



**FOR IMMEDIATE RELEASE: July 12, 2019**

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## **Chronic Nuisance Venue to Pay \$90,000 Fine**

*Known for disturbances, public intoxication, and teen drinking, venue agrees to remedy violations*

Facing prosecution by City Attorney Mara W. Elliott, the operators of a North Park concert venue notorious for public disruption and calls to law enforcement have agreed to pay \$90,000 in civil penalties and reimburse the City \$50,000 in police investigative costs. Defendants are in the process of obtaining all required permits and correcting building and Fire Code violations.

On July 3, City Attorney Mara W. Elliott filed a complaint against the Observatory's operators and corporate entities, alleging they were maintaining a public nuisance and operating without the required permits.

The Observatory North Park has been a growing source of neighborhood complaints for noise, violence, teenage drinking, public intoxication, public vomiting, and the accumulation of trash, debris, and human waste. The San Diego Police Department responded to 174 calls for service to the University Avenue site between January 2015 and May 2019, resulting in 500 hours of out-of-service time for officers.

Under the July 12, 2019 stipulated judgment, Defendants have agreed to adopt corrective measures to address the public nuisance and criminal activity and obtain all required building and use permits. The Property currently includes the Observatory North Park and the West Coast Tavern.

Posing a significant danger to patrons as a fire hazard, the balcony/mezzanine area will remain closed until all building permits are obtained and code violations are corrected.

The defendants agreed to pay \$90,000 in civil penalties. An additional \$150,000 in civil penalties will be imposed if the defendants fail to comply with the terms of the stipulation.

**“The Observatory has long dragged its heels on correcting violations that would protect the safety of its patrons and North Park community residents,”** City Attorney Mara W. Elliott said. **“Its managers have agreed to begin following the law, and if they don’t, our Office will be there to hold them accountable.”**

The defendants in the case are Thomas Courtney Dubar, Northpark SD, a limited liability company (LLC), and SD Observatory, LLC.

The City Attorney's Office worked in partnership with the San Diego Police Department, Development Services Department, Code Enforcement and the Fire Department to address violations at this venue.

Chief Deputy City Attorney Gabriela Brannan and Supervising Deputy City Attorney Patricia Miranda prosecuted this case on behalf of the People of the State of California and The City of San Diego.

The City Attorney's Nuisance Abatement Unit, previously titled the Code Enforcement Unit, was established in 1984 to address nuisance properties and blight throughout San Diego. This unit works in partnership with the Code Enforcement Division of the City Development Services Department, the San Diego Police Department, other local agencies, and the community to identify and aggressively address problem properties.

Copies of the complaint and stipulated judgment are attached.

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