

Associated Students, Inc.  
California Polytechnic State University  
San Luis Obispo

Resolution #17-02

RESOLUTION TO REMOVE NOISE CONTROL FROM PROPOSED SAFETY  
ENHANCEMENT ZONE AMENDMENT

WHEREAS: The ASI Board of Directors serves as the official voice of over 20,000 students at Cal Poly San Luis Obispo, and

WHEREAS: For the remainder of this document, the event commonly known as “St. Fratty’s Day” shall be referred to as “St. Patrick’s Day Celebrations”, because it has been an event facilitated and attended by a variety of individuals with and without Greek affiliation, and

WHEREAS: The “St. Patrick’s Day Celebrations” incident of 2015 was a culmination of offenses outlined in San Luis Obispo Municipal Code 9.22.020, which states:

- A. Any violation of designated sections of the San Luis Obispo Municipal Code that is committed within an area that has been designated by the city council as a safety enhancement zone, and during the time that designation is effective, shall be subject to a fine that is twice the amount of the fine specified for the designated municipal code sections, up to a maximum of one thousand dollars.
- B. Safety Enhancement Zone Violations. Fines for violations committed in the safety enhancement zone shall apply to the following provisions: Chapter [9.04](#)<sup>1</sup> (possession of open containers or consumption of alcoholic beverages in public places), Chapter [9.05](#)<sup>2</sup> (hosting a gathering where underage persons consume alcohol), Chapter [9.12](#)<sup>3</sup> (noise control), Chapter [9.13](#)<sup>4</sup> (unruly gatherings), Chapter [9.16](#)<sup>5</sup> (dangerous and deadly weapons), and Chapter [9.20](#)<sup>6</sup> (urination in public). A separate offense shall be deemed to have been committed whenever a person repeats the act that constitutes the violation. (Ord. 1548 § 2, 2010)”

---

San Luis Obispo Municipal Code

<sup>1</sup> Chapter 9.04: <http://www.codepublishing.com/CA/SanLuisObispo/html/SanLuisObispo09/SanLuisObispo0904.html#9.04>

<sup>2</sup> Chapter 9:05 <http://www.codepublishing.com/CA/SanLuisObispo/html/SanLuisObispo09/SanLuisObispo0905.html#9.05>

<sup>3</sup> Chapter 9.12 <http://www.codepublishing.com/CA/SanLuisObispo/html/SanLuisObispo09/SanLuisObispo0912.html#9.12>

<sup>4</sup> Chapter 9.13 <http://www.codepublishing.com/CA/SanLuisObispo/html/SanLuisObispo09/SanLuisObispo0913.html#9.13>

<sup>5</sup> Chapter 9.16 <http://www.codepublishing.com/CA/SanLuisObispo/html/SanLuisObispo09/SanLuisObispo0916.html#9.16>

<sup>6</sup> Chapter 9.20 <http://www.codepublishing.com/CA/SanLuisObispo/html/SanLuisObispo09/SanLuisObispo0920.html#9.20>

- WHEREAS: The amendment to section 9.22.040 of the City of San Luis Obispo Municipal Code (Safety Enhancement Zones) is intended to prevent a specific type of event – one on the caliber of the “St. Patrick’s Day Celebrations” incident of 2015 - from occurring, thereby ensuring a safer public environment for the community, and
- WHEREAS: The San Luis Obispo Municipal Code defines a General Noise Violation as the making and/or continuance of any noise, beyond one’s property line, which disturbs the peace and quiet of any neighborhood or which causes any discomfort or annoyance to any reasonable person of normal sensitivity in the area<sup>7</sup>, and
- WHEREAS: The “St. Patrick’s Day Celebrations” incident of 2015, which warranted the proposal of the safety enhancement zone amendment, could never be classified as only a Noise Violation (which, according to the definition of a Noise Violation stated above, is a disturbance rather than a safety hazard) - it was an accumulation of the other offenses and behaviors listed above, and
- WHEREAS: The students of Cal Poly recognize that the atmosphere created by the “St. Patrick’s Day Celebrations” of 2015 was unacceptable and posed a safety risk to the San Luis Obispo community as a whole, and
- WHEREAS: Excluding Noise Violations from the Safety Enhancement Plan would not diminish the effectiveness of said plan for its proposed purpose of preventing environments of the caliber of “St. Patrick’s Day Celebrations” of 2015, and
- WHEREAS: The Office of Fraternity and Sorority Life requires Greek organizations to register events with the University and outline factors including but not limited to: guest lists, risk management plans, sober monitor lists, etcetera<sup>8</sup>, thereby holding students accountable and responsible for maintaining safe and orderly events, and
- WHEREAS: If Greek organizations are able to host events that are registered and approved by the Office of Fraternity and Sorority Life - without the risk of receiving a doubled fine for a Noise Violation - they will be more inclined to host safe, orderly events, which will disperse the concentration of

---

<sup>7</sup> San Luis Obispo Municipal Code, Chapter 9.12.040

<sup>8</sup> “Party Registration and Deadlines of the Interfraternity Council, the Panhellenic Council, and the United Fraternity and Sorority Council at California Polytechnic State University, San Luis Obispo” <http://content-calpoly-edu.s3.amazonaws.com/deanofstudents/1/documents/greek/Party%20Registration%20Policy.pdf>

students to said events, thereby mitigating the likelihood of students congregating in public places (historically Hathway Avenue), and consequently preventing danger to the community, and

WHEREAS: “St. Patrick’s Day Celebrations” in 2016 were much more orderly than in 2015, and a major difference between these years was, in 2016, Greek organizations that were affiliated with the Office of Fraternity and Sorority Life collaborated on and executed a plan to concurrently host registered events when “St. Patrick’s Day Celebrations” were expected to occur, as opposed to when the incident of 2015 occurred, when Greek organizations were prohibited to plan or register events due to a Greek-wide social probation at the time, and

WHEREAS: Greek organizations are merely an example of the success of the concept of dispersing celebrations to multiple controlled events, however, it is applicable to non-Greek entities as well, and

WHEREAS: If any of these events became a credible risk to the safety of the community, like the “St. Patrick’s Day Celebrations” incident of 2015 (consisting of aforementioned behaviors), then said events would fall under the purview of the Safety Enhancement Plan, rendering the plan completely effective for its intended purpose, and

WHEREAS: As of 2016, according to Cal Poly University Housing, approximately 13,000 Cal Poly students (65%) live off campus, and will be affected by this amendment to the city municipal code, therefore, be it

RESOLVED: The Cal Poly ASI Board of Directors encourages San Luis Obispo City Council to consider this compromise to exclude Noise Control from the St. Patrick’s Day Safety Enhancement Period in order to both mitigate the risk of danger to the community, as well as instill trust in the student population to host safe events, furthermore, be it

RESOLVED: The City of San Luis Obispo Police Department provide the ASI Board of Directors a thorough report during Spring Quarter to state the number of citations, concentrated party locations, ambulance calls, noise complaints versus other offenses, and pros/cons of the safety enhancement zone amendment, in order to properly assess its effectiveness, furthermore, be it

RESOLVED: This resolution be sent to San Luis Obispo City Council, the San Luis Obispo Police Department, President Armstrong, and the Office of Fraternity and Sorority Life.

Certified as the true and correct copy, in witness thereof, I have set my hand and Seal of the San Luis Obispo Cal Poly Associated Students, Inc. this \_\_\_\_ day of \_\_\_\_\_, 2016.

ADOPTED at the regular meeting of the Board of Directors at San Luis Obispo Cal Poly Associated Students, Inc. this \_\_\_\_ day of \_\_\_\_\_ 2016.

Attest:

\_\_\_\_\_  
ASI Secretary

\_\_\_\_\_  
Signed:  
ASI Chair of the Board

\_\_\_\_\_  
Signed:  
ASI President

Authored By:

Kevin Scott, College of Engineering, ASI Board of Directors  
Rita Elfarissi, College of Liberal Arts, ASI Board of Directors  
Alice Read, College of Business, ASI Board of Directors