



Legislation Text

File #: Ord. 1002, **Version:** 1

City Council Meeting Date: February 12, 2019

To: Mayor and City Council

From: Ben Martig, City Administrator

Consider Amending City Code Chapter 50, Sec. 50-86 - Disorderly Conduct.

Action Requested:

The Northfield City Council is being asked to approve the Second Reading of the attached Ordinance amending City Code Sec. 50-86 - Disorderly Conduct.

Summary Report:

The Northfield City Council approved the first reading of this ordinance on January 22, 2019. The Minnesota Supreme Court held that a provision in the disorderly conduct statute (Minn. Stat. Sec. 609.72, subd. 1(2)) prohibiting disturbing public meetings was unconstitutionally broad under the First Amendment (See, *State v. Hensel*, 901 N.W.2d 166 (Minn. 2017)). Northfield has relied on this now unconstitutional state statute for its disorderly conduct ordinance in section 50-86. Since the above-referenced statute has been struck down by the Supreme Court, the City should address the issues and make corresponding changes to City Code. City Attorney Hood has drafted the changes in the attached proposed ordinance.

Based on City Council input at the January 15, 2019 Work Session, Sec. 50-86 (a) (4) is being deleted as shown in the attached ordinance.

Alternative Options:

None.

Financial Impacts:

None.

Tentative Timelines:

January 22 - City Council First Reading
February 12 - City Council Second Reading
February 20 - Publication
Effective 30-days after publication