San Diego Municipal Code Chapter 5: Public Safety, Morals and Welfare

§56.54 Alcoholic Beverage Consumption Prohibited in Certain Areas

(a) Definitions. For purposes of sections 56.54, 56.55, and 56.56, the following terms are defined as follows:

"*Alcoholic beverage*" has the same meaning as that set forth in California Business and Professions Code section 23004.

"*Beach*" means the sand or land area bordering the water of an ocean or bay.

"*Public park*" means any property designated, dedicated or developed by or on behalf of the City of San Diego for park or open space use.

"*Seawall*" means any wall between the beach and the boardwalk.

"*Sidewalk cafe*" has the same meaning as that set forth in San Diego Municipal Code section 141.0621.

(b) Unless the City Manager or designee has issued a special event permit, unless otherwise provided under the terms of a lease agreement with the City of San Diego, or unless otherwise permitted by section 56.54, it is unlawful for any person to consume any *alcoholic beverage* at any time, upon 1), any public property, including all public b*eaches*, but not including *public parks* except as specifically listed in Appendices 56.54A, 56.54B and 56.54C, and not including Mission Bay Golf Course; and 2) public rights-of-way, including but not limited to public streets, parking lots, sidewalks, alleys, plazas, piers, jetties, including on or against *seawalls*, including all sidewalks along the outer perimeters of such areas and including any sidewalks, boardwalks and other public rights-of-way at any *beach* or coastal bluff.

(c) 12 Hour Ban

It is unlawful to consume alcohol in the areas listed in Appendix 56.54B between 8:00 p.m. and 8:00 a.m., unless the City Manager or designee has issued a special event permit or unless otherwise permitted by Section 56.54.

(d) 16 Hour Ban

It is unlawful to consume alcohol in the areas listed in Appendix 56.54C between 8:00 p.m. and Noon, unless the City Manager or designee has issued a special event permit or unless otherwise permitted by Section 56.54.

(e) Section 56.54 does not prohibit:

(1) any person from consuming *alcoholic beverages* within the defined boundaries of a *sidewalk cafe* located on the public right-of-way, or on property leased from the City.

(2) any business from lawfully selling or dispensing *alcoholic beverages* in accordance with the requirements of local and state law.

(Amended 9-8-1998 by O-18582 N.S.)
(Amended 6-21-2004 by O-19290.N.S.)
(Amended 11-8-2004 by O-19323 N.S.)
(Amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008)
(Amendments to Sections 56.54 and 56.71 amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008 shall remain in effect for one year until January 14, 2009, unless extended by the City Council. If the amendments to Sections 56.54 and 56.71 are not extended by the City Council, the amendments to Sections 56.54 and 56.71 shall be automatically repealed and removed from the

San Diego Municipal Code and the provisions of Sections 56.54 and 56.71 that were in effect prior to final passage of this ordinance shall return to full force and effect.)

APPENDIX 56.54A

24 HOUR BAN

Adams Community Park
Adams Elementary School/Park
Alcott Elementary School/Park
Allen, Dennis V., Neighborhood Park
Azalea Community Park
Balboa Park areas not included in Section 56.54(c) [Appendix 56.54B]
Bay Terraces Neighborhood Park
Bay Terraces Junior High School/Park
Berry Neighborhood Park
Birdland Neighborhood Park (Fletcher Elementary School/Park)
Bird Rock Elementary School/Park
Birney Elementary School/Park
Black Mountain Middle School/Park
Boone Neighborhood Park
Cabrillo Elementary School/Park
Cabrillo Mini-Park
Cabrillo Recreation Center
Cadman Community Park
Cadman Elementary School/Park
Cedar Ridge Mini-Park
Central Mini-Park
Chicano Neighborhood Park
Children's Park & Pond
Chollas Canyon Park
Chollas Lake Community Park
City Heights Community Park
City Heights Mini-Park
Clay Elementary School/Park
Clay Mini-Park
Clay Neighborhood Park
Cliffridge Athletic Area
Colina del Sol Community Park
Dailard Elementary School/Park
Dana Center
Doyle Community Park

East San Diego Adult Recreation Club
Edison Elementary School/Park

24 HOUR BAN (continued)
Emerald Hills Neighborhood Park
Encanto Community Park
Field Elementary School/Park
Forward Elementary School/Park
Franklin Elementary School/Park
Gaslamp Square Park
Golden Hill Community Park
Gompers Neighborhood Park
Grant Elementary School/Park
Grant Hill Neighborhood Park
Hardy Elementary School/Park
Henderson, Willie, Athletic Area
Hollywood Neighborhood Park
Hoover Senior High School/Park
Horton Plaza Park
Hourglass Community Park
Howard Lane Neighborhood Park
"J" Street Mini- Park
Jerabek Neighborhood Park
Juarez Elementary School/Park
Keiller Neighborhood Park
Kellogg Park, including the boardwalk, seawall and La Jolla Shores Beach
Kelly Neighborhood Park
Kennedy, John F., Elementary School/Park Kennedy Neighborhood Park
Kensington Neighborhood Park
King, Martin Luther Community Park
King, Martin Luther, Elementary School/Park "L" Street Mini-Park (at 28th Street)
La Jolla Athletic Area (Allen Field)
La Jolla Community Park
La Jolla Elementary School/Park
La Jolla Senior High School/Park
La Paz Mini- Park (undeveloped)
Laurel Street Mini-Park
Lewis Middle School/Park
Linda Vista Community Park
Lindberg Neighborhood Park; Community Park
Lomita Neighborhood Park

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(12-2007)
Macdowell Neighborhood Park
Marian Bear Memorial Park
Mata Mini- Park
Memorial Community Park
Mesa Verde Neighborhood Park
Mesa Viking Neighborhood Park

24 HOUR BAN (continued)
Mid-City Athletic Area
Mira Mesa Senior High School/Park
Mission Bay Park:All land areas of Mission Bay Park, including Bayside Walk, Ocean Beach Athletic Area (Robb Field) and Dusty Rhodes Park, including the parking lots, Santa Clara Point, Bob McEvoy Youth Fields (Mission Bay/Pacific Beach Youth Fields), Fiesta Island, Famosa Slough and Channel, and Fanuel Street Park, Mission Beach Park, including the Belmont Park public areas and parking lots, including the boardwalk, *seawall*, and the *beach*.
Mission Heights Neighborhood Park
Mission Trails Regional Park
Montclair Neighborhood Park
Montgomery-Waller Community Park
Mount Etna Neighborhood Park
Mountain View Community Park
Nestor Neighborhood Park
North Clairemont Community Park
North Mountain View Mini-Park
North Park Community Park
Oak Neighborhood Park
Ocean Beach Elementary School/Park
Ocean Beach Park, including the boardwalk *seawall*, jetty, and the *beach*;
Ocean Boulevard Park (Pacific Beach Park), including the boardwalk, *seawall*, and the *beach*
Old Trolley Barn Neighborhood Park
Pacific Beach Community Park
Pacific Beach Middle School/Park
Bob McEvoy Youth Fields (Mission Bay/Pacific Beach Youth Field)
Palisades Park North (undeveloped)
Palisades Park South (Law Street)

Palm Ridge Neighborhood Park
Pantoja Mini-Park
Paradise Hills Community Park
Park de la Cruz
Parkside Neighborhood Park
Penn Elementary School/Park (Athletic Area) Plumosa Neighborhood Park
Point Loma Community Park
Portola Middle School/Park
Presidio Community Park
Rolando Mini-Park
Rose Canyon Park
San Diego School of Creative and Performing Arts
Santa Clara Point
Santa Isabel Mini-Park
San Ysidro Athletic Area (Larsen Field)
San Ysidro Col. Irving Solomon Center

24 HOUR BAN (continued)
San Ysidro Community Park
Serra Senior High School/Park
Sherman Elementary School/Park
Sherman Mini-Park
Silverwing Neighborhood Park
Skyline Community Park
Skyview Neighborhood Park
South Bay Community Park
(South) Clairemont Community Park
South Mission Beach Park, including the boardwalk, *seawall*, and the *beach*
Southcrest Community Park
Spreckels Elementary School/Park
Standley Junior High School/Park
Sunny Slope Neighborhood Park
Sunset Cliffs Natural Park
Taylor Library Park
Tecolote Canyon Natural Park
Tourmaline Surfing Park
Tierrasanta Elementary School/Park
Union Place Circle Park
Valencia Elementary School/Park
Villa del Norte Mini-Park
Vista Terrace Neighborhood Park
Wabash Mini-Park
Walker Neighborhood Park

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(12-2007)
Washington Elementary School/Park
Western Hills Neighborhood Park
Widman, Marie, Memorial Neighborhood Park (Little Encanto Park)
Wilson Middle School/Park
30th Street Mini-Park
32nd Street Mini-Park (north of Redwood) 39th Street Mini-Park
41st Street Mini-Park
All parking lots in Mission Bay Park;
All parking lots on the Pacific Ocean between the southern boundary of Sunset Cliffs Park and the southern boundary of Torrey Pines State Park
The Peninsula of land known as "The Clam" including all areas west of Coast Walk and the La Jolla sea caves, and north of the public parking lots adjacent to 1325 Coast Boulevard which are accessible to pedestrians.
All coastal access, view point and bluff rights-of-way.
Crystal Pier and Ocean Beach Pier.
(Amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008)
(Amendments to Sections 56.54 and 56.71 amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008 shall remain in effect for one year until January 14, 2009, unless extended by the City

Council. If the amendments to Sections 56.54 and 56.71 are not extended by the City Council, the amendments to Sections 56.54 and 56.71 shall be automatically repealed and removed from the San Diego Municipal Code and the provisions of Sections 56.54 and 56.71 that were in effect prior to final passage of this ordinance shall return to full force and effect.)

APPENDIX 56.54B
12 HOUR BAN – 8:00 P.M. – 8:00 A.M.

That portion of Balboa Park bounded by Upas Street on the north, Highway 163 on the west, Interstate 5 on the south, and Park Boulevard on the east; Cabrillo Heights Neighborhood Park
Carmel Creek Neighborhood Park
Carmel Del Mar Neighborhood Park
Cleator, Bill, Neighborhood Park
Collier Neighborhood Park
East Clairemont Athletic Area

Gershwin Neighborhood Park
Lake Murray Community Park
Montezuma Neighborhood Park
Mount Acadia Neighborhood Park
Murray Ridge Neighborhood Park
Ocean Beach Community Park
Olive Grove Community Park
Pioneer Park (Mission Hills)
Presidio Park
Rancho Bernardo Community Park
San Carlos Community Park
Serra Mesa Community Park
Sessions, Kate, Neighborhood Park
Solana Highland Neighborhood Park;
Tecolote Community Park
(Amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008)
(Amendments to Sections 56.54 and 56.71 amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008 shall remain in effect for one year until January 14, 2009, unless extended by the City Council. If the amendments to Sections 56.54 and 56.71 are not extended by the City Council, the amendments to Sections 56.54 and 56.71 shall be automatically repealed and removed from the San DiegoMunicipal Code and the provisions of Sections 56.54 and 56.71 that were in effect prior to final passage of this ordinance shall return to full force and effect.)

APPENDIX 56.54C
16 HOUR BAN – 8:00 P.M. – NOON
All coastal parks north of Tourmaline Surfing Park, including:
Calumet Park
Charlotte Park
Hermosa Park

16 HOUR BAN – 8:00 P.M. – NOON (continued)
Hermosa Terrace Park
La Strand Park
Nicholson's Point Park
Scripps Park
Windansea Park
(Amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008)
(Amendments to Sections 56.54 and 56.71 amended 12-5-2007 by O-19690 N.S.; effective 1-14-2008 shall remain in effect for one year until January 14, 2009, unless extended by the City Council. If the amendments to Sections 56.54 and 56.71 are not extended by the City Council, the amendments to Sections 56.54 and 56.71 shall be automatically repealed and removed from the San Diego Municipal Code and the provisions of Sections 56.54 and 56.71 that were in effect prior to final passage of this ordinance shall return to full force and effect.)

§56.56 Open Alcoholic Beverage Containers Prohibited on Posted Premises
(a) Any person who has in his or her possession any bottle, can or other receptacle containing any *alcoholic beverage* which has been opened, or a seal broken, or the contents of which have been partially removed, and who enters, is on, or remains on the posted premises of, any retail package off–sale *alcoholic beverage* licensee licensed pursuant to Division 9 of the Business and Professions Code, or on any public sidewalk immediately adjacent to the licensed premises is guilty of an infraction.
(b) All retail package off–sale *alcoholic beverage* licensees licensed pursuant to Division 9 of the Business and Professions Code to operate in the City of San Diego shall post such licensed premises with notices clearly visible to patrons of the licensee and parking lot and to persons on the public sidewalk that the provisions of subdivision (a) are applicable. Such notices shall include language that states that possession of any opened *alcoholic beverage* container is prohibited by law. Any licensee who does not so post the licensed premises is guilty of an infraction.
(c) As used in this section "posted premises" means those premises which are subject to licensure under any retail off–sale *alcoholic beverage* license, the parking lot immediately adjacent to the licensed premises and any public sidewalk immediately adjacent to the licensed premises which are posted with notices pursuant to subdivision (b).
(d) As used in this section "parking lot immediately adjacent to the licensed premises" means any parking lot except those described in subdivision (e) which is contiguous to the licensed premises and any parking lot under the control of or operated in conjunction with the licensed premises.
(e) The provisions of this section do not apply to any private residential parking lot immediately adjacent to the posted premises.

(f) The subsections of this section are severable. The invalidity of a subsection shall not affect the validity of the remaining subsections.
("Open Alcoholic Beverage Containers Prohibited on Posted Premises" added 9–26–1983 by O–16046 N.S.)
(Amended 6-21-2004 by O-19290 N.S.)