

PROPOSED PILOT PROGRAM
FOR CITY TICKETING
RE: CITY HALL PARK

In the year Two Thousand Ten.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, the Burlington City Council has adopted new ordinances to provide civil redress for nuisance behaviors (disorderly conduct, unlawful mischief and unlawful trespass) which have traditionally been addressed by the criminal justice system; and

WHEREAS, there is an ongoing public discussion concerning public safety and quality of life issues as presenting in Burlington’s downtown; and

WHEREAS, particular attention has recently focused on the chronic nature of certain violations of the law (disorderly conduct and public alcohol consumption in particular) in the downtown generally and in City Hall Park specifically; and

WHEREAS, there is a sense of public frustration with the fact that traditional methods of addressing these violations of the law have not deterred the incidents of such violations and numerous individuals appear to chronically commit these violations; and

WHEREAS, the City has already created civil ordinances (Disorderly Conduct, Unlawful Mischief and Unlawful Trespass) as alternatives to traditional criminal prosecution of some low-level violations of the law; and

WHEREAS, the City is now adopting a City Hall Park Ordinance as a pilot program (as described in a communication from Police Chief Schirling to City Council attached hereto and incorporated herein) with the hope that the provisions contained therein, including trespass

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39 provisions for repeat offenders, can serve to better encourage lawful behavior and a more
40 welcoming environment for and by the public; and

41 WHEREAS, the hope for the program is that it will successfully address community
42 concerns in a manner that is both fair and just;

43 NOW, THEREFORE, BE IT RESOLVED that as a part of this pilot program, a report
44 from the Burlington Police Department and the City Attorney’s Office shall be submitted to the
45 City Council on or before the first City Council meeting in the month of July, 2011, updating
46 City Council on the status of the program, whereupon the City Council shall conduct a review of
47 the program after receipt of the report for purposes of examining whether the ordinance needs to
48 be modified, terminated or continued on as is.

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