



# CITY OF INGLEWOOD

## OFFICE OF THE CITY MANAGER



**DATE:** August 17, 2021

**TO:** Mayor and Council Members

**FROM:** Police Department

**SUBJECT:** Ordinance Prohibiting Spectators at Illegal Motor Vehicle Speed Contests and Exhibitions of Speed

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### **RECOMMENDATION:**

It is recommended that the Mayor and Council Members introduce an ordinance amending the Inglewood Municipal Code by adding Article 8 to Chapter 3 to prohibit spectators at illegal motor vehicle speed contests and exhibitions of speed.

### **BACKGROUND:**

Pursuant to California Vehicle Code Section 23109, motor vehicle speed contests and exhibitions of speed conducted on public streets and highways are illegal. Streets, highways, and street intersections within the City of Inglewood have been the site of continuing and escalating illegal street racing and exhibitions of speed over the past several years. Street racers accelerate to extremely high speeds without regard to oncoming traffic, pedestrians, or vehicles parked and moving nearby.

These illegal motor vehicle speed contests and exhibitions of speed create an environment where persons engage in automobile performance demonstrations and other activities known as "side show" activity, which is described as dangerous driving behavior for the entertainment of participants and spectators, including, "spinning donuts" where vehicles are spun in circles; "peeling out" and reckless driving when fleeing law enforcement.

These illegal motor vehicle speed contests and exhibitions of speed attract hundreds of juveniles and adults from all areas of southern California, on a regular basis, to participate or to be a spectator at these events. The mere presence of spectators at illegal motor vehicle speed contests and exhibitions of speed serves to fuel the occurrence of illegal vehicle speed contests and exhibitions of speed and, thereby, creates an environment for these illegal activities, as well as other illegal activities that place the safety and welfare of the public at risk. These illegal motor vehicle speed contests and exhibitions of speed create a dangerous environment, with traffic congestion and risk of serious injury or death for pedestrians, spectators, and vehicular traffic on local streets and highways in the City.

By discouraging spectators at illegal motor vehicle speed contests and exhibitions of speed, the act of organizing and participating in these illegal activities will be discouraged.

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**DISCUSSION:**

The City of Inglewood finds it is necessary and appropriate to take steps to protect the public health and safety of pedestrians and motorists in, about, or upon public streets and highways so as to minimize any dangerous conditions caused by illegal motor vehicle speed contests and exhibitions of speed. It is recommended that a new ordinance is introduced, prohibiting spectators at illegal motor vehicle speed contests and exhibitions of speed. Listed below is a summary of the provisions of the new ordinance:

1. Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor.
2. Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, where preparations are being made for an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor.
3. The court may determine that the offense is an infraction in which the case shall proceed as if the defendant has been arraigned on an infraction complaint.
4. An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within five hundred (500) feet of the location of the event, or within five (500) hundred feet of the location where preparations are being made for the event.

**FINANCIAL/FUNDING ISSUES AND SOURCES:**

None.

**DESCRIPTION OF ANY ATTACHMENTS:**

Attachment No. 1 - Ordinance

**PREPARED BY:**

Mark Fronterotta, Chief of Police  
Anna Ma, Payroll Technician

**COUNCIL PRESENTER:**

Mark Fronterotta, Chief of Police

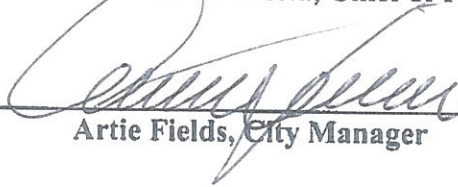
APPROVAL VERIFICATION SHEET

DEPARTMENT HEAD APPROVAL:



Mark Fronterotta, Chief of Police

CITY MANAGER APPROVAL:



Artie Fields, City Manager

# **ATTACHMENT NO. 1**



1           **WHEREAS**, these illegal motor vehicle speed contests and exhibitions of speed  
2 create a dangerous environment, with traffic congestion and risk of serious injury or  
3 death for pedestrians, spectators and vehicular traffic on local streets and highways in  
4 the City; and

5           **WHEREAS**, that by discouraging spectators at illegal motor vehicle speed  
6 contests and exhibitions of speed, the act of organizing and participating in these illegal  
7 activities will be discouraged; and

8           **WHEREAS**, the City Council of the City of Inglewood finds it is necessary and  
9 appropriate to take steps to protect public health and safety of pedestrians and motorists  
10 in, about, or upon public streets and highways so as to minimize any dangerous  
11 conditions caused by illegal motor vehicle speed contests and exhibitions of speed.

12           **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF INGLEWOOD** does  
13 ordain as follows:

14           **SECTION 1.** A new Article 8 entitled "Prohibition of Spectators at Illegal Motor  
15 Vehicle Speed Contests and Exhibitions of Speed" is hereby added to Chapter 3 of the  
16 Inglewood Municipal Code to read as follows:

17           **Section 3-153. Findings and Purpose.**

18           (a) The streets within the City have been the site of continuing and escalating illegal  
19 street races over the past several years despite asserted efforts of local law  
20 enforcement agencies to prevent and otherwise abate this illegal activity through  
21 the enforcement of existing traffic laws. Illegal motor vehicle speed contests and  
22 exhibitions of speed are fueled by the presence of spectators and create an  
23 environment in which these, as well as other, illegal activities can flourish.  
24 Therefore, the intent and purpose of this Article is to discourage the presence of  
25 spectators at illegal vehicle speed contests and exhibitions of speed in the City.

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1 This Article targets a very clear, limited population and gives proper notice to  
2 citizens as to what activities are lawful and what activities are unlawful. In  
3 discouraging spectators, the act of organizing and participating in illegal street  
4 races will be discouraged.

- 5 (b) This Article is not intended to preempt State law governing the regulation of speed  
6 contests or exhibitions of speed but rather compliment such laws by prohibiting  
7 spectators at illegal motor vehicle speed contests and exhibitions of speed events.

8 **Section 3-154. Definitions.**

9 The following words, terms and phrases, when used in this Article, shall have the  
10 meanings ascribed to them in this section, except where the context clearly indicates a  
11 different meaning:

12 (a) "City" means the City of Inglewood.

13 (b) "Illegal motor vehicle speed contest(s)" or "illegal exhibition of speed(s)" means  
14 any speed contest or exhibition of speed referred to in Vehicle Code Section  
15 23109(a) and (c).

16 (c) "Motor vehicle" means a vehicle as defined in Vehicle Code Section 670.

17 (d) "Preparations" means those preparations for the illegal motor vehicle speed  
18 contest or exhibition of speed, including, but not limited to, situations in which:

19 (1) A group of vehicles or individuals has arrived at a location for the purpose of  
20 participating in or being spectators at the event;

21 (2) A group of individuals has lined one or both sides of a public street or highway  
22 for the purpose of participating in or being a spectator at the events;

23 (3) A group of individuals has gathered on private property open to the general  
24 public without the consent of the owner, operator, or agent thereof for the  
25 purpose of participating in or being a spectator at the event;

26 (4) One or more individuals has impeded the free public use of a public street or  
27 highway by actions, words, or physical barriers for the purpose of conducting  
28 the event;

1 (5) Two or more vehicles have lined up with motors running for an illegal motor  
2 vehicle speed contest or exhibition of speed;

3 (6) One or more drivers is revving his or her engine or spinning his or her tires in  
4 preparation for the event; or

5 (7) An individual is stationed at or near one or more motor vehicles serving as a  
6 race starter.

7 (e) "Spectator" means any individual who is present at an illegal motor vehicle speed  
8 contest or exhibition of speed, or at a location where preparations are being made  
9 for such activities, for the purpose of viewing, observing, watching, or witnessing  
10 the event as it progresses. The term "spectator" includes any individual at the  
11 location of the event without regard to whether the individual arrived at the event  
12 by driving a vehicle, riding as a passenger in a vehicle, walking, or arriving by  
13 some other means.

14 **Section 3-155. Violation - Spectator at illegal motor speed contests or**  
15 **exhibitions of speed.**

16 (a) Any individual who is knowingly present as a spectator, either on a public street  
17 or highway, or on private property open to the general public without the consent  
18 of the owner, operator, or agent thereof, at an illegal motor vehicle speed contest  
19 or exhibition of speed is guilty of a misdemeanor.

20 (b) Any individual who is knowingly present as a spectator, either on a public street  
21 or highway, or on private property open to the general public without the consent  
22 of the owner, operator, or agent thereof, where preparations are being made for  
23 an illegal motor vehicle speed contest or exhibition of speed is guilty of a  
24 misdemeanor; however, a court may determine that the offense is an infraction in  
25 which the case shall proceed as if the defendant has been arraigned on an  
26 infraction complaint.

27 (c) Local law enforcement shall also have the authority to cite any spectator in  
28 violation of this Article with an administrative citation.



1 (d) An individual is present at the illegal motor vehicle speed contest or exhibition of  
2 speed if that individual is within 500 feet of the location of the event, or within 500  
3 feet of the location where preparations are being made for the event.

4 (e) Exemption. Nothing in this section prohibits law enforcement officers or their  
5 agents from being spectators at illegal motor vehicle speed contests or exhibitions  
6 of speed in the course of their official duties

7 **Section 3-156. Relevant circumstances to prove a violation.**

8 (a) Notwithstanding any other provision of law, to prove a violation of Section 3-155,  
9 admissible evidence may include, but is not limited to, any of the following:

10 (1) The time of day;

11 (2) The nature and description of the scene;

12 (3) The number of people at the scene;

13 (4) The location of the individual charged in relation to any individual or group  
14 present at the scene;

15 (5) The number and description of motor vehicles at the scene;

16 (6) That the individual charged drove or was transported to the scene;

17 (7) That the individual charged has previously participated in an illegal motor  
18 vehicle speed contest or exhibition of speed;

19 (8) That the individual charged has previously aided and abetted an illegal motor  
20 vehicle speed contest or exhibition of speed;

21 (9) That the individual charged has previously attended an illegal motor vehicle  
22 speed contest or exhibition of speed; or

23 (10) That the individual charged previously was present at a location where  
24 preparations were being made for an illegal speed contest or exhibition of  
25 speed or where an exhibition of speed or illegal vehicle speed contest was in  
26 progress.

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1 (b) For purposes subsection (a), "scene" refers to the location of the street race or  
2 exhibition of speed or the location of the preparations for the street race or  
3 exhibition of speed.

4 **Section 3-157. Admissibility of prior acts.**

5 The list of circumstances set forth in Section 3-156 is not exclusive. Evidence of prior  
6 acts may be admissible to show the propensity of the defendant to be present at or attend  
7 an illegal motor vehicle speed contest or exhibition of speed, if the prior act or acts  
8 occurred within three years of the presently charged offense. These prior acts may  
9 always be admissible to show knowledge on the part of the defendant that a speed  
10 contest or exhibition of speed was taking place at the time of the presently charged  
11 offense. Prior acts are not limited to those that occurred within the City of Inglewood.

12 **SECTION 2.** The City Council finds the approval of this ordinance is not subject  
13 to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines  
14 Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable  
15 indirect physical change in the environment) and 15060(c)(3) (the activity is not a project  
16 as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations,  
17 Title 14, Chapter 3, because it has no potential for resulting in physical change to the  
18 environment, directly or indirectly. Alternatively, the City Council finds the approval of  
19 this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it  
20 has no potential for causing a significant effect on the environment.

21 **SECTION 3.** If any section, subsection, sentence, clause, phrase or word of this  
22 Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such  
23 decision shall not affect the validity of the remaining portions this Ordinance. The City  
24 Council hereby declares that it would have passed and adopted this Ordinance, and  
25 each and all provisions thereof, irrespective of the fact that one or more provisions may  
26 be declared invalid.

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