

[Excluding Persons From Parks Under Certain Circumstances]

AMENDING ARTICLE 4, CHAPTER VI, PART II, SECTION 4.12 OF THE SAN FRANCISCO MUNICIPAL CODE (PARK CODE) TO CORRECT ERRONEOUS REFERENCE AND TO CLARIFY THAT PARK EMPLOYEES AND POLICE OFFICERS MAY EXCLUDE PERSONS FROM PARKS WHO ARE CONSUMING ALCOHOL IN CERTAIN PARKS AND AREAS OF PARKS IN VIOLATION OF THE CODE

Note: Additions are underlined; deletions are in ((double parentheses)).

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

Section 1. FINDINGS. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

When adopted San Francisco Park Code Section 4.12 contained an error in Section 4.12(a). Section 4.12(a) states that police officers and recreation and park employees may exclude persons who were drinking alcohol "in violation of 4.12." Section 4.12 does not contain any restrictions on alcohol consumption. Section 4.10 contains restrictions on alcohol consumption. Section 4.12(a)'s reference to Section 4.12 should be a reference to Section 4.10.

Section 2. Article 4 of the San Francisco Park Code is hereby amended by amending Section 4.12 to read as follows:

Section 4.12. PERSONS EXCLUDED UNDER CERTAIN CIRCUMSTANCES. Members of the San Francisco Police Department and Recreation and Park Department employees, including members of the Park Patrol, are authorized to order any person to stay out of or to leave any park, or any facility, building or structure therein, when such officers or employees have reasonable cause to conclude that the person:

- (a) Is consuming alcoholic beverages in violation of Section ((4.12)) 4.10 of this Code;
- (b) Is using any drug or controlled substance, as defined above, or any combination of any

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BOARD OF SUPERVISORS

1 intoxicating liquor, drug, or controlled substance; or

2 (c) Is doing any act injurious to any park or any building, structure or facility therein;

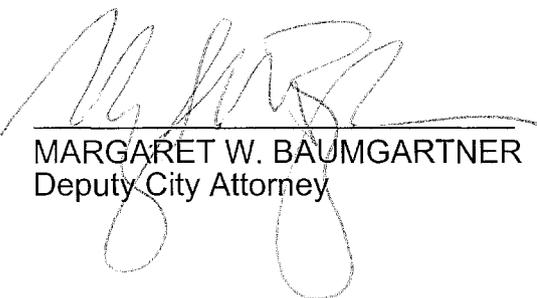
3 (d) While using any athletic facility or area, disobeys any rule or regulation governing such
4 area or facility after being warned not to do so by a Recreation and Park Department
5 employee, including members of the Park Patrol, when the employee has reasonable cause
6 to conclude that such behavior damages or risks damage to park property or interferes with
7 the use and enjoyment of such area or facility by other persons; or

8 (e) Behaves in so noisy, boisterous or rowdy a manner as to disturb spectators or
9 participants at an athletic event.

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11 APPROVED AS TO FORM:

12 LOUISE H. RENNE, City Attorney

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15 By:


MARGARET W. BAUMGARTNER
Deputy City Attorney

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BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
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Tails

Ordinance

File Number: 981556

Date Passed: September 10, 1999

Ordinance amending Park Code Section 4.12 to correct erroneous reference and to clarify that park employees and police officers may exclude persons from parks who are consuming alcohol in certain parks and areas of parks in violation of the code.

April 17, 2000 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Yaki,
Yee

Absent: 2 - Katz, Teng

April 24, 2000 Board of Supervisors — FINALLY PASSED

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

Absent: 1 - Katz

File No. 981556

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on April 24, 2000 by
the Board of Supervisors of the City and
County of San Francisco.



for Gloria L. Young
Clerk of the Board

MAY - 5 2000

Date Approved



Mayor Willie L. Brown Jr.