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DEPARTMENT OF PARKS  
AND COMMUNITY SERVICES

CITY OF SACRAMENTO  
CALIFORNIA

ROBERT P. THOMAS  
DIRECTOR

February 24, 1987

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Law and Legislative Committee  
Sacramento, California

Honorable Members in Session:

SUBJECT: Ordinance Amending City Code Section 27.70 Regarding Control of Park Use

SUMMARY

This report provides information regarding Sacramento City Code Section 27.70 pertaining to loitering in parks during certain hours. This report recommends that City Council enact an amendment to City Code Section 27.70 which would allow the Chief of Police, with concurrence of the Director of Parks and Community Services, to impose a sunset to sunrise curfew in any park on a case by case basis as necessary to protect the safety and welfare of the public.

BACKGROUND INFORMATION

Sacramento City Code Section 27.70 was enacted to provide control over hours of use of City parks. The current section prohibits visitors in City parks Friday and Saturday between midnight and 5:00 a.m. of the following day and Sunday through Thursday between 11:00 p.m. and 5:00 a.m. of the following day, and allows for extended public use of parks on a case by case basis subject to the advance approval of the Chief of Police with the concurrence of the Director of Parks and Community Services.

Over the past few years, the incidence of traffic congestion, loitering, anti-social behavior and crimes as serious as narcotics and assault in City parks has increased. Most of these problems occur after dark. Residents of the parks' surrounding neighborhoods call upon the City police and Parks and Community Services staff to control such problems. The burden of response to this anti-social behavior is complicated by the migration of these problems to other parks once confronted in one park.

In recent years, the Department of Parks and Community Services, Traffic Engineering Department, and Police Department have focused on complaints regarding William Land, Del Paso Heights, and East Portal parks as well as others. Response to attempted solutions has been mixed:

1. William Land Park - Some persons are satisfied with the traffic diversion, but residents of 14th Avenue object to it.
2. East Portal Park - A parking restriction was placed on the park borders that satisfied some residents and seemed to reduce the problem. Still other citizens object to the free use of the park.
3. Del Paso Heights Park - Directed police patrol has reduced the narcotic sales, but some citizens think it has interfered with the use of the park. The Council recently imposed a dusk to dawn curfew.

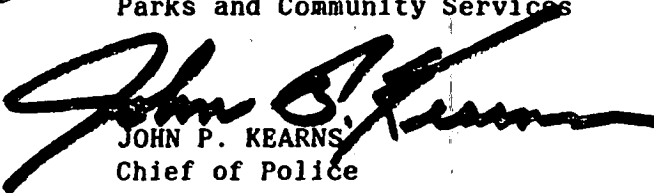
Discussion between staff from the Police and Parks and Community Services Departments has centered on strengthening controls on use of City parks. Staff concurs in recommending an amendment to City Code Section 27.70 which would authorize the Chief of Police, with concurrence of the Director of Parks and Community Services, to impose a sunset to sunrise curfew on parks which experience anti-social behavior. Such a curfew would be imposed only on a park by park basis for protection of the safety and welfare of the public as necessary. Should the duration of the curfew be extended more than one week, such curfew shall be posted at the park.

#### RECOMMENDATION

It is recommended that the Law and Legislative Committee approve this report and refer it to the full City Council for action. Further, it is recommended that the City Council enact an ordinance amending the City Code Section 27.70 authorizing the Chief of Police, with concurrence of the Director of Parks and Community Services, to impose a sunset to sunrise curfew on any park, as necessary to protect the safety or welfare of the public.

Respectfully submitted,

  
for - ROBERT P. THOMAS, Director  
Parks and Community Services

  
JOHN P. KEARNS  
Chief of Police

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTION 27.70 OF THE SACRAMENTO CITY CODE, AUTHORIZING THE DIRECTOR OF PARKS AND COMMUNITY SERVICES AND CHIEF OF POLICE TO CLOSE A PARK BETWEEN SUNSET AND SUNRISE IF PUBLIC SAFETY OR WELFARE IS THREATENED

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

Section 27.70 of the Sacramento City Code is hereby amended to read as follows:

**Sec. 27.70 Remaining or Loitering in Parks During Certain Hours Prohibited.**

- (a) No person shall remain or loiter in any public park:
  - (1) between the hours of 12:00 o'clock midnight Friday or Saturday and 5:00 o'clock a.m. of the following day; and,
  - (2) between the hours of 11:00 o'clock p.m. Sunday through Thursday and 5:00 o'clock a.m. of the following day.
- (b) The prohibitions contained in subdivisions (a)(1) and (a)(2) of this section shall not apply:
  - (1) to any person on an emergency errand;
  - (2) to any person attending a meeting, entertainment event, recreation activity, dance or similar activity in such park provided such activity is sponsored or co-sponsored by the Department of Parks and Community Services or a permit therefore has been issued by the Department of Parks and Community Services;
  - (3) to any person exiting such park immediately after the conclusion of any activity set forth in subdivision (b)(2) above;
  - (4) to any peace officer or employee of the City while engaged in the performance of his or her duties.
- (c) The Director, with the concurrence of the Chief of Police, may designate extended park hours for any park when the Director determines that such extension of hours is consistent with sound use of park resources, will enhance recreational activities in the City, and will not be detrimental to the public safety or welfare. The prohibitions contained in subdivision (a)(1) and (a)(2) of this section shall not apply to any person present in a public park during extended park hours designated pursuant to this subsection.

(d) The Chief of Police, with the concurrence of the Director of Parks and Community Services, may order any park closed between sunset and sunrise when he determines that activities constituting a threat to public safety or welfare have occurred or are occurring in the park and that such closing is necessary to protect the public safety or welfare. When a park is ordered closed between sunset or sunrise, it shall be unlawful for any person to remain or loiter in said park during said period. No notice to appear shall be issued or criminal complaint shall be filed for a violation of this subsection (d) unless the offending party is first given a verbal notification of violation by any peace officer or other person charged with enforcing this subsection (d) and a reasonable opportunity to leave.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

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MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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