

Agenda Report

TO: CITY COUNCIL

DATE: AUGUST 17, 2009

FROM: CITY MANAGER

THROUGH: PUBLIC SAFETY COMMITTEE

SUBJECT: DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE TO PROHIBIT TRESPASSING IN THE STAGING AREAS OF SPECIAL EVENTS AND TO PROHIBIT THE PLACEMENT OF UNAUTHORIZED ITEMS ALONG THE PARADE ROUTES

RECOMMENDATION:

It is recommended that the City Council direct the City Attorney to prepare and return within sixty days with an ordinance to prohibit trespassing in the staging areas of special events, such as at the beginning of the Tournament of Roses Parade and the field at the Rose Bowl Stadium, and to prohibit the placement of unauthorized items along the viewing areas of parade routes.

BACKGROUND:

Each January hundreds of thousands of people attend new year's events in the City of Pasadena including the Rose Parade and Rose Bowl game. As it relates to ensuring public safety there are three areas of concern. These are: safety and liability concerns at the Rose Bowl Stadium resulting from unauthorized persons coming onto the field in preparation for, during, or at the end of the game; security concerns at the intersection of Orange Grove and Colorado Boulevard known as "TV Corner" during the early morning hours prior to public admittance to the Parade and continuing through the end of the parade; as well as concerns arising from the placement of unauthorized items used as seating along the parade route.

Rose Bowl Field: There has been on occasion an onslaught of fans coming onto the field at the conclusion of the game to celebrate with the winning team and coaches (or in some cases to protest a loss). Security around the coaching personnel is problematic because of the fans' reaction and this exacerbates the problem. Further, it is not uncommon for fans at other venues to tear down the goal posts or cause other damage often resulting in serious injury to bystanders. Such injuries, even to the perpetrator himself, may result in liability on behalf of the stadium, the participating teams and the City. Also of concern is the potential for fans or others to delay pre-game activities or

the start of a game, or interfere with the progress of a game, by occupying the field before or during a game.

State trespassing statutes are too cumbersome to be applied in these instances as they call for proof of the perpetrator's criminal intent to cause injury and require an officer to first ask the person to leave and arrest only upon refusal to leave. An ordinance similar to that of Los Angeles Municipal Ordinance 41.56 (Attachment A) regulates areas set aside for spectators and makes it unlawful for them to leave those areas of the venue. Additionally, certain acts are prohibited at all events whether a charge is made for admission or not. Staff proposes that the adoption of similar regulations in Pasadena would make the game experience safer and easier for law enforcement to maintain the peace.

Tournament of Roses Parade Security Zone: The Police Department has defined a security zone around the intersection of Orange Grove and Colorado Boulevards commonly referred to as "TV Corner." As the official start of the parade and the location of local, national and international television cameras and commentary, it is also the most likely location for terrorist activity along the route. Traditionally, the area has been physically secured the night before the parade so that it can be searched for contraband and protected until the ticketed public arrives to take their seats. Similar to the on-field restriction recommended above, an ordinance prohibiting persons without credentials from this area or other similarly designated area between midnight and the end of the parade would assure that the area secured by authorities would remain safe for spectators.

For purposes of the ordinance the security zone can be defined by the boundaries set forth in the map in Attachment B.

Unauthorized Item Hazards: At the areas of the parade route not covered by grandstands a phenomenon occurs when attendees bring couches, mattresses and other furniture to create a seating area from which to view the parade. Others bring folding chairs and rope them together to "reserve" an area for family and friends. These difficult-to-move items present both a fire hazard and an evacuation hazard. Visitors along the route are often crowded into ever narrower sections of sidewalk causing a stoppage in the flow of pedestrian traffic. Fire and Police personnel also worry that these items could pose a substantial impediment to emergency personnel responding to an incident. Consequently, staff recommends prohibiting parade watchers from lugging in large seating assemblages that impede regular egress routes.

An ordinance limiting the type of seating allowed would also have the effect of eliminating a tiresome task of removing old couches, chairs and loveseats abandoned by the viewing public after the parade and disposing of these items at City expense.

Staff recommends that adequate notice be given to Parade and Rose Bowl guests regarding the imposition of these new rules in order to avoid any citations or arrests for these violations. Staff also indicates that punishment for these offenses should be an option of either misdemeanor or infraction to allow for varying levels of non-compliance.

FISCAL IMPACT:

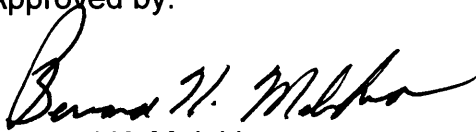
The proposed ordinance is unlikely to result in any significant additional costs to the City. As designed the proposed restrictions may result in the avoidance of costs arising from liability claims as well as the cost associated with removing unauthorized items from the parade route.

Respectfully submitted,



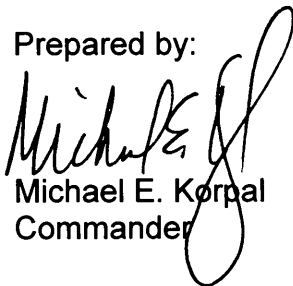
Michael J. Beck
City Manager

Approved by:



Bernard K. Melekian
Police Chief

Prepared by:



Michael E. Korpai
Commander

**SEC. 41.56. UNLAWFUL ACTIVITIES AT SPORTING EVENTS,
THEATRICALS AND EXHIBITIONS. (Los Angeles Municipal Code)**

(Added by Ord. No. 134,080, Eff. 3/14/67.)

(a) It shall be unlawful for any person at any stadium, auditorium, sports arena, playing field, theater, race track, skating rink, fair, or other place where sporting events, theatricals, or exhibitions are held:

(1) to leave the area or areas set aside for spectators and enter upon the grounds, field, stage, floor, or any other area set apart for the participants, performers, officials, attendants or service personnel, unless authorized so to do by an usher or by an authorized representative of the sponsor of the event or;

(2) to commit any act which delays the event or interferes with the participants, performers, officials, attendants, service personnel or spectators at any such event or;

(3) to intentionally throw, discharge, launch or spill any solid or liquid substance or object, or otherwise intentionally cause such substance or object to be thrown, discharged, launched, spilled or to become airborne, unless such person is a duly authorized participant, performer, official, attendant, service personnel or peace officer acting within the course and scope of such person's employment or duty. **(Amended by Ord. No. 160,223, Eff. 8/2/85.)**

(b) No person shall enter any place or area for which a ticket, pass or admission charge is required;

(1) without having in his possession a valid ticket or pass and presenting such ticket or pass to an usher or authorized representative of the sponsor of the event when requested so to do or;

(2) without first having paid the price of admission, unless otherwise duly authorized to enter such place or area or;

(3) by fraudulently evading or attempting to evade the payment of the price of admission thereto.

(c) No person entering any place or area described in Subsection (b), other than the holder of a valid ticket or pass designating the seat or space reserved or assigned, shall occupy any reserved or assigned seat or space. No person shall refuse to vacate a seat or space not assigned or reserved by the ticket or pass he holds when requested to do so by the holder of the ticket or pass for said seat or space, by an usher, or by an authorized representative of the sponsor of the event.



LEGEND

— SECURE ZONE BOUNDARY