

#60  
8/30/2024

(O-2024-150)  
(COR. COPY 2)

ORDINANCE NUMBER O- 21857 (NEW SERIES)

DATE OF FINAL PASSAGE AUG 05 2024

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3, DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 63.0120 TO ADD A NIGHTTIME CURFEW AT PASATIEMPO NEIGHBORHOOD PARK (UNDEVELOPED) AND PASATIEMPO PARK WEST OPEN SPACE.

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, Pasatiempo Neighborhood Park (undeveloped) and Pasatiempo Park West Open Space do not currently have a nighttime curfew; and

WHEREAS, the Allied Gardens Recreation Council and the City's Parks and Recreation Board unanimously approved the installation of signage at Pasatiempo Park and Open Space limiting the public from dusk till dawn; and

WHEREAS, the City's Community and Neighborhood Services Committee has voted to recommend adding a nighttime curfew to Pasatiempo Neighborhood Park (undeveloped) and Pasatiempo Park West Open Space; and

WHEREAS, numerous incidents of illegal and illicit behaviors have been witnessed or observed by the community and residents in and around Pasatiempo Neighborhood Park

(undeveloped) and Pasatiempo Park West Open Space including underage drinking, drug deals, drug use, noise disturbances, vandalism, graffiti, and people operating their vehicles after consuming alcohol or marijuana; and

WHEREAS, the Council of the City of San Diego desires to alleviate the negative impacts of persons frequenting Pasatiempo Neighborhood Park (undeveloped) and Pasatiempo Park West Open Space during the nighttime hours by enacting a nighttime curfew at the parks; and

WHEREAS, the Office of the City Attorney has drafted this Ordinance based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; 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) through (d) [No change in text.]

(e) It is unlawful for any person to be on the portions of Pasatiempo Neighborhood Park (undeveloped) and Pasatiempo Park West Open Space depicted in map 63.0120-B from 8:00 p.m. until 5:00 a.m. between April 1 and October 31 and from 5:00 p.m. until 7:00 a.m. between November 1 and March 31.

Map 63.0120-A

[No change in text.]

Map 63.0120-B

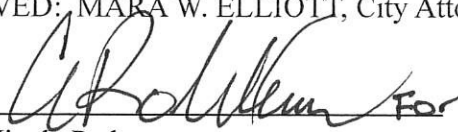
Pasatiempo Neighborhood Park (undeveloped) and Pasatiempo Park West Open Space



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  For  
Nicole Pedone  
Deputy City Attorney

NPM:jdf  
06/20/2024  
07/02/2024 COR. COPY  
08/08/2024 COR. COPY 2  
Or.Dept: CD7  
Doc. No. 3690832\_3

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JUL 30 2024.

DIANA J.S. FUENTES

City Clerk

By \_\_\_\_\_  
City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

(See attached memo and signature page.)

**Office of  
The City Attorney  
City of San Diego**

**MEMORANDUM  
MS 59**

(619) 533-5800

**DATE:** August 8, 2024  
**TO:** Council President Sean Elo-Rivera  
**FROM:** City Attorney  
**SUBJECT:** Correction to City Attorney O-2024-150 COR. COPY 2, Item #60 on the City Council agenda of July 30, 2024

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The above-referenced Ordinance has been corrected by removing added text (Map 63.0120-A) from the beginning of section (e).

No other changes have been made.

NPM:jdf

Doc. No. 3748648

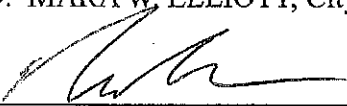
Attachment: O-2024-150 COR. COPY 2, dated August 8, 2024

cc: Luz Anaya Luna, Director of Legislative Affairs  
Heidi Palmer, Director of Legislative Assistant

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


  
\_\_\_\_\_  
Nicole Pedone  
Deputy City Attorney

NPM:jdf  
06/20/2024  
07/02/2024 COR. COPY  
Or.Dept: CD7  
Doc. No. 3690832\_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of  
San Diego, at this meeting of JUL 30 2024

DIANA J.S. FUENTES

City Clerk

By   
\_\_\_\_\_  
City Clerk

Approved: 8/2/24  
\_\_\_\_\_  
(date)

  
\_\_\_\_\_  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 30 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 05 2024.

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy  
For Connie Patterson

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

JUL 16 2024, and on AUG 05 2024.

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)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy  
For Connie Patterson

Office of the City Clerk, San Diego, California

Ordinance Number O- 21857