



Agenda Item No: 2.a

PLACENTIA CITY COUNCIL AGENDA REPORT

Meeting Date: April 15, 2025

Submitted by: Lydie Gutfeld

From: Community Services

Subject:

Public Hearing and Consideration of the Ordinance of the City Council of the City of Placentia, California amending the Municipal Code to establish a comprehensive regulatory framework for city special events on public property. Determination that the adoption of the Ordinance is exempt under the California Environmental Quality Act.

Financial Impact:

Fiscal Impact:

There is no fiscal impact to the City's General Fund for this item.

Summary:

This Ordinance amends Title 14 (Public Property) of the City of Placentia Municipal Code with the addition of Chapter 14.18 (Special Events Permit) which provides a full regulatory scheme for special events and a process for obtaining special event permits. In addition, it amends Section 10.28.010 (Drinking in Public) of Chapter 10.18 (Intoxication) of Title 10 (Peace, Morals, and Safety) of the City of Placentia Municipal Code to allow the use of alcohol at a special event with the issuance of a special event permit. This Ordinance also repeals Chapter 13.60 (Parades – Assemblages as those regulations are now codified in Chapter 14.18. Finally, it amends Title 1 (General Provisions) Chapter 1.14 (Temporary Suspension of Regulatory Ordinances) of the City of Placentia Municipal Code granting the City Administrator the ability to suspend provisions of the Municipal Code, with regard to special events.

Recommendation:

Recommended Action: It is recommended that the City Council take the following actions to:

1. Open the Public Hearing to consider proposed Special Event Permit and Application Procedure Ordinance; and
2. Received the Staff report, consider all public testimony, ask any questions of Staff; and
3. Close the Public Hearing; and
4. Determine that the adoption of Ordinance No. O-2025-03 is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15061 (b)(3); and
5. Waive full reading, by title only, and introduce for first reading of Ordinance No. O-2025-03, an Ordinance of the City Council of the City of Placentia, California amending Title 1 (general provisions), Chapter 14 (temporary suspension of regulatory ordinances) amending Section 10.28.010 (drinking in public) of Chapter 10.18 (intoxication) of Title 10 (peace, morals and safety), repealing Chapter 13.60 (parades - assemblages) of Title 13 (vehicles & traffic) and amending Title 14 (public property) with the addition of

Chapter 14.18 (special events permit), to establish a comprehensive regulatory framework for city special events on public property; and by title only, and introduce for first reading of Ordinance No. O-2025-03, an Ordinance of the City Council of the City of Placentia, California amending Title 1 (general provisions), Chapter 14 (temporary suspension of regulatory ordinances) amending Section 10.28.010 (drinking in public) of Chapter 10.18 (intoxication) of Title 10 (peace, morals and safety), repealing Chapter 13.60 (parades - assemblages) of Title 13 (vehicles & traffic) and amending Title 14 (public property) with the addition of Chapter 14.18 (special events permit), to establish a comprehensive regulatory framework for city special events on public property; and

6. Authorize the Interim City Administrator to execute all necessary documents, in a form approved by the City Attorney.

Strategic Plan Statement:

This item is consistent with the City Council approved 5-Year Strategic Goal to implement Goal 1: ensuring long-term fiscal sustainability and Goal 2: Increase Community Engagement. This project meets this goal of long-term fiscal sustainability by putting in place a special event permit that will have fees for the ordinance and fees for utilization of city staff and equipment. This project meets the goal of increased community engagement by providing a streamline process for special events within the City of Placentia that would allow for the special event permit to allow alcohol use at these events that are highly attended by the community.

Discussion:

The proposed ordinance introduces a new Special Event Permit process and includes amendments to related sections of the municipal code. The update is necessary to ensure compliance with current laws, address First Amendment considerations, and modernize outdated provisions. In addition, the proposed ordinance provides a higher level of efficiency and effectiveness in the logistical preparation for city wide events and events with City Partnership to include the temporary suspension of regulatory ordinances that pertain to alcohol sales and loud noise from entertainment.

Council previously expressed a preference for a streamlined process, particularly regarding the recurring need to waive the city's alcohol ordinance for annual events. This prompted a review of the existing code; however, due to shifting priorities and leadership changes, the update was delayed. The revised ordinance aims to simplify the permitting process while maintaining regulatory compliance.

It is the purpose and intent of the City Council to establish standards for the issuance of a permit for special events to use City streets, parks, facilities and services. It is recognized that these special events enhance the City's lifestyle and provide benefits to the citizens through the creation of unique venues for entertainment that are not normally provided as part of governmental services. It is further intended to create a mechanism for cost recovery for special events without adversely impacting those events that contribute to the community. It is also the intent of the City Council to protect the rights of its citizens to engage in protected free speech expression activities. Consequently, it is not the intent of this ordinance to regulate conduct, the sole or principal object of which is the expression, dissemination or communication by verbal, visual, literary or auditory means of opinion, views or ideas which are protected by the First Amendment of the United States Constitution or Article 1, Section 2 of the California Constitution.

Due to numerous requests for financial assistance with City Supported events from local and

regional non-profit organizations, staff felt it was crucial to outline the procedure of waiving fees from a cost recovery perspective.

To summarize the cost recovery section of the ordinance: Unless otherwise specified or waived by the City Council, the City Administrator shall assess charges for all City personnel involved in an Event or the permit processing. These charges shall be based on the approved cost recovery schedule set by the City Council in the resolution governing fees and charges or, if not referenced in the resolution, the actual cost of such personnel. Additionally, actual costs may be charged for the use of City equipment and other non-personnel expenses associated with the Event.

The Interim City Administrator may require prepayment of these fees or a reasonable estimate of such costs at the time the completed application is approved. However, the Interim City Administrator may extend the deadline for filing or payment for good cause, or the City may waive all or part of the expense reimbursement under the conditions outlined below. The reasonable estimate may be based on costs incurred by the City in previous years for the same or similar events.

The issuance of a permit under this Chapter does not obligate the Interim City Administrator to provide City services, equipment, or personnel in support of an Event.

The City Council may waive the City's right to seek reimbursement under the following conditions:

1. The Event serves a public purpose and provides a benefit to City residents; and
2. The permittee is unable to generate sufficient revenue from the Event to cover City costs.

When determining whether an Event serves a public purpose, the following factors may be considered:

- a. Whether the Event is organized and conducted by a tax-exempt nonprofit organization that operates within or provides substantial services to the City;
- b. Whether the organization benefits the general public and does not exclude participation (even if an admission or participation fee is required); and
- c. Whether City-provided services will enhance crowd or Event control and improve overall public safety.

The ordinance has been reviewed at length by City Attorney, Community Services, Public Works, Fire and Police Department heads.

Fiscal Impact Summary:

Fiscal Impact:

No financial impact.

Attachments

[Special Event Ordinance final 3.14.25.docx](#)