

GENERAL Ordinance Fact Sheet

220387

Ordinance Number

Brief Title:
Ordinance amending City Code
§§ 50-44 and 70-73

Approval Deadline:

Reason:
To clarify the culpable mental state in City Code § 50-44 and to clarify in such section and City Code §70-73 the extent to which a person may be exempt from a violation under each section for witnessing and documenting officer actions

Details

<p>Reason for Legislation To amend Chapter 50, Code of Ordinances, by repealing Section 50-44, Obstructing or resisting public safety officer, employee or inspector, and amending Chapter 70, Code of Ordinances, by repealing Section 70-73, Obedience to authorized persons directing traffic, and enacting in lieu thereof new sections of like number and subject matter.</p>
<p>Discussion <i>(including relationship to other Council actions)</i></p> <p>The ordinance clarifies the culpable mental state needed to prove a violation of Section 50-44, and exempts from a violation under such section any person witnessing or documenting the actions of a public safety officer, employee or inspector, so long as they do not “substantially and physically” hinder official duties being performed. The ordinance also clarifies in Section 70-73 that merely witnessing or documenting an officer in the performance of their official duties shall not be a violation unless such act substantially and physically impedes “any” officer from official duties;</p> <p>Is it good for the children? Yes.</p>

Positions / Recommendations

Sponsor(s) Matt Gigliotti, City Attorney	
Programs, Departments, or Groups Affected Police and Fire Departments, Law Department	
Applicants/Proponents	<p>Applicant</p> <p>City Department</p> <p>Other</p>
Opponents	<p>Groups or Individuals</p> <p>Basis of Opposition</p>
Staff Recommendation	<p><input type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reasons Against:</p>
Board or Commission Recommendation	<p><input type="checkbox"/> For <input type="checkbox"/> Against</p> <p><input type="checkbox"/> No Action Taken</p> <p><input type="checkbox"/> For, with revisions or conditions</p>
Council Committee Action	<p><input type="checkbox"/> Do Pass</p> <p><input type="checkbox"/> Do Pass (as amended)</p> <p><input type="checkbox"/> Committee Substitute</p> <p><input type="checkbox"/> No Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do Not Pass</p>

Details

--

Policy / Program Impact

Policy or Program Change	9 No 9 Yes
Operational Impact Assessment	

Finances

Cost and Revenue Projections	Cost of Legislation \$0.00 Increase/Decrease in Revenue Expected Annually
Fund Sources	

Applicable Dates:

Fact Sheet Prepared By:

Bret Kassen, Associate City Attorney

Reviewed By:

Matt Gigliotti, City Attorney

Reference Numbers: