

ORDINANCE NO. 4953**AN ORDINANCE ADDING CHAPTER 8.34 TO THE COUNTY CODE
RELATING TO ENHANCEMENT OF PENALTIES DURING
DESIGNATED PERIODS**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Board of Supervisors hereby finds that:

A. Historically, the Memorial Day, Labor Day and July 4 holiday periods draw thousands of people to Santa Cruz County beaches, parks, vacation homes, and private residences. Celebrations during these holidays have included excessive alcohol consumption, packed beaches, and the use of powerful fireworks. Despite local efforts to maintain public safety, the combination of alcohol, crowds, and fireworks during these holidays have resulted in increased assaults, stabbings, injuries, and fires.

B. Existing County Ordinances prohibiting the consumption of alcoholic beverages in public areas and the use of any type of fireworks in unincorporated Santa Cruz County have been ineffective during these holiday periods. Violations dramatically increase in most every neighborhood during these times. This increase in illegal and unsafe behavior coupled with the vast influx of people during the holidays has created a potential for disaster and exceeds the ability of local emergency services and law enforcement to effectively maintain the safety of our residents.

C. The Safety Enhancement Penalties ordinance will provide local law enforcement with a tool to help deter and mitigate the serious threat to public safety present during these periods.

SECTION II

The Santa Cruz County Code is hereby amended by adding Chapter 8.34 to read as follows:

**CHAPTER 8.34
SAFETY ENHANCEMENT PENALTIES****Sections:**

- | | |
|-----------------|-----------------------------|
| 8.34.010 | Intent and purpose. |
| 8.34.020 | Applicable dates. |
| 8.34.030 | Designated offenses. |

8.34.010 Intent and purpose.

The purpose of this Chapter is to deter criminal activity and promote a safe environment during historically disorderly "holiday" times of the year.

8.34.020 Applicable dates.

This ordinance applies to the following holidays and dates:

- A. Memorial Day, and the two day period preceding and the two day period following it;
- B. July 2 to July 6 of each year; and
- C. Labor Day, and the two day period preceding and the two day period following it;

8.34.030 Designated offenses.

A. Notwithstanding any other provision of this Code concerning the designation of crimes and penalties for violation, any violation of the following designated provisions of the Santa Cruz County Code that is committed within the unincorporated area of the County of Santa Cruz on a date designated as applicable in section 8.34.020 shall be a misdemeanor and shall be subject to an enhanced fine of \$1,000:

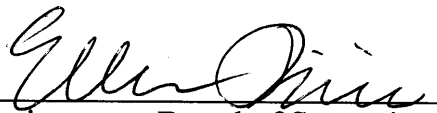
- 1. 7.92.3301.1.3 Manufacture, possession, storage, sale, transportation, use of explosives, including, but not limited to, all fireworks;
 - 2. 8.02.020 Alcohol consumption-public place;
 - 3. 8.02.030 Alcohol possession-open container-public place;
 - 4. 8.18.030 Live Oak beach use violation between 10p.m. and 6 a.m.;
 - 5. 8.28.030, 8.28.050, 8.28.060, 8.28.070 Discharging Firearms;
 - 6. 8.30.010 Offensive noise between 10p.m. and 8 a.m.;
 - 7. 8.30.020 Subsequent offensive noise within 48 hours.
- B. A separate offense shall be deemed to have been committed whenever a person repeats the act that constitutes the violation.

SECTION III

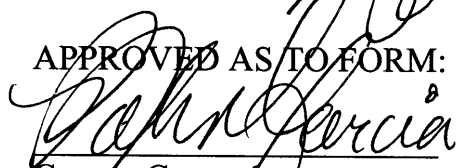
This ordinance shall take effect and be operative on the 31st day after the date of final passage.

PASSED AND ADOPTED this 13th day of May, 2008,
by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS	Stone, Beautz, Coonerty, Campos and Stone
NOES:	SUPERVISORS	None
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None


Chairperson, Board of Supervisors

Attest: 
Clerk of the Board

APPROVED AS TO FORM:

County Counsel

Distribution: Auditor
County Counsel
CAO
Sheriffs Office
District Attorney
Superior Court

IN THE SUPERIOR COURT of the STATE OF CALIFORNIA
in and for the County of Santa Cruz

CERTIFICATE OF PUBLICATION

Ad No.: 02513028

STATE OF CALIFORNIA }
COUNTY OF SANTA CRUZ } ss

I, Tess E. Fitzgerald, Supervising Clerk
of the Board of Supervisors of the
County of Santa Cruz, do hereby certify
that Ordinance No. 4953, adopted on
May 13, 2008, has been duly published in
accordance with Section 25124 of the
Government Code.

Tess E. Fitzgerald,
Supervising Board Clerk
By: [Signature]

PUBLIC NOTICE

ADOPTED ORDINANCE NO. 4953
(SUMMARY)

I, Patricia Turley,
hereby certify that the **Watsonville Register
Pajaronian**, a newspaper of general circulation,
within the provisions of the government code of the
State of California, printed and published in the
City of Watsonville, County of Santa Cruz, State of
California; that I am the principal clerk of the
printer of said newspaper; that the

(Paste) NOTICE IS HEREBY GIVEN that at its regularly
scheduled meeting on May 13, 2008, the Board of
Supervisors of the County of Santa Cruz adopted Or-
dinance No. 4953 adding Chapter 8.34 to the County
Code relating to Enhancement of Penalties During
Designated Periods. This Ordinance was passed by
the following vote:

AYES: Stone, Beautz, Coonerty, Campos
and Pirie
NOES: None
ABSENT: None
ABSTAIN: None

Copies of the full text of this ordinance are available at
the Office of the Clerk of the Board, Room 500, Gov-
ernmental Center Building, 701 Ocean Street, Santa
Cruz, California 95060.

Date: May 13, 2008

Tess Fitzgerald
Chief Deputy Clerk

May 15, 2008
02513028

Legal Notice; PUBLIC NOTICE

of which the annexed clipping is a true printed
copy was published in said newspaper on the fol-
lowing dates, to wit: 05/15/08

I certify under penalty of perjury that the foregoing
is true and correct, at Watsonville, California, on
the 05/15/08

[Signature]
Patricia Turley, Legal Clerk

“Proof of Publication must be filed with the County
Clerk’s Office within 30 days of the last publication
date, pursuant to Civil Code Section 2466.”