

ORDINANCE NO. 671-AC

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEEDLES,
CALIFORNIA, AMENDING CHAPTER 15A OF THE
NEEDLES MUNICIPAL CODE TO ADD SECTION 15A-7.3
TO ESTABLISH REGULATIONS FOR THE USE OF THE GRAFFITI ART WALL

WHEREAS, the City Council of the City of Needles, California reviewed the proposed section 15A-7.3 of the Needles Municipal Code, entitled Splash Pad Area Regulations; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEEDLES DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council HEREBY FINDS AND DETERMINES that this activity is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Section § 15060 (c)(2), the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

SECTION 2. The City Council HEREBY FINDS AND DETERMINES that facts do exist to approve an amendment to the Needles Municipal Code ("Needles Code").

SECTION 3. The City Council HEREBY APPROVE Ordinance 671-AC amending the Needles Code as follows:

Chapter 15A of the Needles Municipal Code is hereby amended to add section 15A-7.3 as follows:

Sec. 15A-7.3 Graffiti Art Wall Rules is hereby modified as follows:

The following regulations shall apply within the Graffiti Art Wall:

The Graffiti Art Wall is a safe space for expression, self-policed by City of Needles. The Graffiti Art Wall may be closed and removed if the City determines that these rules have not been followed.

1. Paint only on walls designated; do not paint on trees, sidewalks, monuments, equipment, structures, or buildings.
2. Respect the park and neighborhood. Paint is only permitted on the Graffiti Art Wall and nowhere else in the community.
3. Properly dispose of used paints and supplies in special bin provided by the City. Clean up after yourself, do not leave a mess and let's make this project work for everyone in the community.
4. Always be respectful of other artists, their expressions, ideas, and work. Keep it about the positivity. That means no hate speech, pornographic material, gang-related tags. Create ART not Vandalism.
5. Share this Space – This is a community "Graffiti Art Wall" and is to be used as a

learning tool. Paint your piece, take your photos, learn your lessons, and do not get upset when/if someone paints over your artwork.

The ideas and thoughts expressed on the Graffiti Art wall do not necessarily represent the residents of the City of Needles.

- a. Any person who damages the Graffiti Art Wall may be subject to civil or criminal citations and penalties.
- b. Any violation of any section herein shall be deemed to be an infraction and is punishable as such according to the provisions of the Needles Municipal Code and state or federal law.

SECTION 4. If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council 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 sections, subsections, subdivision, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

SECTION 5. This action shall become final and effective thirty (30) days after this decision by the City Council as provided by the Needles City Code.

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SECTION 6. The City Clerk shall certify to the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Needles, California, approve an amendment to the City Code.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Needles, California, held on the 10th day of December 2024 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Janet Jernigan, Mayor

(Seal)

ATTEST: _____
Candace Clark, Interim City Clerk

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 14th day of January 2025 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Janet Jernigan, Mayor

(Seal)

ATTEST: _____
Candace Clark, Interim City Clerk

Approved as to form:

City Attorney John Pinkney