



CITY OF FORT BRAGG

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COUNCIL COMMITTEE ITEM SUMMARY REPORT

MEETING DATE: APRIL 4, 2019
TO: PUBLIC SAFETY COMMITTEE
FROM: TABATHA MILLER, CITY MANAGER
AGENDA ITEM TITLE: Receive Report and Provide a Recommendation to City Council Regarding a Proposed Conduct in Public Places Ordinance

ISSUE:

The proposed Ordinance provides the Police Department, City staff and the public a tool to use when individual behavior is violent or so disruptive that it impacts the use of public buildings, public parks and public parking lots by law-abiding citizens and visitors.

SUMMARY:

The proposed Ordinance sets forth Rules of Conduct which will be posted at all City properties:

- A. No person shall violate any federal, state, or City of Fort Bragg law.
- B. No person shall enter or remain on any city property for purposes other than to conduct legitimate business with the city or to use that property lawfully under the laws and rules that apply.
- C. No person shall enter or attempt to enter any secure portion of any city property that is not open to members of the general public without authorization from the city manager or a designee.
- D. No person shall deface, damage, or destroy city property.
- E. No person shall engage in conduct that degrades the appearance of city property, including but not limited to depositing trash, defacing property, or spitting, urinating or defecating on city property.
- F. No person shall engage in conduct that disrupts or interferes with operations of the city government, or disturbs city customers or employees, including but not limited to conduct that creates unreasonable noise or consists of aggressive or threatening physical behavior offensive to a reasonable person under the circumstances.

G. No person shall engage in conduct that subjects customers or employees of the city government to annoyance or alarm, including but not limited to conduct that involves the use of abusive or threatening language or gestures.

H. Unless specifically authorized, no person shall use a public place for the purpose of housing or camping, including but not limited to placing objects such as vehicles, bicycles, backpacks, carts, or other items in a manner that interferes with free passage.

I. No person shall refuse to obey any direction of a city government employee.

J. No person shall violate any provisions posted on any city parking facility.

The proposed Ordinance explicitly excludes persons exercising free speech or other rights protected by the California or U.S. Constitution. The proposed Ordinance allows the Police Department or other authorized City staff to exclude individuals who have violated the Rules of Conduct from a City facility for a limited period of time, **but only after first providing the person a warning and an opportunity to cease from the threatening, violent or unlawful behavior.**

RECOMMENDATION:

Review the proposed Ordinance, make suggested edits and recommend City Council consider adopting the Ordinance.

ATTACHMENTS:

1. Proposed Ordinance