



# MAYOR & COUNCIL COMMUNICATION

March 17, 2015

Subject: Ordinance Providing for the Designation of a “Crowd Management Event” for the Purpose of Maintaining Public Safety (City Wide)

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Issue –In order to provide for public safety during large-scale gatherings in public areas, the City Attorney has prepared the attached Ordinance for consideration and adoption. The proposed Ordinance authorizes the designation of a specific geographic area within which certain activities shall be prohibited for the purpose of protecting public and private property, preventing the possibility of physical injury to those present within the Event, or both.

City Manager’s Office Recommendation - It is recommended that the Mayor and Council consider and adopt the attached Ordinance.

Background – The City of Tucson annually experiences large-scale gatherings in public areas that present a myriad of public safety concerns. These high profile events often include the potential to adversely impact public and private property and the safety of citizens. State law currently includes statutes that govern unlawful assemblies, but those statutes expressly require riotous behavior or the intent to engage in riotous behavior before they may be enforced (ARS 13-2902 et.seq.). This leaves public safety personnel without the tools necessary to safely manage a large crowd before the gathering takes on the dangerous characteristics of an unlawful assembly. To ensure that large-scale gatherings occur safely, securely, and efficiently, public safety officials need the ability to regulate the geographic area in which they occur and the conduct of those within the area.

Legal Considerations – The City Attorney has drafted the attached Ordinance for the Mayor and Council’s consideration and approval. The Ordinance amends Chapter 25 of the Tucson Code to establish a new Section 25-93 relating to crowd management. The Ordinance includes the following provisions:

Defines a “Crowd Management Event” as a gathering of 100 or more persons that requires the provision of law enforcement services to protect public property, private property and to prevent physical injury;

Grants authority to the Chief of Police in consultation with the Director of the Transportation Department to set geographical boundaries for the “Crowd Management Event” and allows the Chief of Police or designee to control entry into the designated area when necessary to maintain public safety;

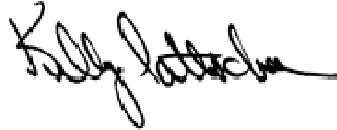
Prohibits activities that pose a threat to public safety within the boundaries of the “Crowd Management Event.”

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Financial Considerations – The proposed amendments serve to supplement existing state law provisions; no financial impact is anticipated.

Respectfully submitted,



Kelly Gottschalk  
Deputy City Manager

KG:MS  
TPD

Attachment: Ordinance