ADOPTED BY THE
MAYOR AND COUNCIL

___April 21, 2020___

ORDINANCE NO. 11746

RELATING TO CRIMES AND OFFENSES; AMENDING CHAPTER 11, ARTICLE I, OF THE TUCSON CODE BY ADDING NEW SECTIONS 11-70.3 AND 11-70.4; ESTABLISHING POLICE RESTRICTED AREAS AND PENALTIES FOR INTERFERING WITH POLICE INVESTIGATIONS OR ENFORCEMENT ACTIVITY; AND DECLARING AN EMERGENCY.

WHEREAS, the public has a clear right to free speech and to record police activities that take place in public; and

WHEREAS, in choosing to exercise these constitutional rights, people may not jeopardize the safety of law enforcement officers, suspects, victims, witnesses, themselves, or others, nor may they interfere with a police investigation or enforcement activity.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA AS FOLLOWS:

SECTION 1. The Tucson Code, Chapter 11, Crimes and Offenses, Article I, is amended by adding new Sections 11-70.3 and 11-70.4 to read as follows:

ARTICLE I. IN GENERAL

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Sec. 11-70.3. Police Restricted Areas; entrance prohibited.

A. Police officers or Community Service Officers conducting enforcement activity, investigations, and other police-related activities may restrict
individuals from physically entering crime scenes or areas immediately surrounding where such enforcement activity, investigations, and other police-related activities are taking place. Police Officers or Community Service Officers may establish the boundaries of a restricted area by using physical barriers, placing visual markers like caution tape, or expressly communicating that an area is temporarily restricted for police activity.

B. If a Police Officer or Community Service Officer has established a restricted area, it shall be unlawful for any person to enter the restricted area without a Police Officer’s or Community Service Officer’s express permission to enter; or to refuse to comply with a Police Officer’s or Community Service Officer’s request or direction to leave the restricted area.

C. Notwithstanding the provisions of Section 11-70.2 of this article, a violation of this section is a Class 2 Misdemeanor.

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Sec. 11-70.4. Interfering with Police Investigations or Enforcement Activity.

A. It shall be unlawful for any person to interfere with enforcement activity, investigations, and other police-related activities by knowingly engaging in conduct that materially inhibits, obstructs, hinders, or delays any Police Officer or Community Service Officer in the exercise of the Officer’s official duties.

B. The acts of recording police activity or engaging in constitutionally protected speech alone shall not be considered prohibited conduct under this section.

C. Notwithstanding the provisions of Section 11-70.2 of this article, a violation of this section is a Class 2 Misdemeanor.

SECTION 2. The various City officers and employees are hereby authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

SECTION 3. Whereas, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this Ordinance become immediately effective, an
emergency is hereby declared to exist and Ordinance shall be effective immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Tucson, Arizona, __April 21, 2020__.

________________________________________
MAYOR

ATTEST:

________________________________________
CITY CLERK

APPROVED AS TO FORM: REVIEWED BY:

________________________________________  ______________________________
CITY ATTORNEY      CITY MANAGER

MR/dg
4/16/20
8. PUBLIC HEARING: DEVELOPMENT IMPACT FEES FOR STREETS, PARKS AND RECREATION, POLICE, AND FIRE FACILITIES (CITY WIDE) APR21-20-116

Hearing: on proposed update to the Development Impact Fees for Streets, Parks and Recreation, Police, and Fire Facilities.

MOTION to close the public hearing

Note: Added text is **bold**.