

**CITY OF HUNTINGTON BEACH
LEGAL NOTICE**

**ORDINANCE NO. 4117
Adopted by the City Council on APRIL 17, 2017**

“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING CHAPTER 12.32 OF THE HUNTINGTON BEACH MUNICIPAL CODE RELATING TO SIDEWALKS”

SYNOPSIS:

The Police Department and the City Attorney's office identified several sections of the Huntington Beach Municipal Code (HBMC) for consideration of amending to modernize and improve the effectiveness in enforcing the intent of the laws. The majority of the changes include clarifications of certain definitions or changes in numerical sequence of ordinances.

Section 12.32.010 adds “public place” and “public way” under the definition section.

Of note, Section 12.32.110 is a new section which establishes conduct on public property, monuments, fountains, and lawns. This section would aid in regulating the misuse of fountains, bike racks, planters, fencing, trash cans, utility cabinets, railings and other public property. For example, downtown has been known to draw crowds during large specific events, after the nightly closure of bars, street fairs, and other unplanned activities. There have been occasions when persons use public property to gain an elevated platform for viewing, throwing of objects, street performing, skateboard jumps or other unintended uses that create a danger/liability or damage to City property. There have been several occasions where persons have used public fountains to bathe in or clean personal belongings.

This section prohibits persons wading, bathing, swimming, or entering fountains or utilizing the fountains to clean objects or belongings.

This section also prohibits persons from intentionally throwing or discharging an object or liquid in the downtown area from 100 Main Street to 500 Main Street that would adversely affect public safety.

Section 12.32.010 currently prohibits the hindrance or obstruction of any public sidewalk. In addition to the new definition of public place or public way, the Police Department recommended adding specific language to include the Pier, Pier Plaza, and the Civic Center.

This change will increase areas where the Police Department can enforce the regulations regarding persons gathering in public areas that inhibit the free passage of others which has become problematic in downtown areas and other public places.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held April 17, 2017 by the following roll call vote:

AYES: Semeta, Posey, Delgleize, Hardy, Brenden, Peterson

NOES: O'Connell

ABSTAIN: None

ABSENT: None

THE FULL TEXT OF THE ORDINANCE IS AVAILABLE IN THE CITY CLERK'S OFFICE.

This ordinance is effective 30 days after adoption.

**CITY OF HUNTINGTON BEACH
2000 MAIN STREET
HUNTINGTON BEACH, CA 92648
714-536-5227
ROBIN ESTANISLAU, CITY CLERK**