

1 [Authority to Exclude Disorderly Patrons from Stadiums, an Emergency Ordinance]
2 ADDING SECTIONS 148 AND 149 OF THE SAN FRANCISCO MUNICIPAL (POLICE)
3 CODE, PROVIDING AUTHORITY TO THE SAN FRANCISCO POLICE DEPARTMENT TO
4 EXCLUDE PERSONS ACTING IN A DISORDERLY FASHION FROM STADIUMS HOLDING
5 MORE THAN 25,000 PATRONS, AN EMERGENCY ORDINANCE

6 Note: This entire section is new.

7 Be it ordained by the People of the City and County of San Francisco:

8 Section 1. Article 2 of the San Francisco Municipal (Police) Code is hereby amended
9 by adding Sections 148 and 149 to read as follows:

10 **Sec. 148. Definition of Stadium.** For purposes of this article, a stadium is defined as a
11 location enclosed by a building, structure, or fence designed to hold more than 25,000 patrons
12 and designed for the exhibition of an athletic event, whether on private or public property,
13 except property under the control of the Recreation and Park Department.

14 **Sec. 149. Excluding Intoxicated or Disorderly Patrons.** Members of the San Francisco
15 Police Department are authorized to order persons to stay out of, or to leave, any stadium
16 when such officers have reasonable cause to conclude that the person so excluded:

17 (a) Is using any drug, or any "controlled substance" as that term is defined and
18 described in the California Health and Safety Code;

19 (b) Is under the influence of intoxicating liquor, any drug, or any "controlled substance"
20 as that term is defined and described in the California Health and Safety Code, or any
21 combination of any intoxicating liquor, drug, or controlled substance, and is in such a condition
22 that he or she is unable to exercise care for his or her own safety or the safety of others or
23 interferes with or obstructs or prevents the use of the stadium by other patrons;

24 (c) Is doing any act injurious to the stadium's structure, signage or facility;

25 (d) Throws any potentially dangerous object;

- 1 (e) Possesses any firearm or other object used primarily as a weapon;
- 2 (f) Climbs or jumps from any wall, fence or structure;
- 3 (g) Gains admittance without paying;
- 4 (h) Disobeys any rule or regulation governing such stadium after being warned not
- 5 to do so by a police officer or employee of the stadium owner or tenant, if the officer or
- 6 employee has reasonable cause to conclude that such behavior damages or risks damage to
- 7 property or injures or risks injury to any person or interferes with the use and enjoyment of
- 8 such area or facility by other persons; or
- 9 (i) Behaves in so noisy, boisterous or rowdy a manner as to disturb spectators or
- 10 participants at any event at the stadium.

11 Section 2. Findings. The Board of Supervisors finds that there is a public emergency

12 affecting life, health and property as required by San Francisco Charter Section 2.107 for this

13 emergency legislation. Specifically, the Board of Supervisors finds that Pacific Bell Park is

14 scheduled to open on March 25, 2000 and that without this emergency ordinance the San

15 Francisco Police Department will be unable to act promptly to prevent misconduct or the

16 potential escalation of misconduct that could result in serious harm to persons or property.

17 Section 3. Suspension of Rule 5.42. Pursuant to the Board of Supervisor's Rules of

18 Order 4.37, the Board suspends Rule 5.42, which allows the President of the Board

19 Supervisors to make the determination that a newly introduced measure creates or revises

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1 major City policy thereby requiring a 30 day waiting period for committee consideration of an
2 ordinance.

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4 APPROVED AS TO FORM:

5 LOUISE H. RENNE, City Attorney

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By:


MARGARET W. BAUMGARTNER
Deputy City Attorney

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 000475

Date Passed:

Ordinance amending Police Code by adding Sections 148 and 149, providing authority to the San Francisco Police Department to exclude persons acting in a disorderly fashion from stadiums holding more than 25,000 patrons, an emergency ordinance.


March 27, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

Absent: 1 - Bierman

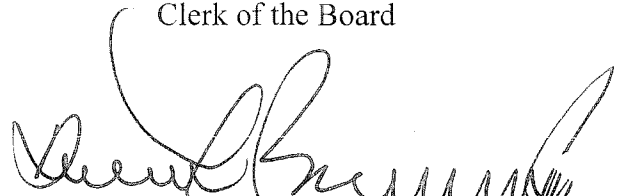
File No. 000475

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 27, 2000
by the Board of Supervisors of the City and
County of San Francisco.


Gloria L. Young
Clerk of the Board

MAR 31 2000

Date Approved


Mayor Willie L. Brown Jr.