



Agenda Report

File #: 19-0287

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 4/3/2019

TO: Honorable Mayor and City Council Members

FROM: Police Department

SUBJECT:

City Council consideration of Ordinance No. 3295, first reading of an ordinance amending section 9.20.010 of the Corona Municipal Code to clarify when a special event permit is required, including when required by chapter 12.24 or for any event involving the sale, possession or consumption of alcoholic beverages within city property or facilities authorized pursuant to section 9.22.020 of the Corona Municipal Code.

RECOMMENDED ACTION:

That the City Council introduce by title only and waive full reading of Ordinance No. 3295, first reading of an Ordinance amending Section 9.20.010 of the Corona Municipal Code to clarify when a Special Event Permit is required, including when required by Chapter 12.24 or for any event involving the sale, possession or consumption of alcoholic beverages within City property or facilities authorized pursuant to Section 9.22.020 of the Corona Municipal Code.

ANALYSIS:

Corona Municipal Code ("CMC") Section 9.20.010 defines the term "special event" for purposes of when a special event permit is required to be obtained from the Police Department pursuant to Chapter 9.20.

The current definition provides as follows:

"9.20.010 Special event - Defined.

'Special event' shall mean any meeting, assembly, parade or other event open to the public and proposed to be conducted in or upon the public streets, highways or parks of the city."

While Section 9.20.010 is somewhat broadly worded, there are other CMC provisions that expressly provide when a Special Event Permit is required, and thus staff believes that CMC Section 9.20.010 should be revised to enhance its clarity by referencing such other CMC provisions. For instance,

CMC Section 9.22.020 provides that a Special Event Permit is required whenever alcoholic beverages wish to be sold, possessed, and/or consumed within certain listed City property or facilities. In addition, Chapter 12.24 requires groups of more than 25 individuals wishing to use public parks, recreation buildings/facilities, amenities and/or equipment to obtain a Special Event Permit.

Accordingly, staff believes that Section 9.20.010 would benefit from the following proposed clarifications:

“9.20.010 Special event - Defined.

‘Special event’ shall mean any meeting, assembly, parade or other event which meets any of the following: (1) is open to the public and proposed to be conducted in or upon the public streets, highways or parks of the city; (2) is open to the public, is proposed to be conducted in or upon the parks of the city, and meets the requirements for a special event provided for in Chapter 12.24 of this code; (3) involves the sale, consumption or possession of alcoholic beverages within city property or city facilities authorized to be used for such purposes pursuant to Section 9.22.020 of this code; or (4) is an event which otherwise requires a special event permit pursuant to a city resolution or ordinance, including any provision of this code.”

While this change does not substantively change how the City enforces Chapter 9.20, staff believes that the public will benefit from this more express definition of “Special Event” and that it will help eliminate the confusion that sometimes occurs with the more broad definition.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

There is no direct fiscal impact associated with the recommended action.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action makes minor, clarifying changes to the City’s definition of special event and will not have a significant effect on the environment. Therefore, no environmental analysis is required.

File #: 19-0287

PREPARED BY: KOLLEEN HUT, ADMINISTRATIVE ASSISTANT

REVIEWED BY: DEAN DERLETH, CITY ATTORNEY/LRM DIRECTOR

REVIEWED BY: GEORGE JOHNSTONE, CHIEF OF POLICE

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

SUBMITTED BY: MICHELE NISSEN, ACTING CITY MANAGER

Attachments:

1. Redline
2. Final Ordinance No. 3295

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, AMENDING SECTION 9.20.010 OF THE CORONA MUNICIPAL CODE TO CLARIFY WHEN A SPECIAL EVENT PERMIT IS REQUIRED, INCLUDING WHEN REQUIRED BY CHAPTER 12.24 OR FOR ANY EVENT INVOLVING THE SALE, POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN CITY PROPERTY OR FACILITIES AUTHORIZED PURSUANT TO SECTION 9.22.020 OF THE CORONA MUNICIPAL CODE

WHEREAS, Section 9.20.010 of the Corona Municipal Code (“CMC”) currently defines the term “special event” for purposes of when a special event permit is required to be obtained from the Police Department pursuant to Chapter 9.20 of the CMC;

WHEREAS, other provisions of the CMC provide specific instances when a special event permit from the Police Department is required pursuant to Chapter 9.20 of the CMC, including CMC Section 12.24.100 (events in parks involving more than 25 people) and CMC Section 9.22.020 (events involving the sale, possession or consumption of alcoholic within specified city property and facilities); and

WHEREAS, the City Council has determined that for clarity purposes it would be helpful to clarify the definition of “special event” to cross-reference to these other specific instances when a special event permit from the Police Department is required pursuant to Chapter 9.20 of the CMC.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 9.20.010 (Special event – Defined) of Chapter 9.20 (Assemblages and Parades) of the Corona Municipal Code is hereby amended in its entirety to read as follows:

“9.20.010 Special event - Defined.

“**Special event**” shall mean any meeting, assembly, parade or other event which meets any of the following: (1) is open to the public and proposed to be conducted in or upon the public streets, highways or parks of the city; (2) is open to the public, is proposed to be conducted in or upon the parks of the city, and meets the requirements for a special event provided for in Chapter 12.24 of this code; (3) involves the sale, consumption or possession of alcoholic beverages within city property or city facilities authorized to be used for such purposes pursuant to Section 9.22.020 of this code; or (4) is an event which otherwise requires a

special event permit pursuant to a city resolution or ordinance,
including any provision of this code.”

SECTION 2: The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force on the 30th day after its adoption.

ADOPTED this _____ day of _____, 2019.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, SYLVIA EDWARDS, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held the _____ day of _____, 2019, and thereafter at a regular meeting thereof held on the _____ day of _____, 2019, it was duly passed and adopted by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this _____ day of _____, 2019.

City Clerk of the City of Corona, California

SUMMARY

On _____, the Corona City Council will consider adopting an ordinance to amend Section 9.20.010 of the Corona Municipal Code to clarify when a special event permit is required, including when required by Chapter 12.24 or for an event involving the sale, possession or consumption of alcoholic beverages within City property or facilities authorized pursuant to Section 9.22.020 of the Corona Municipal Code. A certified copy of the full text of this proposed Ordinance is posted in the City Clerk's Office.

The City Council meets at 6:30 p.m. in the Council Chambers in the Corona City Hall, located at 400. South Vicentia Ave. The City Clerk's Office is located in City Hall near the Council Chambers.

ORDINANCE NO. 3295

AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, AMENDING SECTION 9.20.010 OF THE CORONA MUNICIPAL CODE TO CLARIFY WHEN A SPECIAL EVENT PERMIT IS REQUIRED, INCLUDING WHEN REQUIRED BY CHAPTER 12.24 OR FOR ANY EVENT INVOLVING THE SALE, POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN CITY PROPERTY OR FACILITIES AUTHORIZED PURSUANT TO SECTION 9.22.020 OF THE CORONA MUNICIPAL CODE

WHEREAS, Section 9.20.010 of the Corona Municipal Code (“CMC”) currently defines the term “special event” for purposes of when a special event permit is required to be obtained from the Police Department pursuant to Chapter 9.20 of the CMC;

WHEREAS, other provisions of the CMC provide specific instances when a special event permit from the Police Department is required pursuant to Chapter 9.20 of the CMC, including CMC Section 12.24.100 (events in parks involving more than 25 people) and CMC Section 9.22.020 (events involving the sale, possession or consumption of alcoholic within specified city property and facilities); and

WHEREAS, the City Council has determined that for clarity purposes it would be helpful to clarify the definition of “special event” to cross-reference to these other specific instances when a special event permit from the Police Department is required pursuant to Chapter 9.20 of the CMC.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 9.20.010 (Special event – Defined) of Chapter 9.20 (Assemblages and Parades) of the Corona Municipal Code is hereby amended in its entirety to read as follows:

“9.20.010 Special event - Defined.

“**Special event**” shall mean any meeting, assembly, parade or other event which meets any of the following: (1) is open to the public and proposed to be conducted in or upon the public streets, highways or parks of the city; (2) is open to the public, is proposed to be conducted in or upon the parks of the city, and meets the requirements for a special event provided for in Chapter 12.24 of this code; (3) involves the sale, consumption or possession of alcoholic beverages within city property or city facilities authorized to be used for such purposes pursuant to Section 9.22.020 of this code; or (4) is an event which otherwise requires a

special event permit pursuant to a city resolution or ordinance, including any provision of this code.”

SECTION 2: The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force on the 30th day after its adoption.

ADOPTED this _____ day of _____, 2019.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, SYLVIA EDWARDS, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held the _____ day of _____, 2019, and thereafter at a regular meeting thereof held on the _____ day of _____, 2019, it was duly passed and adopted by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this _____ day of _____, 2019.

City Clerk of the City of Corona, California

SUMMARY

On _____, the Corona City Council will consider adopting an ordinance to amend Section 9.20.010 of the Corona Municipal Code to clarify when a special event permit is required, including when required by Chapter 12.24 or for an event involving the sale, possession or consumption of alcoholic beverages within City property or facilities authorized pursuant to Section 9.22.020 of the Corona Municipal Code. A certified copy of the full text of this proposed Ordinance is posted in the City Clerk's Office.

The City Council meets at 6:30 p.m. in the Council Chambers in the Corona City Hall, located at 400. South Vicentia Ave. The City Clerk's Office is located in City Hall near the Council Chambers.