

Article 3: Public Parks, Playgrounds, Beaches, Tidelands and other Property

Division 1: Use of Park Areas

(“Use of Park Areas” added 8-9-1993 by O-17951 N.S.)

§63.0101 Use of Playgrounds and Recreation Areas

The Park and Recreation Director of The City of San Diego with the approval of the City Manager, shall have authority to promote the use of City-owned playgrounds and recreation areas for the benefit of the people of The City of San Diego by organizing, carrying on, conducting and maintaining regularly scheduled and planned athletic contests and games under the supervision of such Park and Recreation Director, under rules and regulations to be adopted by said Park and Recreation Director, which, among others, shall include the following:

- (a) Organized and sponsored athletic teams may be assigned exclusive use of playgrounds or recreational areas for the carrying on and conducting of athletic contests and exhibitions, at which the public shall be admitted without charge, except that voluntary contributions may be collected under the direct supervision of such Park and Recreation Director at such contests. All of such money so received shall be immediately deposited in the Cultural and Recreational Promotional Trust Fund, as created by the provisions of Ordinance No. 3439 (New Series) of the ordinances of The City of San Diego.
- (b) All of such regularly scheduled athletic contests, games or events shall be carried on and conducted under the supervision and control of said Park and Recreation Director.
- (c) Preference in the use of such playgrounds and recreational areas and the holding of such athletic games and events shall be given to the residents of The City of San Diego, provided, however, that the Park and Recreation Director may, if he deems it to be in the best interests of the promotion of such playground and recreational activity authorize contests between organized athletic teams coming from areas outside of the territorial boundaries of The City of San Diego, and may also, if he deems it advisable, permit organized teams resident outside of The City of San Diego to compete in regularly scheduled contests with teams composed of members resident within The City of San Diego.

The Park and Recreation Director shall not permit any team or organization of athletes to participate in any such athletic contests, games or events if any member of such competing athletic team is paid a consideration for his services in such contest. In this connection sponsors of such organized teams may provide each member of a competing athletic team with necessary uniforms and equipment for the contests, and may also provide the necessary expenses of transportation to and from the place of contest. The Park and Recreation Director shall not permit any athletic team to compete in any such games or contests whose sponsor, except for uniforms and equipment, spends in excess of \$800.00 per calendar year in the maintenance of such athletic team, and such Director may, if he so desires, require such sponsor to submit, by affidavit or otherwise, proof of the total amount of expenditures per month made by said sponsor in support of the athletic team participating in such contests so sponsored.

- (d) The Park and Recreation Director may, if it is deemed advisable, require each competing team or contestant to pay an entry fee either for a single contest or for a series of contests in league activity. All moneys collected by the Park and Recreation Director, either by way of entry fees or contributions, shall be paid as hereinabove provided into the Cultural and Recreational Promotional Trust Fund. No moneys in such fund shall be used other than for the promotion of such playground and recreational area activity. In this connection the Auditor and Comptroller of said City is authorized to honor and the Treasurer to pay claims submitted by the Park and Recreation Director for the services of attendants at such contests, and payment of umpires or referees, secretarial expenses in connection with such contests, purchase of awards and trophies, public address sound systems, and other expenses incidental to promoting and conducting the contests. Competing teams shall not receive any traveling expenses or other direct payment from the Cultural and Recreational Promotional Trust Fund for their participation in any contest.

(Renumbered from Sec. 63.01, retitled and amended 8-9-1993 by O-17951 N.S.)

§63.0102 Use of Public Parks and Beaches Regulated

(a) Purpose and Intent

It is the purpose and intent in enacting this Division to regulate and prohibit certain activities in public parks and beaches within the City of San Diego in the interests of protecting the enjoyment and safety of the public in the use of these facilities, as well as the natural resources of the City of San Diego.

(b) Definitions

For purposes of this Division, defined terms appear in italics. The following definitions apply in this Division:

Beach areas has the same meaning as in San Diego Municipal Code section 63.20.

Expressive activity has the same meaning as in San Diego Municipal Code section 63.0502.

Open space means any undeveloped public property either primarily in its natural state, including canyons, coastal bluffs, and unimproved waterways, or that is held out by the City or used by the public for passive recreational purposes, conservation, habitat preservation, or that maintains or enhances the conservation of natural or scenic resources.

Park means any public property, whether developed or undeveloped, held out by the City or used by the public for active or passive park and recreation uses, including adjacent buffer lands and natural areas and any adjacent parking lots and perimeter sidewalks. The definition of *park* includes *open space* and all public beaches, *beach areas*, bays, and wetlands within the City.

Services are activities involving the performance of work for others, the rental of furniture or equipment for an activity or event, or the provision of intangible items to a group of four persons or more at the same time that cannot be returned once they are provided. Examples include massage, yoga, dog training, fitness classes, equipment rental, and staging for picnics, bonfires or other activities.

Sidewalk vending has the same meaning as in San Diego Municipal Code section 36.0102.

- (c) It is unlawful for any person within any *park* to do any of the acts listed in San Diego Municipal Code section 63.0102(c).
 - (1) **Post Handbills.** It is unlawful to litter, to throw, or deposit on the ground, to post or affix to any tree, fence, or structure situated within or on any *park* any handbills, circulars, pamphlets, tracts, dodgers, papers, or advertisements.
 - (2) **Loose Animals.** It is unlawful to bring, leave, turn loose, or allow to go free, any animal, fowl, or bird of any kind in or upon any *park*; provided, however, that section 63.0102(c)(2) does not apply to:
 - (A) Horses being led, ridden, or driven upon any roads or paths therein;
 - (B) Dogs when fastened to and led by a chain or line not more than eight (8) feet in length of suitable strength;
 - (C) Dogs which are in special areas of *parks* designated and posted by the Parks and Recreation Director as dog off-leash areas or dog training areas and so long as the regulations of the Parks and Recreation Director with respect to the use of such areas are followed.
 - (i) **Implied Consent.** The presence of a dog in a designated dog off-leash area or dog training area shall constitute implied consent of the person either owning or controlling the dog to the regulations imposed by the Parks and Recreation Director.
 - (ii) **Liability and Indemnification.** The presence of a dog in a designated dog off-leash area or dog training area shall constitute a waiver of liability, on behalf of the person either owning or controlling the dog, to the City of San Diego, as well as an agreement and undertaking to protect, indemnify, defend, and hold harmless the City of San Diego for any injury or damage caused by the dog.

- (3) Fireworks. It is unlawful to discharge any firearm, firecracker, bomb, torpedo, rocket, or other fireworks without the written consent of the City Manager; provided, however, that as to the discharging of firearms section 63.0102(c)(3) does not apply to authorized peace officers or employees of the San Diego Zoo while in the performance of their duties.
- (4) Destruction of Plants. It is unlawful to injure, drive a nail or other object into, destroy, cut or remove any tree or other natural vegetation, soil, or rock in any *park* without the written permission of the City Manager.
- (5) Defacement of Property. It is unlawful to build or erect a physical structure of any type, or cut, break, deface, or injure any building, monument, rock, fountain, cage, pen, fence, bench, hydrant, swing, or other structure, apparatus or property, dig caves, or otherwise reconfigure the natural or developed landscape in a manner that damages the landscape within a *park* without the written permission of the City Manager.
- (6) Dumping. It is unlawful to deposit or dump any garbage, refuse, human or animal waste, dirt, ashes or like substances, or any carcass of any animal or fowl.
- (7) Glass Containers. It is unlawful to have, possess, or use any container made of glass, except in locations where such containers are permitted under the terms of a lease, operating agreement, or permit.
- (8) Littering. It is unlawful to leave or scatter about any boxes, empty or otherwise, waste paper, remains of meals, newspaper, *tobacco, remains of any material capable of being smoked*, or rubbish of any kind, except that such material and matter may be deposited in receptacles provided for such purpose.
- (9) Park waters. It is unlawful to bathe in the waters of any lake, pond, pool, fountain, or at any hydrant, drinking fountain, or sink; or throw into or deposit any dirt, filth or foreign matter in the waters of any lake, pond, pool, or fountain, or in like manner pollute the same; provided, however, that nothing contained in section 63.0102(c)(9) prohibits persons from swimming in any municipal pool in accordance with the rules and regulations provided therefor.

- (10) Mistreatment of Animals. It is unlawful to take, kill, wound, disturb, or maltreat any bird or animal, either wild or domesticated, unless the same shall have been declared noxious by the City Manager and a permit issued for the killing of such noxious animals; provided, however, that section 63.0102(c)(10) does not apply to any exhibits in the San Diego Zoo when done by employees in the course of their duties.
- (11) Fires. It is unlawful to kindle or allow to be kindled any fire, bonfire, Tiki Torch, or any device set on fire for entertainment purposes, or to throw upon the ground a lighted match, lighted cigar or cigarette, or anything that would be liable to set fire to any grass, tree, shrub, building, or other property; provided, however, that nothing in Municipal Code section 63.0102(c)(11) prohibits persons from kindling fires in *City-provided fire rings* or portable propane-fueled devices as permitted in Municipal Code section 63.20.5(c).
- (12) Temporary Shade Structures. Unless specifically authorized in writing by the City Manager, it is unlawful for any person to erect or maintain any temporary shade structure in any *park*, unless the temporary shade structure has a minimum of two sides open and there is an unobstructed view of the interior from the outside on at least two sides.
- (13) Sale of Merchandise.
- (A) Except *expressive activity* authorized by Chapter 6, Article 3, Division 5 of this Code and *sidewalk vending*, it is unlawful to sell or offer for sale any goods, wares, merchandise, article, or thing whatsoever without the written consent of the City Manager.
- (B) All *sidewalk vending* in any *park* shall comply with the requirements of Chapter 3, Article 6, Division 1 of this Code.

- (14) Commercial Activity and Services. Except *expressive activity* authorized by Chapter 6, Article 3, Division 5 of this Code and *sidewalk vending* authorized by Chapter 3, Article 6, Division 1, it is unlawful to carry on or conduct commercial activity, to provide any *service*, or to solicit offers to purchase, barter, or to require someone to negotiate, establish, or pay a fee before providing a *service*, even if characterized as a donation, without the written consent of the City Manager. Written consent of the City Manager includes commercial activity and *services* allowed as part of a lease, permit, or other written permission from the City.
- (15) Shows. Except *expressive activity* authorized by Chapter 6, Article 3, Division 5, it is unlawful to 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.
- (16) Conduct. It is unlawful to engage in any indecent conduct or indulge in any riotous, boisterous, or threatening behavior.
- (17) Sports. It is unlawful to 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 Parks and Recreation Department.
- (18) Direction from Park Ranger. It is unlawful for any person to refuse to follow or comply with any lawful order, signal, or other direction of a park ranger, or to knowingly provide false information to a park ranger.
- (19) Bicycles. It is unlawful to 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; or (4) on paved and unpaved roads within a *park* used as fire or service roads by authorized motor vehicles unless otherwise posted. Motorcycles or any other motorized vehicles are prohibited except on roads designated and established for automotive traffic.
- (20) Automobile Speed. It is unlawful to drive an automobile, motorcycle, or other self-driven vehicle upon any *park* property at any speed in excess of the limitations established by ordinances of the City of San Diego.

- (21) **Horses and Vehicles.** It is unlawful to leave or hitch any horse, or leave or park any automobile, motorcycle, or other self-driven vehicle in any *park*, except at such places as are provided and designated for those purposes.
- (22) **Car Washing.** It is unlawful to clean, wash, polish, or to make other than emergency repairs upon any automobile, motorcycle, or other self-driven vehicle.
- (23) **Vehicular Traffic.** Unless making deliveries or loading onto *park* property, it is unlawful to drive or place any dray, truck, wagon, cart, or other traffic vehicle with a manufacturer's rate of capacity of more than one ton, carrying or regularly used or employed in carrying goods, merchandise, lumber, machinery, oil, manure, dirt, sand, soil, or any article of trade or commerce or any offensive article or material whatsoever upon any road or drive in any *park*, except such road or drive as may be provided or designated for such use.
- (24) **Large Groups.** Except as otherwise required or permitted by Chapter 2, Article 2, Division 40 of this Code, it is unlawful for any group of persons consisting of fifty or more persons to hold, conduct, or participate in any celebration, parade, service, picnic, exercise, or other special event in any *park* without having first obtained a permit from the City Manager.
- (25) **Obstructing Traffic.** It is unlawful to obstruct the free travel of any vehicle or pedestrian over any of the walks, roads, or avenues of any *park*.
- (26) **Park Department Tools.** It is unlawful for any person, other than a Parks and Recreation Department employee while in the performance of the employee's duties, to move or remove from one location to another or destroy any equipment, tools, implements, or materials used by the Parks and Recreation Department.
- (27) **Bridle Trails.** It is unlawful to enter upon or use any bridle trail except for the purpose of horseback riding.
- (28) **Valves and Use of Utilities.** It is unlawful to open or close any valves or switches, remove any utility access covers or secured plugs, tap into wiring, or damage any maintenance covers, plugs or other facilities pertaining to the water or electric services in any *park*.

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- (d) Dog Off Leash and Dog Training Areas. It is unlawful for an owner or person with custody, care, charge, control, or possession of a dog, or both, to do any of the following:
 - (1) Have more than three (3) dogs within a designated dog off-leash area or dog training area at any time; provided, however, that on Fiesta Island an owner or person with custody, care, charge, control, or possession of a dog, or both, shall have no more than six (6) off-leash dogs.
 - (2) Abandon or otherwise leave any off-leash dog unattended or unsupervised within any designated dog off-leash area or dog training area at any time.
 - (3) Have a female dog in estrus (heat cycle) within a dog off-leash area or dog training area at any time.
 - (4) Have a dog within a designated off-leash area or dog training area without a current and valid dog license as required by San Diego County Code section 62.620 and adopted by San Diego Municipal Code section 44.0300.

- (e) Dogs in Parks. It is unlawful for a dog owner or person with custody, care, charge, control, or possession of a dog within any *park* to do any of the following:
 - (1) Have a dog without a current dog license as required by San Diego County Code section 62.620 and adopted by San Diego Municipal Code section 44.0300. This provision shall not apply to nonresidents visiting for less than thirty (30) days.
 - (2) In the event of a dog bite that results in injury requiring medical care to a person or another dog, failure to provide to the injured person or owner or custodian of the injured dog, at the time of the injury, all of the following information: the full name of the dog owner or person with custody, care, charge, control, or possession of the dog that caused the injury, correct dog license information, telephone number, mailing address, and driver’s license number, if any.

(f) Regulations for the Use of the La Jolla Children’s Pool and Beach Areas

- 1) It is unlawful to allow any dog, except for service dogs while in service, upon the beach of the La Jolla Children’s Pool and upon the immediate beach areas, defined as the entire adjacent breakwater wall, starting from the top of the stairs of the breakwater wall; the ramp adjacent to the breakwater wall, starting from the top of the ramp; and the stairs to the Children’s Pool beach, starting from the top of the stairs leading directly to the beach, as shown on Figure 1.
- 2) It is unlawful for any person to be upon or to cause any person to be upon the beach of the La Jolla Children’s Pool, starting from the lower stairs to the beach beginning with the second landing, from December 15 to May 15.

(g) Regulations for the Use of Point La Jolla and Boomer Beach Areas

- (1) It is unlawful for any dog at any time to be on the *closure area* of Point La Jolla and Boomer Beach, as described in San Diego Municipal Code section 63.0102(g)(4) and shown in Figure 2.
- (2) It is unlawful for any person to be on or to cause any person to be on the *closure area* of Point La Jolla and Boomer Beach, as described in San Diego Municipal Code section 63.0102(g)(4) and shown in Figure 2, except employees or agents of the City of San Diego performing maintenance, repair, or rescue activities.
- (3) It is lawful for persons, and service dogs while in service, to traverse a portion of the *closure area*, as described in San Diego Municipal Code section 63.0102(g)(4), and shown in Figure 2, designated as the “Ocean Access Corridor,” to engage in ocean swimming activities only. The Ocean Access Corridor begins at the stepping stone twenty feet northeast of the first metal fence post directly to the west of the La Jolla Bridge Club located at 1160 Coast Boulevard, La Jolla, CA 92037 and ends at the last gazebo above Boomer Beach northeast of Rocky Point, 560 feet to the northeast along the fence and seawall that separates the bluffs from the sidewalk adjacent to Ellen Browning Scripps Park located at 1100 Coast Boulevard, La Jolla, CA 92037 and extends perpendicular to the water. Any other use of the Ocean Access Corridor is unlawful.

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- (4) *Closure area* means the area with the following borders: from the Conrad F. Limbaugh and Harold F. Riley commemorative plaque northwest of La Jolla Cove to the last gazebo above Boomer Beach northeast of Rocky Point, 560 feet to the northeast along the fence and wall that separates the bluffs from the sidewalk adjacent to Ellen Browning Scripps Park and the La Jolla Bridge Club; and from the water up to the ocean side of the fence and seawall that separates the bluffs from the sidewalk adjacent to the Ellen Browning Scripps Park and the La Jolla Bridge Club, as shown in Figure 2.

(Amended 8-4-2003 by O-19206 N.S.)

(Amended 7-18-2006 by O-19508 N.S.; effective 8-17-2006)

(Amended 5-14-2009 by O-19848 N.S.; effective 6-13-2009.)

(Amended 5-19-2011 by O-20053 N.S.; effective 6-18-2011.)

(Amended 5-26-2011 by O-20052 N.S and O-20058 N.S.; effective 6-25-2011.)

(Amended 4-3-2014 by O-20360 N.S.; effective 8-14-2014.)

[Editors Note: Pursuant to California Coastal Commission Coastal Development Permit 6-14-0961, the provisions of 63.0102(e)(2), restricting access to Children's Pool from December 15 to May 15, are effective for a five-year period which expires on August 13, 2019.

(Amended 6-27-2022 by O-21468 N.S.; effective 6-27-2022.)

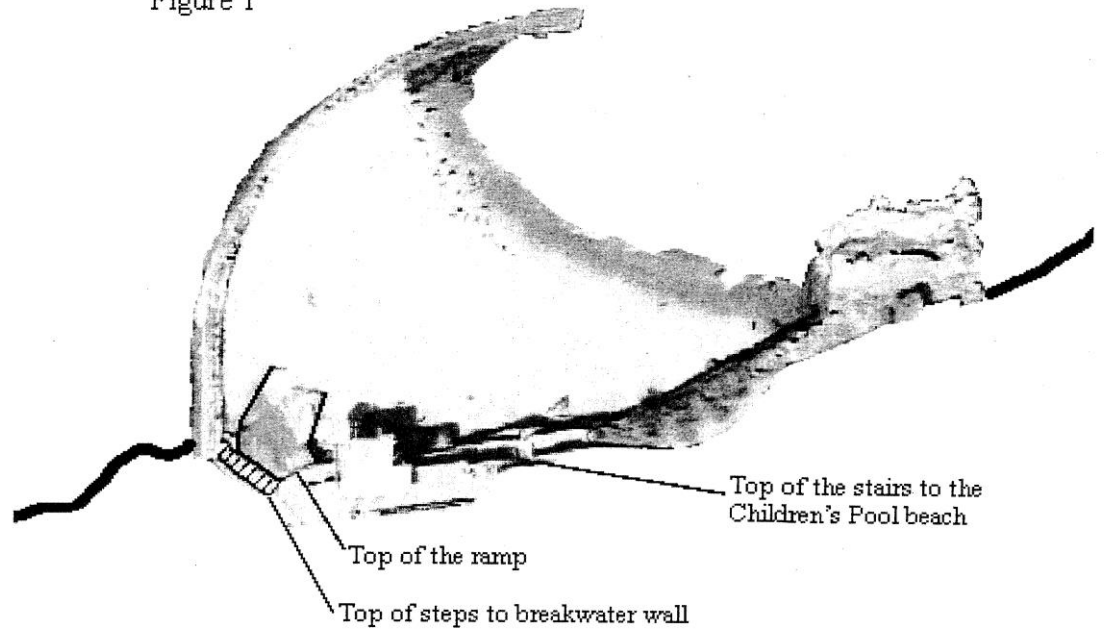
(Amended 1-13-2023 by O-21606 N.S.; effective 2-12-2023.)

(Amended 6-29-2023 by O-21674 N.S.; effective 7-29-2023.)

(Amended 10-4-2023 by O-21729 N.S.; effective 11-3-2023.)

(Amended 2-28-2024 by O-21775 N.S.; effective 3-29-2024.)

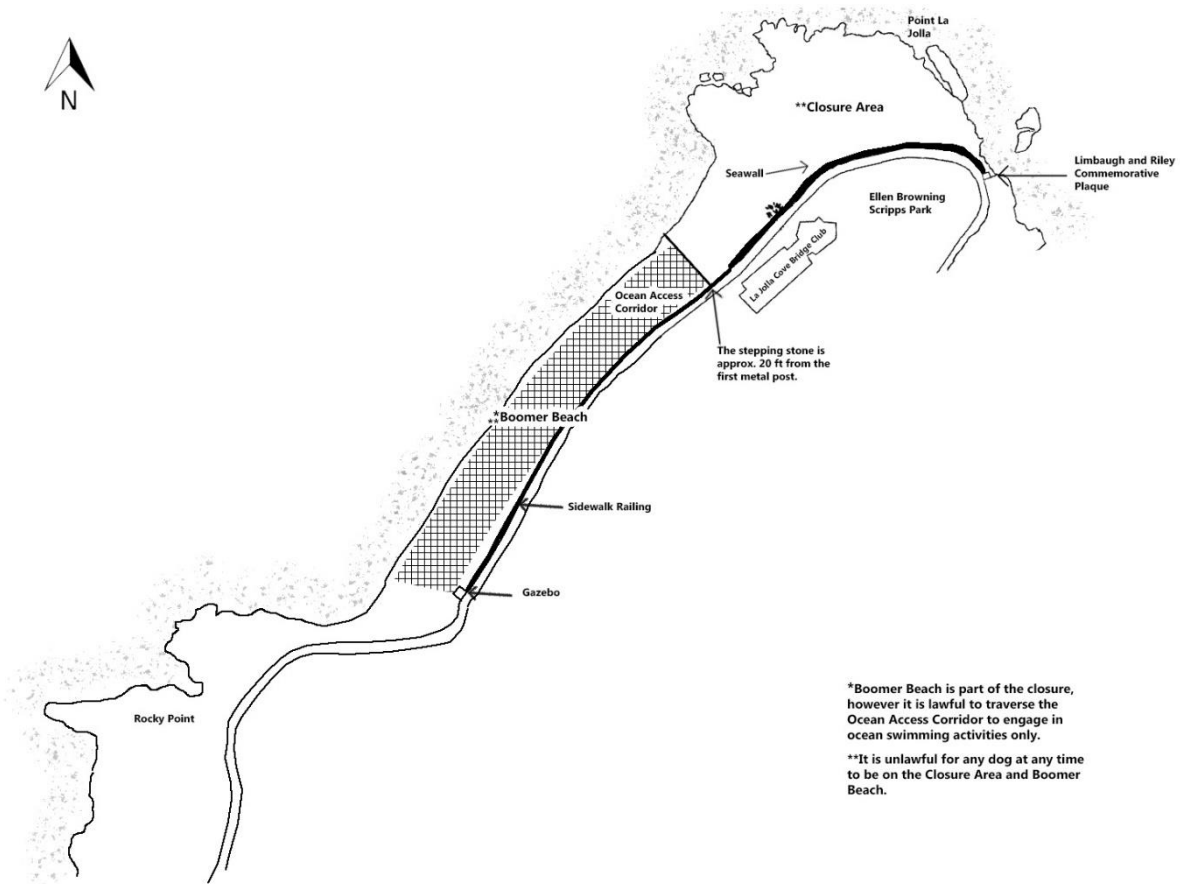
Figure 1



(Added 5-19-2011 by O-20053 N.S.; effective 6-18-2011.)

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Figure 2



(Added 6-27-2022 by O-21468 N.S.; effective 6-27-2022.)
(Amended 10-4-2023 by O-21729 N.S.; effective 11-3-2023.)

§63.0103 City Manager Permit Procedure

Whenever doing any of the acts specified in this Article is conditioned upon obtaining a permit, permission, or consent from the City Manager, the following procedure shall be followed:

- (a) An application for a permit shall be filed not less than ten (10) days before the date on which the proposed activity or event is to be conducted; however, the City Manager may consider any permit which is filed less than ten (10) days before the proposed activity is to take place;
- (b) The application shall include information as to the proposed activity, the sponsoring person or organization, the number of persons expected to attend, the proposed *park* area to be used, the proposed date and time of the event, the duration in time, and the proposed alternate *park* areas and dates, if any;
- (c) The City Manager shall within three (3) days after the filing of such application act thereon;
- (d) The City Manager shall issue the permit, permission, or consent if there is capacity for the proposed activity, except as set forth in (1) through (3) below:
 - (1) An applicant for a Special Event, as defined in Chapter 2, Article 2, Division 40, to be held at a *park*, shall apply for a reservation of space, which, if granted, is effective until the Special Event Permit is granted or denied. The City Manager shall consider all requests for reservations of space filed at least 120 days before the date of the proposed event; however, the City Manager may consider any permit which is filed less than 120 days before the proposed event. A reservation of space may be granted after consideration of factors such as previously scheduled events at and adjacent to the requested location, the park capacity, impacts to the *park* that may be caused by the event, any restrictions on Special Events such as the Summer Moratorium, and any recommendation from the appropriate park advisory body. A permit as required by Chapter 6, Article 3 shall be issued concurrently with the Special Event Permit.

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- (A) There will be no reservations granted for Special Events in Balboa Park, Mission Bay Park, Presidio Park, or the Shoreline Parks, which are those parks contiguous to the shoreline or beach in the communities of Ocean Beach, Mission Beach, Pacific Beach, and La Jolla, during the Summer Moratorium, which is from the Saturday prior to Memorial Day and the preceding Saturday and Sunday through Labor Day, except for the following Special Events:
- (i) Balboa Park: San Diego Pride Festival, AFC Half Marathon, Rock and Roll Marathon, Summer Concerts, Patrons of the Prado, Philippine Art Festival, Balboa Park 8 & 3 Mile Runs, 47th Balboa Park 4 Mile.
 - (ii) Mission Bay Park: Over the Line, Rock and Roll Marathon, Kai Elua.
 - (iii) Shoreline Parks: La Jolla Concert Series, Summer Fest, Taste at the Cove, Ocean Beach Street Fair and Chili Cook-off.
 - (iv) Sports Leagues and Tournaments: Sports Leagues and tournaments may be permitted in athletic areas in Presidio Park, Robb Field, Santa Clara, Dusty Rhodes, Mission Bay Athletic Area (Bob McEvoy Fields), and Balboa Park.
- (B) An applicant who seeks a waiver from this provision shall make a written request to the City Manager not less than 120 days in advance of the event, describing the Special Event and explaining why the waiver should be granted. Within 10 business days of the request, the City Manager shall place the item on the next available agenda for the appropriate park advisory committee. The City Manager shall issue a final decision within 10 business days after the vote by the park advisory committee.
- (2) No permit, permission, or consent will be issued under this section for events occurring in Balboa Park, Mission Bay Park, Presidio Park or Shoreline Parks on Memorial Day, Fourth of July, Labor Day, including the following Saturday or Sunday when the holiday falls on Friday, or the preceding Saturday or Sunday when the holiday falls on a Monday, except for permits for sports leagues and tournaments, and for fireworks at Ellen Scripps Browning Park, Mission Bay, and Ocean Beach for the Fourth of July.

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- (3) Permits, permission, or consent required pursuant to the following sections shall be issued at the discretion of the City Manager: 63.08; 63.20.11; 63.20.16; 63.20.20; 63.25.11; 63.25.51; 63.25.52, 63.25.72; 63.0102(b)(4), (5), (7), (10), (12), (13), (14); and 63.0201. The City Manager shall consider applications for these activities filed 120 days in advance; however, the City Manager may consider any permit which is filed less than 120 days before the proposed activity. This section shall not apply to permits required pursuant to sections 63.08 and 63.0102(b)(3) for the discharge of fireworks, which shall be issued if there is park capacity for the event:
- (e) Each permit shall state the date, time and area of the *park* for which it is issued, and the name of the person or persons to whom it is issued;
 - (f) Every such permit shall be subject to the provisions regarding noise contained in Chapter 5, Article 9.5, beginning with Section 59.5.0101 of this Code;
 - (g) If the application for a permit is denied, the applicant may submit a new request proposing an alternate date, time, or location;
 - (h) The City Manager shall notify the applicant in person or by mail of the decision granting or denying the application or alternative application. The City Manager, in denying an application, may authorize the gathering at such other date, time, or location as may be available, based on park capacity. If the applicant wishes to accept the proposed alternate date, time, or location, the applicant shall, within two days of receiving the City Manager's notification, file a notice of acceptance with the City Manager. The City Manager shall thereupon issue a permit.
 - (i) Any parade proposed to be conducted in or through any *park* shall be subject to Chapter 2, Article 2, Division 40, of this Code.
 - (j) The City Manager may make such other rules and regulations as may be reasonably necessary for the implementation of Section 63.0103. These rules and regulations, including those determining park capacity, shall be based on objective standards, except for those approvals referenced in section 63.0103(d)(1)-(3). An application submitted under this Article is subject to the rules and regulations in place at the time the permit application is complete.

(Amended 11-18-1997 by O-18439 N.S.)

(Amended 5-26-2011 by O-20058 N.S.; effective 6-25-2011.)

(Amended 12-1-2011 by O-20111 N.S.; effective 12-31-2012.)

(Amended 6-29-2023 by O-21674 N.S.; effective 7-29-2023.)

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§63.0104 Rules for Use of Municipal Golf Courses

No person within the limits of any municipal golf course shall do any act or acts contrary to the rules established by the Park Department for the use of such golf course; provided, however, that such rules shall be conspicuously posted in the clubhouse of such golf course.

(Renumbered from Sec. 63.02.29 on 8-9-1993 by O-17951 N.S.)

§63.0105 Exceptions to Application of Regulations

- (a) Nothing in this Division shall be construed to prevent any employee or agent of the City of San Diego from performing any duty that, in the opinion of the City Manager or designee, may be thought necessary or proper for the maintenance, improvement, or betterment of any *park* as may be in the best interests of the City of San Diego.
- (b) City sponsored events, which include those by City recognized Park and Recreation Department Advisory Committees, are exempt from the requirements set forth in section 63.0103.

(Renumbered from Sec. 63.02.30 and amended 8-9-1993 by O-17951 N.S.)

(Amended 5-19-2011 by O-20053 N.S.; effective 6-18-2011.)

(Amended 12-1-2011 by O-20111 N.S.; effective 12-31-2012.)

(Amended 6-29-2023 by O-21674 N.S.; effective 7-29-2023.)

§63.0106 Use of Rollerskates, Coasters, Skateboards and Similar Devices Restricted in Balboa Park

- (a) It is unlawful for any person upon rollerskates, or riding on or by means of a coaster, skateboard, toy vehicle or similar device to go on any roadway or sidewalk in Balboa Park, the Cabrillo Bridge, the Park Boulevard pedestrian overpass, any walkway, plaza, mall, arcade, stairs, building, or hallway in Balboa Park, including the Spreckels Organ Pavilion, Plaza de Balboa, Spanish Village, along El Prado from the east side of Plaza de Panama to the junction of Village Place and El Prado; upon any parking lot in Balboa Park; or any other areas whatsoever connecting any and all park buildings.
- (b) Section 63.0106 does not apply to Park Boulevard, Richmond Street or Sixth Avenue, including the appurtenant sidewalks or those areas of Balboa Park located west of the Cabrillo Bridge or east of Park Boulevard.

- (c) Every person violating Section 63.0106 is guilty of an infraction and subject to a fine in an amount not to exceed \$250 on a first conviction, and, on the second conviction within one year, subject to a fine not to exceed \$500.

(Renumbered from Sec. 63.02.33 and amended 8-9-1993 by O-17951 N.S.)

§63.0107 Use of Skate Park Facilities Located on Property Owned by the City of San Diego

- (a) It is unlawful for any person to use a skateboard, roller-skates, roller-blades, in-line skates, or similar device(s) at any skate park facility located on property owned by the City of San Diego, unless that person is:
- (1) Wearing a helmet, elbow pads, and knee pads which are commercially manufactured and designed specifically for the designated activity; and
 - (2) twelve years of age or older, unless accompanied by a *Responsible adult*. “*Responsible adult*” has the same meaning as in Municipal Code section 58.0101.
- (b) The only devices allowed in a skate park facility are skateboards, roller-skates, roller-blades, and in-line skates. Any other devices, including but not limited to bicycles, scooters, and motorized vehicles, are unlawful to use in a skate park facility.
- (c) It is unlawful for any person to bring into a skate park facility any item, equipment, ramp or other material which can be used to perform tricks or stunts.
- (d) It is unlawful for an operator of a skate park facility located on property owned by the City of San Diego, to fail to post signs at the facility:
- (1) Providing reasonable notice that any person using the skate park facility without wearing a helmet, elbow pads, and knee pads, is subject to citation under the provisions of this Code; and

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- (2) Providing reasonable notice that any person violating any of the provisions of Section 63.0107 is subject to citation under the provisions of this Code.

*(“Use of Safety Equipment at City Skateboard Facilities” added 11-8-1999 by O-18706 N.S.; “Park Rangers Authorized to Enforce State and Local Codes” renumbered to Sec. 63.0108 on 11-8-1999 by O-18706 N.S.)
(Amended 9-11-2009 by O-19897 N.S.; effective 10-11-2009.)*

§63.0108 Park Rangers Authorized to Enforce State and Local Codes

The Park Rangers of the City of San Diego are hereby authorized and empowered to enforce provisions of the San Diego Municipal Code and violations of the California State Codes which are designated as misdemeanors; to make arrests without a warrant whenever the Park Ranger has reasonable cause to believe that the person to be arrested has committed a misdemeanor in the Park Ranger’s presence which is a violation of a statute or Code the Park Ranger has the duty to enforce; and, while engaged in the performance of the Park Ranger’s duties, to arrest persons and issue citations under the provisions of sections 836.5 and 853.6 of the California Penal Code for violations which occur in the *parks*.

*(Renumbered from Sec. 63.0107 on 11-8-1999 by O-18706 N.S.)
(Amended 6-29-2023 by O-21674 N.S.; effective 7-29-2023.)*

§63.0109 Speed Limit on Boardwalk

It is unlawful for any person to exceed 8 miles per hour in the following places as shown on the map on file in the office of the City Clerk as Document No. 00–18425:

- (a) on Ocean Front Walk (Mission Beach)boardwalk from the South Mission Beach Jetty to the terminus of the Walkway on Ocean Boulevard at Law Street;
- (b) on all public park pathways, excluding roads open to the public for motorized vehicle traffic, on the north and west sides of Mission Bay Park from San Diego Place (adjacent to the South Mission Beach Jetty) through Crown Point Shores;
- (c) on all park pathways in the Bonita Cove, Ventura Cove, Bahia Point, and Sail Bay areas.

This limitation applies to all wheeled methods of transportation.
(Renumbered from Sec. 63.0108 on 11-8-1999 by O-18706 N.S.)

(9-2024)

§63.0110 City Manager Defined

Whenever the term “City Manager” is used in this Division, it means the City Manager, the Park and Recreation Director, or any other person authorized or designated by the City Manager to carry out and enforce the provisions of this Division.

(Renumbered from Sec. 63.0108 and amended 3–20–1995 by O–18166 N.S.)

§63.0120 Nighttime Curfew for Certain Public Parks and the Spruce Street Pedestrian Bridge

- (a) It is unlawful for any person to be on the grounds of the following parks from midnight until 6:00 a.m.: Children’s Park, Gaslamp Square Park, Pantoja Park, the Children’s Museum Park, Fault Line Park, Cortez Hill Park, North Park Community Park, Montclair Neighborhood Park, Cedar Ridge Mini Park, and North Park Mini Park.
- (b) It is unlawful for any person to be on the Spruce Street Pedestrian Bridge from 10:00 p.m. until 6:00 a.m.
- (c) It is unlawful for any person to be on the portions of the University Heights Open Space Park depicted in map 63.0120-A from 10:00 p.m. until 6:00 a.m. between April 1 and October 31 and from 8:00 p.m. until 6:00 a.m. between November 1 and March 31.
- (d) It is unlawful for any person to be on the grounds of the City Heights Square Mini Park from 9:00 p.m. until 5:00 a.m.
- (e) Map 63.0120-A It is unlawful for any person to be on the portions of Pasatiempo Neighborhood Park (undeveloped) and Pasatiempo Park West Open Space depicted in map 63.0120-B from 8:00 p.m. until 5:00 a.m. between April 1 and October 31 and from 5:00 p.m. until 7:00 a.m. between November 1 and March 31.

(Retitled from “Nighttime Curfew for Certain Downtown Public Parks” to “Nighttime Curfew for Certain Downtown Public Parks and the Spruce Street Pedestrian Bridge” and amended 11-27-2000 by O-18891 N.S.)

(Amended 7-31-2009 by O-19891 N.S.; effective 8-30-2009.)

(Amended 7-15-2015 by O-20539 N.S.; effective 8-14-2015.)

(9-2024)

(Retitled from “Nighttime Curfew for Certain Downtown Public Parks and the Spruce Street Pedestrian Bridge” to “Nighttime Curfew for Certain Public Parks and the Spruce Street Pedestrian Bridge” and amended 7-19-2016 by O-20678 N.S.; effective 8-18-2016.)
(Amended 4-11-2019 by O-21061 N.S.; effective 5-11-2019.)
(Amended 8-5-2024 by O-21857 N.S.; effective 9-4-2024.)

Map 63.0120-A
University Heights Open Space Park



(Added 7-19-2016 by O-20678 N.S.; effective 8-18-2016.)

(9-2024)

Map 63.0120-B
Pasatiempo Neighborhood Park (undeveloped) and Pasatiempo Park West Open Space



(Added 8-5-2024 by O-21857 N.S.; effective 9-4-2024.)

(9-2024)

§63.0130 Periodic Temporary Park Closures

- (a) As used in Section 63.0130, *turf area* means: an area of grass, which may also include dirt or soil, maintained for recreation or recreational activities.
- (b) Subject to Section 63.0130(c), and in accordance with policies and procedures for *turf area* closures as adopted by the City Manager and as amended from time to time, the City Manager shall close for renovation and maintenance the *turf areas* of the upper field at Allied Gardens Community Park, the Lower Lewis Middle School joint-use area, and Skunk Hollow, for at least thirty consecutive days each between May 1st and August 31st of each year, which areas are more specifically shown on the map on file with the Office of the City Clerk of the City of San Diego as Document No. 00-19175. Closure of these *turf areas* shall be determined by the City Manager and shall be staggered so that only one *turf area* is closed at a time.
- (c) Any *turf area* subject to a joint-use agreement or lease shall be closed only if the closure is in compliance with the terms of that joint-use agreement or lease, and only with the consent of any other party to the joint-use agreement or lease.

(Amended 5-6-2003 by O-19175 N.S.)