



**BOARD OF SUPERVISORS  
AGENDA LETTER**

**Agenda Number:**

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Sheriff-Coroner  
**Department No.:** 032  
**For Agenda Of:** 1st Reading: 12.12.23  
Departmental  
2nd Reading: 1.9.24  
Administrative  
**Placement:**  
**Estimated Time:** 30 min on 12.12.23  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Bill Brown, Sheriff-Coroner 805-681-4290  
Director  
Contact Info: Garrett Te Slaa, Lieutenant 805-681-4108  
**SUBJECT:** Amendments to Santa Barbara County Code Chapter 6, Article VI Regarding  
Outdoor Festivals and Chapter 36 Regarding Public Nuisances

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**County Counsel Concurrence**

As to form: Yes  
Other Concurrence: N/A  
As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

On December 12, 2023:

- a) Receive and file a presentation regarding an Ordinance amending Chapter 6, Article VI of the Santa Barbara County Code regarding Outdoor Festivals and Chapter 36 regarding Public Nuisances;
- b) Consider and approve the Introduction (First Reading) of an Ordinance amending Chapter 6, Article VI of the Santa Barbara County Code regarding Outdoor Festivals and Chapter 36 regarding Public Nuisances;
- c) Read the title of the Ordinance and waive further reading of the Ordinance in full; and
- d) Set a hearing on the Administrative Agenda of January 9, 2024 to consider the adoption (Second Reading) of an Ordinance amending Chapter 6, Article VI of the Santa Barbara County Code regarding Outdoor Festivals and Chapter 36 regarding Public Nuisances.

On January 9, 2024:

- a) Consider and approve the Adoption (Second Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 6, Article VI regarding Outdoor Festivals and Chapter 36 regarding Public Nuisances; and
- a) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA guidelines because they consist of administrative activities of government that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

This item is on the Agenda to amend Chapter 6, Article VI and Chapter 36 of the Santa Barbara County Code regarding outdoor festivals and public nuisances. The amendments will update regulations on outdoor festivals and public nuisances.

The proposed revisions to Chapter 6, Article 6, section 6-70.01 of the County Code would extend the moratorium on Outdoor Festivals and similar activity during the unsanctioned “Deltopia” street party event that occurs each Spring in Isla Vista. A proposed addition to Chapter 6, Article 6 would prohibit Outdoor Festivals on any residential property in Isla Vista and would prohibit Outdoor Festivals and similar activity of any size on any residential property in Isla Vista if that event sells alcohol or requires a ticket, fee, or donation for entry to the event.

The proposed revisions to Chapter 36 of the County Code would reclassify some public offenses as more serious public nuisances, providing law enforcement with the capability to declare a social gathering a public nuisance faster under certain circumstances and with probable cause. Bluff, cliff, and rooftop safety would also be addressed through these changes, identifying social gatherings that allow climbing fences or railings onto exposed bluffs or climbing onto a rooftop not designed for such activity to constitute a public nuisance. Pursuant to existing law in Section 36-7, a social gathering declared a public nuisance must immediately be discontinued. Changes to Section 36-8 would classify a violation of 36-6 as a misdemeanor criminal offense and a violation of 36-7 as an infraction.

**Background:**

For years, the County and our community have encountered numerous issues involving unsanctioned street party events around Halloween weekend, and the spring Deltopia event, and the newer issue of commercial parties promoted through social media. These events continue to endanger the public welfare and are a significant drain on public safety resources throughout the county of Santa Barbara. The 2023 Deltopia event was declared a Mass Casualty Incident and led to 60 medical calls for service, and 33 hospital transports in less than 72 hours. That is a 200% and 300% increase respectively over incidents from Deltopia 2022. Tragically, there was an overdose death from fentanyl during the event as well. These events are known to overwhelm our local emergency medical services system, law enforcement, and other public agencies, and they create dangerous situations for citizens and our local environment.

Existing County Code Chapter 6 section 6-70.01(a) has a clause that expires prohibitions on Outdoor Festivals and similar activities during the unsanctioned spring “Deltopia” event. There is a similar prohibition in effect for the dates surrounding Halloween each year.

With the 2023 Deltopia event being a significant drain on emergency services and a serious threat to public safety, regulations over these activities are an important resource for the county public safety agencies in our efforts to keep the community safe. Additionally, the Isla Vista community has seen an influx of large organized commercial parties that occur without proper permits charging attendees a fee for admission and/or selling alcohol in violation of existing state laws. These parties, herein referred to as “commercial parties,” create a public nuisance including unreasonable disturbances that are convened without proper parking, venue security, restroom facilities, precautions against underage drinking, and other standard requirements for an organized event. Additionally, these events host large, over-capacity crowds that stress residential properties that are not designed for such events. Many of these types of parties occur on bluff-facing properties where bluff falls, erosion, and excessive weight are a regular concern. These commercial parties on residential property are in violation of existing local zoning laws pursuant to Chapter 35 Article 2, but the penalties are either administrative violations, or there is no consistent procedural mechanism for criminal enforcement and appeal.

Chapter 36 of the County Code addresses, in part, the public nuisance that is created by reason of the conduct of the persons in attendance at a social gathering or party. Existing law in Section 36-6(a) includes a list of violent and felonious behavior that must be observed at least three times before a social gathering can be declared a public nuisance. The proposed amendments would move the serious and violent offenses to subsection (b) so that only one of these serious and violent offenses is needed to declare a social gathering or party a public nuisance. Additional criminal offenses are also proposed to be added to subsection (b).

It is also proposed in this amended language that any social gathering or party that allows attendees to climb onto and remain on any rooftop, or climb onto, or over any bluff facing fence or railing are also deemed to be a public nuisance and subject to the provisions of Section 36-7.

Additional changes to subsection (c) would identify any commercial party, party selling alcohol without a state Alcoholic Beverage Control (ABC) license, or any social gathering or party that substantially obstructs a public right-of-way as a public nuisance and subject to the provisions of Section 36-7 and 36-8.

Lastly, penalties for a violation of 36-6 and 36-7 are modernized to reflect the severity of the issues involved and also provide for enhanced penalties to discourage such illegal conduct. It is proposed to amend the penalties to elevate violations to a misdemeanor for repeated or continued violations.

**Fiscal and Facilities Impacts:**

There are no fiscal impacts associated with the recommended actions.

**Staffing Impacts:** N/A

**Special Instructions:**

The Sheriff's Office published the Notice of Public Hearing 5 and 10 days before the hearing date in the *Santa Barbara Independent* and the *Santa Maria Times* in accordance with Government Code section 6062. After the Ordinance is passed the Clerk of the Board shall publish a summary of the ordinance in the *Santa Barbara Independent* and *Santa Maria Times* within 15 days of the adoption of the ordinance in accordance with Government Code section 25124.

**Attachments:**

Attachment A – Ordinance Amending Chapter 6, Section 6-70, 6-70.01 and 6-70.02 with deletions and additions highlighted.

Attachment B – Ordinance Amending Chapter 6, Section 6-70, 6-70.01 and 6-70.02 with changes incorporated.

Attachment C – Ordinance Amending Chapter 36 Section 36-6, 36-7 and 36-8 with deletions and additions highlighted.

Attachment D – Ordinance Amending Chapter 36 Section 36-6, 36-7 and 36-8 with changes incorporated.

Attachment E – PowerPoint Presentation

**Authored by:**

Lieutenant Garrett Te Slaa, Santa Barbara Sheriff's Office, 805-681-4108