

AGENDA
PARKS AND RECREATION COMMISSION
WEST ANAHEIM YOUTH CENTER
320 S. BEACH BLVD., ANAHEIM, CA 92804
October 23, 2024 – 6:00 p.m.

COMMISSIONERS

Ryan Balius, Chair
CarlottaRhea Clark, Vice Chair
James Cook
Lynn Cudd
Tony Flores
Greg Martin
Fred Sigala Jr.

STAFF

Sjany Larson-Cash, Director
Anaheim Sporn, Community Services Manager
JJ Jimenez, Parks Manager
Ana Straabe, Principal Project Planner
Kamila Rodriguez, Senior Secretary

EX-OFFICIO MEMBERS

Katherine Smith, Anaheim Union High School District
Luis Flores, Centralia School District
Andrea Yamasaki, Orange Unified School District
Paul Juarez, Placentia Yorba Linda Unified School District
Christina Karanick, Savanna Elementary School District
Mark A. Lopez, Anaheim Elementary School District
Patricia Soave, Magnolia School District

PUBLIC PARTICIPATION / SPECIAL NOTE TO OUR GUESTS AND VISITORS

If you desire to address the Commission, you will have 3 minutes when called upon under Agenda Item #3, Unscheduled Public Communication. In addition, members of the public can submit comments electronically for the Parks and Recreation Commission consideration by sending them to krdriguez1@anaheim.net. **To ensure distribution to the Parks and Recreation Commission prior to consideration of the agenda, please submit comments prior to 12:00 p.m., the day of the meeting.** Those comments, as well as any comments received after 12:00 p.m., will be distributed to the Parks and Recreation Commissioners and will be made part of the official public record of the meeting. Contact [Kamila Rodriguez](mailto:Kamila.Rodriguez@anaheim.net) at krdriguez1@anaheim.net with any questions.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. UNSCHEDULED PUBLIC COMMUNICATION
4. SCHEDULED COMMUNICATION
5. APPROVAL OF THE MINUTES:
 - a) September 25, 2024
6. REPORTS
 - a) Park Ranger Report – September
 - b) Recreation, Human & Neighborhood Services Activity Report – August/September
 - c) Parks Capital Project Progress Report
7. NEW BUSINESS
 - a) Park Ordinances
8. INFORMATIONAL ITEMS
 - a) Needs Assessment Survey Results
9. ADJOURNMENT – The next meeting will be held on **December 4, 2024 at 6:00 p.m. – Council Chamber**

All agenda items and backup materials are available for review at the Community Services Department and www.anaheim.net. Any writings or documents provided to a majority of the Parks and Recreation Commission regarding any items on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Community Services Offices, 200 S. Anaheim Blvd., 4th Floor, Anaheim, CA 92805, during regular business hours.

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Sec. 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting the Community Services Department at 200 S. Anaheim Blvd., 4th Floor, Anaheim CA or by telephone at (714) 765-5155, no later than 10:00 AM on the day preceding the scheduled meeting.

Commission Members: Please notify Kamila Rodriguez with your attendance status no later than Tuesday, October 22nd at 12:00 p.m. at krdriguez1@anaheim.net or (714) 765-5155.

MINUTES

**PARKS AND RECREATION COMMISSION
DOWNTOWN ANAHEIM COMMUNITY CENTER
250 E. CENTER ST., ANAHEIM, CA 92805
September 25, 2024 – 6:00 p.m.**

COMMISSIONERS PRESENT:

Ryan Balius, Chair
CarlottaRhea Clark, Vice Chair
James Cook
Tony Flores
Greg Martin
Fred Sigala, Jr.

STAFF PRESENT:

Anaheim Sporn, Community Services Manager
Ana Straabe, Principal Project Planner
Steve Ballard, Parks Services Superintendent
Kamila Rodriguez, Senior Secretary

COMMISSIONERS ABSENT:

Lynn Cudd

AGENDA

ACTION TAKEN

1. **CALL TO ORDER:** Chair Balius called the meeting to order at 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Vice Chair Clark led the Pledge of Allegiance.
3. **UNSCHEDULED PUBLIC COMMUNICATION:** None.
4. **SCHEDULED COMMUNICATION:** None.
5. **APPROVAL OF THE MINUTES:** Chair Balius presented the August 28, 2024 Minutes to the Commissioners for changes or corrections. Commissioner Sigala made a motion to accept the minutes, seconded by Commissioner Martin. The motion was approved with 5 votes in favor and 1 abstention; Chair Balius accepted the minutes.
6. **REPORTS:**
 - a) **Park Ranger Report – August:** Anaheim Sporn presented the report and noted the general decline in most occurrence categories which can likely be attributed to a collaboration with the Anaheim Police Department in the month of August as well as children being back in school.

Anaheim highlighted that public assist occurrences have increased which may be due to newer Park Ranger staff recording a broad array of interactions with patrons as assists. Anaheim reported that the Ranger program continues to be fully staffed including evening and weekend positions.

Questions were answered regarding Park Ranger retention and replacement, and the incorporation of park camera data into future reports.

- b) **Parks Activity Report – July/August:** Steve Ballard presented the report and noted a variety of park maintenance projects throughout the City including fire clearance and tree planting in the east sectors, as well as irrigation controller installation, planting, and playground maintenance in the west. Steve also highlighted the recent special events hosted by the facility scheduling section including an Indian Independence Day celebration and a Back-to-School Backpack Giveaway.

Questions were answered regarding improvements at Pearson Park and tree planting at Maxwell Park.

- c) **Parks Capital Project Progress Report:** Ana Straabe presented the report and summarized the progress with the Brookhurst Splash Pad project, including the results of voting polls following a series of community

feedback meetings. Ana also updated the Commission on the start of construction at Little Pine Park and Paul Revere Park. Finally, she highlighted the selection of a contractor for the Rio Vista Park project, which will be brought to the City Council in October for approval.

Questions were answered regarding progress on the Canyon Rim play area, the location of the Brookhurst Splash Pad.

7. **NEW BUSINESS:** None.
8. **INFORMATIONAL ITEMS:** Randall Oliver, a representative from the UC Statewide IPM program, delivered an informational presentation on the topic of Gold-spotted Oak Borers and how their organization is combating the spread of this invasive pest in Southern California.

Anaheim Sporn presented an update on the City Ordinance amendments that will be proposed at the upcoming City Council meeting on October 8th, 2024. Should these amendments be approved, Anaheim explained that the City's Park Ordinances would then be brought to the Commission for amendment recommendations which would then also be presented for approval to the City Council.

Anaheim announced the Center Greens Grand Opening event on September 28th and encouraged Commissioners to attend.

Anaheim also provided Commissioners with executive summaries of the Needs Assessment Survey results from the community forum that took place on September 18th. Commissioner Sigala requested that a future agenda include a summary of park-related data that was collected from the survey.

9. **ADJOURNMENT:** Chair Balius adjourned the meeting at 7:27 p.m.

City of Anaheim-Park Ranger Patrol Statistics Time Period: September 2024

<i>Area</i>	<i>Patrols</i>	<i>Patrons</i>	<i>Public Contacts</i>	<i>Public Assists</i>	<i>Curfew</i>	<i>Alcohol</i>	<i>Possible Substance Abuse</i>	<i>Parking Notice</i>	<i>Vehicle</i>	<i>Dog Off Leash</i>	<i>Vendors</i>	<i>Syringe</i>	<i>Skate Boarding</i>	<i>Coyote</i>	<i>Other</i>
Aloe Greens Park	28	882	369	0	8	0	0	0	0	1	0	0	0	0	0
Anaheim Coves	115	1,053	648	0	2	0	2	1	0	0	0	0	0	0	0
Anaheim Hills Elementary	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Anaheim Wetlands	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Barton Park	55	1,292	817	1	0	0	0	1	0	0	0	0	0	0	0
Betsy Ross Park	89	899	603	0	2	26	7	0	0	0	1	0	0	0	0
Boysen Park	60	2,571	982	0	19	15	0	0	10	4	0	0	0	0	0
Brookhurst Park	71	1,939	1,118	0	4	10	0	0	0	1	0	0	96	0	0
Canyon Rim Park	24	278	73	0	0	0	0	0	0	0	0	0	0	0	0
Chaparral Park	84	2,388	1,456	0	22	0	0	0	0	1	3	0	0	0	0
Circle Park	7	12	16	0	0	2	0	0	0	0	0	0	0	0	0
Citrus/A.A.C.	33	411	252	0	12	0	0	0	0	1	0	0	0	0	0
Colony Park	21	96	38	0	0	0	0	0	0	0	0	0	0	0	0
Colony Square Park	23	6	9	0	0	0	0	0	0	0	0	0	0	0	0
Coral Tree Park	9	12	9	0	0	0	0	0	0	0	0	0	0	0	0
Cottonwood Park	14	15	10	0	0	0	0	0	0	0	0	0	0	0	0
Deer Canyon Nature Preserve	19	116	40	0	0	0	0	0	0	0	0	0	0	0	0
Downtown Community Center	37	396	201	2	0	0	0	0	0	0	0	0	68	0	0
Edison Park	61	2,270	924	0	0	6	0	0	0	1	3	0	0	0	0
Edison Trail	3	49	31	0	0	0	0	0	0	0	0	0	0	0	0
Energy Field	37	382	160	0	10	3	0	0	0	0	0	0	0	0	0
Eucalyptus Park	36	1,095	627	0	0	0	0	0	0	3	0	0	0	0	0
Founders Park	39	155	98	0	8	0	2	0	0	0	0	0	0	0	0
George Washington Park	39	447	283	0	1	0	2	0	0	1	0	0	0	0	0
Hansen Park	32	128	65	0	9	4	0	0	1	1	0	0	0	0	0
Imperial Park	14	208	48	0	0	0	0	0	0	0	0	0	0	0	0
Jacaranda Park	17	160	114	0	0	0	0	0	0	0	0	0	0	0	0
John Marshall Park	54	2,057	1,267	0	5	19	0	0	1	1	0	0	0	0	0
Juarez Park	57	1,323	648	0	0	0	0	0	1	0	0	0	2	0	0
Julianna Park	14	82	46	0	0	4	0	0	0	0	0	0	0	0	0
La Palma Park	65	1,812	1,029	0	44	3	4	0	0	2	0	0	0	0	0
Lincoln Park	15	209	122	0	0	0	0	0	0	0	0	0	0	0	0
Little Peoples Park	31	253	128	0	0	6	0	0	0	1	0	0	0	0	0
Magnolia Park	10	27	8	0	0	0	0	0	0	0	0	0	0	0	0
Manzanita Park (Skate Park)	55	1,646	835	1	6	0	1	0	0	2	0	0	468	0	0

City of Anaheim-Park Ranger Patrol Statistics Time Period: September 2024

<i>Area</i>	<i>Patrols</i>	<i>Patrons</i>	<i>Public Contacts</i>	<i>Public Assists</i>	<i>Curfew</i>	<i>Alcohol</i>	<i>Possible Substance Abuse</i>	<i>Parking Notice</i>	<i>Vehicle</i>	<i>Dog Off Leash</i>	<i>Vendors</i>	<i>Syringe</i>	<i>Skate Boarding</i>	<i>Coyote</i>	<i>Other</i>
Maxwell Park	82	4,112	2,629	5	24	6	0	0	0	9	7	0	0	0	0
Miraloma Family Resource Center	31	426	32	0	0	0	0	0	0	0	0	0	0	0	0
Modjeska Park	66	3,803	2,316	0	74	23	0	0	1	3	1	0	3	0	0
Oak Canyon Nature Center	21	277	53	0	0	0	0	0	0	0	0	0	0	0	0
Oak Park	2	5	0	0	0	0	0	0	0	0	0	0	0	0	0
Olive Hills Park	18	318	93	0	2	0	0	0	0	0	0	0	0	0	0
Palm Lane Park	22	214	78	0	0	0	0	0	0	3	0	0	20	0	0
Palm Lane Park (Skate Park)	15	60	44	0	5	3	0	0	0	0	0	0	36	0	0
Paul Revere Park	16	207	5	0	5	3	0	0	0	0	1	0	0	0	0
Pearson Park	95	6,523	3,156	0	39	20	3	0	0	6	15	0	0	0	0
Pelanconi Park	11	15	8	0	0	0	0	0	1	0	0	0	0	0	0
Peralta Canyon Park	36	1,386	736	1	0	0	0	0	1	1	0	0	0	0	0
Peter Marshall Park	38	624	307	0	5	8	0	0	0	1	0	0	0	0	0
Pioneer Park	59	3,003	939	0	11	0	0	0	2	2	0	0	0	0	0
Ponderosa Park (Skate Park)	16	2,140	878	0	6	0	0	0	1	0	2	0	403	0	0
Rio Vista Park	56	1,587	465	0	0	7	0	0	2	3	1	0	6	0	0
Riverdale Park	38	784	314	0	0	8	0	0	1	2	1	0	0	0	0
Ronald Reagan Park	31	1,052	402	0	0	0	0	0	0	0	0	0	0	0	0
Sage Park	47	1,172	432	0	5	8	0	0	0	1	0	0	0	0	0
Schweitzer Park (Skate Park)	52	1,473	672	0	14	5	0	0	0	1	3	0	46	0	0
Stoddard Park	58	2,443	1,357	0	40	0	0	0	1	0	2	0	29	0	0
Sycamore Park	27	578	146	0	0	0	0	0	0	0	0	0	0	0	0
Twila Reid Park	79	5,320	2,756	2	53	2	0	0	1	4	3	0	1	0	0
Walnut Grove Park	78	1,560	751	0	56	3	0	0	0	0	0	0	0	0	0
West Anaheim Skate Park	12	28	12	0	2	0	0	0	0	0	0	0	18	0	0
West Anaheim Youth Center	30	17	56	0	0	0	0	0	0	0	0	0	0	0	0
Willow Park	52	865	473	0	8	1	0	2	0	0	0	0	0	0	0
Yorba Regional Park	22	504	136	0	4	0	0	2	0	0	0	0	0	0	0

Total September 2024	2,388	61,093	32,320	12	505	195	21	6	24	56	43	0	1,196	0	0
Total September 2023	2,822	46,642	35,092	521	380	58	5	8	22	38	16	0	1,769	0	0
Total August 2024	2,246	47,372	18,640	1,747	270	74	21	3	23	52	49	0	668	0	0

Difference Sept. 2024 - Sept. 2023	-434	14,451	-2,772	-509	125	137	16	-2	2	18	27	0	-573	0	0
Difference Sept. 2024 - Aug. 2024	142	13,721	13,680	-1,735	235	121	0	3	1	4	-6	0	528	0	0

RECREATION AND HUMAN & NEIGHBORHOOD SERVICES DIVISIONS ACTIVITY REPORT AUGUST 2024 – SEPTEMBER 2024

RECREATION SERVICES

CONTRACT CLASSES

The Summer 2024 season ended on August 25th with over 1,400 participants enrolled in various in-person and virtual classes and summer camps. Some of our most popular activities this summer included sports, dance, art, gymnastics classes, and STEAM-based camps.

In collaboration with the Anaheim Community Foundation, 70 Youth Scholarships were awarded to Anaheim's youth for the summer season. These scholarships provide a maximum of \$100 per recipient toward registration fees to help low-income families participate in various art, dance, sports, or special interest classes and camps.



OAK CANYON NATURE CENTER



Oak Canyon Nature Center wrapped up the last two weeks of the nine-week summer day camp program for children ages 5-12. Campers came out for crafts, songs, and hikes during all nine available sessions, and 256 campers enjoyed the final two weeks with Harry Potter and Superhero themes. Oak Canyon Nature Center staff also hosted its last "Wilderness Survival Camp" week of the summer in August, with 24 survivors. This interactive camp, designed for participants 12-16 years old, taught wilderness survival skills such as general first aid, orienteering, building shelter, and archery which was their favorite activity overall. The youth had fun learning survival and outdoor preparedness skills.

The summer Nature Nights program concluded with its last presentation in August, where Oak Canyon staff lead a guided "Flashlight Hike" Over 2,300 participants registered and attended all seven weeks of programming.

As they transition to fall, staff are busy planning for the next season of programming including Thursday Tales & Trails, Discover Family Nature Hikes, and Winter Day Camp.

ADULT SPORTS

The summer basketball season, consisting of 52 teams, concluded in late September with playoffs in nine Divisions at the East Anaheim Gymnasium, Downtown Anaheim Youth Center and West Anaheim Youth Center. Registration for the fall season is underway and games will begin on October 6th with league play on Tuesday, Wednesday, and Sunday evenings.



CENTER GALLERY

On September 4th, a special reception honoring Chicano Heritage Month was held in conjunction with the opening of an exhibit featuring the works of Emigdio Vasquez, a pioneer in the Chicano art movement. Pieces were provided by his daughter Rosemary Vasquez Tuthill, whose artwork was also on display alongside pieces from local Anaheim artist Oliver Cortez. Cortez portrays historic locations in Anaheim, while Tuthill's portraits depict her personal life in detailed paintings. Emigdio Vasquez is best known for his murals all over Orange County that shed light on everyday Chicano life. Each artwork offers an intimate tour of Chicano history. The reception was attended by friends, family members of the artists, and community leaders.



CONCERTS TO THE MAX

The last concert of this summer's series was held at Maxwell Park on August 1st featuring Tabu, a Latin fusion group. The audience, comprised of approximately 300 participants, sang and danced along as they celebrated the closing night of this popular summer program. Numerous informational booths were also in attendance including crafts from our Youth Programs staff, books from the Haskett Library, and give aways from Disneyland Resort and Raising Cane's.



ACTIVE OLDER ADULTS

The City's Active Older Adults program hosted various Health and Resource fairs at numerous programming hubs this fall:

- East Anaheim Community Center on September 6
- Downtown Anaheim Community Center on September 14
- West Anaheim Youth Center on September 26
- Miraloma Family Resource Center on September 28

These events brought resources on Medicare providers and an assortment of services to enhance the lives of older adults.

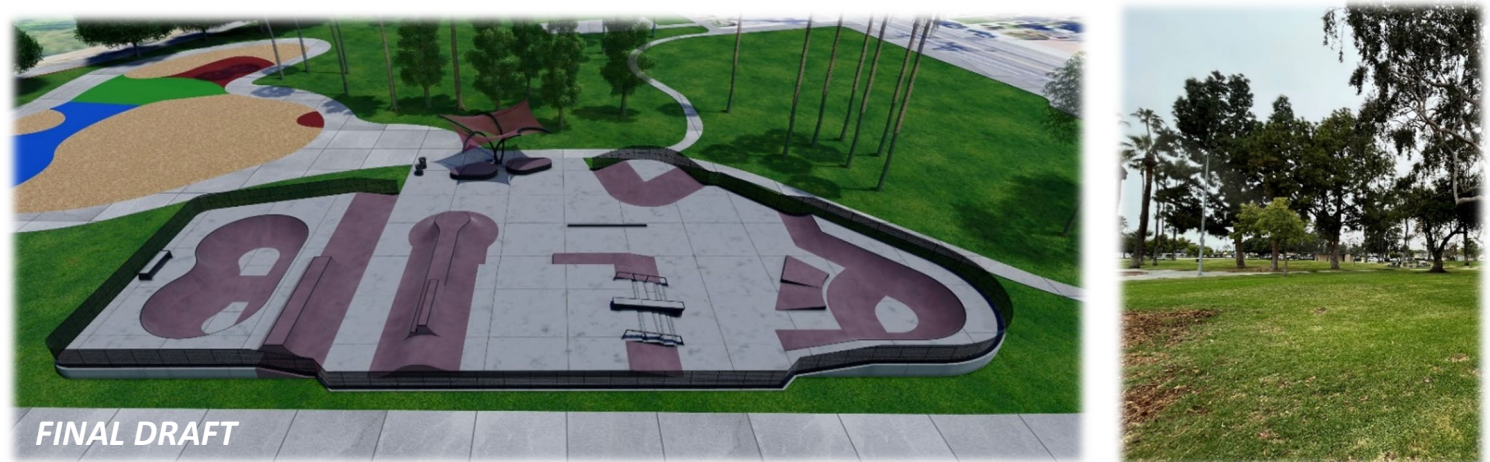


COMMUNITY SERVICES CAPITAL PROJECTS PROGRESS REPORT - As of October 23, 2024

	PROJECT	SCOPE	FUNDING ACTIVITY	RECENT ACCOMPLISHMENTS	NEXT STEPS
1	Barton Playground Surfacing 800 Agate Street PM: Ana	Replacement of a 5,750 square foot heavily-used rubberized surfacing area and minor adjacent walkway restoration at Barton Park.	<u>Grants:</u> CDBG \$175,000 + \$155,400 (\$330,400 total) <u>Consultants:</u> n/a <u>Contractor:</u> PMC Inc. \$236,089.39	<ul style="list-style-type: none"> • Issued the Notice to Proceed to PMC (Contractor) • Contractor installed the temporary fence and began demolition • Began conducting assessment of the base material and drainage conditions 	<ul style="list-style-type: none"> • Improve the base material and address drainage • Schedule playground surfacing vendor to install the rubberized surface • Finish Construction



2	Boysen Park Refresh 951 S. State College Blvd. PM: Mike	Refresh 19.5-acres of existing park space and extend park into 2.5-acre adjacent City-owned land. Phase 1: Skate Park	<u>Grants:</u> State Earmark \$15M <u>Consultants:</u> David Volz Design (DVD) \$44,744 (Master Plan) RHA / Spohn Ranch \$31,000 (Skate Park Concept Design)	<ul style="list-style-type: none"> • Continued to develop the Request for Proposals (RFP) for a design consultant for the development of Construction Documents • Reviewed and updated the project cost estimate • Held ongoing internal planning meetings 	<ul style="list-style-type: none"> • Conduct site evaluation to confirm the scope, existing utilities, and limits of work • Release the RFP to our list of on-call consultants • Obtain and review design proposals for development of Construction Documents
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COMMUNITY SERVICES CAPITAL PROJECTS PROGRESS REPORT - As of October 23, 2024

	PROJECT	SCOPE	FUNDING ACTIVITY	RECENT ACCOMPLISHMENTS	NEXT STEPS
3	Brookhurst Splash Pad 2271 W Crescent Ave. PM: Lucy	Install a splash pad at Brookhurst Park.	<u>Grants:</u> CDBG \$800,000 <u>Consultant:</u> David Volz Design (DVD) \$201,642	<ul style="list-style-type: none"> • Held comprehensive on-site meeting with consultants to review utilities and site conditions • Coordinated with City Departments (APU/PW) and County Health Department • Began weekly project coordination calls with design consultant 	<ul style="list-style-type: none"> • Obtain the updated survey of the project area • Receive and evaluate three (3) conceptual designs and select one (1) to move into preliminary design • Conduct geotechnical site assessment • Continue weekly project coordination calls with design consultant



4	Canyon Rim Playground Replacement and Park Refresh 7305 E Canyon Rim PM: Mike	Replace existing 30+ year old play equipment and other park amenities, as needed.	<u>Grants:</u> General Fund \$500,000 <u>Consultants:</u> RHA \$3,500	<ul style="list-style-type: none"> • Continued to coordinate with Public Works to advertise the Request for Bids (RFB) for construction • Communicated with playground manufacturer on equipment delivery estimates • Updated project schedule and budget 	<ul style="list-style-type: none"> • Public Works to advertise RFB to on-call contractors • Review bid proposals • Issue Notice of Award to selected contractor
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COMMUNITY SERVICES CAPITAL PROJECTS PROGRESS REPORT - As of October 23, 2024

	PROJECT	SCOPE	FUNDING ACTIVITY	RECENT ACCOMPLISHMENTS	NEXT STEPS
5	Center Greens 305 E Broadway PM: Naomi	Develop a 3.5-acre open space east of City Hall to include a skate park, play areas, fitness loop, shaded plaza, new landscaping, and basketball court.	<u>Grants:</u> <ul style="list-style-type: none"> RMC \$300,000 LWCF \$960,000 <u>Consultants:</u> <ul style="list-style-type: none"> Schmidt Design Group \$321,910 LSA \$19,500 <u>Contractor:</u> Solex Construction Inc. \$5,885,645.30	<ul style="list-style-type: none"> Held Grand Opening of the park on Saturday, 9/28 Hundreds of residents attended the celebration Conducted a final inspection with the contractor and the City team and updated the list of minor items for contractor to address 	<ul style="list-style-type: none"> N/A: Project is complete. Park is open to the public



6	La Palma Park Improvements 1151 N La Palma Parkway PM: Jodi	Improve approx. 10.5-ares of the west side of La Palma Park with three (3) soccer fields, new lighting, playground, exercise equipment, open air arena, restroom building, landscaping and irrigation, and other supporting park amenities	<u>Grants:</u> <ul style="list-style-type: none"> Federal Earmark \$2,000,000 Outdoor Recreation Legacy Partnership (ORLP) \$6,000,000 <u>Consultants:</u> Placeworks \$63,290	<ul style="list-style-type: none"> Notified that the project was selected to be awarded \$6,000,000 in ORLP grant funding from National Park Service (NPS) Held internal meeting to discuss next steps Continued to investigate and identify additional potential funding opportunities 	<ul style="list-style-type: none"> Participate in mandatory ORLP funding workshop and complete funding paperwork Obtain draft grant Agreement and obtain signatures Develop a Request for Proposals (RFP) for a design consultant to create Construction Documents
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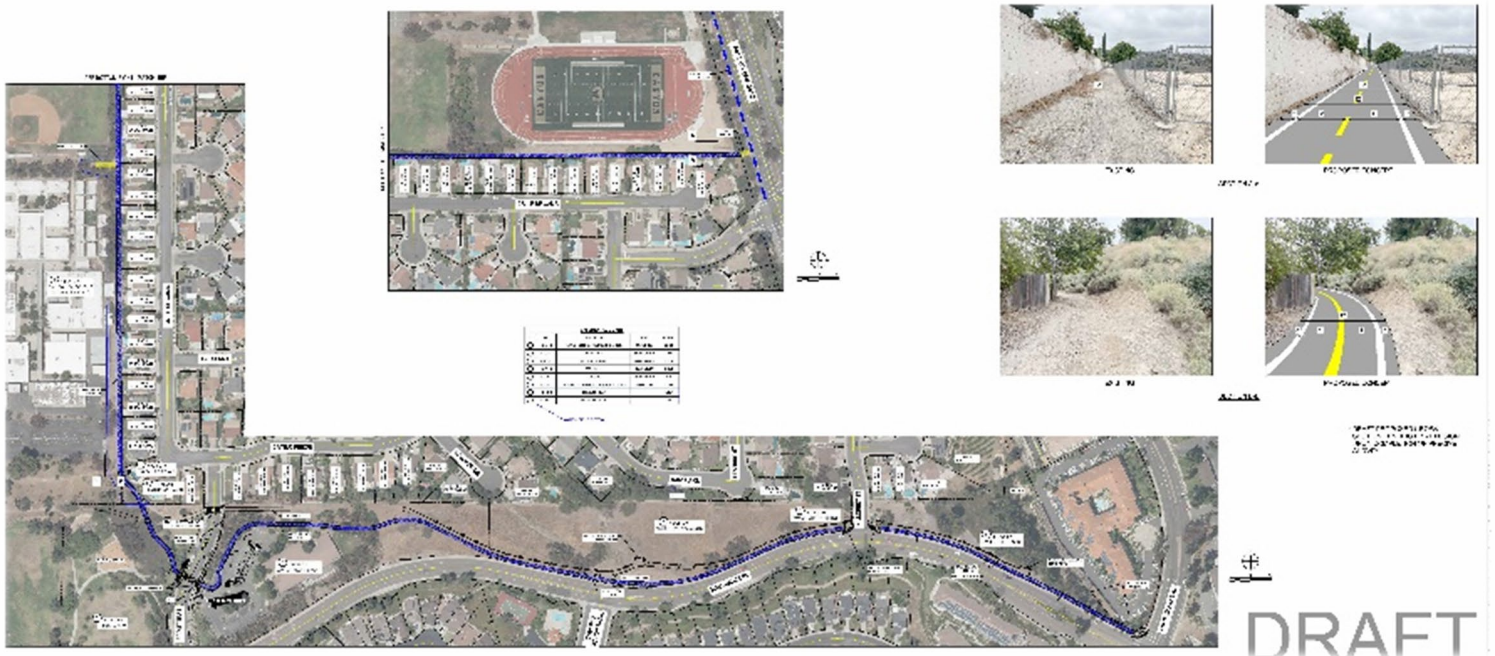


COMMUNITY SERVICES CAPITAL PROJECTS PROGRESS REPORT - As of October 23, 2024

	PROJECT	SCOPE	FUNDING ACTIVITY	RECENT ACCOMPLISHMENTS	NEXT STEPS
7	Little Pine Park 884 W Bellevue Dr. PM: Naomi	Develop a 0.4-acre pocket park on Bellevue Drive.	<u>Grants:</u> State Parks (Prop. 68) \$750,000 <u>Consultant:</u> BGB Design Group \$60,620 <u>Contractor:</u> SDC Engineering Inc. \$854,613.56	<ul style="list-style-type: none"> • Notice to proceed was issued to SDC (Contractor) on 9/24 • Contractor began construction activities including: <ul style="list-style-type: none"> ○ Demolition ○ Trenching for underground utilities ○ Installation of irrigation mainline and electrical conduit ○ Installation of dry wells 	<ul style="list-style-type: none"> • Install mow curbs for grass and decomposed granite path • Install lighting • Continue all other construction activities and coordination



8	Nohl Ranch Trail PM: Naomi	Development of new trail from Anaheim Hills Road to Imperial Highway.	<u>Grants:</u> Orange County Transportation Authority (OCTA) \$3,358,714	<ul style="list-style-type: none"> • Public Works is obtaining a new design contract due to the realignment work needed • Worked with Orange Unified School District (OUSD) to coordinate presentation of the new alignment design concept to the School Board 	<ul style="list-style-type: none"> • Obtain and finalize a design contract • Update the construction documents with the new trail alignment • OUSD Superintendent to present the concept to the School Board • Identify additional funding for construction
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COMMUNITY SERVICES CAPITAL PROJECTS PROGRESS REPORT - As of October 23, 2024

	PROJECT	SCOPE	FUNDING ACTIVITY	RECENT ACCOMPLISHMENTS	NEXT STEPS
9	<p>North La Palma Green Promenade 1151 N La Palma Parkway</p> <p>PM: Jodi</p>	<p>Transform N. La Palma Park Way into an environmentally and pedestrian-friendly one-way promenade and improve Swan Street with new surfacing and planters.</p>	<p><u>Grants:</u> Caltrans-Clean California Local Grant Program \$2,639,000</p> <p><u>Consultants:</u> • RRM \$370,349 • Harrington Geotech \$6,955</p> <p><u>Contractor:</u> Giffith Company \$4,069,000</p>	<ul style="list-style-type: none"> • Reviewed and approved the contractor's schedule and other required documents • Issued a Notice to Proceed • Contractor began demolition activities including, sawcutting asphalt, removal of concrete curbs and driveways, and removing any necessary landscaping 	<ul style="list-style-type: none"> • Finish demolition and grading activities • Conduct trenching for underground utilities • Install irrigation sleeves • Install sidewalks, curbs, ramps and driveways • Continue all other construction activities and coordination



10	<p>OC River Walk Connect Anaheim Coves to Orangewood Avenue, approximately 2-miles</p> <p>PM: JJ & Ana</p>	<p>Transform 2-miles of the Santa Ana River Corridor between Orangewood and Anaheim Coves into an iconic destination for recreation and entertainment. While continuing to serve as flood control infrastructure, the project will recharge the aquifer, improve connectivity, recreation, aesthetics, and ecology of the river.</p> <p>Ocriverwalk.com</p>	<p><u>Grants:</u></p> <ul style="list-style-type: none"> • State Coastal Conservancy (SCC) - \$5M + \$1.2M • Federal RAISE grant - \$1.9M • Federal Earmark (bridge const.) \$1,666,279 • Active Transportation Program (ATP) \$40M (requested) <p><u>Consultant:</u> PACE \$7,930,627</p>	<ul style="list-style-type: none"> • Met and communicated with consultants and partner agencies (ongoing) • Coordinated with OCVICE to discuss project timelines and interface • Requested funding and received notice that SCC will recommend the award of additional \$1.2M for planning and design • Staff continued to plan a check presentation for the awarded Federal funding (\$1,666,279). Scheduled for 10/23 at 2pm 	<ul style="list-style-type: none"> • Host the check presentation for the Federal funding • Continue to work with consultants and partner agencies on design and project coordination • Finalize Cooperative Agreement with OCWD • Obtain notification from ATP regarding the grant application
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COMMUNITY SERVICES CAPITAL PROJECTS PROGRESS REPORT - As of October 23, 2024

	PROJECT	SCOPE	FUNDING ACTIVITY	RECENT ACCOMPLISHMENTS	NEXT STEPS
11	Paul Revere Improvements 160 Guinida Ln. PM: Mike	Replace the existing underutilized sand volleyball court with new surfacing. Upgrade the existing playground to provide safe and inclusive play area for the local community and adjacent school kids.	<u>Grants:</u> General Fund \$100,000 <u>Consultant:</u> NUVIS \$14,900 <u>Contractor:</u> KYA Services \$225,000	<ul style="list-style-type: none"> • Issued a Notice to Proceed to KYA (Contractor) to begin the work • Began construction and made significant progress including: <ul style="list-style-type: none"> ○ Demolition ○ Realignment of drain ○ Digging for footings ○ Installation of play equipment 	<ul style="list-style-type: none"> • Install engineered wood fiber surfacing • Coordinate additional Park Refresh items • Conduct final site walk with contractor • Obtain playground inspection & certification • Remove construction fence and open playground for public use



12	Rio Vista Park Improvements 201 N Park Vista St. PM: Lucy	Demolish existing restroom / utility building and replace with new ADA compliant building along with a new stand-alone shade structure and upgraded adjacent hardscape.	<u>Grants:</u> CDBG \$650,000 <u>Consultants:</u> BBA \$143,098 <u>Contractor:</u> Aster Construction Services, Inc. \$2,084,225	<ul style="list-style-type: none"> • Received Council approval for construction contract with Aster Construction Services on 10/8/2024 • Began coordinating with Public Works on the contracting and other pre-construction Contractor-required submittals and reviews 	<ul style="list-style-type: none"> • Conduct a pre-construction meeting with the contractor • Obtain and review all pre-construction document submittals • Issue a Notice to Proceed • Begin Construction
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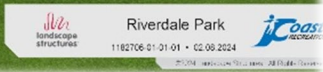


COMMUNITY SERVICES CAPITAL PROJECTS PROGRESS REPORT - As of October 23, 2024

	PROJECT	SCOPE	FUNDING ACTIVITY	RECENT ACCOMPLISHMENTS	NEXT STEPS
13	Riverdale Park Playground Replacement and Park Refresh 4545 Riverdale Ave. PM: Mike	Replace existing 27-year-old play equipment and other park amenities, as needed.	<u>Grants:</u> General Fund \$750,000 <u>Consultants:</u> RHA \$3,500 <u>Contractor:</u> KYA Services \$816,000	<ul style="list-style-type: none"> Continued to review and respond to submitted pre-construction documents from KYA Scheduled the pre-construction meeting with KYA and City staff Continued to follow-up with playground manufacturer (LSI) on the equipment delivery date 	<ul style="list-style-type: none"> Conduct pre-construction meeting with KYA Issue a Notice to Proceed Begin construction On-going construction review and coordination



FINAL DESIGN



14	River Park West side of the river between Orangewood and the 57 freeway PM: Naomi	Acquire approximately 3-acre site from County of Orange and develop a park.	<u>Grants:</u> <ul style="list-style-type: none"> Land and Water Conservation Fund (LWCF) \$1.9M Environmental Enhancement and Mitigation Program (EEMP) \$750,000 (requested) State Coastal Conservancy (SCC) \$2M (requested) <u>Consultants:</u> <ul style="list-style-type: none"> Schmidt Design Group \$413,951 LSA \$17,000 	<ul style="list-style-type: none"> Held a design kick-off meeting on 9/23 Requested additional survey of the site Consultant team began reviewing the construction budget, grant package, and current construction costs Notified that SCC will take the recommendation for \$2M award in February 2025 Notified that the City was selected to move to round 2 of the EEMP grant and will receive a project site visit from State representatives 	<ul style="list-style-type: none"> Hold coordination meetings with River Walk design team Work on master plan development
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COMMUNITY SERVICES CAPITAL PROJECTS PROGRESS REPORT - As of October 23, 2024

	PROJECT	SCOPE	FUNDING ACTIVITY	RECENT ACCOMPLISHMENTS	NEXT STEPS
15	Yorba Regional Park 7600 E. La Palma Ave. PM: JJ	City is in initial communications with County of Orange to purchase property on the west end of Yorba Regional Park. The land could be used to develop soccer fields and other recreational amenities.	n/a	<ul style="list-style-type: none"> Reached out to County of Orange (land-owner) 	<ul style="list-style-type: none"> Finalize and submit a letter of interest Continue to communicate with the County



All projects are funded through park developer fees unless otherwise specified



City of Anaheim

COMMUNITY SERVICES DEPARTMENT

DATE: OCTOBER 23, 2024

TO: PARKS AND RECREATION COMMISSION

FROM: SJANY LARSON-CASH, DIRECTOR *S. Larson-Cash*

SUBJECT: ORDINANCE TO AMEND CHAPTER 13.08 (PUBLIC PARKS) OF THE ANAHEIM MUNICIPAL CODE REFERENCING PROHIBITIONS AGAINST OBSTRUCTION OF PUBLIC RIGHTS-OF-WAY AND FACILITIES, SELLING AND REPAIRING BIKES AND BIKE PARTS ON PUBLIC PROPERTY, AND SMOKING IN PUBLIC PARKS AND NEAR SCHOOLS AND DAY CARE FACILITIES

RECOMMENDATION:

That the Parks and Recreation Commission, by Motion, recommend that the City Council take the following actions to amend *Chapter 13.08 (Public Parks)* of the Anaheim Municipal Code (AMC):

1. By Ordinance, incorporate the reference to *Chapter 11.11* prohibiting the obstruction of public rights-of-way and facilities;
2. By Ordinance, incorporate the reference to *Chapter 11.13* prohibiting the sale, assembling and disassembling of bikes and bike parts on public property; and
3. By Ordinance, incorporate the reference to *Chapter 6.30* expanding the City's existing smoking ban to include parks, bus benches, school and day care center facilities.

DISCUSSION:

In September 2024, Council Member Meeks, working with Council Member Rubalcava, asked to agendize the strengthening and enhancement of the City's anti-camping and similar ordinances to ensure that Anaheim parks and rights-of-way are kept safe and open for their intended use. The Council Members worked with staff to review what other cities have enacted with the intent of bringing back ordinance changes tailored to address Anaheim's needs.

At its October 8, 2024, meeting, the City Council adopted the addition of *Chapters 11.11* and *11.13* and amending *Chapter 6.30* to the AMC. The second reading of the ordinances is scheduled for the October 29, 2024 City Council meeting and then once approved will go into effect in 30 days. Following this Council action, the Community Services Department is recommending incorporating references to these Chapters into *Chapter 13.08 (Public Parks)* to the AMC.

The City's Municipal Code prohibits camping on public property, as well as the storage of personal property in public areas. It also includes detailed procedures for the impoundment and return of any property unlawfully stored in public areas. It does not, however, specifically address individuals who are not camping, but are nonetheless blocking or

impeding access to public rights-of-way and facilities, preventing their intended use by the public, nor does it prohibit or deal with the health hazard created by individuals smoking in or near areas frequented by children, such as parks, schools and day care facilities, or the increase in criminal activity caused by the theft and resale of bikes and bike parts. These new ordinances tackle these issues

1. The Addition of Chapter 11.11 (Obstruction of Public Rights-of-way and Facilities).

This new Chapter prohibits activity that is impeding access to public rights-of-way and facilities. It prohibits:

- a. Leaving personal property unattended in or on a public-right-of way (ROW);
- b. Sitting on chairs or similar items, or sleeping on or lying down on a public ROW;
- c. Sleeping, sitting or lying down, or storing personal property, in a median, parkway or improved landscaped area;
- d. Obstructing a ROW if doing so violates the ADA, is within close proximity to items like driveways, ramps, fire hydrants, ATMs, buildings, intersections, schools or day care facilities, or unreasonably interferes with the use of a ROW by pedestrians, bikes or vehicles, and
- e. Sleeping or lying down on bus benches or park tables, benches or equipment

2. The Addition of Chapter 11.13 (Prohibition on Bike Repairs and Sales on Public Property)

This new Chapter curtails criminal activity related to the trade in stolen bikes and bike parts. The Anaheim Police Department frequently encounters bicycle chop shops in and around City parks and public spaces, where bicycles and parts are traded for illegal drugs and other items, contributing to the attraction of additional criminal activities in these areas. For the past five years, over 250 bikes have been reported stolen annually, and those bikes are often disassembled for resale of their constituent parts. This ordinance prohibits assembling, disassembly, selling or distributing i) three or more bikes, ii) a bike frame without gear cables, iii) two bikes with missing parts, or iv) five or more bike parts, on City property.

3. The Amendment of Anaheim Municipal Code (AMC) Chapter 6.30 (Smoking Prohibited)

This ordinance amends the City's existing smoking ban (AMC Chapter 6.30) and expands the AMC to prohibit smoking in public parks, as well as within twenty-five feet of bus benches and two hundred feet of schools and day care centers. The dangers of secondhand smoke are well-documented, and broadening the City's existing smoking ban to promote public health and safety, protects children, members of the public, and the areas they frequent. This ordinance also highlights that smoking cannabis, weed and plant products in public areas is prohibited by the AMC (and state law), and notes the increase in such activity since the legalization of recreational cannabis in 2016.

By incorporating references of the Chapters above into *Chapter 13.08 Public Parks* of the AMC, it will clearly define the intent of these prohibitions to ensure all constituents have a safe experience in our parks.

IMPACT ON THE BUDGET:

The amendment to the ordinance itself will have no budgetary impact.

Attachments:

1. Redline of Ordinance amending Anaheim Municipal Code Chapter 13.08
2. Final proposed Ordinance amending Anaheim Municipal Code Chapter 13.08
3. Ordinance Chapter 11.11 of the Anaheim Municipal Code
4. Ordinance Chapter 11.13 of the Anaheim Municipal Code
5. Ordinance Chapter 6.30 of the Anaheim Municipal Code

AN ORDINANCE OF THE CITY OF ANAHEIM AMENDING
SECTION 13.08.020 OF CHAPTER 13.08 OF TITLE 13 OF THE
ANAHEIM MUNICIPAL CODE (PUBLIC PARKS--
PROHIBITED CONDUCT GENERALLY)

WHEREAS, the City desires to keep public areas within the City in a clean, sanitary, safe and accessible condition, to adequately protect the health, safety, environment and general welfare of the community, and to ensure that these public areas are used for their intended purposes and remain accessible to all citizens, businesses and visitors in the City; and

WHEREAS, criminal activity in, and violation of the rules applicable to, public parks and public property in Anaheim is inimical to the purposes for which such property is established and leads to public perception that such places may not be welcoming to law-abiding citizens and create a risk of harm to innocent bystanders; and

WHEREAS, numerous residents of Anaheim have made complaints and expressed concerns that the public parks and public areas in Anaheim are not welcoming for their families and not accessible to them to use for their intended purpose as a result of persons violating the Anaheim Municipal Code's park rules; and

WHEREAS, the City Council desires to continue to protect the public health, safety and welfare by regulating conduct in public parks; and

WHEREAS, the City Council finds and determines that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment as there is no possibility it will have a significant effect on the environment and it is not a " project", as defined in Section 15378 of the CEQA Guidelines.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANAHEIM HEREBY ORDAINS AS FOLLOWS:

SECTION 1. TEXT OF CODIFIED ORDINANCE

Section 13.08.020 of Chapter 13.08 of the Anaheim Municipal Code is hereby amended and restated to read in full as follows:

“13.08.020 PROHIBITED CONDUCT GENERALLY.

Within the limits of any of said parks, it shall be unlawful for any person or persons to do any of the acts hereinafter specified, to wit:

.010 To bring, leave, hitch, fasten, lead, drive or turn loose or allow to go free any animal or fowl of any kind; provided that this shall not apply to dogs held on a leash, chain or other restraint not more than six feet long, nor to dogs within a Dog Park as further defined under [Chapter 13.14](#) hereof, nor to any horse when hitched, fastened or led within any City of Anaheim park that links with the County of Orange EMA Harbors, Beaches and Parks Master Plan of Trail Systems (“Special Use Parks”);

.020 To ride or drive any horse or other animal, or to propel any vehicle, cycle or automobile; except that such prohibition shall not apply to equestrians and bicyclists (non-motorized) in Special Use Parks.

.030 To carry or discharge any firearms, firecrackers, rockets, torpedoes or any other fireworks, or airguns or slingshots;

.040 To cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property; or to pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or to mark or write upon, paint or deface in any manner, any building, monument, fence, bench or other structure;

.050 To cut or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer;

.060 To swim, fish, bathe or wade in, or to pollute the water of any fountain, pond, lake or stream;

.070 To make or kindle a fire except in picnic stoves, braziers or fire pits provided for that purpose;

.080 To camp therein. “Camp” shall have the meaning set forth in Section [11.10.020](#) of [Chapter 11.10](#) of Title 11 of this Code;

[.085 To sleep or lie down on or under a public transit/bus bench, or a bench, table, playground equipment, or similar fixture or structure, as further defined in Chapter 11.11 of this Code;](#)

.090 To cook, prepare, serve or barbecue food or food items, except at the places provided therefor;

.100 To wash dishes or to empty salt water or other waste liquids elsewhere than in the sinks provided for such purposes; provided, however, that nothing contained herein shall be deemed to authorize the dumping or disposal of any waste which is otherwise prohibited by any other law;

.110 To leave garbage, cans, bottles, papers or other refuse elsewhere than in the receptacles provided therefor;

.120 To play, or engage in any game, excepting at such place as shall be especially set apart for that purpose;

.130 To play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device, for money, chips, shells, credit or any other representative of value, or to maintain or exhibit any gambling table or other instrument of gambling or gaming;

.140 To indulge in riotous, boisterous, threatening or indecent conduct, or abusive, threatening, profane or indecent language;

.150 To disturb in any manner any picnic, meeting, service, concert, exercise or exhibition;

.160 To post or erect any bill, notice, paper, circular or advertising or display device of any kind, except as approved in conjunction with an event for which a permit has been approved pursuant to this chapter;

.170 To sell or offer for sale any merchandise, article or thing, whatsoever, without first obtaining permission from the City Council or a permit from the Community Services Department so to do unless authorized to engage in the business of being a Sidewalk Vendor pursuant to a valid Sidewalk Vendor Permit issued by the City of Anaheim pursuant to [Chapter 4.52](#) of this Code. A Stationary Sidewalk Vendor, as that term is defined in [Chapter 4.52](#), is prohibited from vending in a Public park that is subject to a concessions agreement that exclusively permits the sale of food or merchandise in that Public Park.

.180 To practice, carry on or conduct any trade, occupation, business or profession; provided this subsection shall not apply to any activity occurring as an integral part of an event for which a permit has been approved pursuant to this chapter;

.190 To remain, stay or loiter in any public park between the hours of 10:30 p.m. and 5:00 a.m. of the following day;

.200 To possess or consume any alcoholic beverage in any public park, without first obtaining the permission of the City Council or a permit from the Parks, Recreation and Community Services Department. "Alcoholic beverage" is defined as any beverage defined as an "alcoholic beverage" by the Alcoholic Beverage Control Act of the State of California;

[.205 To smoke, as further defined in Chapter 6.30 of this Code;](#)

.210 To play or engage in the game of golf, or to hit any golf ball with a golf club;

[.215 - To repair or sell bicycles or bicycle parts, as further defined in Chapter 11.13 of this Code.](#)

.220 A violation of subsections .030, .040, .070, .080, [.130](#), ~~.190~~, ~~.200~~, [.205](#) or [.215](#) may be filed as an infraction or a misdemeanor at the discretion of the City Attorney. Except as otherwise provided in the immediately preceding sentence for violations of subsections .030, .040, .070, .080, [.130](#), ~~.190~~ or ~~.200~~ of this section, any person violating any of the other provisions of this section shall be deemed guilty of a criminal infraction and, upon conviction thereof, shall be punishable by a fine as set forth in Section 36900 of the Government Code, or any successor provision thereto.

.230 A violation of subsection .170 by a person engaged in the business of being a Sidewalk Vendor pursuant to a valid Sidewalk Vendor Permit shall be enforced in accordance with the procedures set forth in [Chapter 1.20](#) (Civil Citations) of this code, relating to the issuance of citations, imposing of administrative fines, right to appeal, and the right to an administrative hearing. Each person who violates subsection .170 shall be subject to the imposition and payment of administrative fine(s) as provided below:

Number of Offenses in One-Year Period	Amount of Administrative Penalty
First	\$250.00
Second	\$500.00
Third	\$1,000.00

.240 Notwithstanding any other provision in this Code, a violation of subsection.085 may be enforced alternatively as follows: (a) A violation of this Chapter may be punishable as a misdemeanor or an infraction at the discretion of the City Attorney; or (b) The City Attorney may institute an action in any court of competent jurisdiction to restrain, enjoin or abate the condition(s) found to be in violation of the provisions of this Chapter, as provided by law.

Any individual charged with violation of subsection .085, in lieu of being taken to jail, may, at the election of the citing police officer and with the consent of the individual, be taken to a facility providing social services related to mental health, housing, and/or substance abuse treatment.”

SECTION 2. ENVIRONMENTAL DETERMINATION.

The City Council finds the introduction and adoption of this ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. SEVERABILITY.

The City Council of the City of Anaheim hereby declares that should any section, paragraph, sentence, phrase, term or word of this ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, 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 section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION 4. CERTIFICATION

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be printed once within fifteen (15) days after its adoption in the *Anaheim Bulletin*, a newspaper of general circulation, published and circulated in the City of Anaheim.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect and be in full force thirty (30) days from and after its final passage.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council of the City of Anaheim held on the ____ day of _____, 2024, and thereafter passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2024, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ANAHEIM

By: _____
MAYOR OF THE CITY OF ANAHEIM

ATTEST:

CITY CLERK OF THE CITY OF ANAHEIM

153574/bmorley

AN ORDINANCE OF THE CITY OF ANAHEIM AMENDING
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WHEREAS, criminal activity in, and violation of the rules applicable to, public parks and public property in Anaheim is inimical to the purposes for which such property is established and leads to public perception that such places may not be welcoming to law-abiding citizens and create a risk of harm to innocent bystanders; and

WHEREAS, numerous residents of Anaheim have made complaints and expressed concerns that the public parks and public areas in Anaheim are not welcoming for their families and not accessible to them to use for their intended purpose as a result of persons violating the Anaheim Municipal Code's park rules; and

WHEREAS, on October 8, 2024, the City Council introduced an ordinance to address several issues impacting Anaheim's public parks, including: blocking or impeding access to public rights-of-way and facilities, preventing their intended use by the public; health hazards created by individuals smoking in or near areas frequented by children; and, the increase in criminal activity caused by the theft and resale of bikes and bike parts; and

WHEREAS, it is now the desire of City Council to directly incorporate these issues into Chapter 13.08 of the Anaheim Municipal Code regarding park rules; and

WHEREAS, the City Council desires to continue to protect the public health, safety and welfare by regulating conduct in public parks; and

WHEREAS, the City Council finds and determines that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment as there is no possibility it will have a significant effect on the environment and it is not a " project", as defined in Section 15378 of the CEQA Guidelines.

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.030 To carry or discharge any firearms, firecrackers, rockets, torpedoes or any other fireworks, or airguns or slingshots;

.040 To cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus or property; or to pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or to mark or write upon, paint or deface in any manner, any building, monument, fence, bench or other structure;

.050 To cut or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer;

.060 To swim, fish, bathe or wade in, or to pollute the water of any fountain, pond, lake or stream;

.070 To make or kindle a fire except in picnic stoves, braziers or fire pits provided for that purpose;

.080 To camp therein. “Camp” shall have the meaning set forth in Section [11.10.020](#) of [Chapter 11.10](#) of Title 11 of this Code;

.085 To sleep or lie down on or under a public transit/bus bench, or a bench, table, playground equipment, or similar fixture or structure, as further defined in Chapter 11.11 of this Code;

.090 To cook, prepare, serve or barbecue food or food items, except at the places provided therefor;

.100 To wash dishes or to empty salt water or other waste liquids elsewhere than in the sinks provided for such purposes; provided, however, that nothing contained herein shall be deemed to authorize the dumping or disposal of any waste which is otherwise prohibited by any other law;

.110 To leave garbage, cans, bottles, papers or other refuse elsewhere than in the receptacles provided therefor;

.120 To play, or engage in any game, excepting at such place as shall be especially set apart for that purpose;

.130 To play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device, for money, chips, shells, credit or any other representative of value, or to maintain or exhibit any gambling table or other instrument of gambling or gaming;

.140 To indulge in riotous, boisterous, threatening or indecent conduct, or abusive, threatening, profane or indecent language;

.150 To disturb in any manner any picnic, meeting, service, concert, exercise or exhibition;

.160 To post or erect any bill, notice, paper, circular or advertising or display device of any kind, except as approved in conjunction with an event for which a permit has been approved pursuant to this chapter;

.170 To sell or offer for sale any merchandise, article or thing, whatsoever, without first obtaining permission from the City Council or a permit from the Community Services Department so to do unless authorized to engage in the business of being a Sidewalk Vendor pursuant to a valid Sidewalk Vendor Permit issued by the City of Anaheim pursuant to [Chapter 4.52](#) of this Code. A Stationary Sidewalk Vendor, as that term is defined in [Chapter 4.52](#), is prohibited from vending in a Public park that is subject to a concessions agreement that exclusively permits the sale of food or merchandise in that Public Park.

.180 To practice, carry on or conduct any trade, occupation, business or profession; provided this subsection shall not apply to any activity occurring as an integral part of an event for which a permit has been approved pursuant to this chapter;

.190 To remain, stay or loiter in any public park between the hours of 10:30 p.m. and 5:00 a.m. of the following day;

.200 To possess or consume any alcoholic beverage in any public park, without first obtaining the permission of the City Council or a permit from the Parks, Recreation and Community Services Department. "Alcoholic beverage" is defined as any beverage defined as an "alcoholic beverage" by the Alcoholic Beverage Control Act of the State of California;

.205 To smoke, as further defined in Chapter 6.30 of this Code;

.210 To play or engage in the game of golf, or to hit any golf ball with a golf club;

.215 To repair or sell bicycles or bicycle parts, as further defined in Chapter 11.13 of this Code.

.220 A violation of subsections .030, .040, .070, .080, .130, .190, .200, .205 or .215 may be filed as an infraction or a misdemeanor at the discretion of the City Attorney. Except as otherwise provided in the immediately preceding sentence for violations of subsections .030,

.040, .070, .080, .130, .190, .200, .205 or .215 of this section, any person violating any of the other provisions of this section shall be deemed guilty of a criminal infraction and, upon conviction thereof, shall be punishable by a fine as set forth in Section 36900 of the Government Code, or any successor provision thereto.

.230 A violation of subsection .170 by a person engaged in the business of being a Sidewalk Vendor pursuant to a valid Sidewalk Vendor Permit shall be enforced in accordance with the procedures set forth in [Chapter 1.20](#) (Civil Citations) of this code, relating to the issuance of citations, imposing of administrative fines, right to appeal, and the right to an administrative hearing. Each person who violates subsection .170 shall be subject to the imposition and payment of administrative fine(s) as provided below:

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First	\$250.00
Second	\$500.00
Third	\$1,000.00

.240 Notwithstanding any other provision in this Code, a violation of subsection.085 may be enforced alternatively as follows: (a) A violation of this Chapter may be punishable as a misdemeanor or an infraction at the discretion of the City Attorney; or (b) The City Attorney may institute an action in any court of competent jurisdiction to restrain, enjoin or abate the condition(s) found to be in violation of the provisions of this Chapter, as provided by law.

Any individual charged with violation of subsection .085, in lieu of being taken to jail, may, at the election of the citing police officer and with the consent of the individual, be taken to a facility providing social services related to mental health, housing, and/or substance abuse treatment.”

SECTION 2. ENVIRONMENTAL DETERMINATION.

The City Council finds the introduction and adoption of this ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 3. SEVERABILITY.

The City Council of the City of Anaheim hereby declares that should any section,

paragraph, sentence, phrase, term or word of this ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid. If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, 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 section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION 4. CERTIFICATION

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be printed once within fifteen (15) days after its adoption in the *Anaheim Bulletin*, a newspaper of general circulation, published and circulated in the City of Anaheim.

SECTION 5. EFFECTIVE DATE

This ordinance shall take effect and be in full force thirty (30) days from and after its final passage.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council of the City of Anaheim held on the ____ day of _____, 2024, and thereafter passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2024, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ANAHEIM

By: _____
MAYOR OF THE CITY OF ANAHEIM

ATTEST:

CITY CLERK OF THE CITY OF ANAHEIM
153574/bmorley

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ANAHEIM ADDING CHAPTER 11.11 (OBSTRUCTION OF PUBLIC RIGHTS-OF-WAY AND FACILITIES), TO TITLE 11 (PUBLIC PROPERTY) OF THE ANAHEIM MUNICIPAL CODE PROHIBITING INTERFERENCE WITH THE PUBLIC'S RIGHT OF ACCESS TO PUBLIC STREETS, SIDEWALKS, RIGHTS-OF-WAY AND FACILITIES

WHEREAS, the City desires to keep public areas in the City in an accessible condition, to adequately protect the health, safety, environment and general welfare of the community, and to ensure that public areas and rights-of-way are used for their intended purposes and remain open and available to all members of the public, including the disabled, the elderly, families, children, and visitors to Anaheim;

WHEREAS, the public has expressed concern that access to public sidewalks, streets, rights-of-way and facilities is being impeded or prevented by the storage of personal items on and in public rights-of-way and by people using the public rights-of-way to sit, sleep or lie down;

WHEREAS, the storage of unattended personal property on public property creates a safety and security risk to the public because, among other things, it can obstruct access to needed services and facilities, can pose a tripping risk, and can divert limited public resources to evaluate suspicious or unknown packages or personal property;

WHEREAS, unauthorized occupation of public areas and rights-of-way can create health and safety risks related to the accumulation of trash, food waste, human waste, and contaminated medical waste;

WHEREAS, maintaining clean and safe public areas is essential for the economic vitality of Anaheim, as it encourages tourism, business development, and community events; and

WHEREAS, the City Council desires to continue to protect the public health, safety and welfare by regulating the use of public rights-of-way and facilities.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANAHEIM HEREBY ORDAINS AS FOLLOWS:

Section 1: Chapter 11.11 is hereby added to Title 11 of the Anaheim Municipal Code and shall read in full as follows:

CHAPTER 11.11 OBSTRUCTION OF PUBLIC RIGHTS-OF-WAY AND FACILITIES

11.11.010 Definitions.

(a) "Landscaped Area" means all improved landscaped areas, except for open grass areas.

(b) "Median" means a traffic fixture consisting of a strip of ground dividing or separating a street, roadway or highway into lanes according to the direction of travel.

(c) "Personal Property" means tangible personal belongings or possessions, which shall include any movable or tangible thing that is subject to ownership; property or chattels that can be seen, weighed, measured, felt, or touched, including, but not limited to, furniture, appliances, items used for camping such as tents or bedding, money, books, and "shopping carts" as defined in Chapter 7.52 of this Code.

(d) "Public Park" means all dedicated parks and all planted parkways, triangles and traffic circles maintained by the City of Anaheim. "Public Park" does not include the parkway strips between the curb and sidewalk along the streets and highways of the City.

(e) "Public Rights-of-Way" or "Public Right-of-Way" means any place of any nature which is dedicated for use by the general public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, crossing, intersection, parkway, highway, boulevard, road, roadway, tunnel, bridge, thoroughfare or any other similar public way.

(f) "Store" means to put aside Personal Property in a Public Area or accumulate it for use when needed; to place Personal Property in a Public Area for safekeeping; and/or to leave Personal Property unattended in a Public Area. For purposes of this definition, "Public Area" means publicly-owned or controlled property.

(g) "Street" means a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. The term "Street" includes highways.

(h) "Unattended" means no person who asserts or claims ownership over Personal Property is present with or accompanying the Personal Property.

11.11.020 Obstruction of Public Rights-of-Way.

(a) No person shall fix in place, Store, maintain or leave Personal Property that is Unattended in or on a Public Right-of-Way.

(b) No person shall sleep, lie down, or sit on any movable chair, bucket, crate, cooler, or similar Personal Property, in or on a Public Right-of-Way, other than as part of a lawful event taking place along the Public Right-of-Way.

(c) No person shall sit, lie, or sleep, or Store, maintain, or place Personal Property on a Median, public parkway, or Landscaped Area, with the exception of sitting in a Landscaped Area specifically designed for that purpose.

(d) No person shall sleep or lie down on or under a public transit/bus bench, or a bench, table, playground equipment, or similar fixture or structure in a Public Park.

(e) No person shall obstruct public or private access by sitting, lying, or sleeping in a Public Right-of-Way, or by storing, using, maintaining, or placing personal property in a Public Right-of-Way:

1. In a manner that obstructs or impedes passage in violation of the Americans with Disabilities Act;

2. On or within ten (10) feet of an operational or utilizable driveway, ramp, or loading dock;

3. Within ten (10) feet of an operational or utilizable entrance or exit to any building, establishment, retail store, restaurant, office building, or other place into which the public is invited;

4. Within ten (10) feet of a fire hydrant, fire plug, or other connection used by the Fire Department;

5. Within ten (10) feet of an automatic teller machine or any door that provides access to an automatic teller machine;

6. Within ten (10) feet of an electric vehicle charging station, parking pay station, or parking meter;
7. Within ten (10) feet of the entrance to a public restroom;
8. Within ten (10) feet of a sidewalk ramp, or a corner where a street, roadway, highway, or alley intersect;
9. In a manner that unreasonably interferes with required maintenance of public equipment or facilities or the use of the Public Right-of-Way by motor vehicles, pedestrians or bicycles; or
10. Within two hundred (200) feet of any school or day care center.

It shall not be a violation of this Section for a person to sit for purposes of viewing a legally conducted parade or similar lawful or permitted event.

11.11.030 Violations, penalties and enforcement.

Notwithstanding any other provision in this Code, each violation of the provisions of this Chapter may be enforced alternatively as follows:

- (a) A violation of this Chapter may be punishable as a misdemeanor or an infraction at the discretion of the City Attorney; or
- (b) The City Attorney may institute an action in any court of competent jurisdiction to restrain, enjoin or abate the condition(s) found to be in violation of the provisions of this Chapter, as provided by law.

Any individual charged with violation of this Chapter, in lieu of being taken to jail, may, at the election of the citing police officer and with the consent of the individual, be taken to a facility providing social services related to mental health, housing, and/or substance abuse treatment.

Section 2:

The City Council finds the introduction and adoption of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to cause physical change to the environment, directly or indirectly).

Section 3:

The City Council of the City of Anaheim hereby declares that should any section, paragraph, sentence, phrase, term or word of this Ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance independent of the elimination of any such portion as may be declared invalid. If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, 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 section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

Section 4:

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be printed once within fifteen (15) days after its adoption in the *Anaheim Bulletin*, a newspaper of general circulation, published and circulated in the City of Anaheim.

Section 5:

This ordinance shall take effect and be in full force thirty (30) days from and after its final passage.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council of the City of Anaheim held on the ____ day of _____, 2024, and thereafter passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2024, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ANAHEIM

By:

MAYOR OF THE CITY OF ANAHEIM

ATTEST:

CITY CLERK OF THE CITY OF ANAHEIM

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ANAHEIM ADDING CHAPTER 11.13 (PROHIBITION ON REPAIR AND SALES OF BICYCLES AND BICYCLE PARTS IN PUBLIC AREAS) TO TITLE 11 (PUBLIC PROPERTY) OF THE ANAHEIM MUNICIPAL CODE TO PROHIBIT BIKE SALES AND BIKE REPAIRS ON PUBLIC PROPERTY

WHEREAS, the City of Anaheim is a leader in Orange County in providing bicycle infrastructure, with miles of bicycle trails and pathways throughout the City;

WHEREAS, between June 17, 2023 and September 29, 2024, approximately 477 incidents of bicycle and bicycle part recovery in public areas, including in public parks, were documented throughout the City of Anaheim (“City”);

WHEREAS, the Anaheim Police Department frequently encounters bicycle chop shops in and around City of Anaheim parks and public spaces, where bicycles and parts are traded for illegal drugs and other items, contributing to the attraction of additional criminal activities in these areas;

WHEREAS, between 2019 and 2023, reported bicycle thefts in the City of Anaheim averaged 255 per year, for a total of 1,276 stolen bicycles. The actual number of thefts are believed to be much higher because many thefts go unreported;

WHEREAS, many of these bicycles are also dismantled in public areas and sold within days of being stolen, and thus there is a narrow window for bicycles to be recovered while they are being taken apart in public spaces before being sold;

WHEREAS, prohibiting such activity and allowing removal of bicycles and/ or bicycle parts from the public right-of-way and public property will help clear the public right-of-way and public property, prevent unauthorized commercial activity in these areas, and, if any items are lost or stolen, restore those items to their lawful owners and deter future bicycle thefts;

WHEREAS, the City Council finds and determines that this ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment as there is no possibility it will have a significant effect on the environment and it is not a "project", as defined in Section 15378 of the CEQA Guidelines.

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

SECTION 1.

That Chapter 11.13 is hereby added to Title 11 of the Anaheim Municipal Code to read in full as follows:

“CHAPTER 11.13 PROHIBITION ON REPAIR AND SALES OF BICYCLES AND BICYCLE PARTS IN PUBLIC AREAS

11.13.010 Purpose and Intent

.010 The purpose and intent of this Chapter is to prohibit the repair or sale of bicycles or bicycle parts in Public Areas in the City of Anaheim in order to protect the public from obstruction of Public Areas occurring as a result of persons utilizing public property, public sidewalks, public parks, and other Public Areas for the repair, dismantling, and sale of bicycles and bicycle parts. Further, the purpose and intent of this Chapter also includes a desire to decrease bicycle thefts and illegal or black market sales of bicycles and bicycle parts.

11.13.020 Repair and sales of bicycles and bicycle parts in Public Areas prohibited

.010 Except where otherwise stated in this article, no person shall assemble, disassemble, sell, offer to sell, distribute, offer to distribute or store the following items in any Public Area within the City:

- (a) Three (3) or more bicycles;
- (b) A bicycle frame with the gear cables or brake cables that are inoperable, cut, or missing;
- (c) Two (2) or more bicycles with missing parts; or
- (d) Five (5) or more bicycle parts.

.020 For purposes of this Chapter, "parts" shall mean handlebars, wheels, forks, pedals, cranks, seats, chains, or any other items or components that are attached to a bicycle that are necessary for its operation.

.030 For purposes of this Chapter, "Public Area" means a public place, including, but not limited to, any public streets, alleys, public parking lots, public parks, public rights-of-way, parkways, public sidewalks, recreational areas or other publicly-owned or controlled property

.040 For purposes of this Chapter, "bicycle" shall include bicycle as defined in California Vehicle Code section 231 and electric bicycle as defined in California Vehicle Code section 312.5, as these sections are periodically amended.

.050 For purposes of this Chapter a person who was riding his or her bicycle and who has dismounted the bicycle in the Public Area for the purpose of repairing a tire or chain or other mechanism to render the bicycle operative shall not be in violation of this Chapter.

11.13.030 Exemptions

.010 The prohibition contained in Section 11.13.020 shall not apply when:

- (a) An individual is operating under a valid City of Anaheim license or permit authorizing such activities; or

(b) The owner of a bicycle or bicycle part is present during the repair of the owner's single bicycle or bicycle part. Supporting evidence for a claim of lawful ownership may include, but is not limited to, video or photographic evidence, a bill of sale or receipt, the correct serial number or other identifying information unique to the bicycle, bicycle registration, or a bicycle license.

11.13.040 Enforcement provisions

.010 Notwithstanding any other provision in this Code, each violation of the provisions of this Chapter may be enforced alternatively as follows:

(a) A violation of this Chapter may be punishable as a misdemeanor or an infraction at the discretion of the City Attorney; or

(b) The City Attorney may institute an action in any court of competent jurisdiction to restrain, enjoin or abate the condition(s) found to be in violation of the provisions of this Chapter, as provided by law.”

SECTION 2. ENVIRONMENTAL DETERMINATION.

The City Council finds the introduction and adoption of this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to cause a physical change to the environment, directly or indirectly).

SECTION 3. SEVERABILITY.

The City Council of the City of Anaheim hereby declares that should any section, paragraph, sentence, phrase, term or word of this Ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid. If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, 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 section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION 4. CERTIFICATION.

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be printed once within fifteen (15) days after its adoption in the *Anaheim Bulletin*, a newspaper of general circulation, published and circulated in the City of Anaheim.

SECTION 5. EFFECTIVE DATE.

This ordinance shall take effect and be in full force thirty (30) days from and after its final passage.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council of the City of Anaheim held on the ____ day of _____, 2024, and thereafter passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2024, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ANAHEIM

By: _____
MAYOR OF THE CITY OF ANAHEIM

ATTEST:

CITY CLERK OF THE CITY OF ANAHEIM
153264.3/bmm

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ANAHEIM AMENDING CHAPTER 6.30 (SMOKING IN PUBLIC PLACES) OF TITLE 6 (PUBLIC HEALTH AND SAFETY) OF THE ANAHEIM MUNICIPAL CODE TO PROHIBIT SMOKING IN PUBLIC PARKS AND WITHIN SPECIFIED DISTANCES OF SCHOOLS, DAY CARE CENTERS AND TRANSIT STOPS

WHEREAS, the California Indoor Clean Air Act of 1976, as amended (commencing with Section 118920 of the California Health and Safety Code), authorizes local governing bodies to regulate smoking or ban completely the smoking of tobacco in any manner not inconsistent with state law;

WHEREAS, there is extensive evidence demonstrating that the smoking of tobacco and other substances is a danger to the health of smokers and others who, because of proximity to the smoker and/or inadequate ventilation, are subject to the smoke. The presence of smoke in the environment also constitutes a material annoyance and discomfort to nonsmokers;

WHEREAS, the City Council enacted Chapter 6.30 of the Anaheim Municipal Code (“AMC”) in 1986 to prohibit smoking in certain public and privately-owned buildings based on a finding that the smoking of tobacco, or any other weed, plant or substance is a positive danger to peoples’ health;

WHEREAS, in 2017, the City Council amended AMC Chapter 6.30 to address the emergence and proliferation of vaping and e-cigarettes as new methods of consuming nicotine products;

WHEREAS, in 2016, the voters of California passed Proposition 64, legalizing the use of recreational cannabis in California;

WHEREAS, through the adoption of Proposition 64, the People of the State of California prohibited cannabis use in all public places, as well as in all places where tobacco/nicotine use is also prohibited;

WHEREAS, since the enactment of Proposition 64, there has been an increase in smoking and cannabis use in public places, including in or near areas frequented by children, such as parks, schools, day care centers, and public bus stops;

WHEREAS, in order to further the public health, safety and welfare, the City Council desires to extend the AMC’s smoking ban to public parks, as well as to prohibit smoking within a specified distance of schools, day care facilities, and public transit stops; and

WHEREAS, the City Council also desires to make clear that the definition of smoking includes all cannabis, weed and plant products, as well as to make other modifications to Chapter 6.30 for consistency purposes.

Section 1: Anaheim Municipal Code Chapter 6.30 is hereby amended to read in full as follows:

CHAPTER 6.30 SMOKING IN PUBLIC PLACES.

6.30.010 PURPOSE AND FINDINGS.

There is extensive evidence to prove that the smoking of tobacco and other substances is a danger to the health of smokers and others who, because of proximity to the smoker or inadequate ventilation, are subject to the smoke. The presence of smoke in the environment also constitutes a material annoyance and discomfort to nonsmokers.

The California Legislature has determined that tobacco smoke is a hazard to the health of the general public and has authorized local public entities to ban or regulate smoking in any manner not inconsistent with State law. This chapter furthers the public health, safety and welfare by prohibiting smoking in certain areas.

6.30.020 DEFINITIONS.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

- A. "Bar" means an area which is devoted to serving alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages.
- B. "Electronic cigarette", also known as an e-cigarette, means an electronic and/or battery-powered device, the use of which may resemble smoking, which can be used to deliver an inhalable dose of nicotine, cannabis or other substances into the form of a vapor that is inhaled by the user. "Electronic cigarette" includes any such device, whether manufactured, distributed, marketed or sold as an electronic cigarette, e-cigarette, an electronic vaping device, a personal vaporizer, an electronic nicotine delivery system ("ENDS"), an electronic cigar, an electronic cigarillo, an electronic pipe or any other product name or descriptor. "Electronic cigarette" shall include any refill, cartridge and any other component of an electronic cigarette.
- C. "Employee" means any person who is employed by any employer for direct or indirect monetary wages, profit, or any other form of consideration.
- D. "Employer" means any person, partnership, corporation, including municipal corporation, or other entity which employs the services of four or more persons.
- E. "Enclosed facility" means any building or room within a building closed in by a roof and four walls with appropriate openings for ingress and egress but does not include areas commonly described as public lobbies.
- F. "Motion picture theater" means any theater engaged in the business of exhibiting motion pictures.
- G. "Service line" means an indoor line or area in which persons await service of any kind, regardless of whether or not such service involves the exchange of money or other consideration. Such service shall include, but is not limited to, sales, giving of information, directions, or advice and transfers of money or goods.
- H. "Smoke" or "Smoking" means and includes any of the following: (1) the direct burning or indirect heating of any cigar, cigarette, pipe, electronic cigarette, or any similar kind of smoking equipment or article using any form of tobacco, nicotine, weed, cannabis, plant product, or other

combustible substance in any form, or (2) the holding or carrying of a lighted or operated cigar, cigarette, pipe, electronic cigarette, or any other lighted smoking equipment or device, or (3) emitting or exhaling the smoke directly from a cigar, cigarette, pipe, electronic cigarette, or any other lighted smoking equipment or device. "Smoke" also means the gaseous or vaporous products or particles created by the use of a lighted or operated pipe, cigar, cigarette, electronic cigarette, or other kind of smoking equipment or article.

I. "Workplace" means any enclosed area of a structure or portion thereof occupied by a business entity and frequented by employees during the normal course of their employment and where clerical, professional, or business services of the business entity are performed or where other work is done at that location. Workplace includes, but is not limited to, spaces in office buildings, medical office waiting rooms, libraries, museums, hospitals and nursing homes, employee lounges, conference rooms and employee cafeterias. A private residence is not a workplace.

6.30.030 SMOKING PROHIBITED — ELEVATORS.

Smoking is prohibited and is unlawful within elevators in public or private buildings generally used by and open to the public including, but not limited to, elevators in office, hotel and multifamily residential buildings.

6.30.040 SMOKING PROHIBITED — HOSPITALS AND HEALTH CARE FACILITIES.

A. In public areas of health care facilities and hospitals, as defined in Section 1250 of the California Health and Safety Code, including waiting rooms, public hallways and lobbies, all smoking is prohibited, except in specially designated smoking areas, which may be all or part of a public area.

B. Every publicly or privately owned health care facility, including hospitals, shall make a reasonable effort to determine preference and to assign patients placed in rooms occupied by two or more patients according to the patient's individual nonsmoking or smoking preference.

C. In rooms and areas occupied by two or more patients, smoking shall be prohibited for hospital staff, visitors and the general public. "STAFF AND VISITOR SMOKING PROHIBITED" signs shall be conspicuously posted in such areas.

6.30.050 SMOKING PROHIBITED — CITY-OWNED AND OPERATED BUILDINGS.

A. It is unlawful for any person to smoke within any enclosed building, or within any portion of any enclosed building, or in any outdoor area within twenty-five (25) feet of a main exit, entrance, operable window, or ventilation intake of any enclosed building, which building, or portion thereof, is owned by the City of Anaheim.

B. For purposes of this section, the following terms shall have the respective meanings hereinafter set forth:

(i) The term "building" shall not include the Anaheim Convention Center or Anaheim Stadium, or any portions thereof.

(ii) The terms "City" and "City of Anaheim" shall include the City of Anaheim, the City of Anaheim, as Successor Agency to the Anaheim Redevelopment Agency, the Anaheim Housing Authority, the Anaheim Public Financing Authority, the Anaheim Housing and Public Improvements Authority, and the Anaheim Public Improvement Corporation.

(iii) The term “owned” shall include any property interest of the City of Anaheim (as herein defined) whereby the City has obtained the right of exclusive possession or occupancy whether by fee title, or as lessee, sublessee, tenant, licensee or otherwise.

6.30.055 SMOKING PROHIBITED — ANAHEIM CONVENTION CENTER.

A. It is unlawful for any person to smoke in any place or area within the Anaheim Convention Center, or in any outdoor area within twenty-five (25) feet of a main exit, entrance, operable window, or ventilation intake of the Anaheim Convention Center.

B. The term “Anaheim Convention Center” as used herein shall mean the indoor areas of the facilities generally located at 800 West Katella Avenue, Anaheim, California, including without limitation the arena facility operated at such location, regardless of whether such facilities continue to be known by such name or by any other commercial or non-commercial name.

6.30.060 SMOKING PROHIBITED — THEATERS.

A. Smoking is prohibited and is unlawful in every publicly or privately owned motion picture theater which is open to the public for the primary purpose of exhibiting any motion picture in all areas except either in that area commonly known as the lobby, or in areas not open to the public. Every owner and/or manager of such theater shall post signs conspicuously in the lobby stating that smoking is prohibited within the theater and such information shall be shown upon the screen for at least five seconds before showing feature motion pictures.

B. Where not otherwise prohibited by law, smoking may be prohibited within all or any portion of any auditorium or other enclosed facility which is open to the public for the purpose of exhibiting any stage drama, musical recital, athletic event or any other performance or event open to the public upon the posting of signs in those certain areas where smoking is prohibited as determined by the owner or person in control of said facility or portion thereof. Said signs shall be posted conspicuously in the areas where smoking is prohibited and shall conform to the specifications set forth in Section 6.30.120 of this chapter. The term “person in control of said facility or portion thereof” as used in this section shall mean any person or entity which has leased, rented, hired or otherwise obtained the right to use of such facility or portion thereof for the purpose of exhibiting such performance or event to the public. Nothing contained herein shall require the owner or person in control of such facility or portion thereof to designate and post such facility or portion thereof as a nonsmoking area except in those certain facilities and areas where smoking is prohibited by the fire marshal or by any other law, ordinance or regulation.

6.30.065 SMOKING PROHIBITED — ANAHEIM STADIUM.

.010 Except as hereinafter provided, it is unlawful for any person to smoke in any place or area within Anaheim Stadium, including, but not limited to, any event seating, aisle areas, all areas located inside the gates/turnstiles, and within twenty five (25) feet of the entrance to all gates/turnstiles used for patron ingress and egress, ticket windows, will-call windows, ticket office and the entryway to the team store.

.020 Notwithstanding subsection .010 above, nothing contained in this section shall be deemed to prohibit smoking upon or within rampways within Anaheim Stadium that are clearly designated with written signage as a smoking area. For purposes of this section, “rampways” means the pedestrian accessways which connect and provide patron access from one level of Anaheim Stadium to another.

.030 The term “Anaheim Stadium”, as used in this chapter, shall mean the stadium generally located at 2000 Gene Autry Way, Anaheim, California, currently known and referred to as Angel Stadium of Anaheim, regardless of whether such stadium continues to be known by such commercial name or by any other commercial or non-commercial name.

6.30.070 SMOKING PROHIBITED — PUBLIC RESTROOMS AND PARKS

Smoking is prohibited and is unlawful in any public park (as defined in section 13.08.010 of this Code), or in a public restroom in any public or private building.

6.30.090 (Repealed by 5812, 6/11/02)

6.30.100 SMOKING PROHIBITED — RETAIL FOOD PRODUCTION AND MARKETING ESTABLISHMENTS.

Smoking is prohibited and unlawful in any retail food marketing establishments including grocery stores and supermarkets except (i) those areas of such establishments set aside for offices, (ii) areas thereof not open to the public and (iii) areas thereof set aside for the serving and/or consumption of food and beverages.

6.30.105 SMOKING PROHIBITED — PUBLIC BUS STOPS, SCHOOLS AND DAY CARE FACILITIES

Smoking is prohibited and is unlawful within twenty-five (25) feet of a public bus or transit stop, and within one hundred (100) feet of any school or day care facility.

6.30.110 (Repealed by 5812, 6/11/02)

6.30.120 POSTING OF SIGNS REQUIRED.

Except where other signs are required, whenever in this chapter smoking is prohibited, conspicuous signs shall be posted so stating, containing all capital lettering not less than one inch in height on a contrasting background and/or the international No Smoking logo. It is the duty of the owner, operator, manager, or other persons having control of such room, building, or other place where smoking is prohibited, to post such signs or to cause such signs to be posted.

6.30.130 STRUCTURAL MODIFICATIONS NOT REQUIRED.

A. It shall be the responsibility of employers to provide smoke-free areas for nonsmokers within existing facilities to the maximum extent possible, but employers are not required to incur any expense to make structural or other physical modifications in providing these areas.

B. Nothing in this chapter shall require the owner, operator, or manager of any theater, auditorium, health care facility, or any building, facility, structure, or business, to incur any expense to make structural or other physical modifications to any area or workplace.

C. Nothing in this section shall relieve any person from the duty to post signs or adopt policies as required by this chapter.

6.30.140 ADMINISTRATION.

The no smoking regulations established by this chapter shall be administered by the City Code Enforcement Supervisor and the Code Enforcement Officers under such supervisor's direction.

6.30.150 (Repealed by 6312, 11/25/14)

6.30.160 VIOLATIONS AND PENALTIES.

Notwithstanding any other provision in this Code, any person who violates any of the provisions or fails to comply with any of the mandatory requirements of this Chapter may be prosecuted for an infraction. Written citations for infractions may be issued by police officers or designated non-safety employees, who shall be designated by separate resolution pursuant to the provisions of California Penal Code Section 836.5. Any person convicted of an infraction shall be punishable either by (1) a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) a fine not exceeding two hundred dollars (\$200.00) for a second violation of the same provision within one year; (3) a fine not exceeding five hundred dollars (\$500.00) for each additional violation of the same provision within one (1) year.

6.30.170 CHAPTER AS SUPPLEMENT TO STATE LAW.

With respect to environmental smoke and smoking activities regulated by this chapter, the purpose and intent of this chapter is to regulate such uses and activities only to the extent such regulation is permitted by state law. Nothing contained in this chapter shall be deemed to permit any activity or conduct which is otherwise prohibited by state law. In the event any provision of this chapter is deemed to prohibit any activity or conduct which is prohibited, or which is regulated to the exclusion of any local regulation, by any state law, the provision of this chapter shall be deemed inoperative so long as such provision of state law is in effect.

Section 2:

The City Council finds the introduction and adoption of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly).

Section 3:

The City Council of the City of Anaheim hereby declares that should any section, paragraph, sentence, phrase, term or word of this ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other portions of this ordinance independent of the elimination of any such portion as may be declared invalid. If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, 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 section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

Section 4:

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be printed once within fifteen (15) days after its adoption in the *Anaheim Bulletin*, a newspaper of general circulation, published and circulated in the City of Anaheim.

Section 5:

This ordinance shall take effect and be in full force thirty (30) days from and after its final passage.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the City Council of the City of Anaheim held on the ____ day of _____, 2024, and thereafter passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2024, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ANAHEIM

By: _____
MAYOR OF THE CITY OF ANAHEIM

ATTEST:

CITY CLERK OF THE CITY OF ANAHEIM