

Lenzi, Chelsea

From: Batsheva Labowe-Stoll <blabowestoll@gmail.com>
Sent: Sunday, February 26, 2017 5:52 PM
To: sbcob
Subject: UCSB Associated Student's Senate Resolution
Attachments: Articulating Senate's Position of the Date Reorientation of the Festival Ordinance that Governs Deltopia.pdf

Hello,

My name is Batsheva Stoll, I sit on the AS Senate at UCSB. I wrote this resolution regarding the festival ordinance at the request of 3rd District Supervisor, Joan Hartmann. It was passed last week by the senate. I would like it to be submitted for the hearing on the festival ordinance (Item number 17-00093) so it can become part of the official record.

Thank you,

Batsheva Stoll

ASSOCIATED STUDENTS
University of California, Santa Barbara
Senate Resolution

Subject: Articulating Senate's Position of the Date Reorientation of the Festival Ordinance that Governs Deltopia

Author: Batsheva Stoll **Second:** Felipe Recinos

Number: _____ **FPP:** _____

Bill Type: Positional **Vote Required for Passage:** 50%+1

COMMITTEE RECOMMENDATION

_____ recommends to the A.S. Senate that the following action be taken:

Pass As Written: _____ Pass With Amendments: _____ Do Not Pass: _____

Refer To Committee: _____

Recommended by a Vote Of: _____ Chairperson's initials: _____

STUDENT -SPONSORED LEGISLATION

Student Sponsor: Spencer Brandt Student Co-Sponsor: _____

The Student-Sponsored Resolution Liaison _____ has insured that this Student-Sponsored Resolution is correct in its form and adherence to the *ASUCSB Legal Code*.

Pass As Written: _____ Pass With Amendments: _____ Do Not Pass: _____

Refer To Ad-Hoc Committee: _____

FISCAL IMPACT

Amount: \$ _____ Account: _____

A Resolution

Articulating Senate's Position of Date Amendment to the Festival Ordinance that Governs Deltopia

Whereas: The Santa Barbara County Board of Supervisors will convene on February 28th, and will hear an amendment to County Ordinance 6-70, otherwise known as the 'festival ordinance,' and,

Whereas: 'Deltopia,' will take place during the first week of the Spring academic quarter, and,

Whereas: The proposed amendment by the Board of Supervisors will orient a number of dates to Section 6-70.1, to make the ordinance enforceable during this year's Deltopia celebration, and,

Whereas: Isla Vista has experienced a proliferation of student-lead culture change over the past two years, and,

Whereas: Application and enforcement of this ordinance has significantly improved during large events since the over-enforcement of 2014 that lead to multiple instances of civil unrest, and,

Whereas: In the past years there has been little student input on County plans for large unsanctioned events, and,

Whereas: It is important that the ordinance to be enforced with fairness, and clear expectations are set for residents, thus requiring clear channels of communication between the Santa Barbara County Sheriff's Office, and Isla Vista residents, and,

Whereas: We want the police to work closely with student groups like UCIV to make sure that all laws are enforced with fairness, and,

Whereas: We want to insure the safety and fairness of all law enforcement. This includes treating students with humane standards, and,

Whereas: The Board of Supervisors is orienting the dates to the current language to catch any weekend Deltopia lands on from now until 2023. This is so they do not have to continuously hold meetings ever year to change the language.

Whereas: The purpose of the ordinance should be contained to the spirit of it, which is public safety, prevention of night parties after the 'festival.' The ordinance is not to simply shut down any noise and give tickets without fair assessment.

Whereas: The current language of the 'festival ordinance' reads:

Sec. 6-70. - "Outdoor festival" defined.

"Outdoor festival" means any music festival, dance festival, "rock" festival or similar musical activity, at which music is provided by paid or professional, or amateur performers or by prerecorded means, which is held at any place other than in a permanent building or permanent installation which permanent installation has been constructed for the purpose of conducting such activities, to which members of the public are invited or admitted or which are otherwise open to view for a charge or free of cost and which is to be or is attended by five hundred persons or more.

(Ord. No. 2082, § 2; Ord. No. 4120, § 2)

Sec. 6-70.01. - "Outdoor festival" and other musical activity prohibited.

(a)

"Outdoor festivals" as defined in section 6-70 and any musical festival, dance festival, "rock" festival or similar musical activity, at which music is provided by paid or professional, or amateur performers or by prerecorded means, which is held at any place other than in a permanent building or permanent installation which permanent installation has been constructed for the purpose of conducting such activities, to which

members of the public are invited or admitted or which otherwise are open to view for a charge or free of cost are prohibited the evening and the following morning of April 3rd, 4th, 5th, 10th, 11th, 12th, October 26th, 27th, 28th, 29th, 30th, 31st and November 1st, 2nd, 3rd and 4th between the hours of 6:00 p.m. of such date and 7:00 a.m. of the following date, within the area bounded by, and including, El Colegio Road, Camino Majorca to Storke Road, Ocean Road to Stadium Road and the Pacific Ocean in the unincorporated area of Isla Vista. Outdoor festivals permitted under other provisions of this article are exempt from this section.

(b)

Any person violating this section shall be issued a citation for any violation hereof, as follows:

1. A person shall be deemed to be in violation of this section if they are the owner, tenant or occupant of a property or vehicle which is, under their control, producing the unauthorized music.

2. A person shall also be in violation of this section if they organize, promote or assist in an event which is, or is intended to be, a violation of this section.

3. A person who is in attendance at, or near, an event which is in violation of this section who willfully fails to immediately disburse upon a warning by a law enforcement officer shall be deemed in violation of this section.

(c)

A violation of this section shall be an infraction and punishable as specified in section 6-107.

(Ord. No. 4120, § 3; Ord. No. 4243, § 1; Ord. No. 4632, § 2; Ord. No. 4653, § 1; Ord. No. 4911, § 1, 2-17-2015)

and,

Whereas: Associated Students is dedicated to promoting a safe and local Deltopia in 2017.

Therefore let it be resolved by the Associated Students in the 67th Senate assembled: Understands the County Ordinance 6-70 intention to reorienting April 1, 2, 6, 7, 8, 9 to the language under the stipulation that the Festival Ordinance will only be enforced on the date Deltopia lands on and at no other point.

Let it be resolved that the 67th Senate assembled: Encourage the EVPLA to take a leading role in the discussion about enforcement of the ordinance, and to ensure that channels of communication between students and law enforcement are opened.

CC:

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