

ORDINANCE NO. 2016-338

AN ORDINANCE OF THE CITY OF CALABASAS, CALIFORNIA REPEALING TITLE 13 OF THE LOS ANGELES COUNTY CODE AS ADOPTED BY REFERENCE BY THE CITY COUNCIL OF THE CITY OF CALABASAS ON APRIL 5, 1991 AND ADDING NEW CHAPTERS TO TITLE 9 OF THE CALABASAS MUNICIPAL CODE INCORPORATING THE TEXT, AS AMENDED, OF CERTAIN SECTIONS OF TITLE 13 OF THE LOS ANGELES COUNTY CODE RELATED TO THE PUBLIC PEACE AND WELFARE.

WHEREAS, The City of Calabasas adopted by reference the Los Angeles County Code as the Ordinances of the City of Calabasas on April 5, 1991; and

WHEREAS, upon review of Title 13 of the Los Angeles County Code it was determined by staff that certain chapters, referenced below (Chapters 13.05, 13.07, 13.10, 13.15, 13.17, 13.21, 13.41, 13.44, 13.48, 13.52, 13.54, 13.55, 13.57, 1.59, 13.63, 13.66, 13.67, 13.70, 13.80, and 13.90), are not applicable for the City of Calabasas Municipal Code and should therefore be repealed; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 1 entitled Offenses by or against Public Officers and Government contains Chapter 13.05 Burglar and Robbery Alarms; Chapter 13.07 Distribution of Funds from Forfeitures and Seizures; Chapter 13.10 Official Radio Broadcast Receivers; Chapter 13.15 Prohibited Acts of Solicitation; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 3 entitled Offenses against Public Decency contains Chapter 13.17 Pornography and Obscene Matter Defined; Chapter 13.21 Violent Sex Acts and Sex Abuse; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 4 entitled Offenses against Public Peace contains Chapter 13.41 Charging Admission to Parties; Chapter 13.44 Loitering by Criminal Street Gangs; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 6 entitled Consumer Protection contains Chapter 13.48 Destroying Food Products; Chapter 13.52 Solicitation of Claims; Chapter 13.54 Reporting Sale of Unregulated Chemicals; Chapter 13.55 Imitation Controlled Substances; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 7 entitled Offenses by or against Minors contains Chapter 13.57 Daytime Restrictions for Minors; Chapter 13.59 Registered Sex Offenders; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 7 entitled Offenses by or against Minors contains Chapter 13.56 Curfew for Minors; Chapter 13.58 Sale of Knives to Minors; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 8 entitled Weapons contains Chapter 13.62 Carrying Knives in Plain View; Chapter 13.64 Weapon-like Equipment at Public Assemblies; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 10 entitled Motor Vehicle Seizure and Forfeiture contains Chapter 13.81 Theft of Water; Chapter 13.82 Street Racing-Motor Vehicle Seizure and Forfeiture; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings. The recitals above are true and correct and incorporated herein by reference.

SECTION 2. Repeal of Certain Chapters of Los Angeles County Code, Title 13, Public Peace, Morals, and Welfare

The following Chapters of the Los Angeles County Code, Title 13, Public Peace, Morals and Welfare as previously adopted by reference by the City of Calabasas are hereby repealed.

<u>Title</u>	<u>Chapter</u>	<u>Subject</u>
13	13.05	Burglar and Robbery Alarms
13	13.07	Distribution of Funds from Forfeitures and Seizures
13	13.10	Official Radio Broadcast Receivers
13	13.15	Prohibited Acts of Solicitation
13	13.17	Pornography and Obscene Matter
13	13.21	Violent Sex Acts and Sex Abuse
13	13.41	Charging Admission to Parties
13	13.44	Loitering by Criminal Street Gangs
13	13.48	Destroying Food Products
13	13.52	Solicitation of Claims
13	13.54	Reporting Sale of Unregulated Chemicals
13	13.55	Imitation Controlled Substances
13	13.57	Daytime Restrictions for Minors
13	13.59	Registered Sex Offenders
13	13.63	Threats with Replica Firearms
13	13.66	Firearms, Bows and Arrows

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 8 entitled Weapons contains Chapter 13.63 Threats with Replica Knives; Chapter 13.66 Firearms, Bows and Arrows; Chapter 13.67 Prohibit Sale of Firearms and Ammunition; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 9 entitled Discrimination against Persons with AIDS or AIDS RELATED CONDITIONS contains Chapter 13.70 Prohibited Discriminatory Practices; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 10 entitled Motor Vehicle Seizure and Forfeiture contains Chapter 13.80 Illegal Dumping; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 11 entitled Counterfeit Goods Nuisance Abatement contains Chapter 13.90 Counterfeit Goods Nuisance Abatement Law; and

WHEREAS, upon review of Title 13 of the Los Angeles County Code it was determined by staff that certain chapters, referenced below (Chapters 13.61, 13.18, 13.20, 13.22, 13.26, 13.28, 13.34, 13.38, 13.40, 13.42, 13.43, 13.45, 13.46, 13.56, 13.58, 13.62, 13.64, 13.81, and 13.82) are not applicable as previously adopted by reference for the City of Calabasas Municipal Code, but would be beneficial for the City to adopted with modifications, and should therefore be added as new chapters to Title 9 of the Calabasas Municipal Code, as modified from the original text in Title 13 of the Los Angeles County Code; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 3 entitled Offenses against Public Decency contains Chapter 13.16 Soliciting on County Property; Chapter 13.18 Alcoholic Beverages; Chapter 13.20 Gambling and Related Activities; Chapter 13.22 Nude Performers and Waiters; Chapter 13.26 Public Restrooms; Chapter 13.28 Use of White Canes for Blind Persons; Chapter 13.34 Lookouts for Criminal Activities; and

WHEREAS, Title 13 of the Los Angeles County Code entitled Public Peace, Morals and Welfare, Division 4 entitled Offenses against Public Peace contains Chapter 13.38 Littering, Loitering and Other Obstructions; Chapter 13.40 Noisy Street Hawking and Advertising; Chapter 13.42 Recovery of Costs Related to Unlawful Assemblies and Disturbances of the Peace; Chapter 13.43 Picketing Private Residences; Chapter 13.45 Loud, Unnecessary and Unusual Noise; Chapter 13.46 Spectators at Illegal Motor Vehicle Speed Contests and Exhibitions of Speed; and

13	13.67	Prohibition on the Sale of Firearms and Ammunition on County Property
13	13.70	Prohibited Discriminatory Practices
13	13.80	Illegal Dumping
13	13.90	Counterfeit Goods Nuisance Abatement Law

SECTION 3. Code Amendment Adding New Chapters to Title 9 of the Calabasas Municipal Code Incorporating the text, as amended, of Certain Sections of Title 13 of the Los Angeles County Code Related to the Public Peace and Welfare

The following Chapters of the Los Angeles County Code, Title 13, Public Peace, Morals and Welfare as previously adopted by reference by the City of Calabasas shall be modified as shown in Exhibit A to this Ordinance, which is incorporated by reference as if set forth herein in full, and shall be added as new Chapters to Title 9 of the Calabasas Municipal Code, as shown in Exhibit B to this Ordinance, which is incorporated by reference as if set forth herein in full.

<u>New</u> CMC Chapter	<u>Old</u> LACC Chapter	<u>Subject</u>
9.17	13.16	Soliciting on County Property
9.18	13.18	Alcoholic Beverages
9.19	13.20	Gambling and Related Activities
9.20	13.22	Nude Performers and Waiters
9.21	13.26	Public Restrooms
9.22	13.28	Use of White Canes for Blind Persons
9.23	13.34	Lookouts for Criminal Activities
9.24	13.38	Littering, Loitering and Other Obstructions
9.25	13.40	Noisy Street Hawking and Advertising
9.26	13.42	Recovery of Costs Related to Unlawful Assemblies and Disturbing the Peace
9.27	13.43	Picketing Private Residences
9.28	13.45	Loud, Unnecessary and Unusual Noise
9.29	13.46	Spectators at Illegal Motor Vehicle Speed Contests and Exhibitions of Speed
9.30	13.56	Curfew for Minors
9.31	13.58	Sale of Knives to Minors
9.32	13.62	Carrying Knives in Plainview
9.33	13.64	Weapon-like Equipment at Public Assemblies
9.34	13.81	Theft of Water
9.35	13.82	Street Racing-Motor Vehicle Seizure and Forfeiture

SECTION 4. Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 5. California Environmental Quality Act

The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during public comment on the matter, and hereby determines that that this ordinance is exempt from the California Environmental Quality Act review under Title 14, section 15061(b)(3) as there is no potential for causing a significant effect on the environment . Furthermore, this ordinance will not cause a direct or indirect physical change to the environment and is therefore exempt pursuant to Title 14, Section 15378(b)(2) and (3) of the California Code of Regulations.

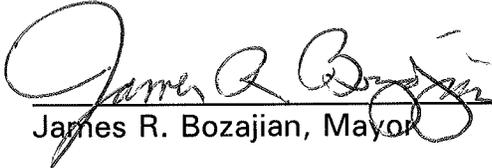
SECTION 6. Effective Date:

This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937 and shall supersede any conflicting provision of any City of Calabasas ordinance.

SECTION 7. Certification:

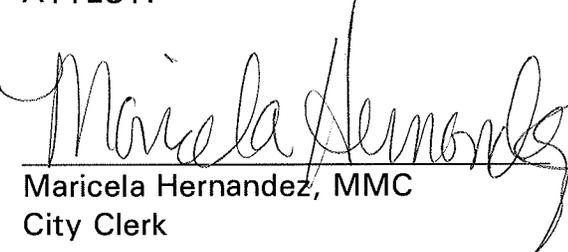
The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this 28th day of September, 2016.


James R. Bozajian, Mayor

ATTEST:

APPROVED AS TO FORM:


Maricela Hernandez, MMC
City Clerk


Scott H. Howard, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF CALABASAS)

I, **MARICELA HERNANDEZ, MMC**, City Clerk of the City of Calabasas, California, **DO HEREBY CERTIFY** that the foregoing ordinance, being **Ordinance No. 2016-338** was duly introduced and approved by the City Council of the City of Calabasas at a regular meeting held on the 14th day of September, 2016 and adopted and passed by said Council at a regular meeting held on the 28th day of September, 2016 by the following vote:

AYES: Mayor Bozajian, Mayor pro Tem Maurer, Councilmembers Gaines, Shapiro and Weintraub.

NOES: None.

ABSTAIN: None.

ABSENT: None.



Maricela Hernandez, MMC
City Clerk
City of Calabasas, California