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City of Avalon City Council
Notice of Public Hearings

FY 2024-25 FEE SCHEDULE 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, June 4, 2024, in the Council Chambers at City Hall, 410 Avalon Canyon Road, Avalon, CA 90704, to consider fees on charges for services on of the FY 2024-25 Fee Schedule. The proposed fees are available for review at City Hall.

Published: Catalina Islander – May 24, 2024 and May 31, 2024
Catalina Islander 5/24,31/2024-142654

CITY OF AVALON PUBLIC NOTICE FOR ORDINANCE AMENDMENT ORDINANCE NO. 1218-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AVALON, CALIFORNIA ADDING CHAPTER 5-22 TO THE AVALON MUNICIPAL CODE REGARDING USE OF PROJECTILES AND ADOPTION OF EXEMPTION FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, pursuant to the authority granted to the City of Avalon (“City”) by Article XI, Section 7 of the California Constitution, the City has the police power to regulate the use of land and property within the City in a manner designed to promote public convenience and general prosperity, as well as public health, welfare, and safety; and

WHEREAS, the Council has determined that use of projectiles, including but not limited to, water balloons within the City represents a threat to public health and safety within the City because such projectiles can injure or harm those hit by such projectiles; and

WHEREAS, projectiles have been maliciously used on persons in the City, particularly at public events; and

WHEREAS, public events serve visitors, tourists, and other residents and promote the economy of the City and improve its general welfare; and

WHEREAS, the use of projectiles at public events can be disruptive to these public events, disincentivize attendance, and may cause rapid movements of large groups of people which could risk serious injury to those who fall or collide into one another; and

WHEREAS, the malicious use of projectiles—particularly at public events—undermines the safety and security of the City’s citizenry; and

WHEREAS, the inclusion of a prohibition regarding the use of projectiles in the City will preserve, promote, and protect the health, safety, and welfare of its citizens by penalizing such conduct; and

WHEREAS, on May 7, 2024, the City Council held a duly-noticed public meeting and considered the staff report, recommendations by staff, and any public testimony concerning this ordinance; and

WHEREAS, all legal prerequisites to the adoption of this ordinance have occurred.

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

Section 1. Incorporation of Recitals. The recitals set forth above are true, correct, incorporated herein, and are adopted as the findings of the City Council in connection with the adoption of this Ordinance.

Section 2. Code Amendment. Chapter 5-22 of the Avalon Municipal Code is hereby added to the Avalon Municipal Code to read as follows:

Chapter 5-22 Projectiles

5-22.010 Purpose.

The purpose of this chapter is to prevent harm to visitors and residents that is caused by the throwing of projectiles, including water balloons or eggs. At public events in particular, attendees have been struck by such projectiles. The throwing of these projectiles is often done for mischievous and/or malicious purposes and the conduct is often nonconsensual on part of the attendees. Nonconsensual use of projectiles undermines the City’s goals of creating a welcoming community, maintaining public safety and order, and attracting people to the island. Accordingly, the City implements this chapter to prevent such conduct.

5-22.020 Definitions. These definitions apply to this chapter:

- (a) Object: A thing or physical material, including but not limited to, water balloons, eggs, or other solids, liquids, or gases.
- (b) Projectile: A projectile is an object which is thrown, launched, or caused by a person to be moving through the air.
- (c) Public events: An event or activity held open for the general public, either authorized by the City or conducted by a private group.

5-22.030 Projectiles Prohibited.

It shall be unlawful for any person to use an object as a projectile such that it causes harm or offense to a person or group of people or interferes with or disrupts a public event.

5-22.040 Exception.

This prohibition shall not apply to:

- (a) Use of projectiles which occurs wholly on private property, where the projectile does not travel any further than the property line of the private property involved and the projectile is not intended to cause harm or offense. This exception does not apply when the private property is used for a public event.

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. 1218-24 was introduced and waived at the May 7, 2024 regular City Council meeting and was adopted at the May 21, 2024 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: May 31, 2024
Catalina Islander 5/31/2024-142903

Announcements

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PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Hearing Officer will be conducting Vehicle Hearings, in person, on Thursday, June 13, 2024 in the City of Avalon Council Chambers located at 410 Avalon Canyon Road. The agenda will include to the following:

HEARINGS

TIME APPLICANT

8:00am
Tremont Street Apartments – New Commercial Vehicle Permit
8:15am
Louie E. Montano – New Commercial Vehicle Permit
8:30am
Richard Hernandez – Oversized Residential Vehicle Permit
8:45am
Ray Jones – Oversized Residential Vehicle Permit
9:00am
Jason Petrocelli – New Interior Commercial Vehicle Permit
9:15am
Dark to Light – New Interior Commercial Vehicle Permit
9:30am
Huttopia Catalina LLC – New Interior Commercial Vehicle Permit
9:45am
Sunset Bar and Grill – New Commercial Autoette Permit
10:00am
T.A.G. – New Commercial Autoette Permit
10:15am
Joanne Austin – Transfer Residential Vehicle Permit
10:30am
Maria Lopez – Transfer Residential Vehicle Permit
10:45am
Robert and Sherry Franklin – Renewal Residential Vehicle Permit
11:00am
Roger Hill Comstock – Renewal Residential Vehicle Permit
11:15am
AVX Networks – Continued New Public Service Vehicle Permit
11:30am
Gabriel Robles – Continued New Public Service Vehicle Permit
11:45am
Bravo’s Landscaping – Continued Renewal Commercial Vehicle Permit
Lunch 12:00pm – 1:30pm
1:30pm
Catalina Snorkel and Scuba – Continued Renewal Commercial Autoette Permit
1:45pm
Eagle Electric – Continued New Commercial Autoette 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, May 31, 2024
Bulletin Board at City Hall: Friday, May 31st 2024
City of Avalon Website: <http://www.cityofavalon.com/> Friday, May 31st 2024
Catalina Islander: Friday, May 31st 2024 and June 7, 2024
By: Rocio Hernandez
Vehicle Clerk/Senior Administrative Assistant
Catalina Islander 5/31,6/7/2024-142876

