

Regular Council Meeting

January 11, 2024

FRESNO CITY COUNCIL



Supplement Packet

ITEM(S)

1-U(ID 24-66)

***BILL B-36 - (Intro'd December 14, 2023)(For Adoption) Repealing Article 22 of Chapter 14 of the Fresno Municipal Code, relating to Cruising (Subject to Mayor's Veto)

Contents of Supplement: Updated Ordinance

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
REPEALING ARTICLE 22 OF CHAPTER 14 OF THE
FRESNO MUNICIPAL CODE, RELATING TO CRUISING

WHEREAS, nearly 34 years ago, the City of Fresno (City) enacted a cruising ban within the Fresno Municipal Code (FMC) to keep communities safe and address concerns involving traffic, noise and crime; and

WHEREAS, over the last year, the State Legislature has encouraged local jurisdictions to recognize the cultural significance of cruising in California and several jurisdictions across the state have already abolished bans on lowrider car cruising; and

WHEREAS, State Assembly Bill 436 (AB 436) was signed into law on October 13, 2023; and

WHEREAS, the passage of AB 436 includes the complete repeal of the cruising ban, legalizing cruising across California and removing the authorization for the City to adopt rules and regulations by ordinance or resolution for cruising; and

WHEREAS, AB 436 further repeals the prohibition that made it unlawful to operate a passenger vehicle, or commercial vehicle under 6,000 pounds, that has been modified from its original design so that any portion of the vehicle, other than the wheels, has less clearance from the surface of a level roadway than the clearance between the roadway and the lowermost portion of any rim of any wheel in contact with the roadway; and

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: _____

Ordinance No.

WHEREAS, the City now wishes to take the steps to make the FMC consistent with state law, by repealing Article 22 of Chapter 14 of the FMC, regarding the prohibition of cruising.

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Article 22 of Chapter 14 of the Fresno Municipal Code is repealed.

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2024
Mayor Approval/No Return: _____, 2024
Mayor Veto: _____, 2024
Council Override Vote: _____, 2024

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Tracy N. Parvanian Date
Supervising Deputy City Attorney