1	ORDINANCE NO
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3 4	ORDINANCE OF THE COUNCIL OF THE CITY OF CHICO ADDING CHAPTER 9.40, ENTITLED "DISORDERLY EVENTS," TO THE CHICO MUNICIPAL CODE
5	BE IT ORDAINED by the Council of the City of Chico as follows:
6	SECTION 1. Chapter 9.40, entitled "Disorderly Events," is added to the Chico Municipal
7	Code, to read:
8	Chapter 9.40
9	DISORDERLY EVENTS
10	Section: 9.40.010 Purpose.
11 9.40.020 Application and enforcement of chapt	
12	9.40.040 Disorderly event - Definition - Order to disperse. 9.40.050 Appeal.
13	9.40.060 Violations - Penalties. 9.40.070 Violations - Additional remedies - Injunction.
14	2.40.070 Violations - Additional Temedies - Injunction.
15	9.40.010 Purpose.
16	The peace, health, safety, and welfare of the citizens of Chico require protection from the
17	adverse effects of disorderly events that occur in the city, including protection from unsafe
18	behaviors likely to cause injury to persons or property or provoke a violent reaction from
19	another person. It is the intention of the city council to mitigate the adverse effects of such
20	disorderly events on citizens and the community under any conditions of use, especially those
21	conditions of use which have the most severe impact upon the peace, health, safety, and welfare
22	of the community.
23	9.40.020 Application and enforcement of chapter.
24	A. This chapter applies to any and all disorderly events, as defined in this chapter.
25	B. This chapter allows for different methods of enforcement. The appropriate method of
26	enforcement shall be determined by the enforcement officer.
27	9.40.030 Event - Definition.
28	As used in this chapter, "event" includes, without limitation, any of the following activities,

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Disorderly Event 090407.wpd

whether planned or unplanned:

- A. Any assembly, congregation, party, attraction, display, entertainment, celebration, or similar activity.
- B. Any carnival, bazaar, circus, rodeo, or other traveling show.
- C. Any fair, festival, cook-off, dance, sporting event, concert or performance.
- D. Any parade, wedding procession, funeral procession, demonstration, march, race, marathon, bikeathon, walkathon or other bicycling or jogging event.

9.40.040 Disorderly event - Definition - Order to disperse.

A. A disorderly event is an event at which three or more violations of one or more of the following state laws or city ordinances occur at the location of the event or on adjacent property. A disorderly event may occur with or without arrests or issuance of citations resulting from violations of the following state laws or city ordinances. Circumstantial evidence of violations of the these state laws or city ordinances shall be sufficient to invoke the provisions of this chapter:

Penal Code § 242	Battery
Penal Code § 602.5	Unlawful entry into dwelling/building
Penal Code § 602(I)	Trespass
Penal Code § 415(1)	Fighting in public
Penal Code § 415 (2)	Disturbing the peace
Penal Code § 422	Criminal threats
Penal Code § 594	Vandalism
Penal Code § 148(a)(1)	Willfully resisting/obstructing a peace officer
Penal Code § 148.2(1)	Willfully resisting/obstructing a fire fighter/medic
Penal Code § 272	Causing, encouraging or contributing to delinquency of persons under 18 years
Bus. & Prof. Code § 23300	Selling alcohol without a license
Bus. & Prof. Code § 25662(a)	Minor in possession of alcohol
Bus. & Prof. Code § 25659.5(a)	Keg registration

1	Bus. & Prof. Code § 25658 Selling/furnishing alcohol to a minor	
2	Vehicle Code § 21954(a) Obstructing roadway	
3	Vehicle Code § 10852 Vandalism of a vehicle	
4	Health & Safety Code § 12680(a) Unlawful fireworks	
5	Chico Municipal Code § 9.30.030 Possession and consumption of alcoholic beverage	ges
6	Chico Municipal Code § 9.32.030 Glass Free Zone violations	
7	Chico Municipal Code § 9.38.52 Loud and unusual noises prohibited	
8	Chico Municipal Code § 9.56.010 Curfew	
9	B. A disorderly event is an event at which a persons or persons throw objects that may inflict	t
10	injury or damage, including but not limited to, rocks, bottles, cans or other objects, missile	es
11	or projectiles.	
12	C. A disorderly event is an event at which any felony is committed.	
13	D. All persons attending a disorderly event shall immediately disperse upon the order of a	
14	police officer. All persons not domiciled at the location of such event shall then	
15	immediately leave the premises. No person shall fail or refuse to obey and abide by such	an
16	order.	
17	9.40.050 Appeal.	
18	Any person aggrieved by the decision of any officer empowered to administer the provision	ons
19	of this chapter, except a decision to issue an administrative or criminal citation or to institute	a
20	nuisance abatement action, may appeal the decision of any such officer in accordance with th	е
21	provisions of Chapter 1.15 of this code.	
22	9.40.060 Violations - Penalties.	
23	A person violating, or causing or permitting a violation of, any provision of this chapter is	S
24	guilty of an infraction. A separate offense is committed for each and every hour or part of an	l
25	hour during which any such violation is committed or caused or permitted to continue. Each	
26	offense is punishable separately from every other offense. This punishment shall be cumulat	ive
27	of and in addition to any other applicable punishment or relief provided by federal or state la	W

or city ordinance.

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1	9.40.070 Violations - Additional remedies - Injunction.
2	As an additional remedy, the persistent or repeated violation of the provisions of this chapter
3	is hereby declared to be a public nuisance. The city attorney is authorized to file a court action
4	to abate such nuisance.
5	SECTION 2. This ordinance shall take effect 30 days after its adoption. The Clerk shall
6	cause this ordinance, or a summary of it, to be published as required by law.
7	THE FOREGOING ORDINANCE was adopted by the Council of the City of Chico at its
8	regular meeting held on, 2007, by the following vote:
9	AYES:
10	NOES:
11	DISQUALIFIED:
12	ABSENT:
13	ABSTAIN:
14	
15	ATTEST: APPROVED AS TO FORM:
16	MMILES
17	Deborah R. Presson David R. Frank, City Attorney
18	City Clerk
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