

ORDINANCE

An Ordinance to amend Section 8.250 of the Manitowoc Municipal Code regulating Parks and Park Facility Exclusions.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 8.250 is amended to read as follows:

“8.250 Park and Park Facility Exclusions.

(1) Any City of Manitowoc police officer may exclude any person who, while present in a park or park facility, violates any applicable ordinance, statute, posted park rule, or written City policy, after being put on notice of same. Nothing in this section shall be construed to authorize the exclusion of any person lawfully exercising free speech rights or other rights protected by the State or Federal constitutions, unless that person is also committing acts that are not protected and violate a specific provision of law allowing for exclusion.

(2) An exclusion from a park or park facilities under the provisions of this section shall be for the specified time periods following occurrence of the following violations in a park or park facility:

(a) One day: Single ~~infraction~~ incident of a park rules violation.

(b) Thirty days: Single incident of a City ordinance violation committed within any City park or park facility ~~Infraction of City ordinance~~ or ~~repeated~~ two or more violations of park rules within ~~the previous~~ a calendar year.

(c) One hundred eighty days: Two ~~citations~~ incidents of a City ordinance violation committed within any City park or park facility within a calendar year ~~for a City ordinance within the previous year~~, or an arrest for a nonviolent misdemeanor committed within ~~the previous year~~ any City park or park facility.

(d) One year: Three incidents of a City ordinance violation committed within any City park or park facility within a calendar year, or an ~~citations for a City ordinance within the previous year~~, arrest for a violent misdemeanor committed within any City park or park facility, ~~within the previous year~~, ~~arrest for a felony within the previous year~~, or any violation of a previous ban under this section.

...”

Section 2. This ordinance shall take effect the day after publication.

INTRODUCED _____ ADOPTED _____

_____ APPROVED _____

Justin M. Nickels, Mayor

Fiscal Impact: \$0
Funding Source: n/a
Finance Director Approval: SC
Approved as to form: EM

This resolution was drafted by Elizabeth Majerus, Assistant City Attorney.