



August 6, 2020

TO: Public Safety Committee

FROM: City Attorney's Office

RE: Ordinance to Amend 8.230(2) Parks Exclusions

The attached ordinance amendment modifies the language of 8.230(2) to ensure a more consistent interpretation of the ordinance in accordance with the intent of the original language and with support by the police department leadership. The current language could be interpreted in two ways which I illustrate with the following example:

Yesterday, a 20 year old person was in a park after hours consuming intoxicating beverages. Law enforcement issued the offender two citations; (1) underage possession/ consumption and (2) park hours violation. Per the existing language of MMC 8.230(2), the officer could issue the offender either a 30 day exclusion order per 8.230(2)(b) or a 180 day exclusion order per 8.230(2)(c).

With the modified language, it is clear that the offender should be issued a 30 day exclusion order because instead of counting "infractions," law enforcement is counting "number of incidents."

The City Attorney's Office and Police Department jointly ask that this ordinance amendment be adopted.

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