

ORDINANCE NO. _____

**AN URGENCY ORDINANCE OF THE BOARD OF SUPERVISORS,
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA
AMENDING CHAPTER 36 OF THE SANTA BARBARA COUNTY CODE**

WHEREAS, on April 4, 2009, in the community of Isla Vista, an event known as “Floatopia” attracted over 12,000 persons to the Isla Vista beaches, parks and beach access ways and resulted in significant adverse impacts to the overall quality of life, environmental conditions and public health and safety of the community; and

WHEREAS, Floatopia is an event centered around the consumption of alcoholic beverages and ocean-related activities such as bathing, rafting and boating; and

WHEREAS, the combination of the activities set forth in the preceding paragraph are inherently dangerous to the safety of the participants and the general public; and

WHEREAS, injury to the public and criminal activity associated with Floatopia include the following:

- 78 citations for various infractions
- 13 misdemeanor arrests
- 2 individuals falling from bluff taken to Cottage Trauma Center
- 33 people taken to hospitals for treatment, including head injuries via thrown bottles, alcohol poisoning, and serious cuts and lacerations
- One alleged sexual assault necessitating Sheriff’s response and intervention

WHEREAS, the County emergency medical services system transported 20 patients and Goleta Valley Cottage Hospital treated 31 patients as a direct result of the “Floatopia” event, compared to the normal number of anticipated EMS calls for this area during this time frame which is 4; and

WHEREAS, Floatopia required the mobilization of multiple emergency responders, including but not limited to:

- 12 Sheriff’s deputies
- 25 County firefighters (5 engine companies)
- Sheriff’s helicopter and jet skis
- Multiple ambulances
- City of Goleta and University of California Police Departments
- Goleta Valley and Santa Barbara Cottage Hospital personnel
- Volunteers for clean up of beaches and access ways

WHEREAS, the cost of this mobilization and usage of these resources is approximately \$20,000 in unbudgeted funds; costs associated with this event are directly paid from the general fund thus impacting already strained general fund resources used for critical public safety and health and human service needs; and

WHEREAS, injuries and alcohol intoxication associated with Floatopia required the activation of the trauma team at Santa Barbara Cottage Hospital, diverting ambulances away from their designated response locations and requiring the hospital to call in additional personnel; and

WHEREAS, the majority of the adverse health and safety impacts cited above arose from the possession and consumption of alcoholic beverages within the area subject to this Ordinance; and

WHEREAS, the April 4, 2009, Floatopia event was primarily publicized on Facebook, an internet website dedicated to social interaction, and another Floatopia event is now being publicized on Facebook as scheduled to occur on May 9, 2009, in the same area; and

WHEREAS, a repeat of the activities associated with the April 4, 2009, event is imminent and expected to occur on May 9, 2009, making adoption of this urgency ordinance necessary for the immediate preservation of the public peace, health, and safety; now therefore

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1. The title of Chapter 36 of the Santa Barbara County Code is amended to read as follows (*additions herein indicated by underline, deletions by ~~strikethrough~~*):

“CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC STREETS AND CERTAIN BEACHES”

SECTION 2. Section 36-2 of the Santa Barbara County Code is amended to read as follows:

36-2 (a) It is unlawful for any person to drink or consume any intoxicating liquor in the unincorporated areas of the county upon any public street, public sidewalk, public highway, public parking lot or public alley.

(b) Except as authorized by permit as set forth in subdivision (c), it is unlawful for any person to drink, consume or possess any opened or unsealed container of any alcoholic beverage or intoxicating liquor within the beach area enclosed within the following described boundaries:

On the West, the boundary of the University of California at Santa Barbara (“UCSB”) separating unincorporated Isla Vista and UCSB, beginning at the 6885 Del Playa Drive and extending the UCSB boundary

to a point 100 yards South of the Mean High Tide Line of the Pacific Ocean;

On the North, the coastal bluffs at the southerly end of the properties fronting Del Playa Drive in the 6500, 6600, 6700 and 6800 blocks;

On the East, the property boundary separating unincorporated Isla Vista and UCSB, beginning at the 6500 block of Del Playa Drive and extending the UCSB boundary to a point 100 yards South of the Mean High Tide Line of the Pacific Ocean;

On the South, a line 100 yards South of the Mean High Tide Line of the Pacific Ocean at that location;

And additionally including the following beach access pathways leading from Del Playa Drive to the area described above:

"Escondido Pass," located between 6773 and 6769 Del Playa Dr.

Unnamed beach access at Camino Del Sur, located between 6697 and 6701 Del Playa Dr.

Unnamed beach access at Camino Pescadero, located between 6599 and 6607 Del Playa Dr.

Unnamed beach access at El Embarcadero, located between 6551 and 6549 Del Playa Dr.

Unnamed beach access at Camino Majorca, located at Camino Majorca and Del Playa Dr.

(c) The park director, or designee, may establish conditions and issue event permits for the possession and consumption of alcoholic beverages by designated persons within areas described in subdivision (b).

SECTION 3. Section 36-4 of the Santa Barbara County Code is amended to read as follows:

Nothing in sections 36-2 or 36-3 shall limit the consumption of alcohol or display of open containers in or on:

(a) The property of an establishment, business place, or other location properly licensed for the consumption of alcoholic beverages under the Alcoholic Beverage Control Act of the state; or

(b) The property of any public park or public beach, except for the beaches and access pathways described in Section 36-2(b).

SECTION 4. Urgency Clause. The Board of Supervisors finds and declares that it is necessary for the public peace, health and safety that this ordinance become effective immediately because of the expectation of a repeat of the "Floatopia" event of April, 2009, on May 9, 2009, as set forth in the recitations above, all of which are found to be true and correct.

SECTION 5. Publication and Effective Date. This ordinance shall take effect immediately under Government Code Section 25123(d). Before the expiration of fifteen (15) days after passage of this ordinance, it shall be published once with the names of the members of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this 5th day of May, 2009, by the following four-fifths vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JOE CENTENO
Chair, Board of Supervisors

ATTEST:
MICHAEL BROWN
CLERK OF THE BOARD

By: _____
Deputy

APPROVED AS TO FORM:
DENNIS A. MARSHALL,
COUNTY COUNSEL

By: _____
Deputy County Counsel