



# Council Communication

Office of the City Manager

<b>Date</b>	July 23, 2007
-------------	---------------

<b>Agenda Item No.</b>	<b>38</b>
<b>Roll Call No.</b>	<b><u>07-</u></b>
<b>Communication No.</b>	<b><u>07-463</u></b>
<b>Submitted by: Judy A. Bradshaw, Chief of Police</b>	

## AGENDA HEADING:

First reading of the ordinance to amend Chapter 70, Article V, Division 3, of the Municipal Code regarding the Specified Crime Property Ordinance.

## SYNOPSIS:

Recommend approval to amend the Specified Crime Property Ordinance to add the offense of keeping a disorderly house or offenses involving weapons. This action would also increase the associated civil infraction fines.

## FISCAL IMPACT:

Amount: The fiscal impact of this change is expected to be minimal. There are minor administrative costs related to filing a civil infraction if necessary. In a little over 10 years, staff has filed just 42 times under the current ordinance.

Funding Source: 2007-08 Operating Budget, Police Department, Vice and Narcotics Control, GE001 POL010700, page 266.

## ADDITIONAL INFORMATION:

The current specified crime property ordinance has been in effect since the early 1990s. This is a civil ordinance that carries specific fines and penalties for designated properties. It has been very effective in improving the quality of life in neighborhoods. Currently it only applies to vice and drug related crimes including bootlegging, prostitution, pimping/pandering, illegal gambling, or unauthorized delivery, possession or manufacture of a controlled substance. These types of activities can create many problems for a neighborhood such as creating high volumes of short term traffic and attracting related criminal behavior.

The Police Department was approached by neighborhood leaders and asked to address concerns related to a broader spectrum of problematic properties. Several options were explored. After consulting with neighborhood leaders and the Iowa Landlord Association, several changes were proposed. The following recommended changes were reviewed with Council at the workshop on July 16, 2007:

1. Including conditions at the property that would qualify the premise as a disorderly house.
2. Including the occurrence of weapons related offenses (any criminal activity involving a weapon such as, but not limited to, discharging, carrying concealed, or assault with a weapon).
3. Enhancing the civil infraction fine (first offense maximum penalty would increase from \$500 to \$750, and the second offense maximum penalty would increase from \$750 to \$1000).

Designation of specified crime properties is based on law enforcement reports. All property owners will continue to have an opportunity to abate the activity prior to any penalty being sustained. Any action taken in conjunction with this ordinance will continue to be in the best interest of the community and consistent with appropriate property management practices.

**PREVIOUS COUNCIL ACTION(S): NONE**

**BOARD/COMMISSION ACTION(S): NONE**

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

Second and third readings of the ordinance.