

ORDINANCE OF THE CITY OF OXNARD

ORDINANCE NO. 2834

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD  
REPEALING AND READOPTING ARTICLE VI OF CHAPTER 7 OF  
THE OXNARD CITY CODE CONCERNING PARTIES,  
GATHERINGS, OR ASSEMBLAGES ON PRIVATE PROPERTY

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

**Part 1.** Article VI of Chapter 7 of the Oxnard City Code is hereby repealed and readopted to read as follows:

**“ARTICLE VI. PARTIES, GATHERINGS OR ASSEMBLAGES  
ON PRIVATE PROPERTY**

**SEC. 7-100. DEFINITIONS.**

For purposes of sections 7-100 through 7-106, the following terms shall have the following meanings:

- (A) CONTROL – Any form of dominion including ownership, tenancy, or other possessory right.
- (B) MINOR – Any person less than 18 years of age.

**SEC. 7-101. PROHIBITED PARTIES, GATHERINGS OR ASSEMBLAGES.**

A party, gathering, or assemblage (“event”) held on private property that threatens the public peace, health, safety, or general welfare or results in continuous loud noise which causes discomfort or annoyance to a reasonable person of normal sensitiveness is prohibited.

**SEC. 7-102. ISSUANCE OF WRITTEN WARNING.**

(A) When a police officer determines that an event is a threat to the public peace, health, safety, or general welfare or that an event results in continuous loud noise which causes discomfort or annoyance to a reasonable person of normal sensitiveness, the police officer shall issue a written warning at the location of the event to the person in control of the location of the event and/or the person responsible for the event, or if either of those persons is a minor, to the parents or guardians of that minor.

(B) When a written warning is issued to a person at the location of the event and that person does not own the property where the event was held, a written warning may also be mailed by first class mail, postage prepaid, to the owner of the property at the address shown on the county's last equalized property tax assessment rolls. A declaration of service shall be completed and attached to the warning mailed to the owner.

**SEC. 7-103. CONTENT OF WARNING.**

(A) A written warning issued at the location of the event shall state that if public safety personnel are required to return to the location of the event within the following 72 hour period and the responding personnel determine that the subsequent event is a threat to the public peace, health, safety, or general welfare or that the subsequent event results in continuous loud noise which causes discomfort or annoyance to a reasonable person of normal sensitiveness, a citation may be issued to the person who received the written warning, and each such response may constitute the provision of special response services. The warning shall also state that the person receiving the warning may be charged for the cost to the city of providing such special response services for the event.

(B) A written warning mailed to the property owner shall contain the following:

(1) A statement that police department personnel responded to the owner's property and determined that an event held at the location was a threat to the public peace, health, safety, or general welfare or that an event held at the location resulted in continuous loud noise which caused discomfort or annoyance to a reasonable person of normal sensitiveness.

(2) The date upon which police personnel responded to the owner's property.

(3) Notice that if police department personnel are required to return to the owner's property within one year of the date of the original response and the responding personnel determine that any subsequent event is a threat to the public peace, health, safety, or general welfare or that the subsequent event results in continuous loud noise which causes discomfort or annoyance to a reasonable person of normal sensitiveness, a citation may be issued to the property owner, and each such response may constitute the provision of special response services.

(4) Notice that the person receiving the warning may be charged for the cost to the city of providing special response services for the event.

**SEC. 7-104. COSTS FOR SPECIAL RESPONSE SERVICES.**

The costs of providing these special response services shall include, but not be limited to, all direct and indirect costs attributable to the subsequent response to the event and shall be imposed at the discretion of the Chief of Police based on the number of

public safety personnel required to respond to the subsequent event and the length of said response.

**SEC. 7-105. COLLECTION OF COSTS.**

The collectible costs for these special response services shall not be in excess of \$500 for each subsequent response, and said costs shall be billed to the person or persons responsible for use of the special response services and, if minors, their parents or guardians. The city shall have the option to pursue any other legal remedies for recovery when such costs exceed \$500 per response.

**SEC. 7-106. DEBT OWED TO CITY.**

The amount of such costs charged shall be deemed a debt to the city of the person or persons responsible for use of the special response services and, if minors, their parents or guardians. Any person required to pay such costs shall be liable in an action brought in the name of the city for recovery of such costs, including reasonable attorneys' fees."

**Part 2.** 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:

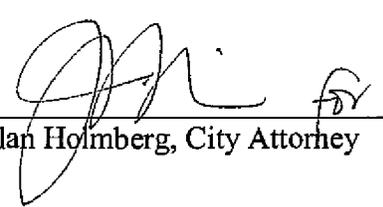
ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel Martinez, City Clerk

  
\_\_\_\_\_  
Alan Holmberg, City Attorney