



1 shall be filed with the director at least thirty (30) calendar days prior to the date the public  
2 event is to take place. Application shall be in the form prescribed by the director and shall  
3 contain all information required by the director. Permits authorized by this subsection B- must  
4 be approved by the director or designee, the Chief of Police or designee, and the City Manager  
5 or designee.

6 C. Following the filing of an application for a permit under this section, the director shall  
7 issue a permit granting an exemption from sections 12.18.030, 12.18.050,  
8 12R.04.030, and 12R.04.050 if the director finds that the public event complies with all  
9 requirements otherwise set forth in this chapter as well as any reasonable requirements and  
10 conditions imposed by the director within or in addition to the permit application, including  
11 inclusion of a site plan, security plan, and proof of appropriate insurance.

12 **SECTION 2.** Section 12R.04.056 entitled “Alcoholic beverages – City Plaza” of Chapter  
13 12R.04 of Title 12R is hereby amended to read as follows:

14 **12R.04.056 Alcoholic beverages - City Plaza.**

15 A. Notwithstanding sections 12R.04.030 and 12R.04.050 above, no person shall sell, serve,  
16 or provide alcoholic beverages at the City Plaza during an event except as authorized by and  
17 pursuant to the valid issuance of a City of Chico Park Use Permit and an appropriate license  
18 issued by the California Department of Alcoholic Beverage Control, and any person over the  
19 age of 21 years may possess or consume alcoholic beverages at the City Plaza during such  
20 event, as permitted by this section 12R.04.056.

21 B. Application for a City of Chico Park Use Permit authorizing the sale, service, provision,  
22 possession, and consumption of alcoholic beverages in City Plaza shall be filed with the  
23 director at least thirty (30) calendar days prior to the date the event is to take place. Application  
24 shall be in the form prescribed by the director and shall contain all information required by the  
25 director. Permits authorized by this subsection B. must be approved by the director or designee,  
26 the Chief of Police or designee, and the City Manager or designee.

27 C. Following the filing of an application for a permit under this section, the director shall  
28 issue a permit granting an exemption from sections 12.18.030, 12.18.050,

1 12R.04.030, and 12R.04.050 if the director finds that the event complies with all requirements  
2 otherwise set forth in this chapter as well as any reasonable requirements and conditions  
3 imposed by the director within or in addition to the permit application, including inclusion of  
4 a site plan, security plan, and proof of appropriate insurance.

5 **SECTION 3. CEQA.** The City Council, on the basis of the whole record and exercising  
6 independent judgment, finds that this Ordinance is exempt from the provision of the California  
7 Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen  
8 with certainty that there is no possibility that the Ordinance may have a significant effect on the  
9 environment. The Chico Municipal Code currently permits the sale of alcoholic beverages at City  
10 Plaza during approved events and this Ordinance merely authorizes the service and provision of  
11 alcoholic beverages during approved events where alcoholic beverages are not being sold.

12 **SECTION 4. Severability.** If any section, subsection, line, sentence, clause, phrase, or word  
13 of this Ordinance is for any reason held to be invalid or unconstitutional, either facially or as applied,  
14 by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the  
15 remaining portions of this Ordinance. The City Council of the City of Chico hereby declares that it  
16 would have passed this Ordinance, and each and every individual section, subsection, line, sentence,  
17 clause, phrase, or word without regard to any such decision.

18 **SECTION 5. Effective Date.** The Ordinance shall be effective 30 days after its final adoption  
19 by the City Council.

20 **SECTION 6. Certification.** The City Clerk shall certify to the passage and adoption of this  
21 Ordinance and shall cause the same to be published or posted in the manner required by law.

22 **THE FOREGOING ORDINANCE** was adopted at a meeting of the City Council of the  
23 City of Chico on **November 5, 2024**, by the following vote:

24 AYES: Bennett, Morgan, van Overbeek, Winslow, Reynolds, Coolidge

25 NOES: Tandon


26 ABSENT: None

27 ABSTAIN: None

28 DISQUALIFIED: None

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**ATTEST:**

  
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Deborah R. Presson, City Clerk

**APPROVED AS TO FORM:**

  
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John W. Lam (Oct 22, 2024 09:13 PDT)  
John Lam, City Attorney\*

\*Pursuant to The Charter of the City of Chico,  
Section 906(E)

# Ordinance Amending CMC 12.18 and 12R.04 - Alcoholic Beverages at City Plaza\_Clean

Final Audit Report

2024-10-22

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