

RESOLUTION NO. 13-8022

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, DECLARING A TEMPORARY
RESTRICTION AND CONTROL OF ANIMALS AT THE
SANTA CLARA ART AND WINE FESTIVAL ON
SEPTEMBER 14 & 15, 2013**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, pursuant to Section 9.05.050 of "The Code of the City of Santa Clara, California" ("SCCCC"), the City Council may from time to time adopt and approve regulations concerning recreational lands or facilities which the Parks and Recreation Department of the City of Santa Clara operates and maintains; and

WHEREAS, the City of Santa Clara ("City) finds and determines that the necessity for the provisions and prohibitions, and restrictions contained and enacted by this Resolution are declared, as a matter of the City Council's determination, for the purpose of securing and promoting the public health, safety, and welfare of all citizens of the City; and

WHEREAS, the City Council finds that a temporary restriction and control of animals at the Santa Clara Art and Wine Festival, to take place on September 14 & 15, 2013, is necessary because of the anticipated crowds and the potential threat animals pose to the health, safety, and welfare of the citizens attending the Santa Clara Art and Wine Festival ("Art and Wine Festival"); and

WHEREAS, the City Council finds that a temporary restriction and control of animals at the Art and Wine Festival is necessary to preserve the health and safety of citizens by restricting the access and presence of animals in the Art and Wine Festival areas of Central Park including, but not limited to, the art and handicraft exhibits and booths, entertainment stages, playgrounds, pathways and in any area where food and beverages are being cooked served to the public.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA
AS FOLLOWS:**

1. That there shall be a temporary restriction and control of all animals at the Art and Wine Festival in festival areas of Central Park, Santa Clara, California (“Central Park”). The restricted areas of Central Park shall be posted with a copy of this Resolution.

2. That this temporary restriction and control of all animals within the Art and Wine Festival area of Central Park shall remain in full force and effect on September 14 & 15, 2013 from 9:00 a.m. until 6:00 p.m.

3. That this temporary prohibition shall not apply to “guide dogs,” “signal dogs,” or “service dogs,” as each is defined in Section 54.1 of the California Civil Code.

4. That this temporary restriction and control of all animals within the Art and Wine Festival area of Central Park shall not include the softball fields and parking lots where the animal owners will have access, provided animals are on leash.

5. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

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6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 9TH DAY OF APRIL, 2013, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Davis, Gillmor, Mahan, Marsalli and O'Neill and Mayor Matthews
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	Kolstad
ABSTAINED:	COUNCILORS:	None

ATTEST:



ROD DIRIDON, JR.
CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None