



Legislation Details (With Text)

File #: 20-349 **Version:** 1 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 9/4/2020 **In control:** Town Council
On agenda: 9/10/2020 **Final action:**
Title: Adoption of Ordinance No. 2020-10 Amending Chapter 10 Offenses, Section 10-13-2, Definitions; Section 10-13-3, Unruly Gatherings; and Section 10-13-7, Penalties.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 2020-10 Unruly Gathering (version 2 - 09 10 2020), 2. PowerPoint - Unruly Gatherings Amendments Ordinance Adoption

Date	Ver.	Action By	Action	Result
9/10/2020	1	Town Council	Adopted	Pass

TO: Mayor and Town Council

FROM: Andrew Miller, Town Attorney

DATE: September 10, 2020

CONTACT:

AGENDA TITLE:

Adoption of Ordinance No. 2020-10 Amending Chapter 10 Offenses, Section 10-13-2, Definitions; Section 10-13-3, Unruly Gatherings; and Section 10-13-7, Penalties.

RECOMMENDATION:

Adopt Ordinance Number 2020-10.

BACKGROUND:

At its June 10, 2020 meeting, Council asked staff to research & provide improvements to the unruly gathering ordinance during the summer break. Staff has prepared draft ordinances to expand the scope of the responsibility of Owners of properties where an Unruly Gathering occurs (whether it is a short term rental, long term rental or otherwise) and to increase the penalties for Owners where possible. The amendment to be discussed is a fairly narrow issue and does not include other broader land issues, including issues related to short term rental legislation or general short term rental problems. Such broader discussions may be scheduled for a later date.

Changes to the Unruly Gatherings Section 10-13-2, Section 10-13-3 and Section 10-13-7 of Chapter 10 of the Town Code, will provide greater enforcement powers over Owners who are not present at an Unruly Gathering that occurred on their property, particularly if the property had a prior Unruly Gathering within 180 days of a subsequent Unruly Gathering; along with increased penalties for civil violations.

It is also requested by staff that Section VIII b) 2) of the Council Rules of Procedure be waived for this Ordinance so that these simple changes to the Unruly Gathering Ordinance can be heard and implemented quickly.

The ordinance revisions also contain an emergency clause due to the need to have these updates to the Unruly Gathering ordinance take effect immediately. The emergency in this case is that the Police Department has seen a significant increase in Unruly Gatherings and these ordinance changes will allow for needed language clarity and additional enforcement options for the rapidly growing problem of unruly gatherings in the Town. Pursuant to A.R.S. § 19-142(B) for the emergency clause to take effect Ordinance 2020-10 must be approved by a $\frac{3}{4}$ vote of the Council, and also approved by the Mayor.

NEXT STEPS

Review and adopt Ordinance No. 2020-10

ATTACHMENTS:

Ordinance No. 2020-10
PowerPoint Presentation