

**CITY OF ORLAND
CITY COUNCIL ORDINANCE 2023-05**

**AN ORDINANCE OF THE CITY OF ORLAND
AMENDING SECTIONS 12.22.090 AND 12.24.050,
RENUMBERING SECTIONS 12.22.090 AND 12.24.050, AND
ADDING SECTION 12.24.060 TO THE ORLAND MUNICIPAL CODE**

The City Council of the City of Orland does ordain as follows:

FINDINGS.

1. The City Council finds that, as a matter of public health and safety, the consumption and/or possession of alcohol in Library Park is an activity incompatible with the public's use of Library Park, and therefore deems that such activity is prohibited within Library Park, except as waived in advance in writing pursuant to a City-Approved permit.

2. The City Council finds that, as a matter of public health and safety, the consumption and/or possession of alcohol in Lollipop Land Park is an activity incompatible with the public's use of Lollipop Land Park, and therefore deems that such activity is prohibited within Lollipop Land Park.

3. This City Council finds that persons violating the above shall be subject to ejection, infraction, and/or misdemeanor.

NOW THEREFORE, incorporating the Findings set forth above, the City Council of the City of Orland hereby Ordains:

SECTION 1.

1. Section 12.22.090 is amended to read as follows:

12.22.090 – Possession and/or Consumption of Alcohol Prohibited.

The possession and/or consumption of alcohol in Lollipop Land Park is prohibited.

2. Former Section 12.22.090 is renumbered as 12.22.100.

3. Section 12.24.050 is amended to read as follows:

12.24.050 – Possession and/or Consumption of Alcohol Prohibited; Exception.
The possession and/or consumption of alcohol in Library Park is prohibited, except as approved in advance in writing pursuant to a City-approved permit.

4. Former Section 12.24.050 is renumbered as 12.24.070.

5. Section 12.24.060 is added as follows:

12.24.060 – Ejection of persons.

Any person violating any of the provisions of this chapter may be removed from Library Park upon order of the Orland city park superintendent, any Orland city police officer, and/or any authorized employee, or officer of the city. When ordered to leave, such person may not re-enter Library Park for a period of at least twenty-four (24) hours.

SECTION 2. CEQA

The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 150610(b)(3) (because the activity has no potential for causing a significant effect on the environment.) Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

I HEREBY CERTIFY that the above and foregoing Ordinance was duly and regularly introduced and read (title only) at a regular meeting held on the 3rd day of October, 2023, and was passed and adopted by the City Council of the City of Orland at a regular meeting thereof duly held on the 17th day of October, 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Chris Dobbs, Mayor

ATTEST: APPROVED AS TO FORM

Jennifer Schmitke, City Clerk

Gregory Einhorn, City Attorney