



# City of Carson Report to Mayor and City Council

October 7, 2014  
New Business Discussion

**SUBJECT: CONSIDERATION OF ORDINANCE NO. 14-1543 AMENDING CARSON MUNICIPAL CODE SECTION 63119.1 REGARDING CARNIVAL PERMITS**

*Trini H. Catbagan*  
Submitted by Trini Catbagan  
Finance Officer

*Nelson Hernandez*  
Approved by Nelson Hernandez  
City Manager

## **I. SUMMARY**

At the request of the Mayor Pro Tem Elito Santarina, staff is presenting for the City Council's consideration, an ordinance that would amend Section 63119.1 of the Carson Municipal Code (CMC) to allow the City Manager to administratively approve applications for carnival permits. That ordinance is attached as Exhibit No. 3 (blue-lined version) and Exhibit No. 4 (clean version).

## **II. RECOMMENDATION**

WAIVE further reading and INTRODUCE Ordinance No. 14-1543, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA AMENDING SECTION 63119.1 OF ARTICLE VI, CHAPTER 3 OF THE CARSON MUNICIPAL CODE RELATING TO CARNIVAL PERMIT REQUIREMENTS."

## **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

## **IV. BACKGROUND**

The Revenue Division annually processes two to three carnival permit applications annually. CMC Section 63119.1 states that "the City Council may grant or deny such applications". In order to streamline the approval process and save staff time, it is recommended that an ordinance be introduced to allow the City Manager to administratively approve or deny applications for carnival permits. All other requirements for a carnival permit shall remain unchanged.

CMC Section 63119 requires all applicants for carnival permits to submit the following information to the Revenue Division: 1) a site plan of the carnival layout showing location of booths, rides, concessions, etc., 2) a petition with signatures from over 50% of residents located within a 500-foot radius consenting to the carnival, and 3) a certificate of public liability insurance naming the City of Carson and its officers as additional insureds. Also, approvals from the Planning Division, Building & Safety Division, Los Angeles County Fire Department, and the Los Angeles County Health Department will continue to be required.

27

**V. FISCAL IMPACT**

None.

**VI. EXHIBITS**

1. Carson Municipal Code Sections 63119 and 63119.1. (pgs. 3-4)
2. Ordinance No. 14-1543 (blue-lined version). (pgs. 5-6)
3. Ordinance No. 14-1543 (clean version). (pgs. 7-8)

Prepared by: Boris Sztorch, Revenue Manager

*TO: Rev09-25-2014*

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Public Works
Community Development	Community Services

**Action taken by City Council**

Date \_\_\_\_\_ Action \_\_\_\_\_

## Carson Municipal Code

### **63119 Carnival – Application.**

Permit Fee \$100.00. Any person desiring to operate or conduct a carnival within the City shall file with the Director of Finance an application for a permit. Such application shall be so filed not less than twenty-one (21) days before the first day on which the applicant seeks permission to operate, and shall show the following:

- a. Name and address of applicant;
- b. The location on which applicant desires to conduct such carnival;
- c. The names and addresses of the officers of a corporate applicant, and of the partners if the applicant is a partnership;
- d. The name and address of applicant's insurance carrier and the number of the applicant's public liability and property damage insurance policy;
- e. The applicant shall be accompanied by a plot plan showing all land uses within five hundred (500) feet of the perimeter of the property on which the carnival is proposed to be conducted;
- f. If one (1) or more residences are located within said five hundred (500) feet, the application shall not be accepted for filing unless accompanied by the written consent required by CMC 63119.1(b). (Ord. 71-162; Ord. 06-1342, § 23)

### **63119.1 Same – Conditions of Permit.**

The City Council may grant or deny such application. If such application is granted, a permit shall be issued on the following conditions:

- a. The proposed operation shall be conducted only in a C-3, C-4, or M zone, except that the City Council may by specific action authorize permits in other zones if in accordance with the spirit of this Chapter and not detrimental to the surrounding area.
- b. No carnival operation shall be conducted within five hundred (500) feet of any residence, unless the applicant for a carnival permit has first obtained the written consent of more than fifty (50) percent of the owners or tenants of any residence within a five hundred (500) foot radius of the proposed carnival site.
- c. Such operation shall be conducted only between the hours of 10:00 a.m. and 10:00 p.m. unless otherwise expressly ordered by the City Council and provided in such permit.
- d. Liability insurance policies shall be filed with the City Clerk providing coverage of not less than \$5,000,000 for general liability and \$1,000,000 for automobile liability.

- e. The applicant provide to the satisfaction of the City Council, for maintenance and cleanliness of the area in which such operation is conducted, prior to, during and upon completion of such operation.
- f. That the applicant pay a fee of \$100.00 to the City concurrently with the issuance of such permit.
- g. That the permit issued to applicant be displayed at all times on the premises where such operation is conducted, during such operation.
- h. Such other terms and conditions as the City Council may prescribe. (Ord. 71-162; Ord. 06-1342, § 24)



ORDINANCE NO. 14-1543

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA  
AMENDING SECTION 63119.1 OF ARTICLE VI, CHAPTER 3 OF  
THE CARSON MUNICIPAL CODE RELATING TO CARNIVAL  
PERMIT REQUIREMENTS

WHEREAS, requiring applicants for a carnival permit to obtain the approval of the City Council is burdensome, time consuming, and unnecessarily delays the approval process; and

WHEREAS, requiring only an administrative approval by the City Manager would help to streamline the carnival permit approval process.

NOW THEREFORE, the CITY COUNCIL of the CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN as follows:

**Section 1.** Article VI, Chapter 3, Section 63119.1 Same – Conditions of Permit, of the Carson Municipal Code is hereby amended, to read, in its entirety, as follows:

“Section 63119.1 Same – Conditions of Permit.

The City Council Manager may grant or deny such application. If such application is granted, a permit shall be issued on the following conditions:

- a. The proposed operation shall be conducted only in a C-3, C-4, or M zone, except that the City Council Manager may, by specific action, authorize permits in other zones if in accordance with the spirit of this Chapter and not detrimental to the surrounding area.
- b. No carnival operation shall be conducted within five hundred (500) feet of any residence, unless the applicant for a carnival permit has first obtained the written consent of more than fifty (50) percent of the owners or tenants of any residence within a five hundred (500) foot radius of the proposed carnival site.
- c. Such operation shall be conducted only between the hours of 10:00 a.m. and 10:00 p.m. unless otherwise expressly ordered by the City Council Manager and provided in such permit.
- d. Liability insurance policies shall be filed with the City Clerk providing coverage of not less than \$5,000,000 for general liability and \$1,000,000 for automobile liability.
- e. The applicant provides to the satisfaction of the City Council Manager, for maintenance and cleanliness of the area in which such operation is conducted, prior to, during and upon completion of such operation.
- f. That the applicant pay a fee of \$100.00 to the City concurrently with the issuance of such permit.
- g. That the permit issued to applicant be displayed at all times on the premises where such operation is conducted, during such operation.

h. Such other terms and conditions as the City Council Manager may prescribe. (Ord. 71-162; Ord. 06-1342, § 24)

**Section 2.** If any subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**Section 3.** The City Clerk shall certify to the passage and adoption of this ordinance, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which the same is passed and adopted. This ordinance shall be in full force and effect thirty (30) days after its final passage and adoption, and within fifteen (15) days after its final passage, the City Clerk shall cause it to be published in a newspaper of general circulation and shall post the same at City Hall, the Community Center building and the United States Post Office, Carson Branch.

**PASSED, APPROVED, and ADOPTED** this 7<sup>th</sup> day of October, 2014.

\_\_\_\_\_  
Mayor Jim Dear

ATTEST:

\_\_\_\_\_  
City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



**ORDINANCE NO. 14-1543**

**AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA  
AMENDING SECTION 63119.1 OF ARTICLE VI, CHAPTER 3 OF  
THE CARSON MUNICIPAL CODE RELATING TO CARNIVAL  
PERMIT REQUIREMENTS**

WHEREAS, requiring applicants for a carnival permit to obtain the approval of the City Council is burdensome, time consuming, and unnecessarily delays the approval process; and

WHEREAS, requiring an administrative approval by the City Manager would help to streamline the carnival permit approval process.

NOW THEREFORE, the CITY COUNCIL of the CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN as follows:

**Section 1.** Article VI, Chapter 3, Section 63119.1 Same – Conditions of Permit, of the Carson Municipal Code is hereby amended, to read, in its entirety, as follows:

“Section 63119.1 Same – Conditions of Permit.

The City Manager may grant or deny such application. If such application is granted, a permit shall be issued on the following conditions:

- a. The proposed operation shall be conducted only in a C-3, C-4, or M zone, except that the City Manager may by specific action authorize permits in other zones if in accordance with the spirit of this Chapter and not detrimental to the surrounding area.
- b. No carnival operation shall be conducted within five hundred (500) feet of any residence, unless the applicant for a carnival permit has first obtained the written consent of more than fifty (50) percent of the owners or tenants of any residence within a five hundred (500) foot radius of the proposed carnival site.
- c. Such operation shall be conducted only between the hours of 10:00 a.m. and 10:00 p.m. unless otherwise expressly ordered by the City Manager and provided in such permit.
- d. Liability insurance policies shall be filed with the City Clerk providing coverage of not less than \$5,000,000 for general liability and \$1,000,000 for automobile liability.
- e. The applicant provide to the satisfaction of the City Manager, for maintenance and cleanliness of the area in which such operation is conducted, prior to, during and upon completion of such operation.
- f. That the applicant pay a fee of \$100.00 to the City concurrently with the issuance of such permit.
- g. That the permit issued to applicant be displayed at all times on the premises where such operation is conducted, during such operation.

h. Such other terms and conditions as the City Manager may prescribe. (Ord. 71-162; Ord. 06-1342, § 24)

**Section 2.** If any subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**Section 3.** The City Clerk shall certify to the passage and adoption of this ordinance, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which the same is passed and adopted. This ordinance shall be in full force and effect thirty (30) days after its final passage and adoption, and within fifteen (15) days after its final passage, the City Clerk shall cause it to be published in a newspaper of general circulation and shall post the same at the City Hall, the Civic Center building and the United States Post Office, Carson Branch.

**PASSED, APPROVED, and ADOPTED** this 7<sup>th</sup> day of October, 2014.

\_\_\_\_\_  
Mayor Jim Dear

ATTEST:

\_\_\_\_\_  
City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

