

Office of the County Auditor
Auditor's Analysis

Council Bill No. 80-2021

Introduced: October 4, 2021

Auditor: Owen Clark

Fiscal Impact:

Our Office is unable to determine the fiscal impact of this legislation because we have not received responses to our inquiries to the Administration related to the implementation of this legislation and the historical trend of behaviors that are addressed by this legislation.

Purpose:

The purpose of this legislation is to prohibit the physical harassment and use of fighting words or true threats towards employees of the Department of Recreation and Parks (DRP) or the Department of Public Works (DPW) on County property when they are performing their official duties.

An individual that violates any of these prohibitions may be banned for 24 hours from the County property where the incident occurred.

The Department may, also, issue a written order to temporarily ban an individual for 120 hours from the County property where the incident occurred. At this point, the recipient of a written order will be notified that they may meet with the Chief Administrative Officer (or their designee) to discuss the reason why their access to the County property should not be restricted. The outcome of this meeting would be that the Chief Administrative Officer may affirm, modify, suspend, or rescind the order.

The Department that issued the written order cannot serve as the designee of the Chief Administrative Officer.

A violator of these provisions is subject to both Criminal and Civil penalties.

- Criminal penalties include being guilty of a misdemeanor and, upon conviction, a fine not to exceed \$1,000 and/or imprisonment of up to 30 days.
- Civil penalties for the DPW provisions include a fine of \$500 to \$1,000.
- Civil penalties for the DRP provisions include a fine of \$250 to \$500.

Other Comments:

None.