



MEMORANDUM

Office of the City Attorney

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~~FIRST READING~~

TO: Mayor and City Commissioners

DATE: ~~June 24, 2002~~

SECOND READING: July 8, 2002

FROM: Marion J. Radson, City Attorney

SUBJECT: **ORDINANCE NO.: 0-02-27;
DISORDERLY CONDUCT WHICH THREATENS
PUBLIC SAFETY OR BREACH OF THE PEACE**

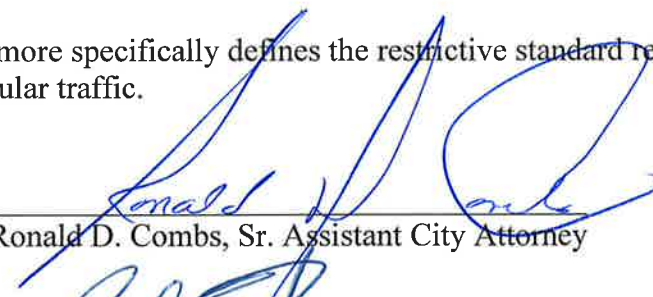
An ordinance of the City of Gainesville, Florida, amending sections 17-4(a)(9) and 17-4(a)(10) of the Code of Ordinances by proscribing the conduct that threatens the public safety or breach of the peace; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

RECOMMENDATION: The City Commission adopt the proposed ordinance.

On May 20, 2002, Judge Aymer "Buck" Curtin issued an Order in a criminal case that declared section 17-4(a)(9), Gainesville Code of Ordinance to be unconstitutionally vague and overbroad. This ordinance addresses blocking or impairing pedestrian and vehicular traffic. The underlying basis for the court's finding was that the ordinance did not sufficiently define the illegal conduct.

This ordinance more specifically defines the restrictive standard relating to the blocking of pedestrian and vehicular traffic.

Prepared by


Ronald D. Combs, Sr. Assistant City Attorney

Approved and
Submitted by


Marion J. Radson, City Attorney

RDC:MJR:bs

PASSED ON FIRST READING BY A VOTE OF 5 - 0.

Attachment