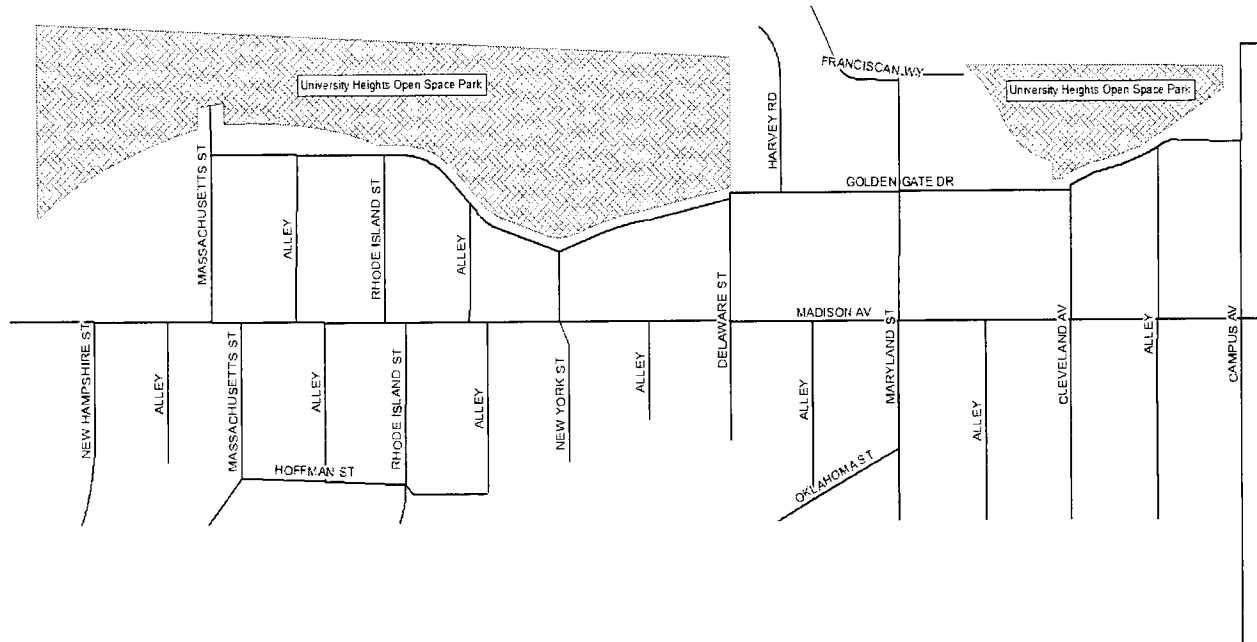
BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 6, Article 3, Division 1 of the San Diego Municipal Code is amended by amending section 63.0120, to read as follows:

§63.0120 Nighttime Curfew for Certain Public Parks and the Spruce Street Pedestrian Bridge

- (a) It is unlawful for any person to be on the grounds of the following parks from midnight until 6:00 a.m.: Children's Park, Gaslamp Square Park, Pantoja Park, the Children's Museum Park, Fault Line Park, and Cortez Hill Park.
- (b) [No change in text.]
- (c) It is unlawful for any person to be on the portions of the University Heights Open Space Park depicted in map 63.0120-A from 10:00 p.m. until 6:00 a.m. between April 1 and October 31 and from 8:00 p.m. until 6:00 a.m. between November 1 and March 31.

Map 63.0120-A
University Heights Open Space Park

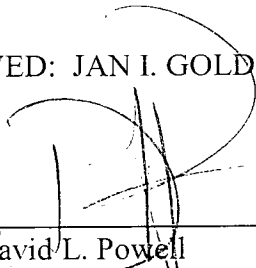


Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 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




 David L. Powell
 Deputy City Attorney


DLP:meh
June 10, 2016
Or.Dept:Park & Rec.
Doc. No.: 1230023

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 12 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/19/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-_____ (NEW SERIES)

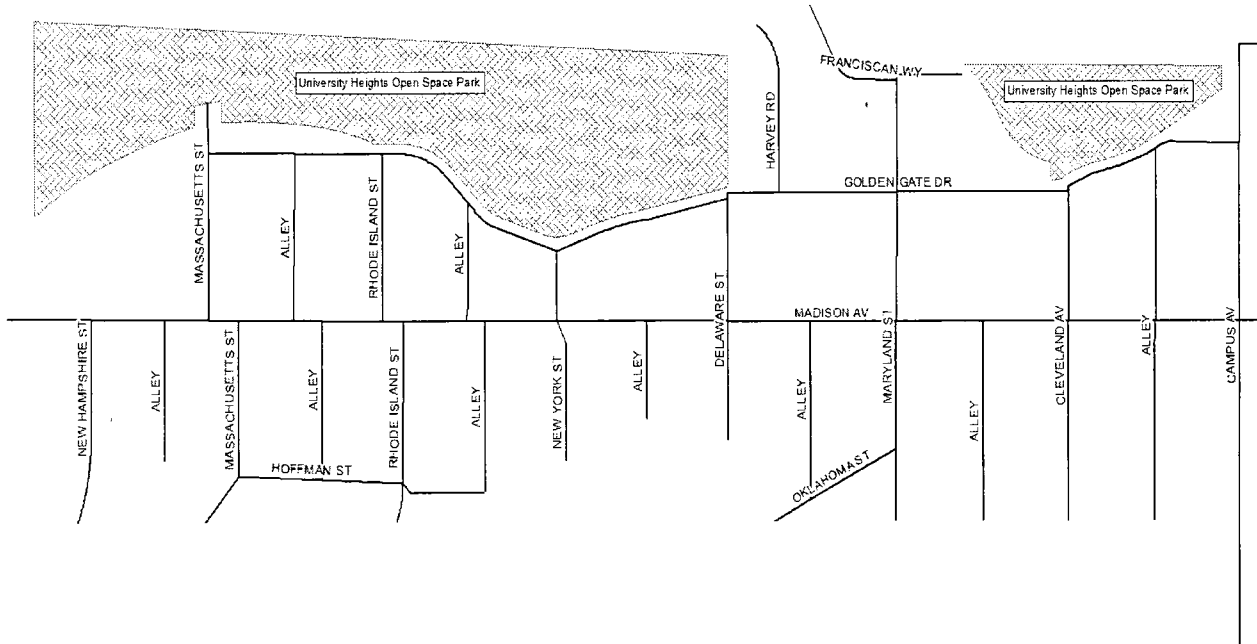
DATE OF FINAL PASSAGE _____

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 63.0120 TO REMOVE AMICI PARK AND ADD A NIGHTTIME CURFEW AT THE UNIVERSITY HEIGHTS OPEN SPACE PARK, AND BY AMENDING THE TITLE OF SECTION 63.0120.

§63.0120 Nighttime Curfew for Certain Downtown Public Parks and the Spruce Street Pedestrian Bridge

- (a) It is unlawful for any person to be on the grounds of the following parks from midnight until 6:00 a.m.: Children’s Park, Gaslamp Square Park, Pantoja Park, ~~Amici Park~~, the Children’s Museum Park, Fault Line Park, and Cortez Hill Park.
- (b) [No change in text.]
- (c) It is unlawful for any person to be on the portions of the University Heights Open Space Park depicted in map 63.0120-A from 10:00 p.m. until 6:00 a.m. between April 1 and October 31 and from 8:00 p.m. until 6:00 a.m. between November 1 and March 31.

Map 63.0120-A
University Heights Open Space Park



DLP:meb
June 10, 2016
Or.Dept:Park & Rec.
Doc. No.: 1229984

JUL 12 2016

Passed by the Council of The City of San Diego on _____, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

JUL 19 2016

Date of final passage _____.

AUTHENTICATED BY:

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

(Seal)

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

By *Debbie J. Smith*, 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

JUN 28 2016

JUL 19 2016

_____, and on _____.

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.

(Seal)

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

By *Debbie J. Smith*, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20678