



City of Waukesha
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Committee: Ordinance and License	Date: 12/11/2023
Common Council Item Number: ID#23-8472	Date: 12/19/2023
Submitted By: Assistant Chief Ron Oremus	City Administrator Approval: City Administrator Anthony Brown
Finance Department Review: Finance Director Joe Ciurro	City Attorney's Office Review: City Attorney Brian Running
Subject: Adjustment to Ordinance 25.08 to allow Community Service Officers the ability to enforce 11.05(1). 25.08 is the ordinance that gives authority to Police Officers and Community Service Officers to issues citations based on violations of municipal code.	

Details: <p>Currently, the CSO's only have authority to issue 11.05(6) as it relates to loitering, which addresses loitering in the parks after hours. Granting authority to the CSO's to issue for 11.05(1) (Loitering) would help foster greater enforcement action, create an efficiency for the police department and an ability to address some of the quality-of-life issues created by these individuals, such as responding to the common call for service of individuals who occupy the heated stairwells at the two city owned parking structures. The enforcement of this ordinance falls within the scope of their training and is similar in nature to other ordinances they have authority to enforce.</p> <p>CSO's currently <u>are able</u> to issue for this portion of the loitering ordinance: §11.05 (6) states, in part, "RESTRICTIONS IN PARKS. No person shall be in any public park or premises under the control of the Park and Recreation Department between 10 p.m. and sunrise of the next day."</p> <p>CSO's currently <u>are unable</u> to issue for this portion of the loitering ordinance: §11.05(1) which states in part, "LOITERING OR PROWLING. No person shall loiter or prowl in a place, at a time or in a manner not usual for law-abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity."</p> <p>Additionally, CSO's also currently have the authority to issue for the following code violations:</p> <ul style="list-style-type: none"> §7.04 Parking Restrictions §7.05(2) Bicycle registration §7.05(9)(a) Bicycle riding where prohibited by sign §7.05(9)(b) Bicycle riding on sidewalks in Central Business District §8.18(1)(a) and (b) Mobile food vans in park §11.05(6) Violation of park hours §11.07 (2)(a), (2)(b), (2)(c)1, (2)(c)2a-c, and (2)(d) Plaza area violations §11.075(2)(b) Use of skateboards in parks §11.08 Littering §11.09(2)(b)6 Smoking on City-owned property posted "no smoking" by City Administrator or designee §11.12(2) Selling, keeping, or discharging fireworks §11.27(1)(a) and (b) Open intoxicants on public property §11.27(4) Alcohol in parks §11.37(1)(a) Habitation in parks 	
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§12.05(10)

Unreasonable Noise

§12.08(2)

Parking on unimproved surface

Options & Alternatives:

Continue to operate under current ordinance.

Financial Remarks:

Typically, a Community Service Officer will radio a Police Officer to respond to have the citation issued. The only financial impact would be if the officer could not issue due to other pressing issues.

Executive Recommendation:

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