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**CITY OF AVALON
PUBLIC NOTICE FOR ORDINANCE AMENDMENT
ORDINANCE NO. 1214-23**

AN ORDINANCE OF THE CITY OF AVALON AMENDING TITLE 6, CHAPTER 6-1, SECTION 6-1.128 ANIMAL CARE OF THE AVALON MUNICIPAL CODE AND ADOPTION OF EXEMPTION FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the Council has determined that hunting, pursuing, killing, or trapping of animals within the City of Avalon ("City") represents a threat to public health and safety within the City; and,

WHEREAS, even with the exercise of the greatest level of care, discharge of firearms can result in loss of human life and the City is a highly-populated area; and

WHEREAS, hunting, pursuing, killing, or trapping of animals are activities incompatible with the densely-populated areas of the City and pose safety hazards to residents and visitors in the City; and

WHEREAS, the Council has determined that the feeding, luring, or trapping of wild animals for the purposes of capturing and/or killing such wild animals can be cruel and abusive to such animals and inconsistent with the residential, recreational, and visitor-friendly nature of the City; and

WHEREAS, the Council has determined there is a need to ban any feeding of wild animals within City limits because feeding makes such animals dependent upon humans for their nourishment, may result in inappropriate diets for such animals, draws such animals into residential and urban areas which is inconsistent with their natural habitat, and creates a danger to such animals and/or to the City's residents and visitors due to the natural behavior and disposition of wild animals; and

WHEREAS, the specific purpose of the following amendments to the Municipal Code will have a primary public health and safety impact, with only an incidental effect on hunting; and

WHEREAS, the City wishes to now amend its Municipal Code to address these issues.

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

Section 1. The recitals set forth above are hereby adopted as the findings of the City Council in connection with the adoption of this Ordinance.

Section 2. Avalon Municipal Code section 6-1.128 is amended to read as follows:

§ 6-1.128 Animal Care and Conduct Toward Animals.

(a) No person being the owner or an individual having the custody, care, and/or control of such animal, shall fail to provide his/her fowl, cat, dog, or other domesticated animal with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and humane care and treatment.

(b) No person shall beat, wound, maltreat, mutilate, injure, torment, overload, overwork, kill, or otherwise abuse any fowl, cat, dog, or any other animal, including both domesticated and wild animals, nor shall any person cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between any fowl, cat, dog, or other animal, including both domesticated and wild animals, or between the same and humans. As used herein, "wild animals" means deer, foxes, owls, bison, or any other non-domesticated animal. This section shall not apply to the City's bird abatement program.

(c) No person being the owner, or an individual having the custody, care, and/or control, of any fowl, cat, dog, or other domesticated animal shall abandon the same.

(d) No person shall provide food for wild animals, including but not limited to, foxes, squirrels, and deer, by setting such food out on public property, or within 150 yards of any private residence, other building, or public right-of-way. This section does not apply to bird feeders placed on private property.

(e) No person shall hunt, pursue, kill, or trap any domesticated or wild animal in the City. Additionally, even if a permit to hunt, pursue, kill, or trap animals is issued by a State or Federal Agency, such permit shall be subject to this Section 6-1.128 in order to protect public health, safety and welfare. This prohibition on killing animals shall not apply to the removal or extermination of rats, mice, squirrels, stinging insects, or other vermin from private or public property. This section shall not apply to City of Avalon Code Enforcement personnel in the discharge of his/her duties.

(f) No person shall feed, trap, or lure any wild animal located within the City with the intent to hunt or kill such wild animal or with the intent to transport that wild animal out of the City to hunt or kill said animal.

(g) As used in this section, "hunt" means the killing or wounding of any animal by means of any poison, trap, fireworks, firearm, weapon, air gun, archery device, slingshot, spear, javelin, knife, paintball gun, or explosive of any type with the specific intent to frighten, injure, mutilate, or kill any animal, domesticated or wild.

(h) Nothing in this Ordinance prevents authorized and trained personnel from humanely euthanizing a domesticated or wild animal found severely injured or ill in the City when such action is taken to prevent or stop the pain or suffering of the animal(s), nor shall this ordinance prohibit or prevent authorized and trained personnel from trapping feral cats or dogs for the purpose of spaying and neutering by a trained veterinarian.

(i) Any violation of this Ordinance shall be punishable by a fine of \$500 for a first violation, \$1000 for a second violation, and \$5000 for each subsequent violation. A person shall be deemed guilty of a separate offense for each separate occurrence of any violation of this Ordinance that is committed, continued, or permitted, and shall be punishable as provided herein.

Section 3. Severability. If any section, subsection, subdivision, sentence, clause, or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, void, or invalid, such decisions shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional, void, or invalid.

Section 4. CEQA Exemptions. The City Council finds that adoption of this Ordinance is not a project subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15378 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Additionally, this Ordinance is exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment) because this Ordinance will not cause a change in any of the physical conditions within the area affected by the Ordinance. None of the exceptions to the exemptions found in State CEQA Guidelines section 15300.2 apply. Staff is hereby directed to prepare, execute and file with the Los Angeles County Clerk a CEQA Notice of Exemption within five (5) working days of the adoption of this Ordinance.

Section 5. Certification. The City Clerk of the City of Avalon shall certify the passage and adoption of this Ordinance and shall cause the same, or a summary thereof, to be published and/or posted in the manner required by law.

Section 6. Effective Date. This Ordinance shall become effective thirty days from its adoption.

Ordinance No. 1214-23 was adopted at the November 7, 2023 regular City Council meeting by the following vote: AYES: Mayor Marshall, Councilmembers De La Rosa, Lavelle, Ponce and Schickling; NAYS: None; ABSTAIN: None; ABSENT: None.

A certified copy of the Ordinance is available for review in the City Clerk's Office, 410 Avalon Canyon Rd., Avalon, CA 90704 and/or copies may be obtained from the City Clerk's Office at a nominal charge.

Gabrielle Morones

Deputy City Clerk

Dated: November 24, 2023

Catalina Islander 11/24/2023-136927

City of Avalon City Council
Notice of Public Hearings

FY 2023-24 FEE SCHEDULE AMENDMENT FOR CHARGES OF SERVICES

Notice is hereby given that the City Council of the City of Avalon will conduct a public hearing at 5:00 p.m., Tuesday, November 28, 2023, in the Council Chambers at City Hall, 410 Avalon Canyon Road, Avalon, CA 90704, to consider amendments for fees on charges for miscellaneous services on of the FY 2023-24 Fee Schedule. The proposed fees are available for review at City Hall. **Catalina Islander 11/17,24/2023-136757**

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Hearing Officer will be conducting Vehicle Hearings, in person, on Friday, December 8, 2023 in the City of Avalon Council Chambers located at 410 Avalon Canyon Road. The agenda will include to the

following:
HEARINGS

TIME APPLICANT

8:15am

Silva Maintenance and Cleaning Service – Renewal Commercial Vehicle Permit

8:30am

Keeline Golf Cart and Auto Maintenance – Renewal Commercial Autoette Permit

8:45am

Avalon Destinations – Renewal Commercial Autoette Permit/Transportation Permit

9:00am

Gamboa's Event and Entertainment – Renewal Commercial Autoette Permit

9:15am

Catalina Court Yard Suites – Commercial Autoette Permit

Catalina Hot Spots – Commercial Autoette Permit

Catalina Hot Spots Office – Commercial Autoette Permit

9:30am

RJ Richard Inc. DBA Chi Chi Club – New Commercial Autoette Permit

9:45am

Avalon Audio – New Commercial Autoette Permit

10:00am

Ellies Island Deli – Renewal Commercial Autoette Permit

10:15am

Diamond Cleaning Service – New Commercial Autoette Permit

10:30am

Catalina Backcountry – Transfer Interior Commercial Vehicle Permit

The public is welcome to participate. Additional information and a complete agenda can be obtained at City Hall, 410

Avalon Canyon Road, between the hours of 8:00 a.m. to 12:00 p.m. and

1:00pm to 5:00pm, Monday through

Thursday.

Posted: Friday, November 24, 2023

Bulletin Board at City Hall: Friday, November 24, 2023

City of Avalon Website: <http://www.cityofavalon.com/> Friday, November 24, 2023

Catalina Islander: Friday, November 24, December 1 and 8, of 2023

By: Rocio Hernandez

Vehicle Clerk

Catalina Islander 11/24,12/1,8/2023-136905

**PLANNING COMMISSION REGULAR MEETING
CITY OF AVALON - NOTICE OF PUBLIC HEARING
WEDNESDAY, DECEMBER 6, 2023**

NOTICE IS HEREBY GIVEN that the Avalon Planning Commission will hold a PUBLIC HEARING to consider the following items at a meeting to be held on **December 6, 2023 at 5:00p.m.**, in the COUNCIL CHAMBERS AT 410 AVALON CANYON RD, AVALON, CA.

The public can submit written comments up to 12:00 p.m. on the Wednesday before the meeting, either in person at City Hall or via email to dromo@cityofavalon.com. Staff reports for each agenda item are posted a minimum of 72 hours prior to the meeting and are available for review in person or on the City website at <http://www.cityofavalon.com>. This meeting is viewable live in person or via streaming:

Facebook: (<http://www.facebook.com/CityOfAvalonOfficial>)

Cable (Catalina Broadband Solutions Channel 3)

YouTube (<http://www.youtube.com/cityofavalonca>)

Website (<https://www.cityofavalon.com/200/City-Meetings>)

1. **Site Plan Review and Variance** to allow a 6-foot tall masonry wall within the front yard setback of a single-family residential property in the Multiple Family, Medium Density (MD) zone. If approved, the Proposed Project is categorically exempt from the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Existing Facilities). If denied, the Proposed Project is statutorily exempt from CEQA per State CEQA Guidelines 15270 (Projects Which Are Disapproved). The Proposed Project is excluded from Coastal Development Permit requirements per Avalon Municipal Code (AMC) Section 9-8.102.b.1.

Location: 335 Wrigley Terrace Road (Wrigley Drive) (APN 7480-007-044)

Owner: Eric Albert Application #: PC2854

Catalina Islander 11/24/2023-136987

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