

Council Business Meeting

August 18, 2020

Agenda Item	Review of Ordinance No. 3176 and Possible First Reading of Ordinance No. 3189 Relating to Public Safety; Adding New AMC Chapter 10.58	
From	Tighe O'Meara David Lohman	Chief of Police City Attorney
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SUMMARY

This is a review of Ordinance No. 3176 which was originally passed on August 6, 2019 and expired on August 16, 2020. Ordinance No. 3176 codified the offense of Failure to Provide Name and Date of Birth to a Peace Officer. Should Council desire to re-codify this offense, a draft of the new Ordinance No. 3189 is attached for review and approval of first reading.

POLICIES, PLANS, AND GOALS SUPPORTED

Council Goals Section 2.A. Prioritize the “Essential Services”, set forth below, including the associated infrastructure: i. Police

PREVIOUS COUNCIL ACTION

On August 6, 2019, the City Council passed Ordinance No. 3176 which created the new offense of “Failure to Provide Name and Date of Birth to a Peace Officer”. Ordinance No. 3176 included a provision automatically repealing AMC Chapter 10.58 unless the City Council took further action prior to August 16, 2020.

BACKGROUND AND ADDITIONAL INFORMATION

Prior to the passage of Ordinance No. 3176, there was no mechanism in either state law or the AMC to deter a person from ignoring a police officer when the officer asks for identifying information in order to issue a violation citation. Due to this limitation, alleged violators were not able to be cited and began to feel emboldened to repeat such offenses. Although no one was cited for violating AMC Chapter 10.56 during the past year, staff feels it has value in motivating people to give peace officers necessary information for citations and supports its reinstatement.

Proposed Ordinance No. 3189 is virtually identical to Ordinance No. 3176 as passed in 2019 with the exception of the date of repeal updated to December 31, 2021.

FISCAL IMPACTS

The direct fiscal impact to the City would be negligible.

STAFF RECOMMENDATION

Staff recommends Council approval of First Reading of Ordinance No. 3189.

ACTIONS, OPTIONS, AND POTENTIAL MOTIONS

1. I move to approve First Reading of Ordinance No. 3189 and advance it to Second Reading for enactment.
2. I move to amend Ordinance No. 3189 by ... and approve First Reading of Ordinance No. 3189.

REFERENCES AND ATTACHMENTS

Attachment 1: Draft Ordinance No. 3189 an Ordinance Relating to Public Safety; Adding New AMC Chapter 10.58

1 PASSED by the City Council this _____ day of _____, 2020.

2 ATTEST:

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Melissa Huhtala, City Recorder

7 SIGNED and APPROVED this _____ day of _____, 2020.

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John Stromberg, Mayor

12 Reviewed as to form:

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David Lohman, City Attorney

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