

ORDINANCE NO. 1415

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA
AMENDING THE ARCATA MUNICIPAL CODE RELATING TO
THE USE OF PUBLIC PROPERTY FOR COMMERCIAL PHOTOGRAPHY/MOTION
PICTURE AND TELEVISION PRODUCTIONS**

**REPEALING TITLE VI—BUSINESS, PROFESSIONS AND TRADES
CHAPTER 6—ESTABLISHING PROCEDURES FOR MOTION PICTURE AND
TELEVISION PRODUCTIONS
AND
AMENDING TITLE X—PUBLIC PROPERTY
CHAPTER 1—PARKS AND GROUNDS**

The City Council of the City of Arcata does ordain as follows:

Section 1: Title VI—Business, Professions and Trades, Chapter 6—Establishing Procedures for Motion Picture and Television Productions, Sections 6900–6905 of the Arcata Municipal Code are hereby repealed.

Section 2: Title X—Public Property, Chapter 1—Parks and Grounds, Section 10006(A) of the Arcata Municipal Code is hereby amended as follows:

SEC. 10006. Regulation of use of public parks, buildings and grounds.

- A. No individual or group may use City parks, buildings or grounds without first obtaining a permit from the City Manager or her/his designee for activities or events which include any of the following:
1. Non-spontaneous large group activities consisting of 50 or more persons;
 2. The charging of an admission or entrance fee;
 3. The use of City facilities not ordinarily available for public use;
 4. Regularly occurring organized team or league use of City sports fields or courts;
 5. The sale of merchandise, food or beverages;
 6. The setting up of booths, stages, vending carts or stands, kiosks, bleachers or similar structures;
 7. The barricading of any City street or other street use that would impede the normal flow of traffic;
 8. Amplified music or sound;
 9. The need for access to City electricity;
 10. The need for garbage collection specific to the activity or event; or
 11. The staging or shooting of commercial motion or television pictures or still photography, exempting local businesses and tourism productions, as further defined by the City Council, when such activities do not otherwise require a City permit.

Section 3: Severability. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Chapter, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

Section 4: This ordinance is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 5: This ordinance will take effect thirty (30) days after the date of its adoption.

DATE: May 16, 2012

ATTEST:

APPROVED:

/s/ Randal J. Mendosa
City Clerk, City of Arcata

/s/ Michael Winkler
Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1415**, passed and adopted at a regular meeting of the City Council of the City of Arcata, County of Humboldt, State of California, on the 16th day of May, 2012, by the following vote:

AYES: **WINKLER, BRINTON, ORNELAS, WHEETLEY**

NOES: **NONE**

ABSENT: **STILLMAN**

ABSTENTIONS: **NONE**

/s/ Randal J. Mendosa
City Clerk, City of Arcata