

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA AMENDING CHAPTER 6, "AMUSEMENTS", ARTICLE VI, SECTIONS 6-70, 6-70.01 OF THE SANTA BARBARA COUNTY CODE AND ADDING SECTION 6-70.02 TO THE SANTA BARBARA COUNTY CODE PERTAINING TO OUTDOOR FESTIVALS AND SIMILAR ACTIVITIES.

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

SECTION 1. Chapter 6 of the Santa Barbara County Code, Article VI, Section 6-70. – "Outdoor festival" defined, is hereby amended and shall read as follows:

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, except those outdoor festivals that are held 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 which is to be or is attended by two hundred and fifty persons or more.

SECTION 2. Chapter 6 of the Santa Barbara County Code, Article VI, Section 6-70.01. – "Outdoor festival" and other musical activity prohibited, is hereby amended and shall read as follows:

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

(a) "Outdoor festivals" as defined in section 6-70 and any musical festival, musical performance, musical amplification, dance festival, "rock" festival or similar musical activity, at which music is provided by paid or professional, or amateur performers or by prerecorded means, emanating from residential or commercial property and amplified through any radio, loudspeaker, sound amplifier, or similar device, which is audible from the public right of way adjacent to or surrounding the property line of that residential or commercial property, and which is held at any place other than in a permanent building or permanent installation which that 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 free or by paid admission for a charge or free of cost are prohibited from the evening and

~~the following morning of, between the hours of 6:00 p.m. the evening of, to of such date and 7:00 a.m. of the following morning of the following dates, 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 on the following dates:~~

- ~~1. April 7, 8, and 9, 2017;~~
- ~~April 6, 7, and 8, 2018;~~
- ~~April 5, 6, and 7, 2019;~~
- ~~April 3, 4, and 5, 2020;~~
- ~~April 2, 3, and 4, 2021;~~
- ~~April 1, 2, and 3, 2022;~~
- ~~April 7, 8, and 9, 2023; and~~

1. The Friday, Saturday, and Sunday of the first week of the Spring Quarter of the University of California Santa Barbara Academic Calendar.

2. October 26th, 27th, 28th, 29th, 30th, 31st and November 1st, 2nd, 3rd and 4th of each year.

~~Outdoor festivals permitted under other provisions of this article are exempt from this section.~~

Events permitted under other provisions the County Code are exempt from this subsection.

(b) Outdoor Festivals as defined in section 6-70 are prohibited at all times on any property zoned or utilized for residential use 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.

~~(b c)~~ 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.

~~(e d)~~ A violation of this section shall be an infraction and punishable as specified in section 6-107.

SECTION 3. Chapter 6 of the Santa Barbara County Code, Article VI, is hereby amended to add Section 6-70.02 to read as follows:

Sec. 6-70.02 – “Outdoor Festival” and Other Commercial Activity Prohibited

- (a) Outdoor Festivals as defined in section 6-70 or any other musical festival, music performance, sound amplification, dance festival, or similar musical activity at which music is performed live or mechanically or electronically controlled by a performer that is accessible to the public at which a ticket, fee, donation or other purchase is required as a condition for entry to the event are prohibited at all times on any property zoned or utilized for residential use 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.
- (b) Any Outdoor Festival as defined in section 6-70 or any other musical festival, music performance, concert, dance festival, social gathering, party or similar activity at which alcohol is sold, available for purchase, or served after a donation from the attendee or where purchase is a requirement for entry are prohibited at all times on any property zoned or utilized for residential use 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.
- (c) Any person engaged in these prohibited activities shall be in violation hereof, as follows:
 - a. Any person who is an owner, tenant, or occupant of a property which is under their control, and they knowingly provide a location or amenities for the offense to occur.
 - b. Any person who organizes, performs, promotes, advertises, or assist in an event which is, or is intended to be, a violation of this section.
 - c. Any person who is in attendance at, or near, an event which is in violation of this section who willfully fails to immediately disperse upon a warning by a law enforcement officer shall be deemed in violation of this section.

SECTION 4. Except as amended by this Ordinance the Santa Barbara County Code shall remain unchanged and shall continue in full force and effect.

SECTION 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 6. This Ordinance shall take effect and become operative 30 days from the date of its adoption by the Board of Supervisors. Before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara Independent* and *Santa Maria Times*, newspapers of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

By _____
Deputy County Counsel