

STAFF REPORT

DATE: February 23, 2016
TO: City Council
FROM: Darren Pytel, Police Chief
Kelly Stachowicz, Assistant City Manager
SUBJECT: Safety Enhancement Zone for Picnic Day 2016

Recommendation

Approve the attached Resolution Establishing a Safety Enhancement Zone associated with Picnic Day 2016 (Attachment 1), which would increase penalties for certain Municipal Code violations committed during that celebratory period of time within the safety enhancement zone.

Fiscal Impact

Although the City receives more revenue per citation for citations written in the Safety Enhancement Zone, the increase is negligible and is not a factor in establishing the Zone.

Last year, Public Works placed 39 signs at various points in the SEZ. Because the proposed zone for 2016 will change boundaries and increase in size, some additional signs may need to be created, although existing signs from previous years will be used where possible. The estimated cost for additional signage is \$250. Staff also estimates 16 hours of labor costs for preparation and installation totaling approximately \$500. Funding is included in existing budgets.

Council Goal

Although the Safety Enhancement Zone meets the criteria of the following Goal Areas, it is part of regular business and is not a specific task outlined in the goals.

- Build and Promote a Vibrant Downtown
- Ensure a Safe and Healthy Community

Background and Analysis

In 2011 Council added Chapter 41 to the City of Davis Municipal Code authorizing the City Council to designate Safety Enhancement Zones to enhance penalties for violations of certain Municipal Code provisions committed within a designated zone, during a prescribed period of time. Each time the Council wishes to utilize that portion of the code, it must adopt a resolution outlining the dates and locations in which the Zone will be enacted. Council must therefore adopt the attached resolution in order to establish the Safety Enhancement Zone (SEZ) for Picnic Day 2016.

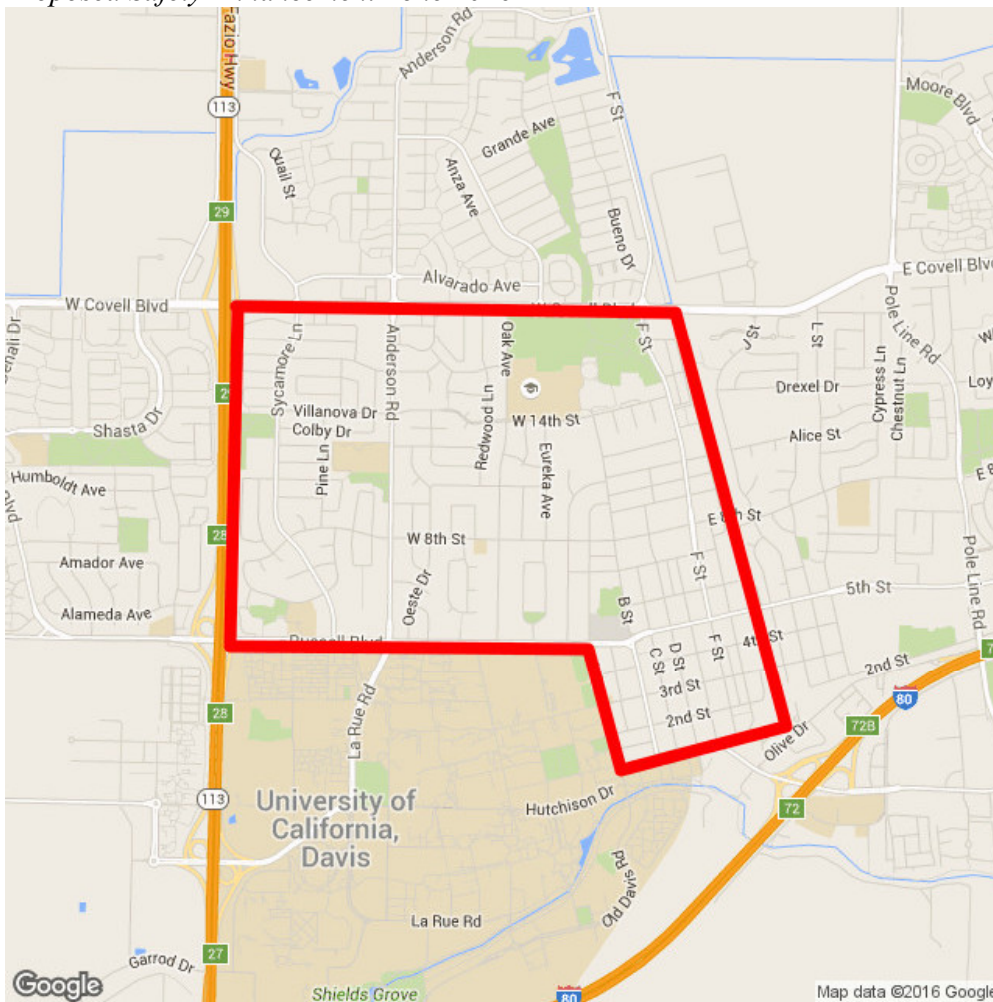
The City Council has been briefed on many of the problems associated with Picnic Day, which include what has been termed a “Mardi Gras mentality.” The sole purpose of the entire weekend, for many of those who do not engage in the formal campus events, is to get intoxicated, without

concern regarding behavior. That mentality, coupled with the sheer number of visitors to the community, has resulted in a difficult event (or series of events) to manage.

Prior to Picnic Day 2011, the police department worked closely with community groups, campus staff, student groups, and the business community with the goal of reducing the number of alcohol and nuisance related problems on Picnic Day, especially in light of significant problems that occurred in 2010.

The SEZ began in the downtown and was expanded to adjacent neighborhoods in subsequent years, most recently in 2012. After reviewing data of problem areas in 2015, staff recommends further expansion and adjustments to the SEZ for 2016. Specifically, staff recommends expanding the SEZ from Anderson to Highway 113 to the west and from Eighth Street to Covell Blvd to the north. The SEZ includes the downtown area to the south and extends to the railroad tracks on the eastern border. A map is included below.

Proposed Safety Enhancement Zone 2016



The goals for establishing the SEZ, which increases fines for certain offenses occurring in the zone, are both to deter future unlawful behavior, particularly within the SEZ (that area determined to be where the majority of public offenses and nuisance behaviors occur), and to punish more severely those who choose to violate the laws in the SEZ. Enactment of the ordinance does not add or modify existing laws or ordinances. The ordinance simply authorizes increased fines within the SEZ. Signs will be posted at major access points to the Zone, as well as locations within the SEZ, warning of the enhanced fines for specified offenses.

The new area proposed to be added to the SEZ saw significant calls for service, including several very large alcohol-related parties with over 1,000 young adults in attendance, during the thirty-six hour operational period for Picnic Day (1800 Friday through 0600 Sunday), as shown below:

Incidents: **23**

- (Party Calls: 12; Noise Calls: 1; Music Calls: 1; Drug Calls: 1; Alcohol Calls: 1; Drunk in Public Calls: 1; Trespassing: 2; Disturbance Calls: 3; Drunk Driving Calls: 1)

Citations: **6**

- (Texting While Driving: 1; Open Container: 3; Littering: 1; Minor in Possession/False ID: 1)

Arrests: **1**

- (Battery with Great Bodily Injury)

For comparison, the existing SEZ in 2015 saw 29 arrests and 12 citations.

In establishing the SEZ, it is important to identify a specific target area where prior notice (street signs), public education, and later enforcement can effectively occur. The SEZ should be designated because there is a prior history of problems which makes the designation of the SEZ defensible, if challenged. This area has been identified as having the most frequently violated/reported Municipal Code provisions contributing to Picnic Day disorder and violence, such as: possessing open containers of alcohol, general noise violations, urinating in public, and smoking within twenty feet of a business (normally, bars and/or restaurants). Although the larger size of the proposed SEZ will make it more challenging to patrol, the hope is that the stiffer penalties will discourage behavior from getting out of control and leading to a larger drain on public safety resources.

As it has in years past, the Safety Enhancement Zones ordinance would be widely publicized prior to the annual Picnic Day weekend. Student groups/associations would be utilized to help educate the UC Davis student body of the consequences of Municipal Code violations.

Attachment

1. City Council Resolution Designating a Safety Enhancement Zone for Picnic Day 2016

RESOLUTION NO. 16-XXX, SERIES 2016

**RESOLUTION DESIGNATING A SAFETY ENHANCEMENT ZONE FOR
PICNIC DAY 2016 AND DESIGNATING THE TIME DURING WHICH CERTAIN
MUNICIPAL CODE VIOLATIONS COMMITTED WITHIN THE DESIGNATED
SAFETY ENHANCEMENT ZONE WILL RESULT IN INCREASED FINES**

WHEREAS, pursuant to state law, the City Council may impose fines, penalties, and forfeitures for violations of local ordinances; and

WHEREAS, the City Council adopted a Safety Enhancement Zones Ordinance, Ordinance No. 2375 on February 15, 2011, which authorizes the City Council, upon making certain findings, to designate a safety enhancement zone to enhance the penalties for violations of certain provisions of the Davis Municipal Code committed within the designated zone during the time in which that zone designation applies; and

WHEREAS, Picnic Day attracts a large number of visitors to the City; and

WHEREAS, the City has in the past experienced public safety problems on Picnic Day, including problems associated with excessive consumption of alcohol; and

WHEREAS, the City anticipates the typical large crowds for Picnic Day 2016; and

WHEREAS, the City desires to take measures to protect the safety and welfare of the community on Picnic Day and of those who visit the City to enjoy Picnic Day festivities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davis that public safety problems historically associated with annual Picnic Day celebrations have created a need to take action to protect the public health, safety, and welfare of the community and visitors to the City on the upcoming Picnic Day; and

BE IT FURTHER RESOLVED that a specific geographical area within the City is subject to unique conditions and circumstances on Picnic Day that create the potential for a significant threat to the public health and safety for residents and visitors to the City, as that area is where it has been determined that the majority of public offenses, nuisance behavior, and violence has occurred in past Picnic Days; and

BE IT FURTHER RESOLVED that the potential threat to health, safety, and welfare would be reduced by enhanced penalties for violations of certain provisions of the Davis Municipal Code, including provisions regulating the possession of open containers and the consumption of alcoholic beverages in public, general noise, public urination, and public smoking, as the increased penalties are expected to deter illegal behavior, including illegal and/or excessive alcohol consumption and nuisance behavior; and

BE IT FURTHER RESOLVED that the City Council of the City of Davis hereby establishes a safety enhancement zone, as outlined in Exhibit A, attached hereto, that shall be in effect from 6:00 p.m. on April 15, 2016 to 6:00 a.m. on April 17, 2016; and

BE IT FURTHER RESOLVED that the boundaries of the safety enhancement zone shall be:

- The northern margin on the north side of W. Covell Blvd. and E. Covell Blvd., from the eastern margin of State Route 113, to the western margin of the Union Pacific rail-line/right-of-way;
- The western margin of the Union Pacific rail-line/right-of-way, from the northern margin of E. Covell Blvd., to the southern margin of First St.;
- The southern margin of the public sidewalk along the south side of First St., from the western margin of the Union Pacific rail-line/right-of-way, to the western margin of A St.;
- The western margin of A St., from the southern margin of the public sidewalk on the south side of First St., to the southern margin of Russell Blvd.;
- The southern margin of Russell Blvd, from the western margin of A St. to the eastern margin of State Route 113; and
- The eastern margin of State Route 113 from the southern margin of the public sidewalk on the south side of Russell Blvd to the northern margin of the public sidewalk along the north side of W. Covell Blvd.

BE IT FURTHER RESOLVED that the City Council directs City staff to post signs at various access points to the designated safety enhancement zone, and throughout the designated area, warning of the enhanced fines for violations of the specified offenses.

PASSED AND ADOPTED by the City Council of the City of Davis on this 23rd day of February, 2016, by the following vote:

AYES:

NOES:

Daniel M Wolk
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk

Proposed City of Davis Safety Enhancement Zone for Picnic Day 2016

