

ORDINANCE NO. 1732 (2024 SERIES)

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

WHEREAS, City of San Luis Obispo Municipal Code Section 9.22.040 B. currently provides, regulations for the Safety Enhancement Zone to St. Patrick's Day:

B. The entire area within the city limits of San Luis Obispo is designated a safety enhancement zone from 12:01 a.m. on March 17th (St. Patrick's Day) until seven a.m. on March 18th of each year.

WHEREAS, City of San Luis Obispo Municipal Code Section 9.22.040 C. currently provides, regulations for the Safety Enhancement Zone to Halloween:

C. The entire area within the city limits of San Luis Obispo is designated a safety enhancement zone from 12:01 a.m. on October 31st (Halloween) until seven a.m. on November 1st of each year. If Halloween falls on a Thursday, Friday, Saturday or Sunday, the safety enhancement zone period will be effective at 12:01 a.m. on the Thursday falling on or preceding October 31st until seven a.m. on the Monday following October 31st.

WHEREAS, these two events (St. Patrick's Day and Halloween) have celebration activities associated with them on, before and around the actual dates of the events (March 17 for St. Patrick's Day, October 31 for Halloween) that result in large numbers of individuals, which can be into the thousands, celebrating in public, particularly in the downtown and certain neighborhood areas of the City near the Cal Poly campus. The impacts of unlawful and adverse behaviors associated with these events have steadily increased over the past few years; and

WHEREAS, to maintain public health, safety, and welfare, and to address increased unlawful and adverse behaviors that occur during the celebrations associated with St. Patrick's Day and Halloween, the City of San Luis Obispo Police Department fully deploys available officers and dispatchers to be prepared for and respond to increased unlawful and adverse activity during these celebrations, in addition to conducting public outreach via social media and other sources to try to minimize unlawful and adverse behaviors. This results in the Police Department using overtime and incurring substantial unbudgeted expenses to provide adequate staffing to cover these events. At times, the magnitude of these celebrations has resulted in the need to request mutual aid assistance from other police agencies, including Cal Poly Police, the California Highway Patrol, and the San Luis Obispo County Sheriff's Department; and

WHEREAS, determining the exact times when celebrations associated with St. Patrick's Day and Halloween will occur is difficult to predict but, based on historical data and information, celebrations and the need for enhanced law enforcement staffing associated with St. Patrick's Day (including so-called "St. Fratty's Day celebrations) tend to occur primarily during the two weekends before and on the day of the event, and celebrations associated with Halloween tend to occur primarily from the Thursday of or before Halloween through the following Monday morning; and

WHEREAS, the Police Department conducts public outreach to attempt to mitigate adverse impacts of the activities associated with the celebration of St. Patrick's Day and Halloween and has found that adverse activities tend to be reduced significantly when a Safety Enhancement Zone, with its resulting increased fines and penalties, is in place; and

WHEREAS, expansion of the dates and times during which a Safety Enhancement Zone is in effect related to St. Patrick's Day and Halloween will help reduce the unlawful and adverse activities that occur during celebrations associated with these events and will enhance the Police Department's ability to maintain public health, safety, and welfare during the celebrations associated with these events within available department resources.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of San Luis Obispo as follows:

SECTION 1. Findings. The Council hereby finds and declares the following:

- a) St. Patrick's Day and Halloween have celebration activities associated with them on, before, and around the actual dates of the events (March 17 for St. Patrick's Day, October 31 for Halloween) that result in large numbers of individuals, which can be into the thousands, celebrating in public, particularly in the downtown and certain neighborhood areas of the City near the Cal Poly campus. Impacts of unlawful and adverse behaviors associated with these events have steadily increased over the past few years.
- b) To maintain public health, safety, and welfare, and to address increased unlawful and adverse behaviors that occur during the celebrations associated with St. Patrick's Day and Halloween, the City of San Luis Obispo Police Department fully deploys available officers and dispatchers to be prepared for and respond to increased unlawful and adverse activity during these celebrations, in addition to conducting public outreach via social media and other sources to try to minimize unlawful and adverse behaviors. This results in the Police Department using overtime and incurring substantial unbudgeted expenses to provide adequate staffing to cover these events. At times, the magnitude of these celebrations has resulted in the need to request mutual aid assistance from other police agencies, including Cal Poly Police, the California Highway Patrol, and the San Luis Obispo County Sheriff's Department.

- c) Determining the exact times when celebrations associated with St. Patrick's Day and Halloween will occur is difficult to predict but, based on historical data and information, celebrations and the need for enhanced law enforcement staffing associated with St. Patrick's Day (including so-called "St. Fratty's Day celebrations) tend to occur primarily during the two weekends before and on the day of the event, and celebrations associated with Halloween tend to occur primarily from the Thursday of or before Halloween through the following Monday morning.
- d) Having a Safety Enhancement Zone in effect, with increased fines for municipal code violations, has proven to reduce unlawful or adverse activities while the Safety Enhancement Zone is in effect. Expansion of the dates and times during which a Safety Enhancement Zone is in effect related to St. Patrick's Day and Halloween will help reduce the unlawful and adverse activities that occur during celebrations associated with these events and will enhance the Police Department's ability to maintain public health, safety, and welfare during the celebrations associated with these events within available department resources.

SECTION 2. Section 9.22.040 B. of the San Luis Obispo Municipal Code shall be amended to expand the dates and times during which a Safety Enhancement Zone is in effect in relation to St. Patrick's Day, to read as follows:

B. The entire area within the city limits of San Luis Obispo is designated a safety enhancement zone from 12:01 a.m. on March 17th (St. Patrick's Day) until seven a.m. on March 18th of each year with the following modifications and additions. If St. Patrick's Day falls on a Friday, Saturday, or Sunday, the safety enhancement zone period will be in effect from 12:01 a.m. on the Friday of or prior to St. Patrick's Day to seven a.m. the following Monday. The safety enhancement zone period will also be in effect during the two weekends immediately prior to St. Patrick's Day from 12:01 a.m. Friday until seven a.m. Monday for each weekend unless St. Patrick's Day falls on a Monday, in which case the safety enhancement zone period for the weekend immediately prior to St. Patrick's Day will be in effect from 12:01 a.m. on the Friday prior to St. Patrick's Day until seven a.m. on March 18th.

SECTION 3. Section 9.22.040 C. of the San Luis Obispo Municipal Code shall be amended to expand the dates and times during which a Safety Enhancement Zone is in effect in relation to Halloween, to read as follows:

C. The entire area within the city limits of San Luis Obispo is designated a safety enhancement zone related to Halloween (October 31st) during the following time periods. If Halloween falls on a Monday, Tuesday, or Wednesday, the safety enhancement zone period will be in effect from 12:01 a.m. on the previous Thursday until seven a.m. on November 1st. If Halloween falls on a Thursday, Friday, Saturday or Sunday, the safety enhancement zone period will be in effect from 12:01 a.m. on the Thursday falling on or preceding October 31st until seven a.m. on the Monday following October 31st and will also be in effect during the weekend immediately prior to Halloween from 12:01 a.m. Friday to seven a.m. Monday.

SECTION 4. All prior ordinances affecting the provisions herein are superseded to the extent inconsistent herewith but shall otherwise remain in full force and effect.

SECTION 5. Publication. A summary of this ordinance, together with the names of Council members voting for and against, shall be published at least five (5) days prior to its final passage, in The New Times, a newspaper published and circulated in this City. This ordinance shall go into effect at the expiration of thirty (30) days after its final passage.

SECTION 6. Severability. If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be considered a separate, distinct, and independent provision and such holding shall not affect the validity and enforceability of the other provisions of this Ordinance.

INTRODUCED and ADOPTED on the 9th day of January, 2024, by the Council of the City of San Luis Obispo on the ____ day of ____, 2024, on the following vote:

AYES:
NOES:
ABSENT:

Mayor Erica A. Stewart

ATTEST:

Teresa Purrington
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington,
City Clerk