Article 9: City Sports Facility

("San Diego Jack Murphy Stadium"
amended with title change 7–9–1984 by O–16234 N.S.)
(Retitled to "QUALCOMM Stadium" on 11-18-1997 by O-18440 N.S.)
(Retitled to "City Sports Facility" on 2-9-2004 by O-19262 N.S.)

Division 1: Definitions

(Division added 7–9–1968 by O–9838 N.S.)
(Editors note: Title "Stadium and Parking Facility"added 8–9–1988.)
(Retitled to "Definitions" on 2-9-2004 by O-19262 N.S.)

§59.0101 Purpose of Definitions

The purpose of this division is to provide clear and concise definitions of words and phrases that have meanings specifically related to Article 9 regarding *QUALCOMM Stadium*, *QUALCOMM Stadium parking facilities, PETCO Park*, the *Ballpark District*, and *Outfield Park*. Each word or phrase that is defined in the division appears in the text of Article 9 in italicized letters.
(Retitled from "Purpose and Intent" and amended 2–9–2004 by O–19262 N.S.)

§59.0102 Definitions

For purposes of Article 9, the following words or phrases have the respective meanings:

Area not open to the general public includes the playing field, including the dirt track surrounding the turf, dugouts, bull pen areas, team locker rooms, office and administrative areas, roofs, signs, architectural supports and superstructure, stage or other areas set apart for the participants, performers, officials, attendants or service personnel, fencing, walls, lighting supports and standards, trees and any plant materials, ladders, stages, back stage areas, and any elevators, stairways, tunnels, or other areas which are either plainly marked as not being open to the general public or posted with police, security or other *City sports facilities* personnel who state that these areas are closed to the general public when such police, security, or other *City sports facilities* personnel are either in uniform or identify themselves as acting in such capacity.

Ballpark District means that territory lying from Harbor Drive to Sixth Avenue to Market Avenue; thence from Market Avenue to 14th Street; thence from 14th Street to Commercial Street; and thence from Commercial Street in a line directly west to Harbor Drive. The *Ballpark District* territory includes street areas and all adjacent sidewalks within these boundaries. The *Ballpark District* is shown in Figure 1 of Chapter 5, Article 9, Division 3 of this Code.

City event means any *Event* at *PETCO Park* conducted, authorized, or permitted by the City, or conducted by any other person authorized, sponsored, or permitted by the City, at which there is an expected attendance of ten thousand spectators or more.

City sports facilities refers to and includes both *QUALCOMM Stadium* and *PETCO Park.*

Conclusion of an event refers to the expiration of the allotted playing time or termination of play in relation to any particular sporting *event.* In relation to non-sporting *events*, the *event* shall be deemed concluded at the time designated by the permit granted for the use of the *City sports facilities* or *QUALCOMM Stadium parking facility*, or at the end of any particular band performance, stage show, program, or concert, whichever is earlier.

Event refers to any sporting, athletic, musical, or other type of scheduled activity, conducted under contract with the City occurring within *QUALCOMM Stadium. event* also refers to *Padres games and events, City events*, and any sporting, athletic, musical, or other type of scheduled activity, conducted under contract with the City or Padres, occurring within *PETCO Park. Event* also refers to any scheduled contractual activity occurring within the *QUALCOMM Stadium parking facility* including swap meets, flea markets, automobile sales events, circuses, and other such activities where permits are authorized.

Motor coach means any motor vehicle designed, used, or maintained for carrying more than 15 persons including the driver.

Outfield Park means a park-like area, adjacent to *PETCO Park* and suitable for picnics and observing *events* in *PETCO Park*, set amidst (but not including) a combination of retail, commercial, and residential development.

Overflow capacity event means any e*vent* in the *QUALCOMM Stadium* in which attendance is anticipated to be in excess of 60,000 people, and in which a use or occupancy permit has been issued for the use of the *QUALCOMM Stadium* facility only, and not for the use of both *QUALCOMM Stadium* and the *QUALCOMM Stadium parking facility.*

Padres games and events means any and all Major League Baseball games and Padres-sponsored baseball *events.*

Parking space means any area marked with lines designating a parking space in the *QUALCOMM Stadium parking facility,* except those parking spaces designated and numbered as *tailgate parking spaces. Parking spaces* may be marked for small cars or for standard size cars. *Parking spaces* for vehicles exceeding twenty feet in length shall mean two spaces marked for standard size cars.

PETCO Park means an open-air baseball facility, with multiple uses, and with approximately 42,000 seats, and consisting of the ballpark structure itself, all fixtures and systems, all improvements, additions, alterations, the grounds, walkways and sidewalks immediately surrounding the ballpark structure within the perimeter fence, and *Outfield Park* as specified in Municipal Code section 59.0401, located in East Village in the City of San Diego.

PETCO Park manager means the administrative officer assigned by the Padres as responsible for the day-to-day management of *PETCO Park.*

PETCO Park security personnel means all employees, contractors, employees of contractors, or other agents of the Padres charged with responsibility for the orderly conduct of individuals attending *Padres games and events.*

QUALCOMM Stadium means that certain multipurpose sports structure located in Mission Valley in the City of San Diego, the peripheral boundaries of which are the gates for access and egress and the walls surrounding the outer perimeter buildings.

QUALCOMM Stadium manager means the administrative officer assigned by the City Manager as responsible for management of *QUALCOMM Stadium* and *QUALCOMM Stadium parking facility.*

QUALCOMM Stadium parking facility means all parking areas, entrances and exits continuous from street grade and all passenger waiting areas at the *QUALCOMM Stadium.*

QUALCOMM Stadium security personnel means all employees, contractors, employees of contractors, or other agents of *QUALCOMM Stadium* charged with responsibility for the orderly conduct of individuals attending *QUALCOMM Stadium events.*

Special event has the same meaning as in section 22.4003.

Special event venue has the same meaning as in section 22.4003.

Sticker means any gummed or adhesive label, patch, or design whatsoever.

Tailgate means any person standing, sitting, or remaining in the area of a vehicle, chair, table, ice-chest, barbeque, or similar device for the purpose of consuming any food or beverage, or for the purpose of socializing before, during, or at the *conclusion of an event.*

Tailgate parking spaces means reserved and numbered spaces at *QUALCOMM Stadium* measuring forty feet in length for parking vehicles located in a designated tailgate parking area.

Vehicle means a device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.
(Amended 2-9-2004 by O-19262 N.S.)

Article 9: City Sports Facility

Division 2: Prohibited Activities within City Sports Facilities

("Prohibited Activities within City Sports Facilities" added 2-9-2004 by O-19262 N.S.)

§59.0201 Purpose and Intent

This division is enacted for the purpose and intent of protecting the public health, welfare, and safety of the spectators and participants at *events* held in *City sports facilities*.

("Purpose and Intent" added 2-9-2004 by O-19262 N.S.)

§59.0202 Activities Prohibited within City Sports Facilities

(a) It is unlawful for any person to do the following within any *City sports facility*:

(1) Intentionally throw, discharge, launch or spill any solid object (including footballs, baseballs, beach balls, frisbees, or other such devices) or liquid substance or otherwise cause such object or substance to be thrown, discharged, launched, spilled or to become airborne.

(2) Explode, set–off, discharge, or otherwise release or cause to be released any smoke bomb, fireworks, stink bomb, or other substance which is physically harmful or otherwise irritating, offensive, repugnant or disgusting to the eyes or sense of smell.

(3) Leave the area or areas set aside for spectators and enter any *area not open to the general public*, at any time before, during, or after an *event*.

(4) Bring into or possess any can, bottle, thermos, vacuum bottle, canteen, or other similar container, unless expressly authorized in writing by the *QUALCOMM Stadium manager* with regard to *QUALCOMM Stadium*, or the *PETCO Park manager* with regard to *PETCO Park*.

(5) Gain or attempt to gain admittance to a *City sports facility* except through an access gate open for public access and by presenting a valid *event* ticket or otherwise paying the posted charge required for admission, or to enter or attempt to enter *City sports facility* during non–*event* days or hours without permission.

(6) Enter the clearly marked and designated restroom facilities of the opposite sex, except that this section 59.0202(a)(6) does not apply to children under ten years of age accompanied by a parent or guardian.

(7) Behave in so noisy, boisterous, or rowdy a manner as to disturb spectators or participants at any *event*, or violate any local ordinance or state law. Such person shall be subject to ejection by San Diego Police Department officers, *QUALCOMM Stadium security personnel*, or *PETCO Park security personnel*. It is unlawful for a person to refuse to obey an ejectment order made pursuant to enforcement of this section 59.0202(a)(7), or to re–enter the *City sports facilities* during that *event* after such ejectment by purchase of another ticket or by any other means.

(8) Bring into or possess any noise making device including air horns, powered megaphones, bugles, drums, tambourines, or other musical instruments unless expressly authorized by the *QUALCOMM Stadium manager* or by the *PETCO Park manager*.

(9) Lead, conduct, or otherwise bring or allow to remain in the *City sports facilities* any animal, bird, fish, or reptile, except trained guide, signal, or service animal that is in actual use.

(10) Remain within a *City sports facility* more than one hour after the conclusion of an *event*. It is unlawful for any person to refuse to obey the lawful order of a police officer, *QUALCOMM Stadium security personnel,* or *PETCO Park security personnel* made pursuant to enforcement of this section 59.0202(a)(10).

(11) Bring, or cause to be brought, for the purposes of sale or barter, or have for sale, or sell or exchange, or offer for sale, or exchange any food, drink, service, goods, wares, ticket, or merchandise within any portion of *QUALCOMM Stadium*, including the perimeter sidewalk of *QUALCOMM Stadium*, or within any portion of *PETCO Park* without first having obtained a City business license and permit from the *QUALCOMM Stadium manager*, or permission from the *PETCO Park manager*.

(12) Attach any sticker on any *City sports facility* surface by any means.

(13) Ride any skateboard, roller blade, roller skate, coaster, scooter, or similar type device.

(14) *Smoke* or *vape*, except in posted designated areas for *smoking* or *vaping* at *PETCO Park*. For purposes of Section 59.0202, the terms *smoke*, *smoking*, *vape,* and *vaping* have the same meanings as in San Diego Municipal Code section 43.1001.

(15) *Smoke* or *vape*, except in designated areas for *smoking* or *vaping* at *QUALCOMM Stadium* (not including the *QUALCOMM Stadium parking facilities*) where patrons may temporarily leave the *QUALCOMM Stadium* to *smoke* or *vape*, but remain in a secure perimeter.

(b) Sections 59.0202(a)(1) through (a)(13) do not apply to any duly authorized employee, agent, or officer of the *City sports facilities* or the City of San Diego while acting in the course and scope of employment, nor does it apply to any duly authorized participant, performer, official, *QUALCOMM Stadium security personnel*, *PETCO Park security personnel*, or service personnel specifically authorized to perform such an act by the *Stadium manager* or the *PETCO Park manager* while acting in the scope of employment or participation.

("Activities Prohibited within City Sports Facilities" added 2-9-2004 by O-19262 N.S.)
(Amended 9-19-2006 by O-19536 N.S.; effective 10-19-2006.)
(Amended 10-2-2014 by O-20408 N.S.; effective 11-1-2014.)

Article 9: City Sports Facility

Division 3: Ballpark District

("Ballpark District" added 2-9-2004 by O-19262 N.S.)

§59.0301 Purpose and Intent

This division designates the *Ballpark District* a *special event venue* and regulates and prohibits certain activities, for the purpose of protecting the public health, welfare, and safety of those businesses, residents, and visitors within the *Ballpark District* during specified *events* therein.
("Purpose and Intent" added 2-9-2004 by O-19262 N.S.)

§59.0302 Designation of the Ballpark District

The *Ballpark District* is designated a *special event venue*, pursuant to Chapter 2, Article 2, Division 40 of this Code, beginning three hours before the scheduled start time of any *Padres games and events* or *City event* permitted at *PETCO Park*. The designation shall conclude one hour after the conclusion of an *event*. All regulations and prohibitions set forth in Chapter 2, Article 2, Division 40, and Chapter 5, Article 9, Division 3, of this Code apply during the designation as a *special event venue*.
("Designation of the Ballpark District" added 2-9-2004 by O-19262 N.S.)

§59.0303 Activities Prohibited within the Ballpark District

In addition to those regulations and prohibitions contained in Chapter 2, Article 2, Division 40 of this Code, it is unlawful for any person to engage in the following conduct upon the public lands and rights-of-way within the *Ballpark District*:

(a) Tailgate.

(b) Litter, throw, or deposit on the ground, or post or affix to any publicly owned or maintained tree, fence, or structure within the *Ballpark District* any handbill, circular, pamphlet, tract, dodger, paper, *sticker*, or advertisement.

(c) Bring, leave, turn loose or allow to go free any animal, fowl, or bird of any kind, except a trained guide, signal, or service animal that is in actual use.

(d) Consume from any container made of glass, except in locations where such containers are permitted under the terms of a lease, operating agreement, or permit.

(e) Leave or scatter any boxes, empty or otherwise, waster paper, remains of meals, newspaper or rubbish of any kind, except that such material and matter may be deposited in receptacles provided for such purpose.

(f) Set up, maintain, or give any exhibition, show, performance, lecture, concert, place of amusement, or concert hall without the written consent of the City Manager.

(g) Play any game of ball or engage in any sport except at such places and at such times as shall be designated for such purpose by the City Manager.

(h) Enter the clearly marked and designated restroom facilities of the opposite sex, except that this section 59.0303(i) does not apply to children under ten years of age accompanied by a parent or guardian.

(i) Ride a bicycle except (1) where posted to authorize bicycle riding; or (2) on any designated bikeway; or (3) on any road designated and established for automotive traffic. Motorcycles or any other motorized *vehicles* are prohibited except on roads designated and established for automotive traffic.

(j) Obstruct the free travel of any *vehicle* or pedestrian over any of the walks, roads, or avenues of the *Ballpark District.*

(k) Open or close any valves or switches pertaining to the water or electric services in the *Ballpark District*, except when performed by authorized public utility personnel.

(l) Throw, discharge, launch, or spill any solid object (including footballs, baseballs, frisbees, and other such devices) or liquid substance, or otherwise cause such object or substance to be thrown, discharged, launched, spilled, or to become airborne.

(m) Explode, set-off, discharge, or otherwise release or cause to be released, any smoke bomb, fireworks, stink bomb, or other substance which is physically harmful or otherwise irritating, offensive, repugnant, or disgusting to the eyes or sense of smell.

(n) Cause or permit the engine of any privately owned *motor coach* to idle while parked, standing or stopped, upon any public way for more than fifteen minutes, provided however, if a privately owned *motor coach* is making a temporary stop for the sole purpose of loading or unloading passengers, such motor coach shall not be permitted to idle for longer than is reasonably necessary to load or unload passengers.

("Activities Prohibited within the Ballpark District" added 2-9-2004 by O-19262 N.S.)
(Amended 10-14-2009 by O-19900 N.S; effective 11-13-2009.)

§59.0304 Activities Prohibited on PETCO Park Perimeter Sidewalk

During the *Ballpark District* designation set forth in section 59.0302, and in addition to those prohibitions set forth in section 59.0303, it is unlawful for any person to engage in any of the following on the perimeter sidewalks, walkways, or promenades immediately adjacent to *PETCO Park* during *City events* or *Padres games and events:*

(a) Intentionally throw, discharge, launch, or spill any solid object (including footballs, baseballs, beach balls, frisbees, or other such devices) or liquid substance, or otherwise cause such object or substance to be thrown, discharged, launched, spilled or to become airborne.

(b) Bring onto or possess any can, bottle, thermos, vacuum bottle, canteen, or other similar container, unless expressly authorized in writing by the City Manager.

(c) Bring onto or possess any noise making device, including, but not necessarily limited to, air horns, powered megaphones, bugles, drums, tambourines, or other musical instruments, unless expressly authorized in writing by the City Manager.

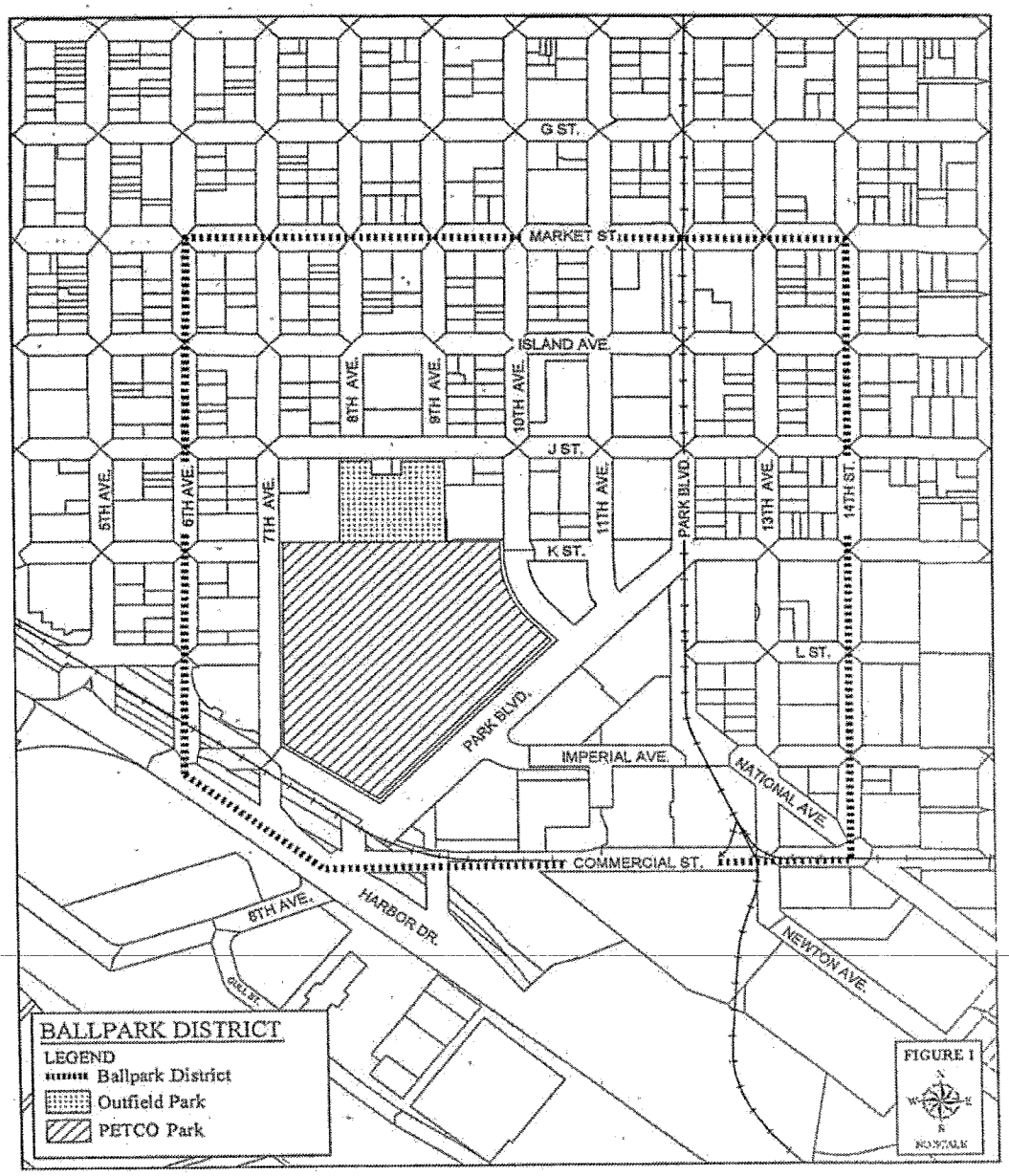
(d) Lead, conduct, or otherwise bring or allow to remain any animal, bird, fish, or reptile, except for a trained guide, signal, or service animal that is in actual use.

(e) Ride any skateboard, roller blade, roller skate, coaster, scooter, or similar type device.

(f) Bring, possess, or place tables, barbeques, chairs, umbrellas, or other objects unless expressly authorized in writing by the City Manager.

("Activities Prohibited on PETCO Park Perimeter Sidewalk" added 2-9-2004 by O-19262 N.S.)

FIGURE 1


G ST.
MARKET ST.
ISLAND AVE.
8TH AVE.
9TH AVE.
10TH AVE.
J ST.
5TH AVE.
6TH AVE.
7TH AVE.
11TH AVE.
PARK BLVD.
13TH AVE.
14TH ST.
K ST.
L ST.
PARK BLVD.
IMPERIAL AVE.
NATIONAL AVE.
COMMERCIAL ST.
HARBOR DR.
5TH AVE.
NEWTON AVE.
BALLPARK DISTRICT
LEGEND
Ballpark District
Outfield Park
PETCO Park
FIGURE 1
NORTH

Article 9: City Sports Facility

Division 4: Outfield Park

("Outfield Park" added 2-9-2004 by O-19262 N.S.)

§59.0401 Outfield Park

(a) The purpose and intent of this division is to regulate and prohibit certain activities in *Outfield Park* in the interests of protecting the enjoyment and safety of the public in the use of the facilities.

(b) *Outfield Park* shall be open to the public in accordance with posted times.

(c) When *Outfield Park* is open to the public, the regulations and prohibitions set forth in sections 63.0102(b) apply and alcohol consumption is prohibited, except as otherwise permitted by the City Manager and except during the time period of four and a half hours before the scheduled start time of any *Padres games and events*, two hours before the scheduled start time of any *City event* permitted at the *PETCO Park*, or whenever closed due to a permitted *special event*, and one hour after the *conclusion of an event*. During this time period, *Outfield Park* is part of the *PETCO Park* and subject to regulations pertaining to *PETCO Park*.

("Outfield Park" added 2-9-2004 by O-19262 N.S.)