



The City of San Diego

Staff Report

DATE ISSUED: May 18, 2022

TO: City Council

FROM: Council District 1 and Council District 2

SUBJECT: Amendments to the San Diego Municipal Code Regarding Beach Fires

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Council District(s): 1, 2

OVERVIEW:

This item recommends amendments to the San Diego Municipal Code to eliminate confusion with enforcement, and to improve public safety and air quality regarding the building, maintaining, and use of beach fires in City-provided fire rings and portable propane-fueled devices.

PROPOSED ACTIONS:

Request the City Attorney's Office work with the appropriate City departments, Council Districts 1 and 2, and other City staff to conduct legal analysis and prepare an ordinance amending the San Diego Municipal Code regarding the use of beach fires in City-provided fire rings and portable propane-fueled devices, for the Council's consideration and approval.

DISCUSSION OF ITEM:

Beach fires are an enjoyable pastime for beach visitors and residents of San Diego alike. However, illegal beach fires can pose a safety and health risk. The practice of creating and then extinguishing fires in the sand poses a burn risk for individuals walking the beach and can result in emergency room visits. Additionally, wood smoke from dozens of fires lining the beach in portable wood fired devices may result in significant air quality issues.

To mitigate these risks, the Municipal Code should be amended to state the allowance of fires only in City-provided fire rings and portable propane-fueled devices on San Diego beach areas.

The allowance of portable propane-fueled fire devices eliminates the illegal dumping or burying of coals or embers in the sand and the risk of beachgoers burning their feet, as well as greatly reduces air quality issues associated with the burning of wood. Coal and wood may still be used for beach

fires in City-provided fire rings where their remnants may be left after the fire is spent or extinguished and will be removed by City staff per current maintenance practices.

Summary of Changes to the San Diego Municipal Code:

- §511.0307 (a) change "barbecue pit" to "*City-provided fire ring*"
- §511.0307 (a) (1) add sections "(e), (f), (h), and (i)"
- §63.0102 (b) (11) clarify "stove, ovens, or similar facilities provided by the Parks and Recreation Department" to read "*City-provided fire rings* or portable propane-fueled devices as permitted in §63.20.5(c)."
- §63.20.5 (c), (d), (f), (h) and (i) change "City-provided fire container(s)" to "City-provided fire ring(s)."
- §63.20.5 (c) replace public beach with "*beach area*" as defined by the Parks and Recreation Department in §63.20 and add portable propane-fueled device. Define *City-provided fire ring* and remove "Fires are prohibited on beaches where there is no City-provided fire container(s)."
- §63.20.5 (e) replace entire section with "It is permissible to use a portable propane-fueled device on *beach areas* consistent with §63.20.5(c). Permissible devices are limited to Liquefied-petroleum LP (which includes propane) gas fueled devices having LP gas container with a water capacity not greater than 2.5 pounds (1 pound LP-gas capacity). Other fuel materials are not permitted in portable devices."
- §63.20.5 (h) and (i) add *beach area*, *City-provided fire ring*, and propane-fueled device.

These changes are included as strikeout/redlined edits and are available with the supporting document titled "Beach Fires – Proposed Municipal Code Amendments."

Fiscal Considerations:

N/A

Charter Section 225 Disclosure of Business Interests:

N/A; there is no contract associated with this action.

City Strategic Plan Goal(s)/Objective(s):

By improving safety on City beaches, the resulting action of this item supports the City's Strategic Plan Priority Area: Protect & Enrich Every Neighborhood in which "San Diegans benefit from accessible, convenient, safe, and comfortable recreational spaces in their communities."

Environmental Impacts:

Analysis to be conducted.

Climate Action Plan Implementation:

This action will improve Public Health and Air Quality by reducing the City's carbon footprint and develop and adopt new or amended regulations, programs, and incentives to implement the goals of the Climate Action Plan.

Equal Opportunity Contracting Information (if applicable):

N/A

Previous Council and/or Committee Actions:

N/A

Key Stakeholders and Community Outreach Efforts:

Communications with coastal community residents, the Beach Fire Task Force, and various vendors have shaped this policy proposal.

Victoria Joes

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Chief of Staff, Council District 1