

NEIGHBORHOODS
SERVICES DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

4623 T STREET
SACRAMENTO, CA
95819
PH (916) 277-6167

AREA 3

March 15, 2005
Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

LOCATION AND COUNCIL DISTRICT: Citywide

SUBJECT: PARADE REGULATIONS – PROHIBITED WEAPONS

RECOMMENDATION:

Staff recommends that the Law and Legislation Committee direct staff to prepare an ordinance for its consideration that prevents those items listed in Exhibit B from being carried during a parade.

CONTACT PERSON: Gary Little, Area 4 Director, Neighborhood Services, 566-6524

FOR THE LAW AND LEGISLATIVE MEETING OF: March 15, 2005

SUMMARY:

On November 30, 2004 the City Council directed staff to make recommendations as to a revised list of weapons and materials that cannot be carried in parades. Staff conducted a community meeting to receive public comment. After considering the public comment and taking into account the City's need to protect public safety during a parade, staff recommends that the Law and Legislation Committee direct staff to prepare an ordinance that prevents those items listed in Exhibit B from being carried during a parade.

COMMITTEE/COMMISSION ACTION: None required

BACKGROUND INFORMATION:

On November 30, 2004, the City Council considered a staff report that recommended an amendment to the previously adopted Parade and Park Use regulations. In that report, staff recommended that the City Council enact an ordinance that would prohibit the carrying of certain weapons and materials in a parade and in so doing; reduce any threat to life and property.

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After hearing from staff and the public at the November 30 meeting, the City Council repealed the then existing Parade Ordinance, and directed staff to work with the Law & Legislation Committee to develop a revised ordinance that reflected a new list of weapons and materials that would be prohibited from being carried in a parade.

A community meeting for people interested in this issue was conducted on February 9, 2005. Approximately 130 meeting notices were mailed out prior to the meeting. The attendees were informed that the meeting would focus only on creating a list specific weapons that should be prohibited from being carried in parades (although several individuals had hoped the meeting would be used to discuss various policy issues regarding the need for an ordinance to prohibit weapons).

During the meeting, staff presented a list of weapons and materials that were contained in the Parade Ordinance presented to the City Council on November 30, 2004 (Exhibit A). Participants in the community meeting were asked which weapons and materials they thought should be prohibited, and to identify any other items they felt were appropriate for the list. There was general consensus that the following list of items should be prohibited at parades:

- Pistols, rifles, shotguns, or other firearms that are loaded with live ammunition
- Loaded air rifles or air pistols

The following items were suggested by individual participants in the community meeting as items they would also prohibit at parades. It should be noted that participants were informed that the items listed below would be provided to the Law and Legislation Committee members for consideration, there would be no attempt during the meeting to determine the level of support for any of those items:

- Stun Guns or TASERS
- Cross bows and bows and arrows
- Shields
- Pepper Spray/Mace
- Weapons of mass destruction

Staff recommends that the weapons and materials listed on Exhibit B be designated as prohibited in a revised parade ordinance. The Police Department has reviewed and supports the recommendations. It is further recommended that staff be directed to prepare and bring back to the Law and Legislation Committee, a revised parade ordinance based on the items listed in Exhibit B. Each item in Exhibit B was selected because of a unique ability to result in or cause serious harm to persons or property.

FINANCIAL CONSIDERATIONS:

Amending the Parade Ordinance to include a list of prohibited dangerous weapons and materials will have a nominal impact on the budget.

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ENVIRONMENTAL CONSIDERATIONS:

None required

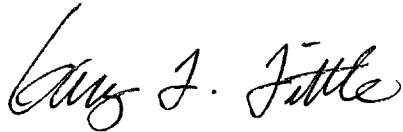
POLICY CONSIDERATIONS:

Including a list of prohibited dangerous weapons and materials in the Parade Ordinance will provide an enhanced ability to protect the public safety and property.

E/SBD CONSIDERATIONS

No goods or services are being purchased under this report.

Respectfully submitted:



Gary Little
Area 4 Director, Neighborhood Services

RECOMMENDATION APPROVED:



Ken Nishimoto
Assistant City Manager

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EXHIBIT A
PROHIBITED
DANGEROUS WEAPONS AND MATERIALS
TO BE CARRIED IN PARADES

Prohibited weapon (loaded with live ammunition):

- Pistol, rifle, shotgun, any other fire arm
- Air rifle, air pistol, paintball gun, paintball rifle
- Hatchet, ax, slingshot

Dangerous materials:

- Sign, poster, plaque, or notice unless it is made of cloth, paper, cardboard, styrofoam, or foam board and no greater than 1/3 of an inch in thickness.
- Any length of pipe made of metal, PVC, or plastic, provided that hollow PVC or plastic pipe that does not exceed 1" inch in diameter and does not exceed 1/8" inch in wall thickness and not filled with any material, liquid or solid may be used to support a sign, banner, placard, or other similar display. Both ends of the PVC or plastic pipe shall be blunt.
- Glass bottles, glass jars, or any other glass container
- Balloons filled with any material of substance other than air oxygen or helium
- Bricks stones, rocks, pieces of asphalt or concrete that are more than 1/2 inch in diameter, or if not round are more than 3/4 of an inch in the thickest dimension
- Spray paint cans
- Projectile launchers
- Operational gas masks
- Carry or wear a body vest as defined in Penal Code Sec. 12022.2

EXHIBIT B

**STAFF RECOMMENDATION
FOR PROHIBITED
DANGEROUS WEAPONS AND MATERIALS
TO BE CARRIED IN PARADES**

Prohibited weapon (loaded with live ammunition):

- Pistol, rifle, shotgun, any other fire arm
- Loaded air rifle or air pistol
- Hatchet, ax, slingshot
- Stun Guns or TASERS
- Loaded cross bow and bows

Dangerous materials:

- Glass bottles, glass jars, or any other glass container
- Balloons filled with any material of substance other than air oxygen or helium
- Bricks stones, rocks, pieces of asphalt or concrete that are more than ½ inch in diameter, or if not round are more than ¾ of an inch in the thickest dimension
- Pepper Spray/Mace