

CITY OF EAST PALO ALTO



SPECIAL CITY COUNCIL MEETING

FRIDAY, MARCH 26, 2010



City of East Palo Alto “Amended” AGENDA

DATE POSTED: Thursday, March 25, 2010
Date: RePosted: Thursday, March 25, 2010

Time: 9:30A.M.
Time: 10:09A.M.

By: *Minette Warren*

SPECIAL CITY COUNCIL MEETING
FRIDAY, MARCH 26, 2010
Time: 11:00a.m.
2415 UNIVERSITY AVENUE
Council Chamber

11:00A.M. Special City Council Meeting
Joint Call to Order and Roll Call

1. APPROVAL OF AGENDA
2. **PUBLIC COMMENT: Comments May be Taken during the Session. Please Keep Comments Limited to Agenda Items**
3. APPROVAL OF CONSENT CALENDAR
Motions, Other Actions and Informational Reports
4. **DISCUSSION:** Fee Waiver requests for a community parade and league use of city sports facilities. - (*Meda Okelo, Director, Community Services*)

RECOMMENDATION:

That the City Council adopts the proposed resolutions authorizing the City Manager to:

1. Underwrite from the General Fund \$2167.00 in permit fees associated with the annual Ravenswood Little Baseball League Parade on Saturday March 27, 2010
2. Waive all fees associated with the use by the Tee Ball Pitching Machine/Junior Giants program of Jack Farrell Park for its 2010 season.
3. Waive all fees associated with the use by the Ravenswood Little League of all facility use fees associated with its use of the Martin Luther King Park baseball field for its 2010 season.
4. Waive all fees associated with the use by the East Palo Alto United Soccer Club/El Concilio of all facility use fees associated with its use of the Martin Luther King Park multi-purpose field for its 2010 season.

4. ADJOURNMENT

AGENDA ITEM
CITY COUNCIL/REDEVELOPMENT AGENCY
FRIDAY, MARCH 26TH, 2010 ITEM No. 4

POLICY AND ACTION

RESOLUTION

Fee Waiver requests for a community parade and League use of city sports facilities.

Authorizing the City Manager to:

1. Underwrite from the General Fund \$ 2,167 in permit fees associated with the annual Ravenswood Little Baseball League Parade on Saturday March 27, 2010
2. Waive all fees associated with the use by the Tee Ball Pitching Machine/Junior Giants program of Jack Farrell Park for its 2010 season.
3. Waive all fees associated with the use by the Ravenswood Little League of all facility use fees associated with its use of the Martin Luther King Park baseball field for its 2010 season.
4. Waive all fees associated with the use by the East Palo Alto United Soccer Club/El Concilio of all facility use fees associated with its use of the Martin Luther King Park multi-purpose field for its 2010 season.



Community Services Department Administrative Report

Date: March 26th, 2010

TO: The Honorable Mayor and Members of the City Council
FROM: Meda Okelo, Community Services Director
VIA: Alvin James, Interim City Manager
SUBJECT: Fee Waiver requests for a community parade and league use of city sports facilities.

RECOMMENDATION:

That the City Council consider the proposed resolutions, collectively totaling \$59,045 in fees (per fiscal impact discussion below), which would authorize the City Manager to:

1. Underwrite from the General Fund \$ 2,167 in permit fees associated with the annual Ravenswood Little League Parade on Saturday March 27, 2010
2. Waive all fees associated with the use by the Tee Ball Pitching Machine/Junior Giants program of Jack Farrell Park for its 2010 season.
3. Waive all facility use fees associated with the use by the Ravenswood Little of the Martin Luther King Park baseball field for its 2010 season.
4. Waive all facility use fees associated with the use by the East Palo Alto United Soccer Club/EI Concilio of the Martin Luther King Park multi-purpose field for its 2010 season.

BACKGROUND:

Organizations have, as a matter of practice and council policy petitioned the city council regularly for waiver of fees associated with special events such as parades, fairs, cultural events as well as, for the use of city facilities for youth athletic programs. City council policy requires organizations to write a formal letter requesting such waiver. Chapter 12.08 SPECIAL EVENTS of the municipal code, attached, outlines the requirements by the council for consideration of such waivers.

The Ravenswood Little League, the Tee Ball Pitching Machine, the East Palo Alto Soccer Club/EI Concilio, Comite Latino, the EPA Juneteenth Committee, the East Palo Alto Children's Day Committee are some of the organizations that have taken advantage of this policy to conduct programs on city sports facilities as well as stage special events on city parks and various rights of way.

DISCUSSION:

The City's **Special Event Policy**, Municipal code Chapter 12.08 is what governs how the city handles special events. Section 12.08.110 of the Code, for instance, allows for organizations planning special events and or programs meeting certain conditions, to petition the City Council for fee and cost waivers. Such activities or events would have to meet any one or several of the following conditions:

1. The proposed activity or use is one the city itself would conduct but for the lack of available resources;
2. The proposed event or use has substantial historical, cultural, educational, artistic or recreational significance to the city or its residents and the city has an interest in advancing the goals and purposes of such events or use;

3. The proposed event or use meets either or both of the preceding criteria and the cost associated with the city permitting process would constitute a substantial impediment to the successful carrying out of such event or use.

The City fee schedule currently calls for a payment of \$35 per hour for use of city park facilities regardless of length of time used. For a long time the City has not collected this fee for the simple reason that various sports organizations as exemplified by the late Tommie Roberts, the local Kiwanis Club and Gene Tate have dedicated themselves to ensuring that Martin Luther King Jnr. Park and Jack Farrell Park were ready and appropriate for use. The fee may make sense for short term uses such as one or two day festivals and events, however, for longer term use, the rate may or may not be considered exorbitant. Other communities have developed a whole variety of ways for charging for long term use. For instance, some cities charge a daily fee for use of facilities that may range from \$35 per day to as much as \$80 per day. Some communities charge by season and may request as much as \$500 per season

The City Council has, to date, not denied any organization's request for fee waiver. This primarily in consideration of the inordinate level of commitment that these organizations have manifested in their work that has gone beyond working with youth, extending into preparing and maintaining fields. Most of the leagues have an annual budget ranging from \$5,000 to \$10,000 a year and they serve an average of 60-70 youth per year (See Table Below). This said however, it is becoming increasingly imperative, given the fiscal circumstances that the city is facing, that there is a need to reconsider not only the fee waiver policy but the fee schedule. A request to hire a consultant to do a comprehensive study of the city fee schedule is on the City Council's docket for discussion. Such a study would provide some guidance as to what appropriate fees should be charged for league use of city facilities.

2009 Season- Youth Served by Sports Organizations using city facilities.

SPORTS ORGANIZATION	2009
Ravenswood Little League	60
East Palo Alto Soccer Club	76
Tee Ball Pitching Machine	Not available at time of report preparation
Total	136
Average	68

FISCAL IMPACT:

For the parade: Staff estimates that \$2,167 in overtime costs for both the Police (\$1,407) and Public Works (\$760) departments would be incurred.

For the use of fields: No long term use of city facilities fees have been developed to accommodate use by sports organizations. The existing fee per hour would require the East Palo Alto Soccer Club, the Ravenswood Little League and T-Ball Pitching Machine to pay respectively, \$11,690, \$16,205 and \$31,150 representing a total of \$ 59,045.00

This as per current policy would represent the amount of money that the city would not get into its coffers.

East Palo Alto Soccer Club

Total Hours (Season)	334
Cost Per hour	\$ 35.00
Total Cost	\$ 11,690.00

Ravenswood Little League

Total Hours (Season)	463
Cost Per hour	\$ 35.00
Total Cost	\$ 16,205.00

T-Ball Pitching Machine

Total Hours(Season)	890
Cost Per hour	\$ 35.00
Total Cost	\$ 31,150.00

Enclosed:

1. Attachment 1: Fee Waiver Request- Ravenswood Little League for Parade.
2. Attachment 2: Fee Waiver Request- Ravenswood Little League-for use of Ball Field.
3. Attachment 3: Fee Waiver Request- East Palo Alto Soccer Club-for use of Multi-purpose field.
4. Attachment 4: Fee Waiver Request-East Palo Alto T-Ball, Pitching Machine/Junior Giants-for use of Jack Farrell Park.
5. Attachment 5 Resolution authorizing the waiver of fees associated the Little League 2010 Opening Day Parade and the absorption of said fees by impacted departments.
6. Attachment 6: Resolution authorizing the waiver of all fees associated with the use of the Jack Farrell Park, Martin Luther King Jr. Park baseball field and the Martin Luther King Park multi-purpose field by, respectively, T-Ball Pitching Machine/Junior Giants, Ravenswood Little League and the East Palo Alto Soccer Club.
7. Attachment 7: City's Special Event Policy

RESOLUTION

Authorizing the City Manager to waive the \$2,167 in permit fees associated with the 2010 Little League Parade and Opening Day festivities and Fund the Cost from the Public Works and Police Department General Fund FY 2009-10 Adopted Budget Allocations

WHEREAS, the Ravenswood Little League has coordinated an annual parade as well as opening day festivities in East Palo Alto for over five decades , and

WHEREAS, the Ravenswood Little League is a membership organization chartered by the National Little League and is managed and run by dedicated community volunteers, and

WHEREAS, the Little League Parade is a community celebration of both children, youth development and baseball, and

WHEREAS, Little League provides valuable youth development programs and activities that meet Chapter 12.08 of the municipal code that outlines the fee-waiver-requirements of the City’s Special Event Policy,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of East Palo Alto that the City Manager is authorized to waive the approximate \$2,167 in permit fees associated with the 2010 Little League parade Opening Day activities and that such costs incurred by the Police and Public Works Departments be absorbed by the respective department’s FY 2009-10 budgetary allocations.

PASSED AND ADOPTED this 26th day of March 2010/.

	Ruben Abrica	Peter Evans	Laura Martinez	Carlos Romero
AYES				
NOES				
ABSTAIN				
ABSENT				

David Woods, Mayor

ATTEST:

Alvin James, City Clerk

RESOLUTION _____

Authorizing the City Manager to waive all fees associated with the use respectively by the Ravenswood Little League, T-Ball Pitching Machine/Junior Giants and the East Palo Alto Soccer Club of Martin Luther King Park Jnr. Baseball field, Jack Farrell Park baseball field and the Martin Luther King Park Jnr. Multipurpose field for their 2010 sports seasons.

WHEREAS, the Ravenswood Little League, T-Ball Pitching Machine/Junior Giants and the East Palo Alto Soccer Club have provided sports instructional and recreational services for youth for various years, and

WHEREAS, all three organizations are managed and run by a group of dedicated community members who volunteer both their time and most times their resources, and

WHEREAS, all three organizations provide valuable community activities that without them the city would have to provide, and

WHEREAS, all three organizations provide critical youth development programs and activities that meet the fee-waiver-requirements of the Chapter 12.08 of the municipal code's City's Special Event Policy.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of East Palo Alto that the City Manager is authorized to waive all facility use fees associated with the 2010 season of the East Palo Alto Soccer Club, the Ravenswood Little League and the T-Ball Pitching Machine/Junior Giants.

PASSED AND ADOPTED this 26th day of March 2010/.

	Ruben Abrica	Peter Evans	Laura Martinez	Carlos Romero
AYES				
NOES				
ABSTAIN				
ABSENT				

David Woods, Mayor

ATTEST:

Alvin James, City Clerk

ATTACHMENT 7

Chapter 12.08 SPECIAL EVENTS

12.08.010 Definitions.

For purposes of this chapter, the following words shall have the meanings respectively ascribed to them in this section, unless the context or the provision clearly requires otherwise:

"City facility" means a building, gymnasium, hall, park, field, picnic site, or other enclosed structure or unenclosed area owned or controlled by the city of East Palo Alto.

"Festival" means a fair, exhibition, ceremony, art show, program, celebration or other public assemblage or gathering of people for the conduct of a festivity or similar event, involving the complete or partial use or closure of any public highway, street, alley, sidewalk or other public property in the city to normal vehicular or pedestrian traffic.

"Parade" means a march, procession, motorcade or walk upon any public highway, street, alley or sidewalk in the city. The term "parade" as used in this chapter does not include a funeral procession consisting of a single direct movement from a mortuary or church to a place of burial.

"Person" means any individual, group of individuals; partnership, social organization, unincorporated association, corporation, or any other kind of entity whatsoever.

"Race" means an event generally open to members of the public and sponsored by a person, organization or group, wherein the participants run, jog, walk, bike, or otherwise travel an established route over public highways, streets, alleys or sidewalks within the city.

"Special event" means a parade, race or festival, as such terms are defined in this section. (Ord. 207 § 1, 1996; Ord. 137 § 1, 1991)

12.08.020 Permit required; prohibited activity; exemption.

A. No person shall hold, conduct, carry on or cause to be held, conducted or carried on any special event upon any public property within the city or use any city facility without first having obtained a permit to do so issued pursuant to this chapter. Except where otherwise indicated, for the purposes of the application of this chapter the terms "special event" and "use of a city facility" shall have the same meaning.

B. No person may engage in any of the following activities:

1. Engage in the conduct of a special event or use of a city facility in violation of the terms of the permit;
2. Participate in a permitted special permit or use of a city facility without the consent of the permittee;
3. Interfere with the orderly conduct of a permitted special event or use of city facility;
4. Sell or offer for sale on public streets, sidewalks or rights-of-way, any goods, wares or merchandise from vehicles, wagons, pushcarts, stalls, booths, or other methods, during or in connection with a permitted special event or use of a city facility, unless such sales activity is conducted pursuant to and in accordance with the terms and conditions of the special event or city facility permit and with the authorization of the permittee.

C. This chapter shall not apply to a special event or use of a city facility conducted exclusively by the city; this chapter shall apply to a special event or use of a city facility co-sponsored by the city pursuant to the rules and criteria set forth in Section 12.08.110. (Ord. 207 § 2, 1996; Ord. 137 § 2, 1991)

12.08.030 Application for permit.

A. Application for a permit to conduct a special event or use a city facility shall be filed with the director of community services, on a form provided by the director, sufficiently in advance of such activity to allow for its review. The application shall contain the following information:

1. Name, address and description of the sponsor for the event, together with the name, address and telephone number of the contact person representing such sponsor;
2. Description of the nature and purpose of the special event to be conducted;

3. Estimated number of participants and, if a parade, the number and types of vehicles, floats, bands, marching units and animals to participate;
4. Date of the event and the hours during which it will be conducted;
5. Proposed route or area to be occupied and a statement as to whether the special event will occupy all or only a portion of the streets on which the event will be conducted;
6. Proposed method of handling vehicular and pedestrian traffic, including routes over which any traffic is to be diverted;
7. Proposed sanitary facilities, if any are to be used, including toilet facilities, and the proposed method of sewage and refuse disposal;
8. If food is to be sold or otherwise distributed, the procedure to be followed in the handling and preparation of such food;
9. Description of any sales activity to be conducted upon public streets, sidewalks or rights-of-way, including the estimated number of street vendors, the nature, size and location of any booths or stalls, and a description of any vehicles, wagons, pushcarts or other mobile units to be utilized in connection with the sales activity;
10. Number, types and locations of all loudspeakers or other sound amplifying devices to be used;
11. Method of notifying participants prior to the event of the terms and conditions of the permit;
12. Such other information as reasonably requested by the director of community services pertaining to the manner in which the proposed event will be conducted.

B. The application shall be accompanied by the payment of a nonrefundable processing fee in such amount as established from time to time by resolution of the city council. (Ord. 207 § 3, 1996; Ord. 137 § 3, 1991)

12.08.040 Review of application.

A. The director of community services shall transmit a copy of the application for review and comment by such of the following persons and agencies who may have jurisdiction over or interest in the event;

1. The city chief of police;
2. The city director of public works;
3. The city planning director;
4. The city code enforcement officer;
5. The Menlo Park fire protection district;
6. The county health department;
7. Caltrans;
8. The county transit agency.

Each of the foregoing persons and agencies receiving a copy of the application shall be requested to respond, within fifteen (15) days, by furnishing to the director of community services a recommendation as to whether the application should be approved or denied or approved subject to specified conditions. If no response is received from any person or agency to whom a copy of the application is sent, it shall be presumed that such person or agency has no objection to the proposed permit and no special conditions to be included therein.

B. Upon receipt of the comments and recommendations from the persons and agencies referred to in subsection A of this section, but in no event later than thirty (30) days after the date on which a complete application was filed, the director of community services shall render his decision to either grant or deny the application and shall furnish written notice of such decision to the applicant. If the application is approved, the special event permit shall be issued by the director of community services upon delivery by the applicant of evidence of liability and property damage insurance coverage required by Section 12.08.080, payment of the cleanup deposit required by Section 12.08.090, and payment of any deposit for the cost of city services required under Section 12.08.100. (Ord. 137 § 4, 1991)

12.08.050 Factors to be considered in granting or denying a permit.

In determining whether a permit should be issued, the director of community services shall consider the following factors:

- A. Whether the special event will disrupt to an unreasonable extent the movement of vehicular or pedestrian traffic or create any safety hazard as a result of such traffic being stopped or diverted;
- B. Whether sufficient police services can be provided to assure proper traffic control and the orderly conduct of the special event;
- C. Whether the streets, roads and highways over which the special event will travel or on which it will be conducted are sufficient size and construction to safely accommodate the number of participants and the size, height and weight of any vehicles, floats, equipment or animals participating in the event;

D. Whether the special event will interfere with any other public events to be conducted on the same day;

E. Whether the special event is likely to cause injury to persons or property or create an unreasonable disturbance of the peace;

F. Whether the proposed use is suitable for the particular city facility, generally benefits East Palo Alto residents, will not unduly monopolize such facility, and is not inconsistent with programs and activities usually offered by the city in such facility. (Ord. 207 § 4, 1996; Ord. 137 § 5, 1991)

12.08.060 Permit for single event only; exceptions.

A. Only one special event shall be held, conducted or carried on under a single special event permit issued pursuant to this chapter.

B. Only one use of a city facility shall be allowed under a permit issued pursuant to this chapter; provided, however, multiple uses over a period of time not to exceed one hundred twenty days may be permitted if such multiple use meets the criteria set forth in Section 12.08.050F, above. (Ord. 207 § 5, 1996)

12.08.070 Contents of permit.

Permits issued pursuant to this chapter may contain such conditions as the director of community services deems necessary or appropriate for the orderly and safe conduct of the event, including, but not limited to, the following:

A. Starting and ending times;

B. In case of a festival:

1. The streets on which the festival will be conducted,
2. The number and location of booths, displays or other structures to be erected for the event and design thereof;

C. In the case of a parade or footrace:

1. The assembly area and the time of assembly,
2. The route to be followed and portions of streets to be traversed that may be occupied by the parade or footrace,
3. The number and type of vehicles, floats, bands, marching units, pieces of equipment and animals;

D. The nature and extent of any sales activity to be conducted upon public streets, sidewalks or rights-of-way. The holder of the special event permit shall issue to each vendor authorized to engage in such sales activity an identification card or other evidence of such authorization, which shall be displayed by the vendor to any law enforcement officer of the city or to any representative of the permittee requesting to inspect the same;

E. Number and location of persons required to control, direct and monitor the event;

F. Requirements and instruction for removal of any signs, equipment or structures erected or installed for the event and removed of litter and debris created in connection with the conduct of the event;

G. The director of community services is authorized to issue such rules and regulations, not inconsistent with this chapter, as will fairly effectuate the purposes of this chapter. (Ord. 207 § 6, 1996; Ord. 137 § 7, 1991)

12.08.080 Indemnity and insurance.

A. The applicant shall indemnify, defend and hold the city and its officers, officials, agents, employees and volunteers harmless from and against any and all claims, demands or liabilities arising from the conduct of the special event.

B. Prior to the issuance of a permit, the applicant shall furnish to the city, at the applicant's own cost and expense, a policy or policies of comprehensive general liability insurance providing coverage of not less than a combined single limit of one million dollars (\$1,000,000.00), and property damage insurance providing coverage of not less than one million dollars (\$1,000,000.00). Each such policy shall name the city and its officers, officials, agents, employees and volunteers as additional insureds thereunder, and shall be maintained in full force and effect during the entire term of the special event permit and for a period of one year after the conclusion of the event. (Ord. 137 § 8, 1991)

12.08.090 Cleanup deposit.

Prior to the issuance of a permit, the applicant shall deliver to the city a cash deposit in an amount determined by the director of community services, not exceeding five hundred dollars (\$500.00), as a guaranty that the applicant will perform a final cleanup of all areas where the special event will be conducted and remove all signs within the city pertaining to the event. Such final cleanup and sign removal shall be completed, to the satisfaction of the director of community services, within twenty-four (24) hours after cessation of the event. If the applicant fails to complete the work within such period of time or if

the work is not performed to the satisfaction of the director of community services, the director may cause any necessary work to be performed and may utilize the security deposit for payment of any costs or expenses as may be incurred in connection therewith. In the event the cost exceeds the amount of the security deposit, the applicant shall be liable to the city for payment of such excess security deposit, the applicant shall be liable to the city for payment of such excess cost. Upon certification by the director of community services that all work has been satisfactorily completed, the deposit or any remaining balance thereof shall be refunded to the applicant, without interest, by mailing the same to the applicant's address as shown on the application. Such refund shall be made within thirty (30) days after the conclusion of the event. (Ord. 137 § 9, 1991)

12.08.100 Cost of governmental services.

As a condition for granting a special event permit, the applicant shall reimburse the city for all security, traffic control, law enforcement, and other expenses incurred by the city in order to provide governmental services for the event. Prior to issuance of the permit, the applicant shall deposit with the city an amount equal to the estimated total cost of such services, as determined by the director of community services. Upon the conclusion of the event, the director of community services shall ascertain the actual expenses incurred by the city and shall apply the deposit toward payment thereof. If the actual expenses are less than the deposit, the balance shall be refunded to the permittee, without interest, by mailing the same to the permittee's address as shown on the permit application. Such refund shall be made within thirty (30) days after the conclusion of the event. If the actual expenses exceed the deposit, the permittee shall be billed for the excess cost and shall be liable to the city for payment thereof within thirty (30) days after receipt of such billing. (Ord. 137 § 10, 1991)

12.08.110 Modification or waiver of requirements.

A. The application fee required under Section 12.08.030B, the liability and property damage insurance required under Section 12.08.080, the cleanup deposit required under Section 12.08.090, and the payment of city expenses required under Section 12.08.100, shall be waived or reduced by the director of community services if the event is conducted for the primary purpose of exercising the right of free speech pursuant to the First Amendment of the United States Constitution and Article 1, Sections 2 and 3 of the State Constitution, and the applicant demonstrates, to the satisfaction of the director, that the applicant is unable to pay such fees and expenses and will not receive sufficient revenue from the conduct of the special event to do so.

B. In addition to the waivers prescribed in subsection A of this section, the city council may, in its discretion and in response to a written request from the applicant to do so, modify or waive any of the requirements of this chapter in whole or in part upon a showing of good cause for such modification or waiver. As a condition to such waiver, in whole or in part, the city council may require that the city be identified as an official co-sponsor of such event or use; provided, however, the city council shall not establish a showing of good cause unless the city council makes the following findings:

1. The proposed event or use is one the city itself would conduct but for the lack of available resources;
2. The proposed event or use has substantial historical, cultural, educational, artistic or recreational significance to the city or its residents and the city has an interest in advancing the goals and purposes of such events or use;
3. The proposed event or use meets either or both of the preceding criteria and the cost associated with the city permitting process would constitute a substantial impediment to the successful carrying out of such event or use.

C. Nothing in this chapter shall prohibit the city council from authorizing city co-sponsorship of an event or program of the type described in Section 12.08.110B2 and where such event or program does not occur upon any public highway, street, alley, or sidewalk, or in a city facility. In such case city co-sponsorship shall be limited to the use of the city's name in event or program materials but shall not involve the contribution of city resources, directly or indirectly, unless the city council specifically authorizes such contribution. (Ord. 207 §§ 7, 8, 1996; Ord. 137 § 11, 1991)

12.08.120 Transferability of permit.

Any permit issued pursuant to this chapter shall apply to the permittee named therein and may not be transferred or assigned to any other person. (Ord. 137 § 12, 1991)

12.08.130 Revocation of permit.

Any permit issued pursuant to this chapter may be summarily revoked by the director of community services upon a determination that:

- A. By reason of accident, disaster or other emergency, the safety of persons or property requires such revocation; or
- B. A term, condition, restriction or limitation of the permit has been violated or is being violated; or
- C. Due to changed circumstances, or the discovery of facts unknown to the director of community services at the time the permit was issued, the considerations for issuance of the permit are no longer valid or applicable. (Ord. 137 § 13, 1991)

12.08.140 Appeals to city council.

Any decision or determination by the director of community services with respect to the issuance, denial or revocation of a special event permit, or relating to the conditions thereof, may be appealed to the city council by filing a notice of appeal with the city clerk within ten calendar days from the date on which such decision or determination is rendered. The notice shall specify the grounds for the appeal and shall be accompanied by the payment of a processing fee, in such amount as established from time to time by resolution of the city council. Upon receipt of the notice and processing fee, the city clerk shall schedule the appeal for hearing at the next available meeting of the city council. The council shall have discretion to affirm, reverse or modify the decision or determination of the director of community services, or the council may refer the matter back to the director for such further proceedings as may be specified by the council. (Ord. 137 § 14, 1991)

12.08.150 Violation of chapter.

The violation of any provision contained in this chapter shall constitute a misdemeanor, subject to the penalties as set forth in the State Penal Code. (Ord. 137 § 15, 1991)