

CITY OF SAN DIEGO

Proposition G

(This proposition will appear on the ballot in the following form.)

PROP G AMENDS THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 56.54 PERTAINING TO ALCOHOL CONSUMPTION IN BEACH AREAS. Shall the San Diego

Municipal Code be amended to prohibit alcohol consumption twenty-four hours per day in substantially all of Mission Beach and specified beach areas of Pacific Beach from June 1, 2001, through December 31, 2002?

Full text of this proposition follows the arguments.

ARGUMENT IN FAVOR OF PROPOSITION G

VOTE YES on this trial period for alcohol free beaches.

Alcohol in crowded public parks creates major public safety problems. Violence, vandalism, teenage drinking, drunk driving, disturbances of all kinds are the inevitable result. That's why every major beach community in Southern California except San Diego prohibits alcohol on the sand. That's why your neighborhood public park is undoubtedly alcohol free.

But at Mission Beach and Pacific Beach where you can drink on the sand, police recorded 17,393 arrests and citations for alcohol violations over a recent 3 year period; that's over a third of such citations for the entire city! Included were 1,361 drunk drivers and 2,583 minors in possession of alcohol. This area has become the center of underage drinking in Southern California. On busy weekends over 50 police officers are often deployed there officers that could be protecting your neighborhood.

In 1991, when La Jolla Shores beach was made alcohol free, reported crimes dropped 80% and arrests dropped 43%. Today, 2 officers are assigned there in the summertime.

Your City Council heard extensive testimony from lifeguards, police and the public, then designated Mission Beach and part of Pacific Beach for an alcohol free trial period. But the alcohol industry, which makes huge profits from beachgoers, financed a signature campaign to force this city wide vote.

WHO'S MAKING PUBLIC POLICY? THE CITY COUNCIL OR THE LIQUOR STORES?

Opponents of alcohol free beaches claim residents are trying to reserve the beach for themselves. The truth is that senior citizens, families with small children and many tourists shun our beaches because they find drunken behavior there.

Our beaches are for everyone--yet are being disrupted by young rowdies who want to get drunk and make mischief. Vote YES for **SAFE BEACHES**.

JAMES R. MILLIKEN
Presiding Judge
Juvenile Court

BILL FARRAR
President
San Diego Police Officers Assn.

CYNTHIA STERLING ROARK
President
Mothers Against Drunk Driving

RONALD L. OTTINGER
Member, Board of Trustees
San Diego Unified School District

WILLIAM BRADSHAW
Co-chair
San Diegans for Safe Beaches

ARGUMENT AGAINST PROPOSITION G

It's Our Beach. It's Our Choice!

The **San Diego lifestyle** includes a campfire on the beach, watching the sunset, and **enjoying a cold beverage of your choice** at the beach. Yet the **San Diego City Council wants to take that choice away from us!**

The **City Council wants to punish the 99% of law-abiding citizens** and take away our right to drink an adult beverage at the beach. **Sure it's easier** than enforcing the existing laws . . . **BUT IT'S WRONG!**

Here are the facts:

- San Diego Lifeguards estimated **20,523,424 beach visitors** for Pacific Beach/Mission Beach in 2000. (City Council Minutes 4/30/01)
- San Diego Police reported **only 1,741 alcohol violations** on the beach in PB/MB for the year 2000. (City Council Minutes 4/30/01)
- That is **.00008% violations.**
- There **already is an 8:00 pm to Noon (overnight) alcohol ban** on all beaches.

It's time the City **improved enforcement in the beach community to prevent crime.** It's **already illegal** to

- **Vandalize** public or private property.
- Fight, or **threaten** individuals.
- Urinate in public.
- **Drink underage.**

We need enforcement of existing laws to protect the community.

That is why **each beach area Town Council:**

- **Mission Beach Town Council**
- **Pacific Beach Town Council**
- **Ocean Beach Town Council**

Has voted **repeatedly** to **OPPOSE THIS BAN!!!**

Who will this affect most? Hard working citizens who enjoy the beach for free recreation, and **taxpayers** who have earned the right to enjoy the beach in a legal, responsible way. **There already are alcohol free beaches for those who choose.**

What's the answer? Beach enforcement patrols with a strong, consistent presence to deter anti-social behavior. It's hard work. **But punishing honest, hard-working citizens is NOT the answer!!** We need tougher penalties, and tougher enforcement!

Vote No on G!

DR. ROB BUECHEL
President
Pacific Beach Town Council

JULIE DOENGES
San Diegans for Protection of
Responsible Beach Rights

ROBERT CHUBINSKY
Vice President
Mission Beach Town Council

J.P. HEGEMEYER
Board Member
Mission Beach Town Council

PROPOSED ORDINANCE

The portions of the Municipal Code to be added are underlined and the portions to be deleted are printed in ~~strike-out~~ type.

§56.54 Alcoholic Beverage Consumption Prohibited in Certain Areas

- (a) Definitions. For purposes of this section, 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 for park or open space use.

“Seawall” means the wall between the beach and the boardwalk.

“Sidewalk cafe” has the same meaning as that set forth in San Diego Municipal Code section 101.0550.

- (b) Unless the City Manager or designee has issued a special event permit, or unless otherwise permitted by section 56.54, it is unlawful for any person to consume any alcoholic beverage at any time, upon any public property (not including public parks and beaches except as specifically listed below) and public rights-of-way, including but not limited to public streets, parking lots, sidewalks, alleys, plazas, piers, and seawalls (including on or against seawalls), and including all sidewalks along the outer perimeters of such areas; and upon the following areas, including public rights-of-way within and immediately adjacent to them:

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)(1); 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; Crown Point Elementary School/Park; Dailard Elementary School/Park; Dana Center; Decatur Elementary School/Park; Doyle Elementary School/Park; East San Diego Adult Recreation Club; Edison Elementary School/Park; Emerald Hills Neighborhood Park; Encanto Community Park; Ericson Elementary School/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 Elementary School/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; Macdowell Neighborhood Park; Mann Middle School/Park; Marian Bear Memorial Park;

Marine Street Beach, including the beach, bluffs, stairs, and adjacent public rights-of-way between the northern property line of 274 Coast Boulevard and the westerly extension of the northern side of Westbourne Street;

Marston Middle School/Park; Mason Elementary School/Park; Mata Mini-Park; Memorial Community Park; Mid-City Athletic Area; Mira Mesa Senior High School/Park;

Mission Beach Park, including the Belmont Park public areas and parking lots, including the boardwalk and seawall, and excluding the beach, as described in Section 56.54(d)(1); 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 and seawall, and excluding the beach; as described in Section 56.54(d)(1);

Ocean Boulevard Park (Pacific Beach Park), including the boardwalk and seawall, and excluding the beach, as described in Section 56.54(d)(1);

Old Trolley Barn Neighborhood Park; Pacific Beach Community Park; Pacific Beach Middle School/Park; Pacific Beach Sports Field (Mission Bay 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; 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 and seawall, and excluding the beach, as described in Section 56.54(d)(1);

Southcrest Community Park; Spreckels Elementary School/Park; Standley Junior High School/Park; Sunny Slope Neighborhood Park; Taylor Library Park; Tecolote Canyon Natural 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; Wagenheim Middle School/Park; Walker Elementary School/Park; 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.

(c) Exceptions to 24 Hour Ban – 12 Hours

It is unlawful to consume alcohol in the following areas 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:

- (1) 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;
- (2) Cabrillo Heights Neighborhood Park; Carmel Creek Neighborhood Park; Carmel Del Mar Neighborhood Park; Cleator, Bill, Neighborhood Park; Collier Neighborhood Park; East Clairemont Athletic Area; Famosa Slough and Channel; 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.

(d) Exceptions to 24 Hour Ban – 16 Hours

It is unlawful to consume alcohol in the following areas 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:

- (1) All beaches on the Pacific Ocean and adjacent parks and perimeter sidewalks between the southern boundary of Sunset Cliffs Park and the southern boundary of Torrey Pines State Park that are not included in section 56.54(b);
- (2) All land areas of Mission Bay Park, including Bayside Walk, Ocean Beach Athletic Area (Robb Field) and Dusty Rhodes Park, but excluding parking lots, Santa Clara Point, and Bob McEvoy Youth Fields (Mission Bay Youth Fields).

(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.

(f) Notwithstanding the foregoing provisions, for the period beginning June 1, 2001 and ending December 31, 2002, inclusive, the twenty-four hour prohibition on the consumption of alcoholic beverages set forth in section 56.54(b) shall also apply to the beaches facing both the ocean and Mission Bay: (i) in Mission Beach, on the ocean side, from the south jetty, north to Pacific Beach Drive, (ii) in Mission Beach, on the bay side, from the south jetty, north to Zanzibar Court, and (iii) in Pacific Beach, from Pacific Beach Drive, north to Felspar Street. The City Manager may grant permits for the consumption of alcohol in this area in the same manner and to the same extent recognized in section 56.54(b).