

# Council Business Meeting

June 18, 2019

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| <b>Agenda Item</b> | Ordinance No. 3176 Relating to Public Safety, Adding New Ashland Municipal Code Chapter 10.58  |  |
| <b>From</b>        | Tighe O'Meara<br>Katrina L. Brown  | Chief of Police<br>Assistant City Attorney |
| <b>Contact</b>     | <a href="mailto:tighe.omeara@ashland.or.us">tighe.omeara@ashland.or.us</a><br><a href="mailto:katrina.brown@ashland.or.us">katrina.brown@ashland.or.us</a> |  |

## **SUMMARY**

Proposed Ordinance No. 3176 would create the new offense of Failure to Provide Name and Date of Birth to a Peace Officer and add new Chapter 10.58 to the Ashland Municipal Code (AMC). This addition to the AMC would give the Ashland Police Department an additional tool to ensure compliance with quality of life ordinance violations.

## **POLICIES, PLANS, AND GOALS SUPPORTED**

1. Provide, promote, and enhance the security/safety, environmental health, and livability of the community. (Quality of Life Administrative Goal).

## **PREVIOUS COUNCIL ACTION**

None

## **BACKGROUND AND ADDITIONAL INFORMATION**

Currently there is nothing in either state law or the AMC to deter a person who has allegedly violated a City ordinance from simply ignoring a police officer when the officer asks for identifying information in order to issue a citation for the alleged violation. Due to this limitation, many alleged violators are going uncited and feel emboldened to repeat such offenses.

This new crime could only be charged if a person knowingly fails to provide the person's name and date of birth when a police officer has probable cause to believe the person has committed a violation and is attempting to cite the person for said violation. This crime would be classified as a Class C misdemeanor which would carry a maximum penalty of up to 30 days in jail and a fine of up to \$1250.00.

## **FISCAL IMPACTS**

The fiscal impact to the City would be minimal.

## **ACTIONS, OPTIONS, AND POTENTIAL MOTIONS**

1. I move to approve First Reading of Ordinance No. 3176 and advance it to Second Reading for enactment.
2. I move to decline approval of First Reading of Ordinance No. 3176.

## **STAFF RECOMMENDATION**

Staff recommends that Council approve First Reading of Ordinance No. 3176.

## **REFERENCES AND ATTACHMENTS**

Attachment 1: Proposed Ordinance No. 3176

**AN ORDINANCE RELATING TO PUBLIC SAFETY; ADDING NEW AMC CHAPTER 10.58.**

**THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:**

**10.58.020 Failure to Provide Name and Date of Birth to a Peace Officer**

**B. A person who violates Section A of this Chapter commits a Class C misdemeanor.**

**(a)** Renumber sections and parts of sections of the ordinance;

(c) Change reference numbers to agree with renumbered chapters, sections or other parts;

(e) Substitute the proper subsection, section, or chapter numbers;

(f) Change capitalization and spelling for the purpose of uniformity;

(g) Add headings for purposes of grouping like sections together for ease of reference; and

**(h)** Correct manifest clerical, grammatical, or typographical errors.

ORDINANCE NO. 3176

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PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

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Melissa Huhtala, City Recorder

SIGNED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
John Stromberg, Mayor

Reviewed as to form:

\_\_\_\_\_  
Katrina L. Brown, Assistant City Attorney