

ORDINANCE NO. 2531

AN ORDINANCE OF THE CITY OF REDLANDS ADDING CHAPTER 1.24 TO
THE REDLANDS MUNICIPAL CODE ESTABLISHING CITATION
AUTHORITY

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 1.24 entitled Citation Authority is hereby added to the Redlands
Municipal Code to read as follows:

"Chapter 1.24
Citation Authority

Section 1.24.010 Definitions.
Section 1.24.020 Citation Authority.

Section 1.24.010 Definitions.

The following definitions apply to this Chapter:

A. "Enforcement Officer" shall mean any City employee with authority to enforce any provision of this Code, including, but not limited to the City Attorney, Community Development Director, Code Enforcement Officer, National Pollution Discharge Elimination System Inspector, Animal Control Officer and any Fire Official or Police Officer.

B. "Citation" shall mean any documentation provided to a party regarding a "Notice to Appear" and/or "Promise to Appear" for a violation of any law and as described in the Redlands Municipal Code or State law.

Section 1.24.020 Citation Authority.

A. An Enforcement Officer who has the training prescribed by the Commission on Peace Officers Standards pursuant to Section 832 of the California Penal Code, and who has the discretionary duty to enforce the provisions of the Redlands Municipal Code and California Law, is hereby authorized by the City Council, pursuant to Sections 832, 836.5 and 19.7 of the California Penal Code and subject to the provisions thereof, to arrest a person without warrant whenever the Enforcement Officer has reasonable cause to believe that the person to be arrested has either violated either the provision of the Redlands Municipal Code and State law, in the Enforcement Officer's presence or fails to correct a violation of the Redlands Municipal Code and therefore has committed a misdemeanor or an infraction which the Enforcement Officer has the discretionary duty to enforce.

B. An Enforcement Officer who is trained pursuant to Penal Code section 832 is further authorized by the City Council to issue a Citation - "Notice to Appear" and/or "Promise to Appear" and to release such person on his or her own written promise to appear in court, pursuant to sections 853.5 and 853.6 of the California Penal Code. Under no circumstance may the Enforcement Officer take the person to be arrested into custody, unless the Enforcement Officer is a Redlands Police Officer. In the event the person to be arrested demands to be taken before the magistrate or refuses to provide his or her promise to appear in court, and the Enforcement Officer is not a Redlands Police Officer, the Enforcement Officer must either summon a Redlands Police Officer, explain the situation and request that the Redlands Police Officer arrest the person and take the person into custody, or seek the assistance of the City Attorney, and request that a misdemeanor or an infraction complaint be prepared and filed against that person.

C. In addition to the mandatory course of training prescribed by the Commission on Peace Officers Standards pursuant to section 832 of the California Penal Code, the Chief of Police for the City of Redlands may establish and cause to be administered a special enforcement training program designed to instruct Enforcement Officers, who are not Redlands Police Officers, regarding how provisions of this ordinance are to be enforced, the evidentiary prerequisites to proper prosecution for violations thereof, the appropriate procedure for making arrests or otherwise prudently exercising such arrests and citation authority and limitations attendant thereto.

D. An Enforcement Officer who is trained pursuant to Penal Code section 832 shall be appropriately instructed to file executed citations within the City Attorney's Office or the appropriate department for which the Enforcement Officer is assigned. Such citations shall be filed with the appropriate court."

Section 2. The Mayor shall sign this ordinance and the City Clerk will certify to the adoption of this ordinance and shall cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation within the City, and thereafter this ordinance shall take effect as provided by law.



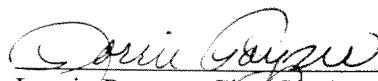
Mayor of the City of Redlands

Attest:


City Clerk

I, Lorrie Poyzer, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 7th day of January, 2003, by the following vote:

AYES: Councilmembers Peppler, Gilbreath, George, Harrison; Mayor Haws
NOES: None
ABSENT: None
ABSTAIN: None



Lorrie Poyzer, City Clerk
City of Redlands