

ORDINANCE NO. 2019-0005

Adopted by the Sacramento City Council

February 26, 2019

An Ordinance Amending Section 12.74.030 of the Sacramento City Code, Relating to City Hall Facility

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 12.74.030 of the Sacramento City Code is amended to read as follows:

12.74.030 The public's right to use the City Hall facility—Restrictions.

All persons are entitled to use the exterior of the City Hall facility for exercising their constitutional rights of free speech and assembly, without paying fees, obtaining permits, or providing advance notice, subject to the following restrictions:

- A. To ensure a suitable working environment for city employees, ensure access to the City Hall facility, preserve and protect the City Hall facility, and prevent incompatible uses, no person shall do any of the following at the City Hall facility:
1. Obstruct access to the entrances to, and exits from, city offices, or maintain less than an eight-foot-wide open space surrounding each entrance and exit.
 2. Unless authorized by a Plaza event permit, use amplified sound or any drum, horn, cowbell, whistle, rattle, clapper, or other noisemaker between 7:00 a.m. and 5:00 p.m. Monday through Friday.
 3. Unless authorized by a Plaza event permit, erect, install, or place any sign, display, or structure, temporary or otherwise, including tables and chairs, except as follows:
 - a. If space is available, portable tables may be placed in the Plaza, in the areas designated for that purpose on Exhibit 1, but only if the tables are used exclusively to facilitate the dissemination of expressive materials such as leaflets, pamphlets, petitions, and literature requesting contributions. As used here, "portable table" includes a banner suspended from the table plus up to two portable chairs.
 - b. Hand-held signs, banners, and flags are permitted.
 4. Leave personal property unattended other than bicycles parked at city-provided bicycle racks.

5. Unless authorized by a Plaza event permit, sell merchandise or solicit immediate contributions of money or property.
 6. Unless authorized by a Plaza event permit, cook, sell, or distribute any food or beverage (other than water) or use any heat source or flame.
 7. Use skates, a skateboard, a bicycle, or similar device.
 8. Bathe or sponge bathe, or wash clothes, dishes, or other items.
 9. Sit or lie down at any time between 6:00 a.m. and 9:00 p.m. of any day Monday through Friday, except on a bench or chair supplied by the city or allowed under subsection 3.a.
 10. Unless authorized by a Plaza event permit, bring or keep any animal other than service animals and service animals in training.
 11. Bring or keep any fireworks, confetti, smoke- or fog-generating devices, or dangerous or deadly weapons as defined in the California [Penal Code](#) other than a weapon on the person of a peace officer.
 12. Engage in any behavior or activity that violates the city code or state law.
 13. Harm or destroy any landscaping or vegetation, including trees, shrubs, bushes, flowers, and grass.
 14. Stand or sit on or in, or otherwise use, any water feature, statue, sculpture, or architectural or design feature in a manner inconsistent with its intended use;
 15. Dispose of trash or garbage in any location other than in receptacles provided for that purpose.
 16. Use on any surface, including trees, any type of paint, chalk, stickers, nails, fasteners, glue, or adhesive.
 17. Knowingly join or participate in a Plaza event conducted under any Plaza event permit: (a) in violation of the permit; (b) without the permittee's express consent and over the permittee's express objection; or (c) in any manner that disrupts the Plaza event. This restriction does not apply to a protest against a Plaza event so long as the protesters comply with this chapter and do not physically invade the area assigned for the Plaza event.
- B. A person or group that desires to have exclusive use of the Plaza, or any portion of it, for conducting a gathering, celebration, or other event must obtain a Plaza event permit.
- C. City programs and activities in the Plaza have priority over all other uses.

Adopted by the City of Sacramento City Council on February 26, 2019, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer, Warren and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy
Date: 2019.03.01 11:32:23
-08'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

Passed for Publication: February 12, 2019

Published: February 15, 2019

Effective: March 28, 2019