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ORDINANCE NO. 02-1220-U

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH,
CALIFORNIA, PROHIBITING PARTIES ADVERTISED
TO THE GENERAL PUBLIC AND AMENDING THE
HERMOSA BEACH MUNICIPAL CODE, AND
DECLARING THE URGENCY THEREOF**

**THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH DOES HEREBY
ORDAIN AS FOLLOWS:**

SECTION 1. Title 9 of the Hermosa Beach Municipal Code is amended by adding thereto a new Chapter 9.28 to read as follows:

"Chapter 9.28

Prohibition Against Parties Advertised and Open to the Public

Sections:

9.28.10 Parties Advertised and Open to Public Prohibited

9.28.10 Parties Advertised and Open to Public Prohibited

It shall be unlawful for any person to conduct or hold in any residence any party or dance at which live or recorded music is provided which is open to the general public and: (1) for which admission is charged, or, (2) for which brochures, posters, or handbills advertising the party or dance are distributed, or other advertisement made or published, or, (3) for which a charge is made for refreshments. This section shall not apply to functions organized for a charitable, religious or political purpose."

SECTION 2. The City is a popular destination and venue for parties on July 4th. During the last few years, enormous crowds have descended upon the City, straining its law enforcement resources and requiring extensive crowd management. Parties in private residences, particularly along the Strand, contribute to the law enforcement challenge, because they attract large numbers of people who consume alcoholic beverages and create noise and congestion on the Strand, the beach and adjoining public rights-of-way. The music and noise from these parties also often create a nuisance to adjoining property owners.

1 The City has become aware that some parties are advertised to the general public or require an
2 admission charge or a charge for alcoholic beverages, thereby converting them into commercial venues,
3 an activity that is illegal under the City's zoning ordinance. Further, these commercialized parties attract
4 large numbers of people beyond the capacity of the homes, creating a potentially dangerous
5 overcrowding condition that, when combined with alcohol consumption, leads to irresponsible and
6 sometimes violent behavior. It is extremely difficult for law enforcement safely and effectively to manage
7 these parties and maintain public peace and order.
8

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10 The 4th of July holiday will occur before this ordinance would ordinarily take effect. The
11 immediate preservation of the public peace, health, and safety requires that this ordinance take effect
12 immediately. In the absence of immediate effectiveness, the widespread advertising of parties to the
13 general public and the improper use of private residences for commercial-type parties will create
14 conditions dangerous to residents, visitors and law enforcement personnel and a nuisance to surrounding
15 property owners. Accordingly, this ordinance is an urgency ordinance adopted pursuant to California
16 Government Code Section 36937 and shall take effect immediately upon its adoption.
17

18 **PASSED, APPROVED and ADOPTED** this 28th day of May, 2002 by the following vote:

19
20 AYES:
21 NOES:
22 ABSENT:
23 ABSTAIN:

24 _____
PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, California

25 ATTEST:

APPROVED AS TO FORM:

26 _____
27 City Clerk

City Attorney