

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

A REQUEST TO MODIFY THE PROVISIONS OF THE DEVELOPMENT CODE BY AMENDING SECTION 9.21 "SPECIAL EVENTS PERMITS" OF TITLE 9 "DEVELOPMENT CODE" OF THE APPLE VALLEY MUNICIPAL CODE AS IT RELATES TO MODIFYING THE PERMITTING REQUIREMENTS FOR SPECIAL EVENTS CONDUCTED WITHIN THE TOWN OF APPLE VALLEY.

Recommended Action:

**Move to open the public hearing and take testimony.
Close the public hearing. Then:**

1. **Determine** that, pursuant to Section 15061(b)(3) of the State Guidelines to Implement the California Environmental Quality Act (CEQA), the project is exempt from environmental review because the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.
2. **Find** the facts presented within the staff report support the required Findings for approval of an amendment to the Development Code, and adopt the Findings.
3. **Find** that the proposed Town Council Ordinance is consistent with the Goals and Objectives of the adopted Town of Apple Valley General Plan and that it is necessary to preserve the health, safety and general welfare of the citizens of Apple Valley.
4. **Move** to waive the reading of Ordinance No. 400 in its entirety and read by title only.
5. **Introduce** Ordinance No. 400, amending Title 9 "Development Code" of the Town of Apple Valley Municipal Code by amending Section 9.21 "Special Events Permits" of Title 9 "Development Code" of the Apple Valley Municipal Code as it relates to modifying the permitting requirements for special events conducted within the Town of Apple Valley.
6. **Direct** staff to file a Notice of Exemption.

Proposed by: Planning Division

Item Number _____

Town Manager Approval: _____ **Budgeted Item** Yes No N/A

Town Council Meeting: September 22, 2009

Summary Item:

In October 2000, the Town Council adopted Ordinance No. 359 “Development Code 2000”. As directed by the Council, Ordinance No. 359 combined the development standards of the 1994 Development Code with the processes and procedures of the 1998 Development Code. Staff is bringing forward Development Code Amendment No. 2009-004 to correct the processes of the Special Events Permit to be consistent with the 1998 Development Code, and to provide internal procedural consistency between Town Divisions.

ANALYSIS:

The approval of a Special Events Permit is required for most outdoor activities occurring on any public property or private commercial property. As presently codified, Development Code 2000 Section 9.21 “Special Events Permits”, contains processes that are insufficient or in conflict with the operating procedures of the Events and Parks and Recreation Divisions. Staff has prepared this Development Code Amendment for the purposes of formulating procedural consistency, while ensuring sufficient review of commercially-sponsored outdoor activities and events. Specific areas addressed include the following:

- The addition of provisions for review of events with an anticipated attendance of less than 200 people;
- Incorporation of specific activities exempt from the provisions of Development Code Section 9.21 “Special Events Permits”;
- Frequency of events located at public or private recreational facilities; and
- Language consistency.

The attached Planning Commission staff report contains the strike-through/underlined version of the recommended changes that are reflected within Planning Commission Resolution No. 2009-004.

FINDINGS:

Prior to the approval of any Amendment to the Development Code, the Council, based upon the advice of the Planning Commission, must make specific “Findings” as listed within the Code. Code Section 9.06.060 “Required Findings” of Chapter 9.06 “Amendments to Zoning Provisions” specifies that two (2) Findings must be made in a positive manner to approve an Amendment. These Findings, along with a comment to address each, are presented below.

9.06.060 “Required Findings

- A. The proposed Amendment is consistent with the General Plan; and

Comment: The General Plan is the blueprint for the community’s future growth. Specific Goals and Objectives are provided within each of the adopted General Plan’s State-mandated Elements. Many of these stated Goals and Objectives address the community’s desire to establish and maintain high standards for the quality, aesthetic appearance and safety for all new and existing development. The proposed Code Amendment shall minimize potential hazards to

public health, safety, and welfare by ensuring adequate review of outdoor special events. In addition, this amendment will facilitate the continued maintenance of quality recreation services and programs.

- B. The proposed Amendment will not be detrimental to the public health, safety or general welfare of the Town or its residents.

Comment: Amending the Code as proposed under Amendment No. 2009-004 shall establish review procedures for events with an anticipated attendance of less than 200 individuals. In addition, the amendment will streamline the processes required for public recreational events. The proposed Amendment will not be detrimental to the public health, safety or general welfare of the Town or its residents.

NOTICING

Development Code Amendment No. 2009-004 was advertised as a public hearing in the Apple Valley News newspaper on September 11, 2009 as required under Development Code Section 9.13.030 "Notice of Public Hearings".

RECOMMENDATION

Following receipt of public input and discussion by the Council, it is recommended that the Council move to introduce Ordinance No. ____ amending Title 9 "Development Code" of the Town of Apple Valley Municipal Code Section 9.21 "Special Events Permits" as it relates to permitting requirements for special events conducted within the Town of Apple Valley.

Attachments:

Planning Commission Staff Report August 5, 2009
Planning Commission Resolution No. 2009-005
Draft Ordinance No. ____



TOWN OF APPLE VALLEY PLANNING COMMISSION

STAFF REPORT

AGENDA DATE:	August 5, 2009
CASE NUMBER:	Development Code Amendment No. 2009-004
APPLICANT:	Town of Apple Valley
PROPOSAL:	A request to consider an amendment to Title 9 “Development Code” of the Town of Apple Valley Municipal Code by amending Chapter 9.21 “Special Events Permits” of the Development Code as it relates to modifying the permitting requirements for special events conducted within the Town of Apple Valley.
LOCATION:	Town-wide
EXISTING GENERAL PLAN DESIGNATIONS:	All General Plan Designations
EXISTING ZONING:	All Zoning Districts
ENVIRONMENTAL DETERMINATION:	Staff has determined that the project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.
PROJECT PLANNER:	Ms. Pam Cupp, Associate Planner
RECOMMENDATION:	Approve Planning Commission Resolution No. 2009-005

BACKGROUND & ANALYSIS:

In October 2000, the Town Council adopted Ordinance No. 359 "Development Code 2000". As directed by the Council, Ordinance No. 359 combined the development standards of the 1994 Development Code with the processes and procedures of the 1998 Development Code. Staff is bringing forward Development Code Amendment No. 2009-004 to correct the processes of the Special Event Permit to be consistent with the 1998 Development Code, specifically those provisions identifying applicability and exemptions. Listed below are items recommended to be changed and the suggested corrective language followed by a separate analysis of each issue. Within this material, additions are noted in **bold** and deletions are noted in ~~strike-through~~. Staff requests Commission review and direction on each item.

Chapter 9.21 Special Events Permits (Amended Ord. Nos. 248, 251, 359)

9.21.020 Applicability

Special events provisions shall apply to temporary uses of property which are strictly limited in duration and frequency that do not involve any significant alterations of the land, improvements or construction of permanent structures that are not otherwise regulated by the provisions of this Code.

Uses subject to obtaining a special event permit shall include temporary outdoor activities held outside a building or an established permanent facility that is designed, constructed and approved for such activities, which has the required facilities to accommodate the activities, including but not limited to parking, sanitary and health facilities and water. Such activities shall be classified as follows:

- A. Major Special Events Permits.** Temporary outdoor activities with more than one thousand (1,000) people at one time.
- B. Minor Special Events Permits.** Temporary outdoor activities with ~~between two hundred (200) and~~ **a maximum attendance of one thousand (1,000) people at any one time.**

Development Code 2000 has no provisions for events with an anticipated attendance of less than 200 people. This revision is necessary to ensure adequate review of outdoor activities located upon any public or private, commercial property.

9.21.025 Exemptions

The following activities shall be exempted from the provisions of this Chapter:

- A. Town of Apple Valley sponsored and co-sponsored events.**
- B. Events located at public or private recreational facilities with a maximum attendance of 200 people at any one time.**
- C. Events of 500 people or less at any given time sponsored by non-profit organizations and agencies on private property.**

Development Code 2000 Section 9.21 "Special Event Permits", does not provide for any exemptions to the provisions of the Code; therefore, staff is recommending the addition of Section 9.21.025 "Exemptions", to identify exemptions from the 1998 processes and current operating procedures.

The Town of Apple Valley Marketing and Public Affairs Manager coordinates all Town sponsored and co-sponsored events, which are pre-approved by the Town Council.

Review and provisions required for these events are duplicated with the Special Events Permit procedure. The Town's Park and Recreation Division currently requires a Special Event Permit be reviewed and approved by the Planning Division for any Facility Use Agreement with an anticipated attendance in excess of 200 people; therefore, staff is recommending the above modification to become consistent with standard operating procedures.

9.21.030 Authority

- A. Major Special Events.** The Council shall approve, approve with conditions, or deny applications for Major Special Events after a public hearing on the proposed activity. Public hearings and notices shall be provided as established in Chapter 9.13 *Public Hearings and Notice*, of this Code.
- B. Minor Special Events and Activity Permits.** The Director is authorized to approve, approve with conditions, or deny applications for Minor Special Event Permits and ~~Activity Permits~~ in compliance with the procedures and standards established in this Chapter and other applicable provisions of the Municipal Code. Notice of pending action is not required for Minor Special Events ~~and Activity Permits.~~"

Activity Permits are no longer applicable; therefore, staff is removing all references.

9.21.050 Approval, Frequency and Time Limitations (Amended Ord. 248)

Permits for special events ~~and temporary outdoor activities~~ regulated by this Chapter shall not be granted for more than four events per calendar year and shall not exceed fourteen consecutive days per event. However, events may be consecutive or combined. Events located at public or private recreational facilities may exceed four (4) events per calendar year.

Staff is recommending this modification for language consistency and to remove event frequency limitations upon sites specifically used as special event venues.

9.21.060 Standards of Operation

Special events ~~and temporary outdoor activities~~ as described in this Chapter shall be conducted in a manner that will not adversely impact the public peace, health, safety or welfare.

The operator of the ~~temporary outdoor activity~~ special event shall be responsible to assure that adequate provisions are made and implemented for all of the following. Conditions may be required to demonstrate compliance with the following requirements. There are adequate provisions on the proposed site to accommodate adequate law enforcement and/or security protection, adequate ingress/egress and adequate parking, including provisions for special traffic guards or signals; consideration of the impositions upon adjacent properties and the local communities; noise impact(s); topographical and ecological considerations and consideration of alternative sites; electrical illumination requirements; inclement weather contingencies; water facilities; food concessions; sanitation facilities; medical/first aid facilities; overnight camping; bonding and insurance requirements; fire protection, including location of fire hydrants and supplemental water sources; communication, including temporary or additional telephones and an adequate public address system; news releases required; adequate office space(s) and communication equipment for all

regulatory personnel on site by the permittee; clean-up trash disposal; restoration of landscape; final accounting procedures, billings and/or reimbursements.

Staff is recommending this modification for language consistency.

FINDINGS:

Prior to the approval of any Amendment to the Development Code, the Council, based upon the advice of the Planning Commission, must make specific "Findings" as listed within the Code. Code Section 9.06.060 "Required Findings" of Chapter 9.06 Amendments to Zoning Provisions" specifies that two (2) Findings must be made in a positive manner to approve an Amendment. These Findings, along with a comment to address each, are presented below.

9.06.060 "Required Findings

A. The proposed Amendment is consistent with the General Plan; and

Comment: The Town Council finds that the changes proposed by Development Code Amendment No. 2009-004 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan, and will promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

B. The proposed Amendment will not be detrimental to the public health, safety or general welfare of the Town or its residents.

Comment: The Town Council further finds that, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), the project is exempt from further environmental review. Section 15061(b)(3), states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

RECOMMENDATION:

It is recommended that the Planning Commission adopt Planning Commission Resolution No. 2009-005, forwarding a recommendation to the Town Council that Development Code Amendment No. 2009-004 be adopted as it relates Chapter 9.21 "Special Events Permits" of the Development Code as it relates to modifying the permitting requirements for special events conducted within the Town of Apple Valley.

Prepared By:

Reviewed By:

Pam Cupp

Lori Lamson

Associate Planner

Assistant Director of Community Development

Attachments:

1. Planning Commission Resolution No. 2009-005

PLANNING COMMISSION RESOLUTION NO. 2009-005

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL AMEND TITLE 9 “DEVELOPMENT CODE” OF THE TOWN OF APPLE VALLEY MUNICIPAL CODE, BY AMENDING CHAPTER 9.21 “SPECIAL EVENT PERMITS”.

WHEREAS, Title 9 “Development Code” of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on October 24, 2000; and

WHEREAS, Title 9 “Development Code” of the Municipal Code of the Town of Apple Valley has been previously modified by the Town Council on the recommendation of the Planning Commission; and

WHEREAS, on July 24, 2009, Development Code Amendment No. 2009-004 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, The project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA; and

WHEREAS, on August 5, 2009, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on Development Code Amendment No. 2009-004, receiving testimony from the public; and

WHEREAS, Development Code Amendment No. 2009-004 is consistent with Title 9 “Development Code” of the Municipal Code of the Town of Apple Valley and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

NOW, THEREFORE, BE IT RESOLVED that in consideration of the evidence presented at the public hearing, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission of the Town of Apple Valley, California, does hereby resolve, order and determine as follows and recommends that the Town Council make the following findings and take the following actions:

Section 1. The Town Council finds that the changes proposed by Development Code Amendment No. 2009-004 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan, and will promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

Section 2. The Town Council further finds that, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), the project is exempt from further environmental review. Section 15061(b)(3), states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for

causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

Section 3. Amend subsection A and B of Section 9.21.020 “Applicability” of Chapter 9.21 “Special Event Permits” of the Development Code to read as follows:

9.21.020 Applicability

- A. **Major Special Events Permits.** Temporary outdoor activities with more than one thousand (1,000) people at one time.
- B. **Minor Special Events Permits.** Temporary outdoor activities with a maximum attendance of one thousand (1,000) people at any one time.

Section 4. Add Section 9.21.025 “Exemptions” to Chapter 9.21 “Special Event Permits” of the Development Code to read as follows:

9.21.025 Exemptions

The following activities shall be exempted from the provisions of this Chapter:

- A. Town of Apple Valley sponsored and co-sponsored events.
- B. Events located at public or private recreational facilities with a maximum attendance of 200 people at any one time.
- C. Events of 500 people or less at any given time sponsored by non-profit organizations and agencies on private property.

Section 4. Amend subsection B of Section 9.21.030 “Authority” of Chapter 9.21 “Special Event Permits” of the Development Code to read as follows:

9.21.030 Authority

- B. **Minor Special Events.** The Director is authorized to approve, approve with conditions, or deny applications for Minor Special Event Permits in compliance with the procedures and standards established in this Chapter and other applicable provisions of the Municipal Code. Notice of pending action is not required for Minor Special Events.

Section 5. Amend Section 9.21.050 “Approval, Frequency and Time Limitations” of Chapter 9.21 “Special Event Permits” of the Development Code to read as follows:

9.21.050 Approval, Frequency And Time Limitations

Permits for special events regulated by this Chapter shall not be granted for more than (4) four events per calendar year and shall not exceed fourteen consecutive days per event. However, events may be consecutive or combined. Events located at public or private recreational facilities may exceed four (4) events per calendar year.

Section 5. Amend Section 9.21.060 “Standards of Operation” of Chapter 9.21 “Special Event Permits” of the Development Code to read as follows:

9.21.060 Standards of Operation

Special events as described in this Chapter shall be conducted in a manner that will not adversely impact the public peace, health, safety or welfare. The operator of the special event shall be responsible to assure that adequate provisions are made and implemented for all of the following. Conditions may be required to demonstrate compliance with the following requirements. There are adequate provisions on the proposed site to accommodate adequate law enforcement and/or security protection, adequate ingress/egress and adequate parking including provisions for special traffic guards or signals; consideration of the impositions upon adjacent properties and the local communities; noise impact(s); topographical and ecological considerations and consideration of alternative sites; electrical illumination requirements; inclement weather contingencies; water facilities; food concessions; sanitation facilities; medical/first aid facilities; overnight camping; bonding and insurance requirements; fire protection, including location of fire hydrants

and supplemental water sources; communication, including temporary or additional telephones and an adequate public address system; news releases required; adequate office space(s) and communication equipment for all regulatory personnel on site by the permittee; clean-up trash disposal; restoration of landscape; final accounting procedures, billings and/or reimbursements.

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 5th day of August, 2008.

Bruce Kallen, Chairman

ATTEST:

I, Patty Hevle, Secretary to the Planning Commission of the Town of Apple Valley, California, do hereby certify that the foregoing Planning Commission Resolution No. 2009-005 was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 5th day of August, 2008, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Patty Hevle, Planning Commission Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AMENDING TITLE 9 “DEVELOPMENT CODE” OF THE TOWN OF APPLE VALLEY MUNICIPAL CODE, BY AMENDING TITLE 9 “DEVELOPMENT CODE” OF THE TOWN OF APPLE VALLEY MUNICIPAL CODE, BY AMENDING SECTION 9.21 “SPECIAL EVENTS PERMITS” OF TITLE 9 “DEVELOPMENT CODE” OF THE APPLE VALLEY MUNICIPAL CODE AS IT RELATES TO THE PERMITTING REQUIREMENTS FOR SPECIAL EVENTS CONDUCTED WITHIN THE TOWN OF APPLE VALLEY.

The Town Council of the Town of Apple Valley, State of California, does ordain as follows:

Section 1. Recitals

- (i) Title 9 “Development Code” of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on October 24, 2000; and
- (ii) Title 9 “Development Code” of the Municipal Code of the Town of Apple Valley has been previously modified by the Town Council on the recommendation of the Planning Commission; and
- (iii) Specific changes to Title 9 “Development Code” of the Town of Apple Valley Municipal Code include amending Section 9.21 “Special Events Permits” of Title 9 “Development Code” of the Apple Valley Municipal Code as it relates to modifying the permitting requirements for special events conducted within the Town of Apple Valley; and
- (iv) On September 11, 2009, Development Code Amendment No. 2009-004 was duly noticed in the Apple valley News, a newspaper of general circulation within the Town of Apple Valley; and
- (v) The project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA; and
- (vi) On August 5, 2009, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on Development Code Amendment No. 2009-004, receiving testimony from the public and adopted Planning Commission Resolution No. 2009-005 recommending adoption of this Ordinance; and
- (viii) Development Code Amendment No. 2009-004 is consistent with Title 9 “Development Code” of the Municipal Code of the Town of Apple Valley and shall promote the health, safety, and general welfare of the citizens of the Town of Apple Valley.

Section 2. Findings

(i) Find that the changes proposed by Development Code Amendment No. 2009-004 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

(ii) Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), specifically Section 15061(b)(3), the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; the activity is exempt from, and not subject to, CEQA.

Section 3. Amend subsection A and B of Section 9.21.020 “Applicability” of Chapter 9.21 “Special Events Permits” of the Development Code to read as follows:

9.21.020 Applicability

- A. *Major Special Events Permits.* Temporary outdoor activities with more than one thousand (1,000) people at any one time.
- B. *Minor Special Events Permits.* Temporary outdoor activities with a maximum attendance of one thousand (1,000) people at any one time.

Section 4. Add Section 9.21.025 “Exemptions” to Chapter 9.21 “Special Events Permits” of the Development Code to read as follows:

9.21.025 Exemptions

The following activities shall be exempted from the provisions of this Chapter:

- A. Town of Apple Valley sponsored and co-sponsored events.
- B. Events located at public or private recreational facilities with a maximum attendance of 200 people at any one time.
- C. Events of 500 people or less at any given time sponsored by non-profit organizations and agencies on private property.

Section 5. Amend subsection B of Section 9.21.030 “Authority” of Chapter 9.21 “Special Events Permits” of the Development Code to read as follows:

9.21.030 Authority

- B. *Minor Special Events.* The Director is authorized to approve, approve with conditions, or deny applications for Minor Special Events Permits in compliance with the procedures and standards established in this Chapter and other applicable provisions of the Municipal Code. Notice of pending action is not required for Minor Special Events.

Section 6. Amend Section 9.21.050 “Approval, Frequency and Time Limitations” of Chapter 9.21 “Special Events Permits” of the Development Code to read as follows:

9.21.050 Approval, Frequency And Time Limitations

Permits for special events regulated by this Chapter shall not be granted for more than (4) four events per calendar year and shall not exceed fourteen consecutive days per event. However, events may be consecutive or combined. Events located at public or private recreational facilities may exceed four (4) events per calendar year.

Section 7. Amend Section 9.21.060 “Standards of Operation” of Chapter 9.21 “Special Events Permits” of the Development Code to read as follows:

9.21.060 Standards of Operation

Special events as described in this Chapter shall be conducted in a manner that will not adversely impact the public peace, health, safety or welfare. The operator of the special event shall be responsible to assure that adequate provisions are made and implemented for all of the following. Conditions may be required to demonstrate compliance with the following requirements. There are adequate provisions on the proposed site to accommodate adequate law enforcement and/or security protection, adequate ingress/egress and adequate parking including provisions for special traffic guards or signals; consideration of the impositions upon adjacent properties and the local communities; noise impact(s); topographical and ecological considerations and consideration of alternative sites; electrical illumination requirements; inclement weather contingencies; water facilities; food concessions; sanitation facilities; medical/first aid facilities; overnight camping; bonding and insurance requirements; fire protection, including location of fire hydrants and supplemental water sources; communication, including temporary or additional telephones and an adequate public address system; news releases required; adequate office space(s) and communication equipment for all regulatory personnel on site by the permittee; clean-up trash disposal; restoration of landscape; final accounting procedures, billings and/or reimbursements.

Section 8. Invalidation. The amendment by this Ordinance of Title 9 “Development Code” of the Town of Apple Valley Municipal Code as previously in effect, or of any other prior enactment, shall not be construed to invalidate any entitlement exercised or proceeding taken pursuant to such Title or other enactment while the same was in effect.

Section 9. Notice of Adoption. The Town Clerk of the Town of Apple Valley shall certify to the adoption of this ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the Town in a manner permitted under Section 36933 of the Government Code of the State of California.

Section 10. Effective Date. The Ordinance shall become effective thirty (30) days after the date of its adoption.

Section 11. Severability. If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provision of the Ordinance are declared to be severable.

Adopted by the Town Council and signed by the Mayor and attested by the Town Clerk
this ____ day of _____, 2009.

Honorable Rick Roelle, Mayor

ATTEST:

Ms. La Vonda M-Pearson, Town Clerk

Approved as to form:

Approved as to content:

Mr. John Brown, Town Attorney

Mr. Frank Robinson, Town Manager