



Watsonville
CALIFORNIA

CITY COUNCIL AGENDA REPORT

MEETING DATE: Tuesday, June 24, 2025
TO: CITY COUNCIL
RECOMMENDED BY: DEPUTY CITY MANAGER CALUBAQUIB
APPROVED BY: TAMARA VIDES, CITY MANAGER
SUBJECT: ORDINANCES AMENDING TITLE 5, CHAPTER 12 AND TITLE 10 OF THE WATSONVILLE MUNICIPAL CODE

RECOMMENDATION:

That the City Council:

1. Adopt an Ordinance amending Title 5, Chapter 12 of the Watsonville Municipal Code, and
 2. Adopt an Ordinance amending Title 10 of the Watsonville Municipal Code
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BACKGROUND:

Title 5 of the Watsonville Municipal Code addresses “Public Welfare, Morals and Conduct.” Chapter 12 of this title addresses “Parades” and was last revised in 1976. Staff recommends amending this Chapter in its entirety in order to:

- Establish regulations for all events on public property, inclusive of parades and also including, but not limited to, concerts, circuses, fairs, festivals, block parties, street fairs, community events, on the water activities (such as boat races) with spectators on public land, mass participation sports (such as marathons and other running events), athletic or sporting events, and community celebrations and observances.
- Establish permitting provisions intended to protect the Constitutional rights of the people of the City of Watsonville to assemble and speak on public property.

Title 10 of the Watsonville Municipal Code addresses “Public Parks, Playgrounds and Recreation Facilities.” Chapters of this Title currently consist of:

1. Rules and Regulations Relating to Boating, Use, and Conduct in the Pinto Lake Recreation Area and Providing Fees Therefor – Last revised in 1988
2. Park Rules and Regulations – Last revised in 1980
3. Skateparks in City Parks – Last revised in 2012

Staff recommend amending this Title in order to:

- Update regulations for park use to meet current community needs.
- Expand regulations to include use and conduct at all City parks, public facilities, and parking lots.
- Establish permitting provisions intended to protect the Constitutional rights of the people of the City of Watsonville to assemble and speak on public property.

DISCUSSION:

The first proposed Ordinance amends Title 5, Chapter 12, Parades, -to comprise a new Title 5, Chapter 12, Events on Public Property. The second proposed Ordinance amends Title 10, Public Parks, Playgrounds and Recreation Facilities to comprise a new Title 10, Public Parks, Public Facilities and Parking Facilities, including Chapter 1, Activities in City Parks, Public Facilities, and Public Parking Facilities, and Chapter 2, City Skate Park and Bicycle Pump Track Facilities.

Special Events (Proposed Title 5, Chapter 12 – Events on Public Property)

Currently, Chapter 12, Title 5 relates only to parades on City property. The proposed Ordinance intends to more comprehensively address events on City property, while protecting the Constitutional rights of the people to peaceably assemble and protest in the City's public spaces. The proposed revisions to the Municipal Code also create a mechanism for cost recovery and use charges to the extent authorized by law and while not unduly impacting the viability of special events in the City.

The proposed revision to Chapter 12 of Title 5 of the Watsonville Municipal Code establishes a permitting system for special events in the City and creates three categories of special events on public property that would require a permit:

1. Any assembly of more than 250 persons gathering for a common purpose under the direction or control of a person;
2. Any assembly of people requiring closure of a City street without regard to the number of attendees; or
3. Any other assembly of people that will require the use of City public services for police regulation, monitoring or control, erecting barriers, or traffic control, parking needs that will exceed the capacity of the venue, or that will significantly interfere with the normal use and operation of the public right-of-way for travel.

The following events/activities would not require permits under the proposed Chapter 5-12:

1. Constitutionally protected expressive activity on City owned, controlled, or maintained property that does not meet one of the three criteria above;
 2. Activities on school grounds;
 3. Spontaneous events occasioned by breaking news, under certain conditions;
 4. Activities conducted by a governmental agency acting within the scope of its authority.
- (Proposed Ordinance § 5-12.020.)

The proposed Ordinance defines expressive activity as “conduct, the sole or principal object of which is the expression of opinion, views, or ideas protected by the First Amendment of the U.S. Constitution,” and includes, but is not limited to “public oratory and distribution of literature” (Proposed Ordinance § 5-12.010(i).)

The City Manager (or his/her designee) would issue Special Event Permit applications. The proposed Ordinance provides that the Council may set Special Event Application fees and fees to recover costs for

safety services (such as public safety personnel, solid waste and recycling services, and traffic control costs) by resolution. These fees are currently adopted annually.

Use of Parks and Public Facilities (Proposed Title 10 Chapter 1 - Activities In City Parks, Public Facilities, And Public Parking Facilities)

Currently, Title 10 contains three Chapters regarding the use of City parks. The proposed Ordinance amends the entirety of Title 10, to comprise a new Title 10, Chapter 1, regarding the use of City Parks, Public Facilities and Public Parking Facilities and a new Title 10, Chapter 2, governing the use of the City's skateparks and bicycle pump tracks.

The proposed Title 10-1 establishes rules and regulations regarding the use of City facilities, buildings, and parks. The proposed Ordinance sets forth prohibited activities in City Parks (Proposed §§ 10-1.050 and 10-1.060), prohibited activities in City Buildings (§ 10-1.050 and 10-1.070), and prohibited activities in public parking facilities (§ 10-1.050 and 10-1.080.) In addition to these general use regulations, the proposed Ordinance also establishes a permitting requirement for the use of City parks or facilities. These provisions seek to ensure compliance with Constitutional prerogatives protecting freedom of speech and assembly.

Under these proposed revisions, organizers of the following events or activities will be required to obtain a permit from the City Manager (or his/her designee):

- Gatherings or events of 75 or more people in the City Plaza, Pinto Lake Park, Franich Park, or Ramsay Park;
 - Events of more than 250 individuals will be subject to the Special Event provisions, discussed above.
- Gatherings or events in any City park or public building which will require paid admission, to the exclusion of the general public, without regard to the number of attendees;
- Gatherings or events at City parks or public facilities beyond the operational hours of the park or facility;
- Camping permits, issued pursuant to Chapter 5-36 of the Municipal Code.
- Use of temporary structures or buildings, including the use of bounce houses in City Parks or public facilities;
- Use of fireworks in City Parks or public facilities; or
- Use of chemical toilets in City parks in City Parks or public facilities.

However, if the event requiring exclusive use of one of the named parks above would be considered "expressive activity," it would instead be subject to the Special Events permitting requirements discussed above. Similar to the proposed Special Events Chapter above, the City Council may also adopt a resolution establishing fees for the use of Parks or Public Facilities. (Proposed Ordinance § 10-1.160.)

Skate Parks (Proposed Title 10, Chapter 2 – City Skae Park and Bicycle Pump Track Facilities)

The proposed Title 10-2 establishes rules, regulations, and permitting regulations for the use or rental of City Skate Parks and Bicycle Pump Tracks.

The proposed Ordinance updates the City's rules and regulations for use of public spaces and facilities, while protecting the constitutional rights of the people of the City of Watsonville to peaceably assemble

and speak on public property. The Watsonville Parks and Recreation Commission recommended that the Council adopt this ordinance during its meeting on June 5, 2025.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DETERMINATION:

Adoption of Ordinances amending Title 5, Chapter 12 and Title 10 of the Watsonville Municipal Code, is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378(a), as this is not a “project” that may cause a direct, or reasonably foreseeable indirect, physical change in the environment. In addition, if adoption of the Ordinance were considered to be a “project”, it would be exempt under CEQA Guidelines Section 15323 – Normal Operations of Facilities for Public Gatherings. The Ordinance regulates the use of existing public spaces and facilities without expanding or altering their normal operations. The spaces and facilities have a history of being used for the same or similar uses, for at least three years. The Ordinance ensures public parks and facilities continue to be available for public use and enjoyment without impacting the intensity of uses or changing the operations of said facilities. Finally, adoption of the Ordinance is also exempt from CEQA pursuant to the “common sense” exception (14 Cal. Code Regs. § 15061(b)(3)), because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment. The Ordinance does not propose or permit any new development, nor does it increase (or change in any way) the land use, density, or development regulations applicable to any property.

STRATEGIC PLAN:

- Infrastructure & Environment – The proposed Ordinance changes regulate use of public property with the intent protecting and preserving these spaces.
- Community Engagement & Well-Being – The proposed Ordinance serves to protect the safety of the public while using public property.
- Public Safety - The proposed Ordinance serves to protect the safety of the public while using public property.

FINANCIAL IMPACT:

There are no fiscal impacts associated with the adoption of the proposed Ordinance.

ALTERNATIVE ACTION:

The Council may elect to:

1. Not adopt these ordinance amendments,
2. Adopt one or more of the proposed ordinance amendments Chapters, but not all, or
3. Adopt one or more of the proposed ordinance Chapters with changes.

ATTACHMENTS AND/OR REFERENCES (IF ANY):

None