



**Department:** Police  
**Cost Center:** 8001  
**For Agenda of:** 2/6/2024  
**Placement:** Consent  
**Estimated Time:** N/A

**FROM:** Rick Scott, Police Chief  
**Prepared By:** Fred Mickel, Operations Deputy Chief

**SUBJECT:** SECOND READING OF ORDINANCE NO. 1732 (2024 SERIES)  
AMENDING MUNICIPAL CODE SECTION 9.22.040 – SAFETY  
ENHANCEMENT ZONES

## RECOMMENDATION

Adopt Ordinance No. 1732 (2024 Series) entitled “An Ordinance of the City Council of the City of San Luis Obispo, California, amending Chapter 9.22 (Safety Enhancement Zones) of the Municipal Code to revise and expand the dates and times during which the Safety Enhancement Zone applies to St. Patrick’s Day and Halloween.”

## POLICY CONTEXT

San Luis Obispo Municipal Code serves as the legal framework for governing various aspects within the city. Adopting this amendment to the Municipal Codes Safety Enhancement Zone will help mitigate the nuisance and safety issues that impact the City during the weekends leading up to and the days of St. Patrick’s Day and Halloween.

## DISCUSSION

On January 9, 2024, City Council introduced Ordinance No. 1732 (2024 Series) (Attachment A) amending section 9.22.040 of the City of San Luis Obispo Municipal Code, expanding Safety Enhancement Zones to include additional city-wide safety periods surrounding St. Patrick's Day and Halloween. Originally enacted in 2004, the Safety Enhancement Zone Ordinance designates the entire city as a safety zone during specified times, imposing higher fines for related code violations. The amendment seeks to address challenges arising from events like "St. Fratty's Day" and Halloween celebrations, causing disruptions, property damage, and public safety concerns.

The expansion is prompted by the unpredictable nature of these events, leading to difficulties in predicting and managing spontaneous celebrations. Data on calls for service, noise complaints, citations, and operational expenses associated with St. Patrick's Day, "St. Fratty's Day," and Halloween are presented. The changes include expanding the Safety Enhancement Zone for St. Patrick's Day to cover the two weekends before the holiday and adjusting Halloween's zone to include the weekend before October 31st.

## Item 5c

The Safety Enhancement Zone Ordinance was initially enacted in response to issues during Mardi Gras in 2004. Over time, the City Council has adopted and amended various public safety-related Municipal Code chapters, imposing higher fines during safety enhancement zone periods. The Police Department conducts extensive outreach annually to inform residents, students, and businesses about safety enhancement zones.

The history of St. Fratty's Day includes a significant incident in 2015, where a roof collapse led to injuries and prompted investigations. Since then, the Police Department has implemented measures to discourage unacceptable behavior, working with educational institutions and engaging in early outreach to student groups. The impact of St. Fratty's Day on neighborhoods has steadily increased, necessitating increased police staffing and operational expenses.

Data from recent years show the challenges faced during St. Patrick's Day, St. Fratty's Day, and Halloween, including calls for service, noise complaints, citations, and violations. Operational expenses for managing St. Fratty's Day in 2023 were estimated at \$38,000. Similar issues surrounding Halloween require a maximum deployment of officers for the entire weekend.

The changes aim to reduce the impact of these events by expanding safety enhancement zones. For St. Patrick's Day, this change includes the two weekends before the holiday. For Halloween, this change extends the zone to cover the weekend before October 31st.

In summary, the amendments to the Safety Enhancement Zone Ordinance seek to address ongoing challenges associated with disruptive events, enhance public safety, and mitigate the impact of spontaneous celebrations on the community.

### **Public Engagement**

Public engagement has been a part of the process, with outreach to stakeholders, including students, cultural organizations, sororities, fraternities, neighborhood groups, and businesses.

### **CONCURRENCE**

The City Attorney's Office authored the draft ordinance.

### **ENVIRONMENTAL REVIEW**

Amendment of the City's Safety Enhancement Zone is not a project under the California Environmental Quality Act (CEQA), and enforcement actions are categorically exempt pursuant to CEQA Guidelines section 15321(b).

**FISCAL IMPACT**

Budgeted: No  
 Funding Identified: N/A

Budget Year: 2024-25

**Fiscal Analysis:**

Funding Sources	Total Budget Available	Current Funding Request	Remaining Balance	Annual Ongoing Cost
General Fund	\$0	\$0	\$0	\$0
State				
Federal				
Fees				
Other:				
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

In general, revenue resulting from violations does not correlate to the cost of providing law enforcement services nor can the City create a method by which the revenue from fines pay for specific services.

Additional enforcement resources are not being requested to support the additional safety enhancement period. The proposed ordinance expands the time period for existing safety enhancement zone designations. It is unknown the amount of revenue that may be generated from safety enhancement zone violations since it is not yet known to what extent violations will increase or decrease. However, changes that result in increased fines are not likely to generate significant revenue to offset the existing enforcement costs. Staffing costs (for overtime deployment) for this time period would be consistent with the costs during the 2023 St. Patrick’s / Fratty’s Day and Halloween deployments. Those overtime costs were estimated to be up to \$38,000 for each holiday.

**ALTERNATIVES**

***Do not amend the ordinance.*** Staff does not recommend this alternative as safety enhancement has proven to be an effective deterrent to address negative behaviors when coupled with enforcement.

**ATTACHMENTS**

A - O-1732 adopting Safety Enhancement Zone Ordinance Amendment