

## **CHAPTER 3 AMUSEMENTS**

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### **ARTICLE I. CIRCUS, RODEO, ETC**

(Ord. No. 416; Ord. No. 839, §1)

#### **Sec. 3-10. Maximum length of exhibition**

No person shall exhibit, conduct, or carry on any circus, rodeo, carnival, traveling show, or side show within the county for more than six days in any two consecutive weeks.

(Ord. No. 236 1/2, §1; Ord. No. 588, §1; Ord. No. 589, §1; Ord. No. 1386, §1)

#### **Sec. 3-11. License--Required; application; approval by board of supervisors**

It shall be unlawful for any person to exhibit, conduct, or carry on any circus, rodeo, carnival, traveling show, or side show within the county without first filing with the tax collector of the county a written application for a license to conduct such activities. Such written application shall be filed within a reasonable time prior to the date that it is intended to conduct such activities. The tax collector shall submit such application to the board of supervisors, and no license shall be issued by the tax collector until authorization to do so by order of the board of supervisors, at a regular meeting of the board, shall be received.

(Ord. No. 235 1/2, §2; Ord. No. 589, §2; Ord. No. 1386, §1)

#### **Sec. 3-12. Permit--Fee**

In the event that the license required by section 3.11 is ordered to be issued by the board of super-visors, the tax collector shall issue such license and collect a license fee from such person of one hundred dollars to cover the period of six days mentioned in section 3.10, or any lesser number of days that such circus, rodeo, carnival, traveling or side show shall be conducted in the county.

(Ord. No. 236 1/2, §3; Ord. No. 580, §3; Ord. No. 1386, §1)

#### **Sec. 3-13. Exemption - Solano County Fair Association**

The Solano County Fair Association or other organization operating the Solano County Fairgrounds as an agent of the County of Solano is exempt from the provisions of this Article.

(Ord. No. 1643, §1)

## **ARTICLE II. PUBLIC DANCE**

### **Sec. 3-20. "Public dance," defined**

For the purposes of this article, "public dance" means a dance into which the public or any part of the public is admitted.

(Ord. No. 580, §3; Ord. No. 1386, §1)

### **Sec. 3-21. Permit required**

It shall be unlawful for any person, whether as principal, servant, agent or employee, to engage in, carry on, operate, maintain or conduct, or cause to be engaged in, carried on, maintained or conducted, any public dance in the county without first having obtained a written permit from the sheriff. It shall be unlawful to conduct a public dance after such permit has been revoked.

(Ord. No. 580, §1; Ord. No. 1386, §1)

### **Sec. 3-22. Permit revocation**

The permit required by section 3.21 may be revoked by the sheriff at any time the sheriff believes that the safety of persons or property will be in danger by the existence of such permit. Such revocation shall consist of either a written or oral notice of revocation to the permittee.

(Ord. No. 580, §2; Ord. No. 1386, §1)

### **Sec. 3-23. Permit--appeal from refusal to issue or from revocation**

Any person to whom the issuance of the permit required by section 3.21 has been refused, or whose permit has been revoked by the sheriff, may appeal such refusal or revocation to the board of supervisors. Whereupon, the board of supervisors shall hold a hearing on such appeal, reasonable notice of which shall have been given to the sheriff; and if the board of supervisors finds that the issuance of such permit shall not endanger persons or property, the board of supervisors shall direct the sheriff to issue such permit and the sheriff shall comply with such direction. If, subsequent to such direction, the sheriff discovers additional acts have occurred that endanger persons or property, he may revoke the permit and the applicant may again appeal the action to the sheriff.

(Ord. No. 580, §4; Ord. No. 1386, §1)

### **Sec. 3-24. Same--Permittee not exempt from other ordinance or laws**

The issuance of a permit under the provisions of this article shall not exempt the permittee from any provision of this Code or any other ordinance of the county

requiring a permit or license, or any law of the state pertaining to the operation or the conduct of the businesses enumerated in this article.

(Ord. No. 580, §5; Ord. No. 1386, §1)

**Sec. 3-25. Exemption - Solano County Fair Association**

The Solano County Fair Association or other organization operating the Solano County Fairgrounds as an agent of the County of Solano is exempt from the provisions of this Article

(Ord. No. 1643, §2)

**ARTICLE III. OUTDOOR FESTIVALS**

**Sec. 3-30. Outdoor festivals defined**

For purposes of this article, "outdoor festivals" shall mean and include any outdoor gathering of individuals for the purpose of participation in "rock" dances and similar musical or theatrical type performances which are of a periodic nature and to which the public is admitted, with or without the payment of admission charges.

(Ord. No. 727, §1; Ord. No. 1386, §1)

**Sec. 3-31. License--required; application; filing fee**

It shall be unlawful for any person to operate, maintain, conduct, advertise, sell or furnish tickets or other types of written authority for admission to any outdoor festival in the unincorporated area of the county and on all property owned or leased by the county in the incorporated areas of the county, unless that person shall first obtain a license from the county to operate or conduct such festival.

Application for a license to conduct an outdoor festival shall be made in writing to the board of supervisors of the county, accompanied by a nonrefundable application fee of one hundred dollars and filed with the county tax collector, and shall contain the following information:

(a) The name, age, residence, mailing address and telephone number of the applicant. If the applicant is a partnership, the names and addresses of all general partners shall be included. If the applicant is a corporation, the application shall be signed by the president and attested to by the secretary thereof, and shall contain the names and addresses of all corporate officers; and a certified copy of the articles of incorporation shall be attached to the application. The address and telephone number of the principal place of business of the applicant shall also be included in the application.

(b) The location and legal description of the premises where the outdoor festival is proposed to be conducted, including all lands to be used for parking or other uses incidental to the outdoor activity. The applicant shall submit proof of

ownership of such premises or the written consent of all owners thereof for the proposed use.

(c) The date or dates and the hours during which the festival is to be conducted.

(d) An estimate of the maximum number of spectators, participants, and other persons expected to attend the outdoor festival for each day it is conducted.

(e) A detailed explanation of the applicant's program, and plans to provide security protection, water supply, food supply, sanitation facilities, medical facilities and services; vehicle parking space, vehicle access and on-site traffic control; and if it is proposed or expected that spectators or participants will remain at night or overnight, the arrangements for illuminating the premises and for camping or similar facilities applicants plan to provide for the numbers of spectators in excess of the estimate, and provisions for clean-up of the premises and the removal of rubbish after the event has concluded.

(f) A detailed explanation of the applicant's plan for policing the activity with particular emphasis on the control and prevention of alcohol and drug consumption.

Such application shall be filed with the county tax collector at least sixty days prior to the time indicated for the commencement of the planned activity. The tax collector shall review and submit such application to the board of supervisors and no license shall be issued by the tax collector until the tax collector is authorized to do so by order of the board of supervisors at a regular meeting of the board.

(Ord. No. 727, §1; Ord. No. 753, §1; Ord. No. 1386, §1)

**Sec. 3-32. Same--fixing time for hearing application; notice of hearing; investigation and report on application**

Upon receipt of a complete application and the application fee, the tax collector shall request the board of supervisors to set a time and date for a public hearing, and the board of supervisors shall set the application for a public hearing at a regular meeting of the board of supervisors, not less than fifteen nor more than thirty days thereafter, and shall give not less than ten days' written notice thereof to the applicant. The clerk of the board of supervisors shall give notice of the hearing and copies of the application to the sheriff, the county health officer, the director of transportation and the director of environmental management, who shall investigate the manner and report in writing to the board of supervisors not later than the time set for the hearing, with appropriate recommendations concerning the activity.

(Ord. No. 727, §1; Ord. No. 1386, §1)

**Sec. 3-33. Same--hearing on application; bond required prior to issuance**

The board of supervisors shall consider the documentary and testimonial evidence of witnessed presented at such hearing, including all reports of investigation and shall grant the license without conditions or with conditions which must be met, including security required from the applicant as a guarantee that the conditions will be met, before a license is granted.

If conditions are imposed by the board the applicant shall furnish or cause to be furnished to the tax collector proof that all conditions have been met an that the required security has been given, before the license may be issued by such tax collector.

The security required by the board of supervisors may include the posting of an indemnity bond, a performance bond, or both, in favor of the county in connection with the operation of a public outdoor festival as defined in this article. Such bond or bonds shall be prepared by a corporate bonding company authorized to do business in the state by the department of insurance, in an amount determined by the board of supervisors. Such bond or bonds shall indemnify the county, its agents, officers, employees, and the board of supervisors against any and all loss, injury and damage of any nature whatsoever arising out of or in any way connected with such outdoor festival, and shall indemnify against loss, injury and damage to both person and property.

The board of supervisors may also require that the applicant provide a corporate surety bond, prepared by a corporate bonding company authorized to do business in the state, indemnifying the county and the owners of property adjoining the outdoor site for all costs necessitated by such activity to clean up or remove debris, trash, garbage or other waste from, in, and around the premises. Such bond shall be in an amount determined by the county board of supervisors as in its discretion will adequately provide for such indemnification.

(Ord. No. 727, §1; Ord. No. 1386, §1)

**Sec. 3-34. Same--issuance: fee**

Upon determining that the board of supervisors has ordered the issuance of the license pursuant to section 3.33 and that the conditions, if any imposed by the board, have been complied with by the applicant, the tax collector shall collect a license fee of one hundred fifty dollars per day for each day the festival is scheduled, and the tax collector shall issue a license to the applicant for the specific location authorized for the festival and for the specific days which the festival is authorized.

(Ord. No. 727, §1; Ord. No. 1386, §1)

**Sec. 3-35. Same--exemptions from application and fees**

A neighborhood community benefit organization organized from charitable, religious or eleemosynary purposes shall be exempt from paying the application and license fees provided for in this article; provided, the net proceeds from any such activity do not inure to the benefit of any private person.

(Ord. No. 727, §1; Ord. No. 1386, §1)

**Sec. 3-36. Same--revocation**

The board of supervisors shall have the right to revoke any license issued pursuant to this article after a public hearing held after oral or written notice is given to the licensee at least twenty-four hours prior to such hearing, for any of the following causes:

- (a) The licensee fails, neglects, or refuses to fulfill any of the conditions imposed upon the granting of a license.
- (b) The licensee permits the outdoor festival to be conducted in a disorderly manner or allows any person to remain on the premises while under the influence of intoxicating liquor or any narcotic or dangerous drug.
- (c) The licensee violates or attempts to violate any law of the state, provisions of this article, or ordinance of the county.
- (d) That the licensee has previously made a false, misleading or fraudulent statement of material fact in the application for license or in any other document required pursuant to this article.

Written notice of such revocation shall be forwarded by the county clerk to the board of supervisors, the sheriff, and the permittee at the address given in the application. Such revocation shall become effective immediately after ordered by the board of supervisors.

(Ord. No. 727, §1; Ord. No. 1386, §1)

**Sec. 3-37. Same--nontransferable**

No license granted under the provisions of this article shall be transferable or removable to another location.

(Ord. No. 727, §1; Ord. No. 1386, §1)

**Sec. 3-38. Closing of festivals prior to the expiration of license**

The sheriff may suspend operation and close any outdoor festival prior to the expiration of the license granted under the provisions of this article in the event of the occurrence of a riot, major disorder or serious breach of the peace when, in his

opinion, it becomes necessary to prevent injury to persons, damage to property or both.

(Ord. No. 727, §1; Ord. No. 753 §1, Ord. No. 1386, §1.)

**Sec. 3-39. Exemption - Solano County Fair Association**

The Solano County Fair Association or other organization operating the Solano County Fairgrounds as an agent of the County of Solano, is exempt from the provisions of this Article

(Ord. No. 1643, §3)

**ARTICLE IV. MISCELLANEOUS**

**Sec. 3-400. Evasion of an admission fee**

It is unlawful for any person to enter, or attempt to enter, premises for which an admission fee is charged (such as an amusement park, theater, sporting event, dance, fairgrounds, etc.) without paying the admission fee, or without authorization of the person in charge of the premises. Any person who violates this section shall be guilty of an infraction.

**Sec. 3-401. Unsafe or disruptive conduct**

(a) It shall be unlawful for any person attending a place of amusement open to the public, such as an amusement park, theater, sporting event, dance, fair or other place of entertainment, to do any of the following actions without lawful authority;

(1) Line jumping - stepping, jumping, or pushing into lines ahead of others who are waiting;

(2) Fence jumping - jumping on or climbing over any fence in order to enter or exit any public facility;

(3) Running - running with willful and reckless disregard for the safety of others, including but not limited to:

(A) Running through substantially congested pedestrian areas;

(B) Running into another person;

(C) Running which causes another to abruptly move out of the way to avoid collision;

(4) Throwing or dropping of objects - willful and reckless throwing or dropping of any object which may injure another person or damage the personal property of another person.



(b) Such conduct or actions shall be deemed unsafe or disruptive and considered a threat to public health and safety. Every person who engages in the actions prohibited by this section shall be guilty of an infraction.

**Sec. 3-402. Loitering prohibited**

No person may delay, linger or idle about any public parking lot or facility without lawful business for being present. Every person who violates this section shall be guilty of an infraction.

**Sec. 3-403. Trespassing prohibited**

No person may remain on or reenter or come upon any place of amusement, (such as an amusement park, theater, sporting event, dance, fairgrounds, etc.) or any parking lot for a place of amusement, after being asked to leave by a peace officer, private security officer or other person having charge of the place of amusement or facility. Every person who violates this section shall be guilty of a misdemeanor.

**Sec. 3-404. Bicycles, Motorized Bicycles, Skateboards and Roller Skates - Solano County Fairgrounds**

The use of motorized bicycles, skateboards, roller skates or similar devices on the Solano County Fairgrounds is prohibited, unless such use is related to a specific event focused on the use of such items. Every person who violates this section shall be guilty of an infraction.

**Sec. 3-405. Parking on Solano County Fairgrounds in Designated Areas**

No person shall drive any vehicle, nor shall any person stop, park or leave standing any vehicle, whether attended or unattended, upon the driveways, paths, parking facilities or grounds of the Solano County Fairgrounds, except in designated areas established by the management of the Solano County Fair Association. Every person who violates this section shall be guilty of an infraction.

**Sec. 3-406. Unattended Animals - Solano County Fairgrounds**

No person shall leave any animal unattended upon the driveways, paths, or parking facilities of the Solano County Fairgrounds. Any person who violates this section shall be guilty of an infraction.

**Sec. 3-407. Weapons - Solano County Fairgrounds**

It shall be unlawful to bring on to the Solano County Fairgrounds, or to cause to be brought on to the Solano County Fairgrounds, any weapon as set forth in California Penal Code section 171b, or any knife, sharp object or other instrument that can be used as a weapon, except within areas and as specific times designated by the Solano county Fair Association, or when carried by law enforcement personnel. Any person who violates this section shall be guilty of a misdemeanor.

**Sec. 3-408. Prohibited Items - Solano County Fairgrounds**

It shall be unlawful for any person to cause to be brought on to the Solano County Fairgrounds, either by smuggling or passing over the fence, any item which is prohibited pursuant to the regulations established by the Solano County Fair Association. The Solano County Fair Association shall post notice of all prohibited items at the gate of the Solano County Fairgrounds. Any person who violates this section shall be guilty of an infraction, except as provided in section 3-407.

**Sec. 3-409. Solano County Fair Association - Code of Conduct during Solano County Fair**

It shall be unlawful for any person to violate the Code of Conduct established by the Board of Directors of the Solano County Fair Association for the annual Solano County Fair. Every person who violates this section shall be guilty of an infraction.

**Sec. 3-410. Curfew - Persons under eighteen years of age**

No person under the age of eighteen years shall loiter in or about any public street or other public place or any place open to the public in the unincorporated territory of the county, or on property owned by the county, between the hour of 10:00 p.m. and the time of sunrise of the following day when not accompanied by the minor's parent, guardian or other adult person having the legal case, custody and control of such person, or spouse of such person over twenty-one years of age. Any person who violates this section shall be guilty of an infraction.

(Ord. No. 1643)