

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, AMENDING SANTEE MUNICIPAL CODE TITLE 1 “GENERAL PROVISIONS” AND FINDING THAT THE ACTIONS ARE EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the City of Santee, California (“City”) is a charter city, duly organized under the California Constitution and laws of the State of California; and

**WHEREAS**, pursuant to article XI, section 5 of the California Constitution and Government Code section 37100, the legislative body of a city may pass ordinances not in conflict with the Constitution and laws of the State or the United States;

**WHEREAS**, pursuant to the police powers delegated to it by the California Constitution, the City has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

**WHEREAS**, from time to time privately sponsored events are held within the City that do not obtain a license or permit, or draw vendors or performers that do not obtain a license or permit, but that impact the City’s streets, sidewalks or other public infrastructure and create risks to public health, safety, and welfare.

**WHEREAS**, when such privately sponsored events occur, traditional remedies available to the City, such as the issuance of a citation for failure to obtain a permit or license or to comply with the Santee Municipal Code (“SMC”), may not be applicable or may be insufficient to address the active risks created by these events in a timely or effective manner;

**WHEREAS**, the City has an important and substantial interest in protecting the public and is obligated to address these public health and safety issues to prevent hazards and to preserve the public peace, safety and welfare;

**WHEREAS**, the City prefers that all hosts, sponsors and vendors apply for appropriate licenses and permits for all temporary uses and events but recognizes that if they do not the City needs to have options available to address the impacts of these events other than the issuance of an enforcement citation;

**WHEREAS**, City Council finds that it is appropriate to authorize the City Manager to promulgate rules and regulations that allow the City to take temporary action necessary to address the circumstances and mitigate the impacts of these events, such as establishing “no parking” or designated parking areas, installing temporary traffic control devices, prohibiting vending or performances, regulating noise and hours of operation, providing

additional, temporary trash bins and arranging for collection, supplying portable toilets or sanitary stations, and augmenting code enforcement monitoring;

**WHEREAS**, the City Council desires to amend SMC Title 1 “General Provisions” to authorize the City Manager to promulgate and enforce rules and regulations applicable to privately sponsored events that impact City functions so that the City can deploy resources necessary to protect public health, safety, and welfare before, during, or after such events; and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA DOES ORDAIN AS FOLLOWS:**

**Section 1.**

Section 1.04.025 is hereby **added** to Title 1 “General Provisions” of the Santee Municipal Code to read as follows:

**1.04.025 – General Authority to Mitigate Impacts of Private Events and Protect Public Health, Safety, and Welfare.** The City Manager is authorized to promulgate and enforce rules and regulations applicable to privately sponsored or organized events that are free and open to the public that have not been approved, permitted or licensed by the City in order to protect the health, safety, and welfare of City residents, businesses, and visitors. These rules and regulations may include, but are not limited to, regulation of traffic flow on City streets, closure of City streets, temporary parking regulations, prohibitions on vending or performances, special trash disposal requirements or frequencies, regulation of noise or hours of operation, provision or requirements for potable toilets, or other health and safety provisions tailored to address the external impacts of these privately organized community events. Rules and regulations promulgated under this chapter may be enforced independently of or in addition to enforcement of any other provision of the Santee Municipal Code in accordance with SMC 1.08. Enforcement may include, but is not limited, temporary or permanent cessation of the private community special event if there is failure to comply with the promulgated rules and regulations.

Section 1.08.020 Issuance of administrative citations is hereby **amended** to read as follows:

- A. Generally. An enforcement officer may issue an administrative citation to any person who violates any provision of the municipal code, any condition of approval of a permit or entitlement, any condition or provision of an environmental review, **any rule or regulation authorized by this code, including but not limited to any rule or regulation promulgated by the City Manager**, or any term or condition of any City agreement. A violation of this code includes, but is not limited to, any failure to comply with a requirement contained in this code and the failure to comply with any condition imposed by any entitlement, permit, City agreement, administrative citation or environmental review issued or approved pursuant to this code.

**Section 2.** CEQA. The City Council has reviewed the matter and hereby finds that this ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment nor have a significant impact on the environment and is therefore not subject to California Environmental Quality Act (“CEQA”) Sections 15060(c)(2), 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

**Section 3.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council of the City of Santee hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrases be declared unconstitutional.

**Section 4.** This Ordinance shall become effective thirty (30 days) after its adoption.

**Section 5.** The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law.

**INTRODUCED AND FIRST READ** at a Regular Meeting of the City Council of the City of Santee, California, on the 9th day of October, 2024, and thereafter **ADOPTED** at a Regular Meeting of the City Council held on this 23rd day of October, 2024, by the following vote to wit:

**AYES:**

**NOES:**

**ABSENT:**

**APPROVED**

\_\_\_\_\_  
JOHN MINTO, MAYOR

**ATTEST:**

\_\_\_\_\_  
JAMES JEFFRIES, CITY CLERK

DRAFT