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6/8/2021

(O-2021-124)

ORDINANCE NUMBER O- 21325 (NEW SERIES)

DATE OF FINAL PASSAGE JUN 14 2021

AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 3,
DIVISION 1 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 63.0120, RELATING TO USE OF
PARK 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 Fanuel Street Park, Pacific Beach Library Park, and the Mission Bay Athletic Area – Bob McEvoy Field do not currently have a nighttime curfew; and

WHEREAS, the City's Park and Recreation Board voted unanimously to recommend adding the Fanuel Street Park and the Mission Bay Athletic Area – Bob McEvoy Field to the nighttime curfews and the Board of Library Commissioners voted unanimously to recommend adding the Pacific Beach Library Park to the nighttime curfews; and

WHEREAS, City Staff has received reports of numerous incidents of lewd behavior in and around the Fanuel Street Park, Pacific Beach Library Park, and the Mission Bay Athletic Area – Bob McEvoy Field, including public intoxication, noise disturbances, vandalism, drug use, and drug sales, during late evening hours; and

WHEREAS, the City Council desires to alleviate the negative impacts of persons frequenting the Fanuel Street Park, Pacific Beach Library Park, and the Mission Bay Athletic Area – Bob McEvoy Field during the nighttime hours by establishing 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) through (d) [No change in text.]
- (e) It is unlawful for any person to be on the grounds of the Fanuel Street Park and the Pacific Beach Library Park from 10:00 p.m. until 5:00 a.m.
- (f) It is unlawful for any person to be on the grounds of the Mission Bay Athletic Area – Bob McEvoy Field from 11:00 p.m. until 6:00 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 not take effect until the date the California Coastal Commission unconditionally certifies these provisions as a local coastal program amendment, or until the thirtieth day from and after its final passage whichever occurs later.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/Catherine C. Morrison
Catherine C. Morrison
Deputy City Attorney

CCM:jvg
5/4/21
Or.Dept: Parks & Recreation Department
Doc. No.: 2524375_3

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 06/08/2021.

ELIZABETH S. MALAND
City Clerk

By /s/ Connie Patterson
Deputy City Clerk

Approved: 6/14/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, 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, RELATING TO USE OF
PARK AREAS.

Article 3: Public Parks, Playgrounds, Beaches, Tidelands and other Property

**§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 grounds of the Fanuel Street Park
and the Pacific Beach Library Park from 10:00 p.m. until 5:00 a.m.

(f) It is unlawful for any person to be on the grounds of the Mission Bay
Athletic Area – Bob McEvoy Field from 11:00 p.m. until 6:00 a.m.

CCM:jvg

5/4/21

Or.Dept: Park & Recreation Department

Doc. No.: 2524405_3

Passed by the Council of The City of San Diego on JUN 08 2021, 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"/>
Monica Montgomery Steppe	<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"/>
Chris Cate	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 JUN 14 2021.

AUTHENTICATED BY:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By Connie Patterson, 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

MAY 25 2021

, and on JUN 14 2021.

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 Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21325