

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: January 9, 2006

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND ON A SUNDAY FROM 9:00 AM – 10:00 AM AND NOISE SOURCES FOR THE SUSAN G. KOMEN BREAST CANCER FOUNDATION'S RACE FOR THE CURE 5K RUN/WALK, A PERMITTED EVENT, AT AREA H AND PUBLIC RIGHT-OF-WAY FROM 9:00 AM – 1:00 PM ON SUNDAY, FEBRUARY 26, 2006.

TITLE OF THE PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND ON A SUNDAY FROM 9:00 AM – 10:00 AM AND NOISE SOURCES FOR THE SUSAN G. KOMEN BREAST CANCER FOUNDATION'S RACE FOR THE CURE 5k RUN/WALK, A PERMITTED EVENT, AT AREA H AND ON THE RIGHT-OF-WAY FROM 9:00 AM – 1:00 PM ON SUNDAY, FEBRUARY 26, 2006.

PURPOSE OF ORDINANCE:

This proposed ordinance will temporarily suspend the hours of operation for amplified sound equipment allowed by the City's Noise Ordinance on Sundays by non-profit organizations from 9:00 a.m. to 10:00 a.m. for a permitted event at Area H and on the right-of-way during specified hours on Sunday, February 26, 2006. The enactment of this proposed ordinance is needed for this event to take place.

The City Council is considering approval of this request at the January 9, 2006 City Council meeting. If approved, first reading of this ordinance will occur on January 9, 2006.

REASON WHY LEGISLATION IS NEEDED:

The Noise Ordinance was enacted by ordinance and can only be suspended by an ordinance of the City Council.

MEETING OF 1/9/2006

AGENDA ITEM NO. 9.A.1.

FISCAL IMPLICATIONS:

Any City costs that may be incurred for this event (i.e., sound meter reading, police and fire personnel, permit costs, park clean up, etc.) are to be paid by the event promoter.

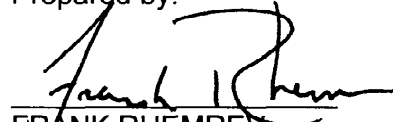
ENVIRONMENTAL IMPACT:

The Environmental Administrator has determined that the Temporary Use Permit and the ordinance necessary to hold this non-profit event are categorically exempt from CEQA under CEQA Guidelines Section 15323, Normal Operations of Facilities for Public Gatherings. This action to allow the Susan G. Komen Breast Cancer Foundation's Race for the Cure 5k Run/Walk is normal operation for public gatherings in Area H.

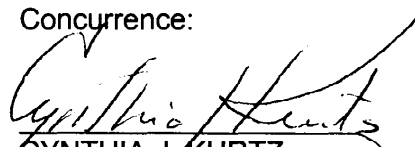
Respectfully submitted,


MICHELE BEAL BAGNERIS
City Attorney

Prepared by:


FRANK RHEMREV
Assistant City Attorney

Concurrence:


CYNTHIA J. KURTZ
City Manager

Introduced by Councilmember

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND ON A SUNDAY FROM 9:00 AM – 10:00 AM AND NOISE SOURCES FOR A PERMITTED EVENT AT AREA H AND ON THE RIGHT-OF-WAY ON SUNDAY, FEBRUARY 26, 2006 (THE SUSAN G. KOMEN BREAST CANCER FOUNDATION RACE FOR THE CURE).

The People of the City of Pasadena ordain as follows:

SECTION 1. Sections 9.36.220 and 9.36.230 of the Pasadena Municipal Code are hereby suspended from the hours of 9:00 a.m. to 10:00 a.m. on Sunday, February 26, 2006, for an event at Area H and on the right-of-way for which there is a Special Event Permit in force and effect.

SECTION 2. The City Clerk shall certify the adoption of this Ordinance and shall cause this ordinance to be published in full text.

SECTION 3. This ordinance shall take effect upon its publication.

Signed and approved this ____ day of _____, 2006.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council at its meeting held _____, 2006, by the following vote:

AYES:

NOES:

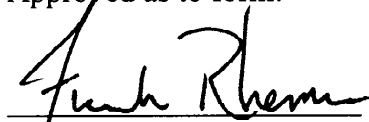
ABSENT:

ABSTAIN:

Published:

JANE L. RODRIGUEZ, CMC
CITY CLERK

Approved as to form:



Frank Rhemrev
Assistant City Attorney