



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  
Department No.: 032  
For Agenda Of: 10/24/2006  
Placement: Departmental  
Estimate Time: 10 minutes  
Continued Item: NO  
If Yes, date from:  
Vote Required: Majority

TO: Board of Supervisors  
FROM: Department Director(s) Sheriff Jim Anderson  
Contact Info: Deputy County Counsel Kelly Scott 681-4325  
Lieutenant Sol Linver 681-4108

SUBJECT: Urgency Ordinance Amendment Section 6-70.01

**County Counsel Concurrence:**

As to form: ☒ Yes ☐ No ☐ N/A

**Auditor-Controller Concurrence:**

As to form: ☐ Yes ☐ No ☒ N/A

**Other Concurrence:** N/A

As to form: ☐ Yes ☐ No ☒ N/A

**Recommended Action(s):**

Approve and adopt amendment of County Ordinance Section 6-70.01 extending the prohibition of "outdoor festivals" and other musical activities on the evenings and following mornings of October 26 and 27.

**Summary:**

Halloween falls on a Tuesday this year, and thus the Halloween festivities in Isla Vista will begin the weekend prior to October 31. County Ordinance Section 6-70.01 does not include October 27 as a date on which "outdoor festivals" and other musical activities are prohibited. Due to the unique problems law enforcement officers face during the Halloween festivities in Isla Vista it is necessary to include October 26 and 27 in the dates prohibiting "outdoor festivals" and other musical activities. Government Code Section 25123 allows for the urgent passage of ordinances for the immediate preservation of the public peace, health, or safety.

**Background:**

Live bands, keg parties and loud music draw persons to Isla Vista, particularly during the Halloween festivities, causing crowded conditions hampering law enforcement efforts and creating a potentially hostile environment for law enforcement officers and the public. During Halloween, Isla Vista presents unique problems for law enforcement due to the crowded conditions, loud music and "party" atmosphere, and prohibiting "outdoor festivals" and other musical activities is necessary to control the crowded conditions, reduce the costs associated with law enforcement in Isla Vista during Halloween, prevent injuries both to the public and law enforcement officer and limit vandalism and damage to public and private property.

Previous amendments of Section 6-70.01 extended the prohibition of “outdoor festivals” and other musical activities to dates prior to, including and after Halloween in order to enhance the safety of the community during the Isla Vista Halloween festivities. Historically, Halloween festivities in Isla Vista begin days prior to October 31, and when a weekend occurs prior to a weekday Halloween, those festivities begin on the Friday of the weekend prior to October 31. In the year 2000 when Halloween fell on a Tuesday the Halloween festivities began the weekend prior, and there were 233 arrests and citations on Friday, October 27, 2000.

**Fiscal and Facilities Impacts:**

Budgeted: ☒ Yes    ☐ No

**Fiscal Analysis:**

The Sheriff’s Department has budgeted \$228,000 to cover expenses relating to law enforcement operations in Isla Vista during the Halloween festivities. The addition of the days by this ordinance amendment will not increase the cost of the operation. There are no fiscal impacts.

**Staffing Impact(s):**

**Legal Positions:**

N/A

**FTEs:**

N/A

**Special Instructions:**

Due to the need for immediate preservation of the public peace, health or safety, this ordinance shall take effect and be in force immediately after its passage. It, or a summary of it shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press.

The Sheriff’s Department requests a minute order following the hearing.

**Attachments:**

Findings and amendment to County Ordinance Section 6-70.01.

**Authored by:**

Kelly D. Scott, Deputy County Counsel

**cc:**

## **ORDINANCE NO. 6-70.01**

### **AN ORDINANCE OF THE BOARD OF SUPERVISORS AMENDING SECTION 6-70.01 OF ARTICLE VI, CHAPTER 6, PROHIBITING OUTDOOR FESTIVALS DURING HALLOWEEN**

The Board of Supervisors of the County of Santa Barbara does hereby ordain as follows:

#### **Section 1. Findings.**

The Board of Supervisors hereby finds, determines and declares that:

1. County Ordinance Section 6-70.01 currently prohibits “outdoor festivals” and other musical activities on the evenings and following mornings of October 28, 29, 30, 31 and November 1 and 2, between the hours of six p.m. of such date and seven 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.
2. Previous amendments of Section 6-70.01 extended the prohibition of “outdoor festivals” and other musical activities to dates prior to, including and after Halloween in order to enhance the safety of the community during the Isla Vista Halloween festivities.
3. Historically, Halloween festivities in Isla Vista begin days prior to October 31, and when a weekend occurs prior to a weekday Halloween, those festivities begin on the Friday of the weekend prior to October 31.
4. In the year 2000 when Halloween fell on a Tuesday the Halloween festivities began on the weekend prior, and there were 233 arrests and citations on Friday, October 27, 2000.

5. Live bands, keg parties and loud music draw persons to Isla Vista, particularly during the Halloween festivities, causing crowded conditions hampering law enforcement efforts and creating a potentially hostile environment for law enforcement officers and the public.
6. Isla Vista, especially during the extended Isla Vista Halloween festivities , presents unique problems for law enforcement due to the crowded conditions, loud music and “party” atmosphere, and prohibiting “outdoor festivals” and other musical activities is necessary to control the crowded conditions, reduce the costs associated with law enforcement in Isla Vista during Halloween, prevent injuries both to the public and law enforcement officers and limit vandalism and damage to public and private property.
7. Alcohol related arrests predominate in Isla Vista, particularly during Halloween festivities, including violations such as minors in possession of alcohol, open container violations and public intoxication. As a result of these alcohol-related activities, other violations of State law and County ordinance occur.
8. Law enforcement related costs, such as staffing and overtime for Sheriff’s Department personnel in Isla Vista during Halloween is estimated to be in excess of \$289,000.00.
9. Due to the concerns as expressed in these findings, and for the immediate preservation of the public peace, health and safety, it is necessary that this ordinance be adopted as an urgency ordinance to become effective immediately upon its passage.

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

**SECTION 2. Section Amended.**

Section 6-70.01 of Chapter 6, Article VI, of the Santa Barbara County Code, is hereby amended to read as follows:

"Sec. 6-70.01. "outdoor festival" and other musical activity prohibited. "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 October 26, 27, 28, 29, 30, and 31 and November 1 and 2, between the hours of six p.m. of such date and seven 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."

**SECTION 3.**

Due to the need for immediate preservation of the public peace, health or safety, this ordinance shall take effect and be in force immediately after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors

voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2006, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Chair, Board of Supervisors

ATTEST:

MICHAEL ALLEN  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

STEPHEN SHANE STARK  
COUNTY COUNSEL

By: \_\_\_\_\_  
Deputy County Counsel