

Article 7: Water System

Division 3: Water Impounding System

(Added 7-31-2000 by O-18828 N.S.)

§67.0301 Water Impounding System — Posting of Notices — Authority to Enforce Regulations

- (a) That the properties of the water impounding system owned by and under the control of The City of San Diego shall be posted with notices against trespassing, bathing, or unauthorized shooting, hunting, fishing or camping, and warning all persons against violation of any of the ordinances of The City of San Diego, of the laws of the State of California, or any rules or regulations adopted pursuant thereto, which provide for the protection of any reservoir, or properties of the water impounding system.
- (b) That all officials and employees of the Park and Recreation Department and the Water Utilities Department of The City of San Diego are hereby vested with authority to enforce all laws, orders, rulings and regulations enacted for the protection of these waters and the properties pertaining thereto.

(Renumbered from Sec. 67.40 on 7-31-2000 by O-18828 N.S.)

§67.0302 Water Impounding System

- (a) Purpose and Intent

It is the purpose and intent of the Council in enacting this section that all City divers/rangers be specifically authorized pursuant to the provisions of Section 836.5 of the Penal Code of the State of California, to make arrests without a warrant whenever any such diver/ranger has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the diver's/ranger's presence which is a violation of a statute or ordinance which such diver/ranger has the duty to enforce.

- (b) Arrests and Citations

That divers/rangers of The City of San Diego, be, and they are hereby authorized, empowered and given the duty to enforce provisions of the San Diego Municipal Code and misdemeanors designated in the State Codes; to make arrests without a warrant whenever any such diver/ranger has reasonable

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cause to believe that the person to be arrested has committed a misdemeanor in the diver’s/ranger’s presence; and while engaged in the performance of their duties, to arrest persons and issue citations for violations of said Codes under the provisions of Sections 836.5 and 853.6 of the Penal Code of the State of California when violations occur in City of San Diego Water Impounding areas.

(Renumbered from Sec. 67.40.1 on 7-31-2000 by O-18828 N.S.)

§67.0303 Water Impounding System — Designation of Permissible Uses

- (a) That the City shall designate, through the City Manager, which reservoirs or property of the water impounding system of The City of San Diego, or any of them, shall be open to the public for the purpose of camping, boating, shooting, hunting and/or fishing, and unless otherwise permitted thereby, no reservoir or property of the water impounding system of The City of San Diego shall be open to the public for any purpose.
- (b) That the City Manager be, and he is hereby authorized and empowered to adopt such rules and regulations or modification thereof, regulating and controlling entry, camping, boating, shooting, hunting and/or fishing privileges and sanitation, upon the reservoirs and properties of the water impounding system owned by or under the control of The City of San Diego.

(Renumbered from Sec. 67.41 on 7-31-2000 by O-18828 N.S.)

§67.0304 Water Impounding System — Declaration of Regulations of Use

That all rules and regulations or modifications thereof concerning entry, camping, boating, shooting, hunting and/or fishing privileges, and sanitation, upon the reservoirs or property of the water impounding system owned by or under the control of The City of San Diego, which are approved by the City Manager of said City, are hereby declared to be the rules and regulations governing such privileges and sanitation.

(Renumbered from Sec. 67.42 on 7-31-2000 by O-18828 N.S.)

§67.0305 Water Impounding System — Permits for Hunting, Fishing, Camping

- (a) All persons desiring to shoot, hunt, fish, go boating or camp upon the properties of the water impounding system of The City of San Diego, where open to the public, shall first obtain a permit from The City of San Diego, and such permit or permits shall be issued in accordance with instructions of the City Manager. All holders of such permits shall present same to the respective

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keepers or their representatives for checking. Permits shall not be transferable from one reservoir to another.

- (b) All permits shall be paid for in advance, and shall be based upon the schedule approved by the City Manager.
- (c) No hunting, fishing or trespassing shall be allowed along Dulzura Creek, and no camp shall be allowed to be established within the limits of the right of way of Dulzura Creek.

(Renumbered from Sec. 67.43 on 7-31-2000 by O-18828 N.S.)

§67.0306 Water Impounding System — Contents of Permits

All permits or tickets shall be issued in the form prescribed by the City, which will show the amount paid for the permit, and the purpose, date and period of time for which the permit was granted.

(Renumbered from Sec. 67.44 on 7-31-2000 by O-18828 N.S.)

§67.0307 Water Impounding System — Regulations for Recreational Activity Areas — Trespassing

- (a) All persons entering the properties of the water impounding system of The City of San Diego are subject to the rules and regulations of the Water Department, including sanitary regulations for the protection of the water supply. Violation of the Water Department's rules and regulations may result in revocation of a recreational permit, ejection from the premises, or both.
- (b) Except as provided in Section 67.45(c), it is unlawful for any person to enter or remain upon Water Department property as follows:
 - (1) At Lake Hodges, from 10:00 p.m. until 5:00 a.m. The boundaries of the Water Department property at Lake Hodges are shown on the map on file in the office of the City Clerk as Document No. OO-18808-1.
 - (2) At the Barrett, El Capitan, Lower and Upper Otay, San Vicente, and Sutherland Reservoirs, at any time, except when the property is posted as open to the public. The boundaries of the Water Department property at Barrett, El Capitan, Lower and Upper Otay, San Vicente, and Sutherland Reservoirs are shown on the maps on file in the office of the City Clerk as Document Nos. OO-18808-2,3,4,5,6.

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- (c) Exceptions. Section 67.45(b) does not apply to the following persons:
 - (1) Employees of governmental agencies while engaged in the performance of official duties.
 - (2) Persons who have been given written permission by the City Manager.
(Renumbered from Sec. 67.45 on 7-31-2000 by O-18828 N.S.)