ORDINANCE NO.: 21-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
INGLEWOOD ADDING ARTICLE 8 TO CHAPTER 3 OF THE
INGLEWOOD MUNICIPAL CODE PROHIBITING SPECTATORS AT
ILLEGAL MOTOR VEHICLE SPEED CONTESTS AND EXHIBITIONS OF
SPEED.

WHEREAS, pursuant to California Vehicle Code Section 23109, motor vehicle
speed contests and exhibitions of speed (more commonly referred to as street racing,
drag racing and/or intersection takeovers) 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, that 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; and

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WHEREAS, 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; and

WHEREAS, that 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; and

WHEREAS, the City Council of the City of Inglewood finds it is necessary and appropriate to take steps to protect 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.

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

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

Section 3-153. Findings and Purpose.
(a) The streets within the City have been the site of continuing and escalating illegal street races over the past several years despite asserted efforts of local law enforcement agencies to prevent and otherwise abate this illegal activity through the enforcement of existing traffic laws. Illegal motor vehicle speed contests and exhibitions of speed are fueled by the presence of spectators and create an environment in which these, as well as other, illegal activities can flourish. Therefore, the intent and purpose of this Article is to discourage the presence of spectators at illegal vehicle speed contests and exhibitions of speed in the City.

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

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

Section 3-154. Definitions.

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

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

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

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

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

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

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

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

(4) One or more individuals has impeded the free public use of a public street or highway by actions, words, or physical barriers for the purpose of conducting the event;
(5) Two or more vehicles have lined up with motors running for an illegal motor vehicle speed contest or exhibition of speed;

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

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

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

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

(a) 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.

(b) 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; however, a 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.

(c) Local law enforcement shall also have the authority to cite any spectator in violation of this Article with an administrative citation.
(d) An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within 500 feet of the location of the event, or within 500 feet of the location where preparations are being made for the event.

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

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

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

1. The time of day;
2. The nature and description of the scene;
3. The number of people at the scene;
4. The location of the individual charged in relation to any individual or group present at the scene;
5. The number and description of motor vehicles at the scene;
6. That the individual charged drove or was transported to the scene;
7. That the individual charged has previously participated in an illegal motor vehicle speed contest or exhibition of speed;
8. That the individual charged has previously aided and abetted an illegal motor vehicle speed contest or exhibition of speed;
9. That the individual charged has previously attended an illegal motor vehicle speed contest or exhibition of speed; or
10. That the individual charged previously was present at a location where preparations were being made for an illegal speed contest or exhibition of speed or where an exhibition of speed or illegal vehicle speed contest was in progress.
(b) For purposes subsection (a), "scene" refers to the location of the street race or exhibition of speed or the location of the preparations for the street race or exhibition of speed.

Section 3-157. Admissibility of prior acts.

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

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

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

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SECTION 4. The City Clerk shall certify that to the approval, passage and adoption of this Ordinance by the City Council and shall cause the same to be published in accordance with the City Charter, and thirty days from the final passage and adoption, this Ordinance shall be in full force and effect.

INTRODUCED at a regular meeting of the Inglewood City Council on August 17 , 2021.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Inglewood City Council on August 24 , 2021.

CITY OF INGLEWOOD:

[Signature]
James T. Butts, Jr., Mayor

ATTEST:

[Signature]
Aisha L. Thompson, City Clerk
STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES) SS.
CITY OF INGLEWOOD  )

I, AISHA L. THOMPSON, City Clerk of the City of Inglewood, California do hereby certify that the whole number of members of the CITY COUNCIL of said city is five; that the foregoing ordinance being Ordinance No. 21-14 is the full, true and correct original of Ordinance No. 21-14 of the said City of Inglewood, California entitled;

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which was duly passed and adopted by the said City Council, approved and signed by the Mayor of said city, and attested by the City Clerk of said City, all at a meeting of said Council held on the 24th day of August, 2021 and that the same was so passed and adopted by the following vote:

Ayes: Council Members, Dotson, Padilla, Morales, Faulk and Mayor Butts, Jr.;

Noes: None.

WITNESS my hand and the seal of said City the 26th day of August, 2021.

(SEAL)

City Clerk of the City of Inglewood