

Chapter 7.20 Miscellaneous Regulations

§ 7.20.005 Definition.

For the purposes of this chapter, the term "city property" shall mean all property owned by the city, including without limitation the public beach, pier, parks and public parking facilities.

§ 7.20.010 Consumption/Possession of Alcoholic Beverages in Public Places. (Ord. No. 1552)

A. Prohibitions. The following acts are prohibited on City property, public and private parking lots and parking facilities, and vacant lots:

1. Consumption of an alcoholic beverage.
2. Possession of any can, bottle or other receptacle containing any alcoholic beverage, which has been opened, or which has had a seal broken, or the contents of which have been partially removed.

B. Exemptions. Paragraph A shall not apply to consumption of alcoholic beverages at the following locations:

1. Premises licensed under the Alcoholic Beverage Control Act.
2. Events conducted pursuant to a special event permit and licensed under the Alcoholic Beverage Control Act.
3. Private property where the owner has provided consent.

§ 7.20.015 Glass Containers.

No person shall consume a beverage from, possess or use a glass container while in or upon the public beach, pier, parks or parking facilities adjacent thereto. For purposes of this section, the term "glass container" means any receptacle made of glass including without limitation a bottle, cup, tumbler, jar, vial, flask, decanter, carafe, pitcher, cruet or jug.

§ 7.20.020 Camping and Storage on City Property.

A. Definitions. For the purposes of this section, the following words and phrases shall mean:

1. Camp: to pitch or occupy camp facilities; to use camp paraphernalia.
2. Camp Facilities: temporary shelters including without limitation tents, huts and lean-tos.
3. Camp Paraphernalia: tarpaulins, cots, beds, sleeping bags, hammocks or non-city provided cooking facilities and similar equipment.
4. Store: to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location.

B. Prohibitions.

1. No person shall camp, occupy camp facilities or use camp paraphernalia in or on any city property, public property or public right-of-way.
2. No person shall store any personal property in or on any city property, public property or public right-of-way.

§ 7.20.025 Nighttime Curfew.

A. Definitions. For the purpose of this section, the following words and phrases shall mean:

1. Constitutionally Protected Expressive Activity: An activity protected by the First Amendment of the United States Constitution or by Article I, Section 2 of the California Constitution.
2. Emergency: an unforeseen combination of circumstances or the resulting state, that calls for immediate action. "Emergency" includes without limitation a fire, natural disaster, an automobile accident or other situation requiring immediate action to prevent bodily injury.
3. Nighttime Curfew Hours: the period from 10:00 p.m. of any evening through 6:00 a.m. of the following day.
4. Guardian: a person designated by a court to be the guardian of a minor.
5. Responsible Adult: a person, 18 years of age or older, who has been authorized by the parent or guardian of a minor to have custody of the minor.
6. Public Place: a place to which the public has access, including without limitation, publicly owned alleys, beaches, parks, sidewalks and

streets. "Public place" also includes privately owned businesses that are open to the public, including without limitation arcades, bars, saloons and restaurants.

7. Un-emancipated Minor: a person who is under the age of 18 years and is not an "emancipated minor" as defined in Family Code Section 7002.

B. Prohibitions.

1. No un-emancipated minor shall be present in a public place during nighttime curfew hours.

2. No parent or guardian of an un-emancipated minor shall knowingly permit such person to be present in a public place during nighttime curfew hours.

C. Exemptions. Paragraph B does not apply if the un-emancipated minor is any of the following:

1. On the sidewalk abutting his or her residence.

2. In a motor vehicle involved in interstate travel.

3. Responding to an emergency.

4. Attending an adult-supervised activity sponsored by the city, a school, religious institution, civic organization or similar entity.

5. Accompanied by his or her parent, guardian or responsible adult.

6. On an errand at the direction of his or her parent, guardian or responsible adult.

7. Traveling between home and an employment activity or a constitutionally protected expressive activity.

8. Engaged in an employment activity or a constitutionally protected expressive activity.

§ 7.20.030 Daytime Curfew.

A. Definitions. For the purpose of this section, the following words and phrases shall mean:

1. Daytime Curfew Hours: the period from 8:00 a.m. through 2:30 p.m. on a school day.
2. School Age Minor: a person who is between the ages of 6 and 18 years.
3. School Day: a weekday in which school is in session.
4. Guardian: a person designated by a court to be the guardian of a minor.
5. Responsible Adult: a person, 18 years of age or older, who has been authorized by the parent or guardian of a minor to have custody of the minor.
6. Public Place: a place to which the public has access, including without limitation publicly owned alleys, beaches, parks, sidewalks and streets. "Public place" also includes privately owned businesses that are open to the public, including without limitation arcades, bars, saloons and restaurants.

B. Prohibitions.

1. No school age minor shall be present in a public place during daytime curfew hours.
2. No parent or guardian of a school age minor shall knowingly permit such person to be present in a public place during daytime curfew hours.

C. Exemptions. Paragraph B does not apply if the school age minor is any of the following:

1. Exempt from compulsory full-time education or compulsory continuation education pursuant to the Education Code.
2. Accompanied by his or her parent, guardian or responsible adult.
3. On an errand at the direction of his or her parent, guardian or responsible adult.
4. Traveling to or from an employment activity with a valid permit from school.
5. Traveling to or from a medical appointment with written proof of the appointment.

6. Traveling to or from lunch with a valid permit from school.
7. Traveling to or from a school-sponsored activity.
8. In possession of a valid off-campus permit from school.
9. Not a resident of the Los Alamitos Unified School District and is in possession of identification confirming such non-residency.
10. Receiving instruction at a private school pursuant Education Code Section 48222 or by a private tutor pursuant to Education Code Section 48224.
11. On an excused absence authorized by Education Code Section 48205(a).

§ 7.20.035 Public Nudity.

A. Definitions. For the purpose of this section, the following words and phrases shall mean:

1. Nudity:
 - a. The showing of human genitals, pubic area, anus or cleft of the buttocks with less than a fully opaque covering. (Ord. No. 1533)
 - b. The showing of the female breast with less than a fully opaque covering of any part of the nipple.
 - c. The exposure of any device, costume or covering that gives the appearance of or simulates the genitals, pubic hair, natal cleft, perineum, anal region or pubic hair region.
 - d. The exposure of any device worn as a cover over the nipples and/or areola of the female breast, which device simulates and gives the realistic appearance of nipples and/or areola.
2. Theater, Concert Hall or Similar Establishment: a building or place having fixed seats so arranged for spectators to have an unobstructed view of a stage upon which theatrical performances or similar forms of artistic expression are presented. "Theater, concert hall or similar establishment" does not include an adult cabaret as defined in title 5 of this code and in the zoning ordinance.

B. Prohibitions.

1. No person shall appear in a state of nudity in a public place.
2. No person shall change clothing worn by such person, or remove clothing worn by such person, in any motor vehicle located on a public alley, parking lot, street or other public place.

C. Exemptions. Paragraph B shall not apply to the following:

1. A child under the age of 10.
2. A woman exposing a breast in the process of nursing an infant.
3. Acts prohibited, or the prohibition of which is preempted, by state law.
4. Performers in a theater, concert hall or similar establishment.

§ 7.20.040 Gaming.

A. Scope. This section does not apply to gaming that is prohibited by state law.

B. Definitions. For the purpose of this section, the following words and phrases shall mean:

1. Gaming: the dealing, playing, carrying on or conducting of a game with cards, dice, dominos or any device, for money, checks, chips, credit or any representative of value.
2. Gaming house: a house, room, venue or other place where gaming is conducted.

C. Prohibitions.

1. No person shall operate a gaming house, or allow a gaming house to be operated, on any property owned or occupied by such person.
2. No person shall knowingly permit gaming to occur on any property owned or occupied by such person.
3. No person shall visit a gaming house or bet in any gaming.
4. No person shall engage in gaming on public property including without limitation the municipal pier. Nor shall any person transport

another person by water vessel from the municipal pier or any water within the city's boundaries to another vessel or a place where such gaming is conducted.

D. Exemptions. Paragraph C does not apply to the following:

1. Gaming that is conducted for purely social purposes and that occurs in a private residence.

2. Gaming that is conducted by a civic, religious or veteran's organization pursuant to a gaming permit issued by the city council. Gaming permits may be issued by the city council to allow gaming by the members of such organizations for a maximum of 12 hours per calendar month.

§ 7.20.045 Damaging City Property.

A. No person shall damage, destroy or deface any city property.

B. Any person who gives to the police department information leading to the arrest and conviction of a person for violation of paragraph A shall, upon making a claim therefore, be paid by the city a reward in an amount set by city council resolution.

§ 7.20.050 Obedience to Official Signs.

All persons shall not refuse to obey the provisions of an official sign posted by the city.

§ 7.20.055 Firearms and Ammunition.

A. No person shall discharge a gun, compressed air gun, pistol or other firearm without first obtaining a permit from the chief of police. This prohibition does not apply to law enforcement personnel acting in the course of duty.

B. No person shall sell, offer for sale or possess ammunition capable of being discharged by a compressed air gun.

§ 7.20.060 Tobacco.

A. No person shall do any of the following:

1. Sell or dispense any cigarettes or tobacco product, a cigarette paper or cigarette wrapper through the use of a vending machine.

2. Accept or place an advertisement for any tobacco product on or in any vehicle of public transportation owned or licensed by the city. For

purposes of this provision, "vehicle of public transportation owned or licensed by the city" includes transit depots, transit waiting areas and transit shelters.

3. Sell cigarettes apart from the required manufacturer's package containing health warnings.

4. Distribute or furnish without charge in any public place or event to which the public is invited, or cause to be distributed or furnished without charge in any such place, cigarettes or other tobacco products.

B. Any person who violates this section shall be guilty of an infraction.

§ 7.20.065 Fireworks. (Ord. No. 1606)

A. It is illegal to sell, possess, or discharge fireworks, except pursuant to a special event permit permitting public display of fireworks issued in accordance with this Section. For purposes of this Section, the terms "firework" and "public display of fireworks" have the meanings set forth in the California Health and Safety Code.

B. The public display of fireworks is allowed on property located in the Recreational Golf Zone (R/G Zone) if the property is at least 25 acres in size and the person conducting the display first obtains approval of a special use permit in accordance with Chapter 7.50 of the Municipal Code. The City may issue a special event permit for the public display of fireworks annually on July 4th provided the applicant: (a) satisfies all requirements of Chapter 7.50; (b) satisfies all Orange County Fire Authority and Seal Beach Police Department requirements; and (c) abides by and conforms to applicable safety, professional and technical standards and all applicable federal, State and local laws regarding fireworks.

C. The fire chief shall seize, impound, and dispose of all fireworks sold, possessed, or discharged in violation of this Section. Any person who violates this Section shall be liable to the city for the actual costs of seizure, impoundment, and disposal of such fireworks, in addition to any and all other penalties available under the Municipal Code.

§ 7.20.070 Skate Park Facilities.

A. Zoeter Park Skate Facility is designed and maintained, and is hereby designated, as a skateboard park in which skateboarding, in-line skating and roller skating is permitted pursuant to the provisions of this section.

B. Every person skateboarding, in-line skating or roller skating at Zoeter Park Skate Facility must:

1. Wear a fully-functional helmet, elbow pads, and knee pads.
2. Be supervised by an adult if under the age of 14.
3. Comply with all posted rules and regulations.

§ 7.20.075 Signs on Public Property.

A. Purpose. The purpose of this section is to curb the visual assault on citizens presented by an accumulation of signs posted on public property.

B. Prohibition. No person shall paint, mark, or write on, or post or otherwise affix, any handbill or sign to or upon any public right-of-way, sidewalk, crosswalk, curb, curbstone, street lamp post, hydrant, tree, shrub, tree stake or guard, railroad trestle, electric light or power or telephone or telegraph or trolley wire pole, or appurtenances or apparatus connected therewith, or wire appurtenant thereof or upon any fixture of the fire alarm or police telegraph system or upon any lighting system or public bridge, drinking fountain, life buoy, life preserver, life boat, or other life saving equipment, street sign or traffic sign owned or maintained by any public entity or public utility.

C. Removal. Any handbill or sign found posted, or otherwise affixed, upon any property contrary to the provisions of this section is declared to be a public nuisance and may be removed by the city. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal and the city manager may effect the collection of that cost.

D. Exceptions. This section shall not apply to the following:

1. The painting of house numbers on curbs done under a permit issued by the city and in accordance with standards established by such permit.

2. Signs installed upon or affixed by a public entity or public utility on property owned by such entity or utility.

§ 7.20.080 Graffiti.

A. Definitions. For the purpose of this section, the following words and phrases shall mean:

1. Graffiti or other inscribed material: includes without limitation any unauthorized inscription, word, figure, mark or design that is written, marked, etched, scratched, drawn or painted on any real or personal property.

2. Expense of abatement: includes without limitation: court costs; attorney's fees; costs of removal of the graffiti or other inscribed material; costs of repair and replacement of defaced property; costs of administering and monitoring the participation of a defendant and his or her parents or guardians in a graffiti abatement program; and law enforcement costs incurred by the city in identifying and apprehending the person who created, caused or committed the graffiti or other inscribed material on the publicly or privately owned permanent real or personal property within the city.

B. Removal Requirement. No owner, lessee, occupant or other person having present possession of a lot or parcel of land shall permit graffiti or other inscribed material to remain on such lot or parcel for a period in excess of 48 hours following service by the city of a notice to abate graffiti.

C. Abatement. The maintenance of property with graffiti, or other inscribed material thereon, shall constitute a public nuisance and shall be subject to abatement in accordance with Chapter 7.40 of this code.

D. Use of City Funds. City funds may be used to remove graffiti or other inscribed material from publicly or privately owned real or personal property located within the city. Additionally, city funds may be used to replace or repair publicly or privately owned property within the city that has been defaced with graffiti or other inscribed material that cannot be removed cost effectively. This paragraph authorizes only the removal of the graffiti or other inscribed material itself or, if the graffiti or other inscribed material cannot be removed cost effectively, the repair or replacement of the portion of property that was defaced. This paragraph does not authorize the painting, repair or replacement of other parts of the property that was not defaced.

The removal, repair or replacement shall not be performed without the consent of: the public entity having jurisdiction over the property, in the case of publicly owned real or personal property; or the owner or possessor of the property, in the case of privately owned real or personal property.

E. Penalty. Each person violating paragraph B is guilty of an infraction unless such a violation is prosecuted through the administrative penalty procedure of this code.

§ 7.20.085 Sleeping In Vehicles Overnight Prohibited.

No person shall sleep in any automobile, recreational vehicle, house trailer, camper, or other vehicle parked on any public parking lot, public street, public alleyway or passageway between the hours of 9:00 p.m. and 9:00 a.m.

(Ord. No. 1551)
