

ITEM 200 3-10-19 item 61
(O-2019-105) 4/9/19

ORDINANCE NUMBER O- 21061 (NEW SERIES)

DATE OF FINAL PASSAGE APR 11 2019

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 63.0120, RELATING TO NIGHTTIME CURFEW FOR CERTAIN PUBLIC PARKS IN THE NORTH PARK AND CITY HEIGHTS AREAS.

WHEREAS, public parks in the City of San Diego (City) 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 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, the North Park Community Park, Montclair Neighborhood Park, Cedar Ridge Mini Park, North Park Mini Park, and City Heights Square Mini Park do not currently have a nighttime curfew; and

WHEREAS, the City's Park and Recreation Board voted to recommend adding the North Park Community Park, Montclair Neighborhood Park, Cedar Ridge Mini Park, North Park Mini Park, and City Heights Square Mini Park to the nighttime curfew; and

WHEREAS, City Staff has received reports of numerous incidents of lewd behavior in and around the North Park Community Park, Montclair Neighborhood Park, Cedar Ridge Mini Park, North Park Mini Park, and City Heights Square Mini Park including public intoxication, noise disturbances, vandalism, drug use, and drug sales; and

WHEREAS, the City Council desires to alleviate the negative impacts of persons frequenting the North Park Community Park, Montclair Neighborhood Park, Cedar Ridge Mini Park, North Park Mini Park, and City Heights Square Mini Park during the nighttime hours by providing a nighttime curfew; 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, Cortez Hill Park, North Park Community Park, Montclair Neighborhood Park, Cedar Ridge Mini Park, and North Park Mini Park.
- (b) through (c) [No change in text.]
- (d) It is unlawful for any person to be on the grounds of the City Heights Square Mini Park from 9:00 p.m. until 5:00 a.m.

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: MARA W. ELLIOTT, City Attorney

By Monica Hall
Monica W. Hall
Deputy City Attorney

MWH:nja
01/25/19
Or. Dept: Parks & Rec Dept.
Doc. No.: 1916676

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 09 2019.

ELIZABETH S. MALAND
City Clerk
By [Signature]
Deputy City Clerk

Approved: 4/11/19
(date)

[Signature]
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

STRIKEOUT ORDINANCE

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

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MWH:nja
01/25/19
Or. Dept: Parks & Rec Dept.
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Passed by the Council of The City of San Diego on APR 09 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 11 2019.

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 [Signature], 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 MAR 13 2019, and on APR 11 2019.

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 [Signature], Deputy

Office of the City Clerk, San Diego, California
21061
Ordinance Number O-_____