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**CITY OF SACRAMENTO
CALIFORNIA**

April 12, 1989

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LAW AND LEGISLATION COMMITTEE
City Council Chambers
Sacramento, California 95814

Re: An Emergency Ordinance Amending
the Title of Article VI of Chapter 38
and Adding Section 38.70-1, Relating
to Pedestrian and Vehicle Interference

Honorable Members in Session:

SUMMARY

This report recommends enactment of an emergency ordinance which makes it an infraction to continue to interfere with pedestrians or vehicles after being ordered to move by a peace officer.

BACKGROUND

Councilmembers Robie, Shore and others have requested more effective enforcement against panhandlers and others who interfere with pedestrian passage, especially on downtown streets. This ordinance would make it an infraction for a person to remain on the sidewalk or street in a manner which blocks pedestrian or vehicle passage, after a peace officer has ordered the person to move.

The Police Department has reviewed and endorses the proposed ordinance.

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LAW AND LEGISLATION COMMITTEE
April 12, 1989
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FINANCIAL DATA

None.

POLICY MATTERS

None.

MBE/WBE


None.

RECOMMENDATION

It is recommended that the Law and Legislation Committee approve the attached emergency ordinance and forward it to the full Council for immediate enactment.

JAMES P. JACKSON
City Attorney

By


DIANE B. BALTER
Deputy City Attorney

April 20, 1989
All Districts

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING THE TITLE OF ARTICLE VI OF CHAPTER 38 OF THE SACRAMENTO CITY CODE AND ADDING SECTION 38.70-1, RELATING TO PEDESTRIAN AND VEHICLE INTERFERENCE, AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The title of Article VI of Chapter 38 is hereby amended to read as follows:

ARTICLE VI. Sidewalk Obstructions; Pedestrian and Vehicle Interference

SECTION 2.

Section 38.70-1 is hereby added to the Sacramento City Code, to read as follows:

§38.70-1 Pedestrian and vehicle interference.

No person, after first being ordered to move by a peace officer, shall walk, stand, sit, lie, or place an object on any portion of a street, sidewalk or other public right-of-way in such a manner as to block passage by another person or a vehicle, or to require another person or a driver of a vehicle to take evasive action to avoid physical contact.

SECTION 3.

This ordinance is hereby declared to be an emergency measure to take effect immediately. The facts constituting the emergency are that interference with pedestrians and vehicles, especially pedestrian interference by panhandlers, has increased within the City to the point where immediate remedies are necessary. Spring and summer weather is accompanied by an increase in such activities, and an ordinance providing an additional law enforcement tool is needed at once.

DATE ENACTED:

DATE EFFECTIVE:

3

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING THE TITLE OF ARTICLE VI
OF CHAPTER 38 OF THE SACRAMENTO CITY CODE
AND ADDING SECTION 38.70-1, RELATING TO
PEDESTRIAN AND VEHICLE INTERFERENCE, AND
DECLARING SAID ORDINANCE TO BE AN EMERGENCY
MEASURE TO TAKE EFFECT IMMEDIATELY

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ATTEST:

CITY CLERK