

OCTOBER 13, 1998

ORDINANCE NO. 8963 (NEW SERIES)

**AN ORDINANCE AMENDING PROVISIONS
OF THE SAN DIEGO COUNTY CODE
RELATING TO AMUSEMENT ESTABLISHMENTS
ADDING A RESTRICTED AMUSEMENT AREA WHERE
ALCOHOLIC BEVERAGES MAY BE CONSUMED
BUT MINORS ARE NOT ALLOWED**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that it is reasonable to allow the consumption of alcoholic beverages in amusement areas, areas in amusement establishments containing amusement devices, if minors are prohibited from entering or being in the amusement area. Therefore, the Board finds that it is appropriate to amend the San Diego County Code relating to amusement establishments to add a restricted amusement area, an area in an amusement establishment which contains amusement devices where alcoholic beverages may be consumed, but where minors are prohibited.

Section 2. Subsection (d) is added to section 21.101 of the San Diego County Code to read as follows:

(d) RESTRICTED AMUSEMENT AREA. A restricted amusement area is an amusement space (as defined in section 21.101(c)) which persons under the age of 21 are prohibited from entering or being in.

Section 3. Subsection (b)(2) of section 21.104 of the San Diego County Code is amended to read as follows:

(2) All amusement devices contained in the amusement establishment are located within the amusement space or the restricted amusement area.

Section 4. Subsection (c) of section 21.104 of the San Diego County Code is renumbered as subsection (d) and is amended to read as follows:

(d) It shall be unlawful for:

(1) Any person to bring into or possess any alcoholic beverage in an amusement space, when such space is posted as required by Section 21.104(b)(5).

(2) The proprietor, manager or employee of a licensed amusement establishment to permit consumption, or possession of any alcoholic beverage in an amusement space if such space is posted as required by Section 21.104(b)(5).

(3) Any person under 21 years of age to enter or be in a restricted amusement area if the area is posted as required by section 21.104(c).

(4) The proprietor, manager or employee of a licensed amusement establishment to permit any person under 21 years of age to enter or be in a restricted amusement area that is posted as required by section 21.104(c).

Section 5. Subsection (c) is added to section 21.104 of the San Diego County Code to read as follows:

(c) If an establishment has an alcoholic beverage control license type 41, 47 or 49, alcoholic beverages may be consumed in the restricted amusement area if each entrance to the restricted amusement area is clearly posted with a sign at least 18 by 24 inches, on a white background, reading as follows: "Warning -- No person under 21 years of age allowed in restricted amusement area. Violation is a misdemeanor per San Diego County Code Section 21.104."

Section 6. Effective Date and Publication. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary thereof shall be published once with the names of the members of the Board voting for and against it in the San Diego Commerce, a newspaper of general circulation in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 13th day of October, 1998.