

CHAPTER 3. AMUSEMENTS.¹

Article III. Cardrooms.^{4 2}

Sec. 3-9. Permits—Required.

No person shall keep or maintain or permit to be kept or maintained in any building, place or premises owned, managed, supervised, possessed or controlled by him in the city, any tables which are used by the public or offered for use by the public for the playing of cards, and for the use of which a fee or compensation is charged players, without first obtaining a permit from the city council so to do.

(Ord. No. 152, § 1.)

Sec. 3-10. Same—Application.

A written application for permits under this article shall be filed with the city clerk, upon forms to be provided by him, and shall contain the following information:

- (a) The name, occupation, business status and residence address of the applicant.
- (b) The location and ownership of the premises for which the permit is sought.
- (c) The number of tables for which the permit is sought.
- (d) Such further information as the city council may require.

(Ord. No. 152, § 2.)

Sec. 3-11. Same—Approval by chief of police.

The city council shall submit each application under this article to the chief of police who shall inspect the tables and the premises in question and investigate the moral character of the applicant and secure his fingerprints. The chief of police shall not approve any application unless he is satisfied that the applicant is of good

¹Cross reference(s)—As to license fees for riding academies, see § 10-40 of this Code. As to license fees for pinball machines, see § 10-40. As to license fees for motion pictures, see § 10-40. As to license fees for miniature golf courses, private driving courses or putting greens, see § 10-40. As to license fees for jukeboxes and music machines, see § 10-40. As to license fees for shooting galleries, see § 10-40. As to license fees for skating rinks, see § 10-40. As to license fees for boxing and wrestling, see § 10-40. As to license fees for amusement concessions and amusement devices, see § 10-40. As to license fees for carnivals and fairs, see § 10-40. As to license fees for circuses, menageries and wild west shows, see § 10-40.

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As to license fees for cardrooms, see § 10-40 of this Code.

moral character, and that the operation of the cardroom at the premises proposed would not constitute a violation of any state law or of this Code or any other ordinance of the city.

(Ord. No. 152, § 2.)

Sec. 3-12. Same—Denial.

The city council may deny any application for a permit under this article if, after investigating the matter, it determines that it will be injurious to the public health, safety, welfare or morals of the people of the city to operate such cardroom upon the premises for which the permit is sought.

(Ord. No. 152, § 2.)

Sec. 3-13. Same—License fee for operation.

Every person engaged in managing, possession of or conducting the business of maintaining a place where tables are used by the public for the playing of cards and for the use of which a fee or compensation is charged players, in addition to obtaining the permit required by this article, shall pay a license fee as specified in section 10-40, in advance. Persons commencing business after the beginning of the license year may procure a license for the remainder of that year by paying the proportion of the license tax provided for such business, that such remainder of the year bears to the full year.

(Ord. No. 152, § 3.)

Sec. 3-14. Same—Transferability; suspension and revocation.

Permits and licenses issued under this article shall not be transferable and any attempted transfer shall render the permit and license in question invalid.

Permits under this article may be suspended or revoked by the city council upon conviction for a violation of any of the provisions of this article or when in the opinion of the city council the continued operation for such place or establishment will be injurious to the public health, safety, welfare or morals of the people of the city.

(Ord. No. 152, § 9.)

Sec. 3-15. Number of tables allowed.

No person shall maintain at any time in any place or establishment regulated by this article a greater number of card tables than set forth in such application for which a permit is granted.

(Ord. No. 152, § 5.)

Sec. 3-16. Hours of operation.

All cardrooms subject to the provisions of this article shall cease operations and remain closed between the hours of 2:00 A.M., and 9:00 A.M. of each day.

(Ord. No. 152, § 4.)

Sec. 3-17. Sale and consumption of alcoholic beverages.

It shall be unlawful for an owner or operator of a cardroom to sell liquor on the premises. Notwithstanding, an owner or operator of a cardroom may, in compliance with Chapter 9B of this code, sell beer and wine on the premises between the hours of 6:00 a.m. and 2:00 a.m.

It shall be unlawful for any owner or operator of a cardroom, or for any other person, to sell, dispense, give, serve or deliver to any participant or patron on the premises, including in the parking lot, any alcoholic beverage between the hours of 2:00 a.m. and 6:00 a.m.

Between the hours of 2:00 a.m. and 6:00 a.m., an owner or operator of a cardroom shall not knowingly permit the consumption of alcoholic beverages on the premises or in the parking lot which the cardroom uses for its patrons.

(Ord. No. .)

Sec. 3-18. Presence of intoxicated persons.

No owner or operator of a cardroom or other person in charge or control of a cardroom shall knowingly permit any person while under the influence of intoxicating liquor or alcoholic beverage to participate either directly or indirectly in any game played at any table within a cardroom.

(Ord. No. 152, § 8.)

Sec. 3-19. Presence of minors.

No proprietor nor person having charge of any establishment open to the public for playing cards where a fee or compensation is charged players in the city shall suffer or permit any person under the age of twenty-one years to enter, be in, remain in or visit such establishment.

(Ord. No. 152, § 10.)

Sec. 3-20. Entire premises to be open and accessible.

No card table whereupon card games may be played shall be maintained behind any closed, locked or barred door at any place of business in the city. The main entrance of any premises for which any permit has been issued pursuant to this article shall at all times remain unlocked and unbarred while any games are being played upon the premises; and at all such times all premises where any games are being played shall be kept in such condition as to be accessible for inspection to all police officers. No permit for the conduct of any card game shall be issued for any portion of any premises unless such portion is in close proximity to and readily accessible by all police officers from the main entrance of such premises.

(Ord. No. 152, § 12.)

Sec. 3-21. Permits required for employees.

Every employee of any person licensed to operate an establishment open to the public for playing cards where a fee or compensation is charged players shall prior to his employment secure a permit from the chief of police. The application for such permit shall be accompanied by fingerprints of the applicant and shall contain all information deemed relevant by the chief of police. The chief of police shall not approve any application unless he is satisfied that the applicant is of good moral character.

(Ord. No. 152, § 11.)

Sec. 3-22. Exceptions from applicability of article.

The provisions of this article shall not apply to the cardrooms of recognized fraternal organizations operating under charter from the head of such organization, not open to the general public, and whose membership is restricted to those persons regularly and formally elected to membership therein and paying regular dues to such organization, but such exceptions shall not extend to any organization operated and maintained principally for the purpose of conducting or permitting the conduct of card games.

The provisions of this article shall not apply to any occasional card game sponsored by any fraternal, religious or social group in an establishment which is not primarily used by the public for the playing of cards.

No license for such establishment shall be issued by the license collector unless the applicant therefor has a valid permit in effect covering the specific location in question.

(Ord. No. 152, § 3.)

Article IV. Bingo Games.

Sec. 3-25. Enabling section.

Charitable organizations are hereby authorized to conduct bingo games within the city limits of Colusa subject to the restrictions imposed by this article and California Penal Code section 326.5.

(Ord. No. 345, § 1.)

Sec. 3-26. Definition of bingo.

As used in this chapter "bingo" means a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card which conform to numbers or symbols selected at random and shall also include cards having numbers or symbols which are concealed and pre-printed in a manner providing for distribution of prizes.

(Ord. No. 345, § 1.)

Sec. 3-27. Organizations eligible for a city license to conduct bingo games.

Only organizations which are exempt from the payment of the bank and corporation tax by sections 23701 (a), 23701 (b), 23701 (d), 23701 (e), 23701 (f), 23701 (g), and 23701 (1) of the Revenue and Taxation Code and Mobilehome Park Associations and Senior Citizen Organizations so long as the receipts of such games are used for charitable purposes, are eligible for a license to conduct bingo games.

(Ord. No. 345, § 1.)

Sec. 3-28. Application for license.

Eligible organizations desiring to obtain such license to conduct bingo games in the city shall file an application in writing with the chief of police on a form to be provided. All licenses must be approved by the chief of police. The license shall be issued yearly and expire each year on June 30.

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(Ord. No. 345, § 1.)

Sec. 3-29. Contents of the application.

The application shall contain the following:

- (a) Name and nature of the applicant organization.
- (b) The particular property within the city including the street number owned or leased by the applicant used by such applicant for an office or for performance of the purpose for which the applicant is organized, on which property bingo games will be conducted, together with the occupancy capacity of such place.
- (c) The name and signature of at least two officers including the presiding officer of the organization.
- (d) Whether the premises used for bingo are leased or owned by the organization.
- (e) Proposed day of the week and hours of day for conduct of bingo games.
- (f) The applicant has read and agrees to conduct bingo games in strict accordance with the provisions of section 326.5 of the Penal Code and this article as they may be amended from time to time and agrees that the license to conduct bingo games may be revoked by the chief of police upon violation of any of such provisions.
- (g) Name and signature of the applicant. The applicant shall also submit with its application satisfactory proof that the applicant is eligible for a license pursuant to the requirements as set forth in section 3-27.

(Ord. No. 345, § 1.)

Sec. 3-30. Annual fee.

The annual fee for the license shall be fifty dollars, which fee shall be submitted with the application. If an application for a license is denied, one-half of any license fee paid shall be refunded to the applicant.

(Ord. No. 345, § 1.)

Sec. 3-31. Investigation of applicant.

Upon receipt of the completed application and the fee, the chief of police shall refer the application to other interested departments including the city attorney, building and planning department and fire department for investigation as to whether or not all statements on the application are true and whether or not the property of the applicant qualifies as property on which bingo games may lawfully be conducted, as to fire, occupancy and other applicable restrictions.

(Ord. No. 345, § 1.)

Sec. 3-32. Contents of license.

The bingo license shall contain:

- (a) The name and nature of the organization to whom the license is issued.
- b) Address of the property where bingo games are authorized.

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- (c) Occupancy capacity of the room in which bingo games are conducted.
 - (d) Date of expiration of such license.
 - (e) Such other information as may be necessary or desirable for the enforcement of the provisions of this chapter.
 - (f) In addition to the license the licensee shall receive a copy of Penal Code section 326.5.

(Ord. No. 345, § 1.)

Sec. 3-33. Bingo games conducted only on licensee's property.

A licensee shall conduct a bingo game only on property owned or leased by him, or property whose use is donated to the applicant, and which property is used by such applicant for an office or for the performance of the purposes for which the applicant is organized. Nothing in this section shall be construed to require that the property owned or leased by or by whose use is donated to the applicant be used or leased exclusively by or donated exclusively to such applicant. The license issued under this article shall authorize the holder thereof to conduct bingo games only on such property, the address which is stated in the application.

(Ord. No. 345, § 1.)

Sec. 3-34. Frequency and hours of operation.

No licensee shall conduct bingo games in excess of thirty-six hours per month and no one bingo game shall last more than six hours. No bingo games shall be conducted between the hours of 12:01 A.M. and 8:00 A.M.

(Ord. No. 345, § 1.)

Sec. 3-35. City may enjoin violation.

The city may bring an action in a court of competent jurisdiction to enjoin a violation of section 326.5 of the Penal Code or of this article.

(Ord. No. 345, § 1.)

Sec. 3-36. Summary suspension of license pending opportunity for hearing—Misdemeanor to continue after suspension or revocation.

- (a) Whenever it appears to the chief of police that the licensee:
 - (1) Made a false statement on the license application, or
 - (2) Is conducting a bingo game in violation of any of the provisions of this article, or
 - (3) Is violating any of the provisions of Penal Code section 326.5, the chief of police shall have the authority to summarily suspend the license and order the licensee to immediately cease and desist any further operation of any bingo game.
- (b) Any person who continues to conduct a bingo game after any summary suspension thereof under subsection (a) shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not exceeding five hundred dollars or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment.

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- (c) The order issued under subsection (a) shall also notify the licensee that it shall have five days from the date of such order to request a hearing to determine whether such license shall be revoked. Failure to request, in writing, such hearing before the city clerk within said five day period, shall result in a revocation of the license.
 - (d) Upon such request by the licensee, whose license has been suspended under subsection (a) for a hearing to determine whether such license shall be revoked, the chief of police shall provide such hearing within ten days after receipt of such request at which hearing the suspended licensee may appear before the chief of police for the purpose of presenting evidence why the license should not be revoked. No license shall be revoked under this section unless notice of the time and place of such hearing shall have first been given at least five days before the hearing thereof by depositing in the United States mail a notice directed to said suspended licensee at the address given in the application. The notice shall set forth a summary of the ground advanced as the basis of the suspension and revocation.
 - (e) Any organization whose license is revoked under this section shall not conduct any bingo game in the city until such time as the city council, on appeal, determines to overrule the decision of the chief of police.

(Ord. No. 345, § 1.)

Sec. 3-37. Revocation of license—Alternative procedure.

- (a) Whenever it appears to the chief of police that the licensee is conducting bingo games in violation of any of the provisions of this, or that the license was obtained by fraudulent representation and no summary suspension is ordered under section 3-36, the license may be revoked; provided, however, the licensee may appear before the chief of police at the time fixed by the chief of police for the purpose of presenting evidence why the license should not be revoked. No license shall be revoked under this section unless written notice shall have first been given at least five days before the hearing thereof by depositing in the United States mail a notice directed to said licensee at the address given in the application. The notice shall set forth a summary of the grounds advanced as the basis of the revocation.
- (b) Any organization whose license is revoked under this section shall not conduct any bingo game in the city until such time as the city council, on appeal, determines to overrule the decision of the chief of police.

(Ord. No. 345, § 1.)

Sec. 3-38. Appeal of revocation to city council.

- (a) Any holder of a license whose license is revoked under this chapter shall have the right, within ten days after receiving notice in writing of the revocation, to file a written appeal to the city council. Such appeal shall set forth the specific ground or grounds on which it is based. The city council shall hold a hearing on the appeal within thirty days after its receipt by the city, or at a time thereafter agreed upon and shall cause the appellant to be given at least ten days written notice of such hearing. At the hearing the appellant or its authorized representative shall have the right to present evidence and a written or oral argument, or both, in support of his appeal. The determination of the city council on the appeal shall be final.
- (b) Any organization whose license is finally revoked may not again apply for a license to conduct bingo games in the City of Colusa for a period of one year from the date of such revocation; provided, however, if the ground for revocation is cancellation of the exemption granted as defined in section 3-27, such organization may again apply for the license upon proof of reinstatement of said exemption.

(Ord. No. 345, § 1.)

Article V. Parades and Special Events.

Sec. 3-51. Purpose and intent.

The city council of the City of Colusa wishes to establish clear time, place and manner regulations for the issuance of a permit for special events to use the City of Colusa ("city") streets, parks and facilities. The city intends for its regulations to provide a coordinated process for managing activities on property owned or controlled by the city, including, but not limited to, the traffic, noise and aesthetic impacts of the activities and to ensure the health and safety of event patrons, residents, workers, and other visitors and to prohibit illegal activities from occurring at events. It is also the purpose of this article to protect the rights of people to engage in communicative activities.

It is further intended to create mechanisms for cost recovery and use charges, to the extent authorized by law, while not unduly impacting the viability of the events.

(Ord. No. 477, § 1(3-10), 3-20-2012)

Sec. 3-52. Definitions.

As used in this article, the following definitions shall apply:

- A. "Applicant" means any person, group, organization or entity who seeks a special event permit from the city manager or designee to conduct or sponsor a special events governed by this chapter. An applicant must be eighteen years of age or older.
- B. "City manager" means the city manager of the City of Colusa or his/her designee.
- C. "Indigent natural person" means a person who is receiving benefits pursuant to the Supplemental Security Income (SSI) and State Supplemental Payments (SSP) programs (California Welfare and Institutions Code §§ 12200-12205), the California Work Opportunity and Responsibility to Kids Act (CalWORKs) program (California Welfare and Institutions Code § 11200 et seq.), the Food Stamp program (7 U.S.C. § 2011 et seq.), California Welfare and Institutions Code § 17000, or whose monthly income is one hundred twenty-five percent or less of the current monthly poverty line annually established by the secretary of health and human services pursuant to the Omnibus Budget Reconciliation Act of 1981, as amended from time to time.
- D. "Parade" means any march, procession, or assembly consisting of persons, animals or vehicles, or any combination thereof, which is to assemble or travel in unison on a city street, highway, sidewalk, alley or other public place, which is likely to either 1) impede, obstruct, impair or interfere with the free use of such public street, highway, sidewalk, alley or other public place, or 2) which does not comply with normal and usual traffic regulations or controls.
- E. "Permit application fee" means the fee to be paid by the special events permit applicant at the time the application is filed with the recreation services department, pursuant to application fee schedule established by resolution by the city council.
- F. "Permittee" means any person or organization issued a special events permit by the city manager.
- G. "Special event" means:
 - (1) Any activity involving one hundred or more persons on city-owned, -controlled, or -maintained property which does not meet the definition of a parade, including, but not limited to,

recreational events, competitions and contests, spectator sports, athletic events, circuses, fair and carnivals, farmer's markets, food-related events, sales, trade shows, and business promotions, and training activities; or

- (2) Any event on public property which requires the placement of a tent, canopy, or other temporary structure if that placement requires a permit from the city's fire department or building department.
- H. "Special event permit" means a permit issued for a parade or special event in accordance with this article.
- I. "City-owned, -controlled or -maintained property" shall also include all property owned by the City of Colusa, including but not limited to, any streets, highways, alleys or public right-of-ways.

(Ord. No. 477, § 1(3-20), 3-20-2012)

Sec. 3-53. Special event permit required.

- A. Any person intending to conduct, organize or set-up a special event in the City of Colusa shall first obtain a special event permit from the city manager.
- B. Except as otherwise provided in this article or other applicable law, rule or regulation, no person shall conduct, manage or participate in any parade or special event without a special event permit from the city.

(Ord. No. 477, § 1(3-30), 3-20-2012)

Sec. 3-54. Exemptions to special event permit requirement.

Special event permits shall not be required under this chapter for the below-listed activities. An exempted activity is required to comply with general regulations governing public health and safety.

- A. Funeral processions by a licensed mortuary or funeral home;
- B. Activities sponsored, conducted or implemented in their entirety by a government agency, including the county, city, school district, acting within the scope of its authority.
- C. Spontaneous events which are occasioned by news or affairs coming into public knowledge less than forty-eight hours prior to such event may be conducted on city owned property without the organizers first having to obtain a special event permit. City service charges and fees, including but not limited to cleanup costs, may still be incurred for spontaneous events.
 - (1) If practicable, the organizers should give notice to the city manager at least four hours prior to the event informing the city of the date and time of the event and providing an estimate of the approximate number of persons who will be participating.
 - (2) A spontaneous event does not include an event which requires advance planning including, but not limited to, recreation events, sports contests or competitions, fairs, festivals, carnivals, ticketed events, sales or trade shows, or events which require permits from building and safety or the fire department for the placement of a tent, canopy, or other temporary structure.
- D. Events on school district grounds and other ancillary property owned by the Colusa Unified School District.
- E. Park Facility Reservations. A special event permit is not required in conjunction with a park facility reservation request through parks and recreation for facilities and picnic areas unless the proposed

activity is expanded into other areas of the city park facility for exclusive use beyond the park facility reserved area and is reasonably likely to infringe on the rights of others to use the public property.

F. Motion picture and television filming activities governed by Chapter 10A of this Code.

(Ord. No. 477, § 1(3-40), 3-20-2012)

Sec. 3-55. Special event permit application procedures.

- A. A person wishing to sponsor a parade or special event, not otherwise exempt by this chapter, must complete and file with the city a verified special event permit application on the city's application form.
- B. Applications shall be submitted to the city at least thirty calendar days but no more than one year prior to the commencement of the parade or special event. The city may waive the timing requirement, but recommends that applicants file applications at least thirty days in advance to ensure adequate time for city review.
- C. Fully completed applications shall be reviewed on a first come, first served basis.
- D. If a special event is to be held by or on behalf of any organization other than the applicant, the applicant shall file a statement in writing from the organization authorizing the applicant to apply for the permit on the organization's behalf.

(Ord. No. 477, § 1(3-50), 3-20-2012)

Sec. 3-56. Special event permit application fees.

- A. Any applicant for a special event permit shall pay a fee, as established by resolution of the city council, at the time of filing any application for a special event permit.
- B. Any indigent natural person who cannot apply for a permit because of an inability arising from such indigence to pay the application fee shall not be required to pay the fee. Proof of indigent natural person status shall be made at the time of permit application.

(Ord. No. 477, § 1(3-60), 3-20-2012)

Sec. 3-57. Indemnification agreement.

Prior to the issuance of a special event permit, the applicant must sign an agreement in a form approved by the city agreeing to defend, indemnify and hold harmless the city against losses and liabilities incurred from the willful or negligent acts or omissions of the permittee, its officers, employees, agents or any person who is under the permittee's control, to the extent permitted under the law.

(Ord. No. 477, § 1(3-70), 3-20-2012)

Sec. 3-58. Insurance requirements.

Except as otherwise prohibited by law or an exemption is obtained as provided in this chapter, the permittee shall procure and maintain in full force and effect during the term of the permit a policy of insurance from an insurance company authorized to do business in the State of California, which policy includes the city, its boards, officers, agents, employees, and volunteers as named insureds or additional named insureds and which provides the coverage consistent with the city's policies. Proof of insurance shall be submitted to the city prior to issuance of the permit and maintenance of this insurance shall be a condition of the permit.

(Ord. No. 477, § 1(3-80), 3-20-2012)

Sec. 3-59. Service charges.

- A. In addition to the payment of the nonrefundable permit application fee, a permittee shall pay the city for city departmental service charges, including but not limited to police, fire, and public works costs, incurred in connection with or due to the permittee's use, event or activity. If city property is destroyed or damaged by reason of the permittee's use, event or activity, the permittee shall reimburse the city for the actual replacement or repair cost of the destroyed or damaged property.
- B. City departments shall submit an invoice and billing for departmental charges to the permittee no later than ninety days after the expiration date of the permit.
- C. A permittee shall be required to pay for police services for crowd and/or traffic control. However, no permittee shall be required to provide for or pay for the cost of public safety personnel to provide for the protection of a special event and its attendees from hostile members of the public or counter-demonstrations or for general law enforcement in the vicinity of the event.
- D. A permittee who claims an inability to pay the departmental service charges due to their status as an indigent natural person shall not pay departmental service charges. Application for indigent status shall be made at the time of the special event permit application and shall be accompanied by such relevant information and documentation as may reasonably be necessary to verify such status. A nonprofit organization in which a majority of the members meet the criteria for indigent status, as established in this chapter, may also be eligible for a waiver of departmental service charges.

(Ord. No. 477, § 1(3-50), 3-20-2012)

Sec. 3-60. Conditions of granting special event permit.

- A. The city manager may condition any permit issued pursuant to this chapter with reasonable requirements concerning the time, place, and manner of holding such event as is necessary to coordinate multiple uses of public property, assure the preservation of public property and public places, prevent dangerous, unlawful or impermissible uses, protect the safety of persons and property and to control vehicular and pedestrian traffic in and around the venue, provided that such requirements shall not be imposed in a manner that will unreasonably restrict expressive or other activity protected by the California or United States constitutions. Conditions may include, but are not limited to the following:
 - (1) The establishment of the starting time, route (including portions of streets to be traversed) and assembly or disbanding area for a parade.
 - (2) The minimum and maximum speeds, the maximum number of platoons or units, the maximum length in miles or fractions thereof, and the number of vehicles (if any) for a parade.
 - (3) The accommodation of a parade or special event's pedestrian and vehicular traffic, including restricting events to city sidewalks, portions of a city street, or other public right-of-way.
 - (4) Conditions designed to avoid or lessen interference with public safety functions and/or emergency service access.
 - (5) The number and type of animals, vehicles, or structures to be displayed or used in the parade or special event.

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- (6) The inspection and approval by city personnel of stages, booths, floats, structures, vehicles, or equipment to be used or operated in the event to ensure that such structures or vehicles are safely constructed and can be safely operated and conform to the requirements of all applicable codes.
 - (7) A cleaning deposit if the event includes using structures, displaying or using horses or other large animals, operation of water stations, food distribution or sales, beverage distribution or sales, and/or sale of other goods and services.
 - (8) The provision and use of traffic cones or barricades.
 - (9) The provision or operation of first aid stations or sanitary facilities, including handicap accessible sanitary facilities.
 - (10) The provision of a waste management plan, and the clean up and restoration of the site of the event.
 - (11) The use of sound amplification equipment, and restrictions on the amount of noise generated by motors and other equipment used in the course of the event.
 - (12) The manner of providing notice of permit conditions to permit participants and those businesses or residents who may be directly affected by the conduct of the parade or special event.
 - (13) The provision or use of emergency services.
 - (14) The reasonable designation of alternate sites, times, or routes.
 - (15) The granting of any and all business licenses or other necessary permits required by the Colusa City Code for the sale of food, beverages or other goods or services at the event.
 - (16) The manner by which alcohol sales and services, if any, shall be conducted at the event.
 - (17) Additional security requirements if alcohol will be sold or served at the special event.
- B. All conditions must be in writing and permittees must agree, in writing, to comply with all conditions for a special event permit.
 - C. In case of special events requiring road closures, if sufficient time exists before the date of the event, the city manager may decide to forward the application to the city council for consideration. With special events that require road closures, all remaining portions of this article related to approval or denial should be read to mean city council as opposed to city manager.

(Ord. No. 477, § 1(3-100), 3-20-2012)

Sec. 3-61. Grant of special event permit.

- A. Subject to Section 3-62, the city manager shall issue a special event permit, if it is determined that all of the following criteria have been met:
 - (1) The preparation for or the conduct of the proposed use, event or activity will not unreasonably or unfeasibly burden city resources necessary to preserve the public's use of streets, highways, sidewalks, alleys or other public spaces in the area contiguous to the location of the use, event or activity.
 - (2) The proposed use, event or activity will not substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its location.
 - (3) The preparation for or the conduct of the proposed use, event or activity will not unduly impede, obstruct, or interfere with the operation of emergency vehicles or equipment in or through the particular permit area or adversely affect the city's ability to perform municipal functions or furnish city services in the vicinity of the permit area.

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- (4) The proposed use, event, or activity does not present a substantial and unwarranted safety, noise, or traffic hazard which would unreasonably burden city fire and safety protection services.
 - (5) The proposed use, event or activity will be of a nature and size appropriate to the proposed venue, location, or site, and will occur during a time period approved for that venue, location, or site.
 - (6) The proposed use, event or activity will not cause adverse impacts on health and safety and/or access and traffic circulation to surrounding residential or commercial uses, which cannot be effectively mitigated.
 - (7) The proposed use, event or activity will not conflict with construction or development in the public right-of-way or at a public facility.
 - (8) The proposed use, event or activity will not unduly impede, obstruct, or interfere with the operation of public safety employees or emergency vehicles or equipment in or through the special event area or adversely affect the city's ability to perform public safety and emergency functions or furnish adequate levels of public safety or emergency services in the vicinity of the special event area.
 - (9) The proposed use, event or activity will not adversely affect the city's ability to reasonably perform municipal functions or furnish city services.
 - (10) The proposed use, event or activity will not unreasonably interfere with:
 - (a) Any other event for which a special event permit has already been granted;
 - (b) Any other event that has been scheduled pursuant to a reservation, lease or rental agreement with the city; or
 - (c) The provision of city services in support of other scheduled events or government functions.
 - (11) The special event complies with this chapter, and city, state, federal or otherwise applicable codes, rules and regulations.
- B. In deciding whether to approve an application for a special event permit, no consideration may be given to the message of the event, the content of the speech, the identity or the associational relationships of the applicant, or to any assumptions or predictions as to the amount of hostility which may be aroused in the public by the content of speech or message conveyed by the proposed use, event or activity.

(Ord. No. 477, § 1(3-110), 3-20-2012)

Sec. 3-62. Denial or revocation of special event permit.

- A. The city manager shall deny an application for a special event permit or shall revoke a permit if he or she finds based on substantial evidence that any of the following conditions exist:
- (1) The applicant will not agree to one or more of the conditions of approval.
 - (2) The applicant has knowingly made a false, misleading or fraudulent statement of fact to the city in the application process.
 - (3) The application does not contain the information required by this article.
 - (4) The application does not satisfy the requirements of this article.
 - (5) The applicant fails to comply with any conditions of approval.
 - (6) The applicant is a minor or is otherwise legally incompetent to contract or to sue or be sued.

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- (7) The applicant or the person or entity on whose behalf the application was made has on prior occasions damaged city property and has not paid in full for such damage, or has other outstanding and unpaid debts to the city.
 - (8) The applicant has not complied or cannot comply with the applicable licensure requirements, ordinances or regulations of the city concerning the sale, offering for sale, or distributions of any good or service.
 - (9) The proposed use, event or activity will violate any federal or state law or regulation.
 - (10) The proposed use, event or activity will present an unreasonable danger to the health or safety of the applicant, spectators, city employees, or members of the public.
- B. An applicant whose permit application is denied, or whose permit is revoked pursuant to this subsection shall be notified in writing of the denial of his/her application. Such notification shall contain a statement setting forth the reasons for said denial or revocation as well as a reference to the appeal provisions set forth in Section 3-63 of this chapter.
 - C. If the city manager determines that an application should be denied for one of the reasons identified in this section, the city manager shall work with the applicant to revise the application so that the use, event or activity will occur on a date, at a time, in a manner, at a location, or over a route different than that originally proposed by the applicant. The alternate permit shall, to the extent practicable, authorize a use, event or activity that will have comparable public visibility and a similar route, location, manner and date to that of the proposed use, event or activity.

(Ord. No. 477, § 1(3-120), 3-20-2012)

Sec. 3-63. Appeals.

- A. Any applicant aggrieved by the issuance, denial or revocation of a permit, or the determinations regarding indigent status, indemnification, insurance or departmental service charges of this chapter may appeal such decision to the city council by filing a written notice of such appeal with the city clerk within ten business days of the decision of the city manager giving rise to said appeal.
- B. Such appeal shall explain, with particularity, the facts upon which the appeal is made. The city council shall hold a hearing on the matter at the next regularly scheduled city council meeting. At the hearing, the aggrieved party shall be given the opportunity to be heard and to present evidence on his/her behalf. The city council or its designee shall determine the merits of the appeal and shall issue its decision in writing within forty-eight hours of the hearing. The written decision shall be delivered to the applicant within two days of the decision by United States mail, certified mail, return receipt requested, and addressed to the applicant at the address shown on the permit application. The written decision may also be transmitted to the applicant by facsimile and electronic mail at the same time the decision is placed in the United States mail.
- C. The city council's determination to grant or deny the appeal shall be final except for judicial review.

(Ord. No. 477, § 1(3-130), 3-20-2012)

Sec. 3-64. Officials to be notified.

Upon granting the special event permit, the city manager shall send notice of the special event and conditions of special event permit to relevant city staff, including but not limited to, the public works director, the fire chief, the police chief and the recreation services director.

(Ord. No. 477, § 1(3-140), 3-20-2012)

Sec. 3-65. Interference with special event prohibited.

It shall be unlawful for any person to interfere with a special event permitted under this chapter by engaging in the following acts when done with the intent to cause interference:

- A. Blocking, obstructing or impeding the passage of participants, vehicles or animals in the special event along the event route;
- B. Walking or running, driving a vehicle, riding a bicycle or skateboard, or using any similar device through, between, with or among participants, vehicles or animals in a special event;
- C. Dropping, throwing, rolling, or flying any object toward, among, or between participants, vehicles, or animals in the permitted event.

(Ord. No. 477, § 1(3-150), 3-20-2012)

Sec. 3-66. Display of special event permit.

A copy of the special event permit shall be displayed at the parade or special event site and shall be exhibited upon demand of any city official.

(Ord. No. 477, § 1(3-160), 3-20-2012)

Sec. 3-67. Use of city name or logo without city authorization.

It shall be unlawful for any special event organizer to use in the title of the event the words "the City of Colusa" or "City of Colusa," to suggest or indicate that the special event is sponsored by the city, or to use a facsimile of the official seal or logo of the City of Colusa in the promotional materials or advertising for the event without the written authorization of the city manager.

(Ord. No. 477, § 1(3-170), 3-20-2012)

Sec. 3-68. Other permits and licenses.

The issuance of a special event permit does not relieve any person or entity from the obligation to obtain other permit or licenses required pursuant to the Colusa City Code.

(Ord. No. 477, § 1(3-180), 3-20-2012)

Sec. 3-69. Penalties.

Any person who intentionally violates any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one-thousand dollars or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment.

(Ord. No. 477, § 1(3-190), 3-20-2012)

Article VI. Boat Launch Facility.

Sec. 3.70. Regulation of the boat launch facility.

Facilities covered by this article include the boat ramp and fishing area, which facilities occupy a strip of land between the city-operated state park and the Sacramento River, and [are] located along Main Street in Colusa from 10th to 8th street. As used in this article, the "fishing area" shall refer to the fishing area and boat ramp and as described above.

Permitted uses at the City of Colusa Boat Launch Area:

- A. Access to the boat launch area shall not be allowed other than by boat. No fishing or jumping from the launch ramp or the dock. City council may establish by resolution a fee for a permit to access the boat launch area.
- B. The only uses permitted at the boat launch facility are the following:
 - 1. Launching of boats and personal watercrafts, including parking of vehicles and boat or personal watercraft trailers.
- C. It shall be a violation of this chapter for any person to use the boat launch facility:
 - 1. For any uses not described above;
 - 2. For any purpose inconsistent with the terms and conditions of any permit which the city issues for use of the boat launch area.
- D. Prohibited uses at the boat launch facility: It shall be a violation of this chapter for any person to conduct or participate in any of the following uses or activities at the boat launch facility:
 - 1. To start or maintain an open fire.
 - 2. To swim within fifty feet of the boat launch area.
 - 3. To engage in any camping activities (which for the purposes of this chapter includes erection of tents or any other temporary living structure).
 - 4. To litter or otherwise dump refuse in any area other than designated city receptacles.
 - 5. To fish from or within fifteen feet of the dock.
 - 6. To launch a watercraft or park at the facility without displaying proof of payment, proof of payment must be displayed in the front windshield of the vehicle even if parked on the public street.

(Ord. No. 541 , § 2, 6-2-2020)