



Meeting Date: 10 / 18 / 2011

ACTION		TYPE OF ITEM	
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Ord. No(s). _____	<input checked="" type="checkbox"/> Info/Consent	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Public Hearing (Info/consent)	<input type="checkbox"/> Other _____

Prepared By: Tom Chronister, Commander Taylor Agenda Item No. **I-8**

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: September 30, 2011
TO: City Council
FROM: Jeri Williams, Chief of Police [Signature]
 Police Department

SUBJECT: Ordinance Amending Security Requirements at Public Dances and at Business Establishments Offering Live Entertainment

RECOMMENDATION

That City Council approve the first reading by title only and subsequent adoption of an ordinance amending Subsection (B) of Section 11-170, Section 11-174, Subsection (C) of Section 11-185, and Subsections (C), (D), and (E) of Section 11-187 of the Oxnard City Code concerning security requirements at public dances and at business establishments offering live entertainment.

DISCUSSION

Under existing City Code, if a business allows dancing or if a business sells or allows the consumption of alcohol and offers live entertainment, one security guard is required when 25 to 50 patrons are present and one additional guard is required for each additional increment of 1 to 50 patrons up to a maximum of eight security guards. Below is a table detailing current security requirements.

Patrons Present	0-24	25-50	51-100	101-150	151-200	201-250	251-300	301-350	351+
Security Guards	0	1	2	3	4	5	6	7	8

Under existing City Code, a "security guard" is defined as any person who is licensed by the State of California as a security guard, and who wears a uniform with a badge identifying the person as a security guard, and who has no duties except those related to security.

City personnel met with establishment owners who voiced the following concerns with the existing security requirements at public dances and live entertainment events:

1. The low number of patrons (25) that triggers the requirement for security.
2. Uniform requirements typically necessitate the hiring of a private patrol operator (PPO) for contract security services.

Security Requirements for Public Dances and Live Entertainment

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3. Few PPOs offer services to establishments serving alcohol.
4. Contract security is expensive.
5. Contract security personnel demonstrate little interest in the success of the establishment and do little to address unruly patrons.

In response to business owner concerns, the Police Department supports the following amendments to the existing City Code:

1. Increasing the minimum number of patrons requiring security from 25 to 50.
2. Eliminating the maximum number of security personnel at any single location or event.
3. Eliminating the requirement for security personnel to wear a uniform or badge.
4. Consideration of requiring additional training for public dance or entertainment security personnel.

Patrons Present	0-49	50-100	101-150	151-200	201-250	251-300	301-350	Additional 50+
Security Personnel	0	1	2	3	4	5	6	+1

Security personnel must still be licensed by the State of California as a “security guard” or “proprietary private security officer.”

These changes will allow proprietors to more easily employ security personnel as an employee of the establishment, thereby reducing overhead costs. It is hoped that security personnel employed directly by an establishment will have a greater stake in the proper operation of businesses that sell alcohol and offer either dancing or live entertainment to patrons.

FINANCIAL IMPACT

None.

Attachment #1 - Ordinance

ORDINANCE OF THE CITY OF OXNARD

ORDINANCE NO. ____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD
AMENDING SUBSECTION (B) OF SECTION 11-170, SECTION 11-174,
SUBSECTION (C) OF SECTION 11-185, AND SUBSECTIONS (C),
(D), AND (E) OF SECTION 11-187 OF THE OXNARD CITY CODE
CONCERNING SECURITY REQUIREMENTS AT PUBLIC DANCES AND
AT BUSINESS ESTABLISHMENTS OFFERING LIVE ENTERTAINMENT

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

Part 1. Subsection (B) of Section 11-170 of the Oxnard City Code is hereby amended to read as follows:

“(B) SECURITY PERSONNEL – Any person licensed by the State pursuant to Cal. Bus. and Prof. Code, Division 3, Chapter 11.4, as a proprietary private security officer, or Chapter 11.5, as a security guard, who is uniquely attired so as to be easily identifiable to attendees of the public dance and to police officers and so as to differentiate himself or herself from attendees of the public dance, from other employees or contractors of the location where the public dance is held, and from other employees or contractors of any promoter of the public dance, and who has no duties in the public dance except duties related to security, and who has completed a police department training class on security issues.”

Part 2. Section 11-174 of the Oxnard City Code is hereby amended to read as follows:

“SEC. 11-174. SECURITY.

Security personnel shall be present during and within one-half hour before and after the time that any music is played. Security personnel shall keep order inside and immediately outside the location where the public dance is held, including the parking areas adjacent thereto. Security personnel shall not permit loitering outside the public dance. Security personnel at a public dance shall cooperate with law enforcement officers conducting any investigation in or around the location of the public dance. One security person shall be present when 50 to 100 patrons are present, and one additional security person shall be present for each additional increment of one to fifty patrons, unless the dance permit is conditioned otherwise.”

Part 5. Within 15 days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation within the city. Ordinance No. ____ was first read on _____, 20__ and finally adopted on _____, 20__ to become effective thirty days thereafter.

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk



Alan Holmberg, City Attorney