

ORDINANCE NO. 9509 (NEW SERIES)

AN ORDINANCE ADDING SECTIONS 36.216 AND 36.217 TO THE
COUNTY OF SAN DIEGO REGULATORY ORDINANCES
RELATING TO THE PROHIBITION OF
CONSUMPTION OF ALCOHOLIC BEVERAGES

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

Section 1. Section 36.216 is hereby added to the County of San Diego Regulatory

Ordinances to read as follows:

**SEC. 36.216 PROHIBITION OF CONSUMPTION OF ALCOHOLIC BEVERAGES IN
THE KENWOOD/BANCROFT AREA**

(1) It shall be unlawful for any person to consume any alcoholic beverage, as defined in California Business and Professions Code Section 23004, upon any public street, sidewalk, alley, plaza, parking lot or uninhabited area within the following limits in the Kenwood/Bancroft area:

- (a) Starting at the intersection of Kenwood Drive and Campo Road proceeding west along Campo Road to the intersection of the County portions of Broadway and Sweetwater Road, then proceeding south along Sweetwater Road to the intersection of Sweetwater Road and Valencia Street, then proceeding east along Valencia Street to the intersection of Valencia Street and Bancroft Drive, then proceeding north along Bancroft Drive to the intersection of Bancroft Drive and Rosedale Drive, then proceeding east along Rosedale Drive to the intersection of Rosedale Drive and Helix Drive, then proceeding south along Helix Drive to the intersection of Helix Drive and Montemar Drive, then proceeding east along Montemar Drive to the intersection of Montemar Drive and Lamar Street, then proceeding north along Lamar Street to the intersection of Lamar Street and Upland Drive, then proceeding east along Upland Drive to the intersection of Upland Drive and Kenora Drive, then proceeding north along Kenora Drive to the intersection of Kenora Drive and Kenwood Drive, then north to the beginning point. The area described above shall include all sidewalks along the outer perimeter of such area.

(2) No person who has in his or her possession any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the content of which have partially removed, shall enter, be, or remain on the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 (commencing with Section 23000) of the California Business and Professions Code, which is located within the areas described in subsection 1(a) above.

(3) For the purpose of this section, “posted premises” includes any premises located within the areas described in subsection 1(a) above, which is subject to licensure under a retail package off-sale alcoholic beverage license, and any parking lot immediately adjacent to the licensed premises, provided that the provisions of subsection 2 have been complied with.

(4) All retail package off-sale alcoholic beverage licensees licensed pursuant to Division 9 (commencing with Section 23000) of the California Business and Professions Code whose licensed premises are located in the areas described in subsection 1(a) above shall post signs upon the licensed premises and in any parking lot immediately adjacent to the premises, clearly visible to persons within the premises and in any parking lot immediately adjacent to the premises, which notify persons that it is unlawful for any person who has in his or her possession any bottle, can or other receptacle containing an alcoholic beverage which has been opened or a seal broken, or the contents of which have been partially removed, to enter, be, or remain on the premises or any adjacent parking lot.

(5) The provisions of this section shall not apply to a private residential parking lot which is immediately adjacent to the posted premises.

Section 2. Section 36.217 is hereby added to the County of San Diego Regulatory

Ordinances to read as follows:

**SEC. 36.217 PROHIBITION OF CONSUMPTION OF ALCOHOLIC BEVERAGES
IN THE LAKESIDE AREA**

(1) It shall be unlawful for any person to consume any alcoholic beverage, as defined in California Business and Professions Code Section 23004, and it shall also be unlawful for any person to have in his or her possession any bottle, can or other receptacle containing any such alcoholic beverage which has been opened, or a seal broken, or the content which have been partially removed, upon the following public streets, adjoining sidewalks, alleys, plazas, parking lots, and walkways in the Lakeside area as follows:

Channel Road

Lakeside Avenue between Channel Road and Riverside Drive

Lakeside Avenue between Channel Road and Highway 67

Riverside Drive between Lakeside Avenue and Riverford Road

Riverford Road between Highway 67 and El Nopal Road

El Nopal Road from Riverford Road, east, to the dead-end of El Nopal

Palm Row

Woodside Avenue between Riverford Road and Vine Street (boundary of Lindo Lake Park)

Chestnut Street between Vine Street and Lindo Lane

Lindo Lane between Chestnut Street and Caraway Street

Cactus Street

Vine Street

Maine Avenue

Laurel between River Street and Beachtree Street

River Street

Parkside Street

Petite Lane between Julian Avenue and Lakeshore Drive

Lakeshore Drive between Channel Road and Petite Lane

Julian Avenue between Channel Road and Lake Jennings Park Road

Industry Road between Channel Road and Wintergardens Boulevard

Wintergardens Boulevard between Industry Road and Pepper Drive

Mapleview Street

Lake Jennings Park Road

Old Highway 80/Business Interstate 8 between Aurora Drive and Dunbar Lane

Los Coches Road between Maine Avenue and Camino Canada

Willows Road east from Highway 67, to and including, 13145 Willows Road

Ashwood Street between Willows Road and Laurel Street

(2) No person who has in his or her possession any bottle, can or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the content of which have partially removed, shall enter, be, or remain on the posted premises of, including the posted parking lot immediately adjacent to, any retail package off-sale alcoholic beverage licensee licensed pursuant to Division 9 (commencing with Section 23000) of the California Business and Professions Code, which is located within the areas described in subsection 1

above. It shall also be unlawful for any person to consume any such alcoholic beverages, as described and defined in subsection (1), above, upon any public streets, adjacent sidewalks, alleys, plazas, parking lots, and walkways in the Lakeside area, as set out in subsection (1), above, within one-quarter mile of any establishment which sells alcoholic beverages.

(3) For the purpose of this section, "posted premises" includes any premises located within the areas described in subsection 1 above, which is subject to licensure under a retail package off-sale alcoholic beverage license, and any parking lot immediately adjacent to the licensed premises, provided that the provisions of subsection 2 have been complied with.

(4) All retail package off-sale alcoholic beverage licensees licensed pursuant to Division 9 (commencing with Section 23000) of the California Business and Professions Code whose licensed premises are located in the areas described in subsection 1 above shall post signs upon the licensed premises and in any parking lot immediately adjacent to the premises, clearly visible to persons within the premises and in any parking lot immediately adjacent to the premises, which notify persons that it is unlawful for any person who has in his or her possession any bottle, can or other receptacle containing an alcoholic beverage which has been opened or a seal broken, or the contents of which have been partially removed, to enter, be, or remain on the premises or any adjacent parking lot.

(5) The provisions of this section shall not apply to a private residential parking lot which is immediately adjacent to the posted premises.

Section 3. This ordinance shall become effective immediately and shall, before the expiration of 15 days after its passage, be published one time with the names of the members voting for and against this Ordinance, in the Daily Commerce , a daily newspaper, printed, published and circulated in the County.

PASSED, APPROVED AND ADOPTED this 29th day of October 2002.