

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, AMENDING TITLE 1, CHAPTER 1.12 OF THE HESPERIA MUNICIPAL CODE, RELATED TO THE POLICE MULTIPLE RESPONSE PROGRAM

WHEREAS, the City of Hesperia has the authority and responsibility to protect the public health, safety, and welfare; and

WHEREAS, Title 1 of the Hesperia Municipal Code contains regulations related to special enforcement procedures and the Police Multiple Response Program; and

WHEREAS, the City Council adopted the Police Multiple Response Program in 2007 to mitigate the drain on police and City services related to multiple calls for service to parties, gatherings, loud music, false alarms, and penal code violations that disturb the peace of neighborhoods; and

WHEREAS, firework possession and usage is prohibited in the City of Hesperia; and

WHEREAS, the illegal use of fireworks creates dangerous conditions in neighborhoods, causing multiple calls for service; and

WHEREAS, the City has the authority to recover costs related to calls for service to the Police Department and other City departments and;

WHEREAS, this fee shall recover the costs related to calls for service for fireworks possession and usage, and the related costs to the City that occur because of fireworks usage, including the calls for service to Animal Services the following night and day related to lost or dead animals which escaped because of fireworks noise; and

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

NOW THEREFORE, THE HESPERIA CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1. All of the facts set forth in the forgoing recitals are true, correct and are adopted as findings.

Section 2. Title 1, Chapter 1.12 is hereby modified to as follows and shall be added to the Hesperia Municipal Code in its entirety:

Chapter 1.12.130.16

d. Fireworks. The possession and usage of fireworks requires police and city department response and reduces manpower availability, in addition to creating an unsafe situation and threatening public safety and so shall be considered a disturbance and subject to police multiple response fees.

Responses related to fireworks shall be subject to the following schedule of fees: First Response - \$150.00; Second Response - \$500.00; Third Response - \$1,000.00; Fourth and all subsequent responses - \$2,500.00. Additionally, at the discretion of the Police Captain or their designee, any response shall also incur actual costs.

Response for fireworks shall be subject to the probation requirements as required by this chapter for multiple responses.

Section 3. This Ordinance shall take effect on June 2, 2020

Section 4. The City Council of the City of Hesperia hereby declares that should any provision, section, paragraph, sentence, or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words shall remain in full force and effect.

Section 5. The City Clerk shall certify to the adoption of the Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution 93-78.

ADOPTED AND APPROVED this 2nd day of June, 2020



Larry Bird, Mayor

ATTEST



Stephanie McClure, Assistant City Clerk

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO
CITY OF HESPERIA

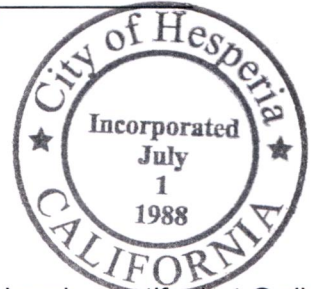
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I, Stephanie McClure, Assistant City Clerk of the City of Hesperia, California, do hereby certify that Ordinance No. 2020-07 was introduced at a Regular Meeting of the City of Hesperia City Council held on the 19th day of May, 2020 by the following vote to wit:

AYES: Bird, Gregg, Holland, Bennington and Swanson
NOES: None
ABSTAIN: None
ABSENT: None

Stephanie McClure
Assistant City Clerk

Seal

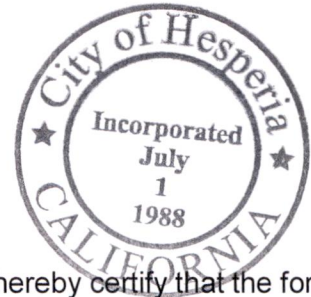


I, Stephanie McClure, Assistant City Clerk of the City of Hesperia, California, do hereby certify that Ordinance No. 2020-07 was duly and regularly adopted at a Regular Meeting of the City of Hesperia City Council held on the 2nd day of June, 2020 by the following vote to wit:

AYES: Bird, Gregg, Holland, Bennington and Swanson
NOES: None
ABSTAIN: None
ABSENT: None

Stephanie McClure
Assistant City Clerk

Seal



I, Stephanie McClure, Assistant City Clerk of the City of Hesperia, California, do hereby certify that the foregoing Ordinance No. 2020-07 is a full, true and correct copy of that now in file in this office.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF THE City of Hesperia, California, this _____ day of _____.

Stephanie McClure
Assistant City Clerk

Seal

