

1 whether planned or unplanned:

2 A. Any assembly, congregation, party, attraction, display, entertainment, celebration, or
3 similar activity.

4 B. Any carnival, bazaar, circus, rodeo, or other traveling show.

5 C. Any fair, festival, cook-off, dance, sporting event, concert or performance.

6 D. Any parade, wedding procession, funeral procession, demonstration, march, race,
7 marathon, bikeathon, walkathon or other bicycling or jogging event.

8 **9.40.040 Disorderly event - Definition - Order to disperse.**

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

15	Penal Code § 242	Battery
16	Penal Code § 602.5	Unlawful entry into dwelling/building
17	Penal Code § 602(I)	Trespass
18	Penal Code § 415(1)	Fighting in public
19	Penal Code § 415 (2)	Disturbing the peace
20	Penal Code § 422	Criminal threats
21	Penal Code § 594	Vandalism
22	Penal Code § 148(a)(1)	Willfully resisting/obstructing a peace officer
23	Penal Code § 148.2(1)	Willfully resisting/obstructing a fire fighter/medic
24	Penal Code § 272	Causing, encouraging or contributing to delinquency of persons under 18 years
25	Bus. & Prof. Code § 23300	Selling alcohol without a license
26	Bus. & Prof. Code § 25662(a)	Minor in possession of alcohol
27	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 beverages
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
10 injury or damage, including but not limited to, rocks, bottles, cans or other objects, missiles
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 provisions
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 the
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
24 guilty of an infraction. A separate offense is committed for each and every hour or part of an
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 cumulative
27 of and in addition to any other applicable punishment or relief provided by federal or state law
28 or city ordinance.

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:

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Deborah R. Presson
City Clerk



David R. Frank, City Attorney

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