

1 [Excluding Persons From Parks Under Certain Circumstances]

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

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

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

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

11 When adopted San Francisco Park Code Section 4.12 contained an error in Section  
12 4.12(a). Section 4.12(a) states that police officers and recreation and park employees may  
13 exclude persons who were drinking alcohol "in violation of 4.12." Section 4.12 does not  
14 contain any restrictions on alcohol consumption. Section 4.10 contains restrictions on alcohol  
15 consumption. Section 4.12(a)'s reference to Section 4.12 should be a reference to Section  
16 4.10.

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

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

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

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RECREATION AND PARKS DEPARTMENT  
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;

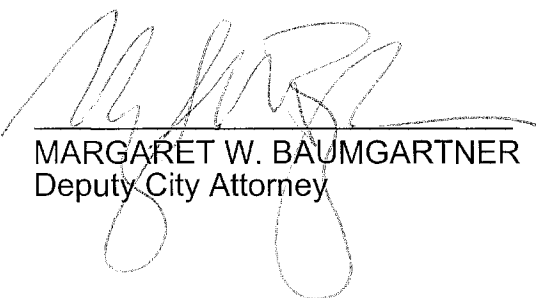
3 (d) While using any athletic facility or area, disobeys any rule or regulation governing such  
4 area or facility after being warned not to do so by a Recreation and Park Department  
5 employee, including members of the Park Patrol, when the employee has reasonable cause  
6 to conclude that such 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.

10  
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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SUPERVISOR AMOS BROWN  
RECREATION AND PARKS DEPARTMENT  
BOARD OF SUPERVISORS



# City and County of San Francisco

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

## Tails

### Ordinance

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**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.

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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

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Date Approved



Mayor Willie L. Brown Jr.