

RESOLUTION NO. 23-20

**A RESOLUTION OF THE TAYLORSVILLE CITY COUNCIL
DESIGNATING CERTAIN AREAS WHERE ORDERS TO DISPERSE ARE
AUTHORIZED AND GANG LOITERING IS PROHIBITED**

WHEREAS, Taylorsville Dayzz is an extraordinary family-oriented fair and festival; and

WHEREAS, Taylorsville Dayzz has unfortunately faced challenges with the presence of gangs, that disrupt the peaceful atmosphere, causing concerns for safety and security; and

WHEREAS, people with known gang affiliation often seek to establish control over certain public places such as parks and during various public gatherings such as carnivals and festivals; and

WHEREAS, sections 76-9-903 and 76-9-905 of the Utah Code empowers municipalities to enforce orders to disperse in designated areas where gang loitering is prohibited; and

WHEREAS, it is crucial to consult with knowledgeable individuals and organizations to accurately identify areas where enforcement under Section 76-9-903 may be necessary; and

WHEREAS, the City Council may, under sections 76-9-903 and 76-9-905 of the Utah Code, rely on information from (1) members of local law enforcement agencies who have training or experience related to criminal street gangs, (2) other agency personnel with particular knowledge of gang activities in the proposed designated area, (3) elected and appointed officials of the area where the proposed designated area is located and (4) others in the community, to make a determination to designate areas where gang loitering is prohibited; and

WHEREAS, the Taylorsville Police Department, members of the gang task force, the Administration of the City, and the City Council members themselves have knowledge concerning people with known gang affiliation who seek to establish control over certain public places such as parks and during Taylorsville Dayzz; and

WHEREAS, over the last twenty (20) years people with known gang affiliation have sought to establish control at Taylorsville Dayzz through fighting, stabbings, intimidation, conducting illegal activities, and other forms of disruption; and

WHEREAS, people with known gang affiliation have sought to establish control over Taylorsville Dayzz which is held annually at Valley Regional Park from June 22, 2023 through June 24, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the Taylorsville City Council designates and otherwise issues an order to disperse and where gang activity is at Taylorsville Dayzz, held at Valley Regional Park from June 22, 2023 through June 24, 2023, as follows:

Section 1. Area Designation: The Taylorsville City Council hereby designates, orders, and prohibits gang loitering at Valley Regional Park from June 22, 2023 through June 24, 2023.

Section 2. Enforcement: The Taylorsville City Council hereby establishes the following enforcement measures for areas designated under Section 76-9-903:

(a) When a law enforcement officer observes a person whom the officer reasonably believes to be a member of a criminal street gang engaging in gang loitering in the presence of one or more other persons in any public place where gang loitering is prohibited under Section 76-9-905, the police officer shall:

(i) inform all the persons that they are within an area in which loitering by a group containing one or more criminal street gang members is prohibited;

(ii) order all the persons in the group to disperse and remove themselves from within sight and hearing of the location where the officer issues the order to disperse; and

(iii) inform the persons that any person in the group will be subject to being charged with a criminal offense and will also be subject to arrest if the person fails to promptly obey the order to disperse.

(b) The officer under Subsection 4(a) shall also advise the persons the officer is directing to disperse that each of the persons directed to disperse is subject to being charged with a criminal offense and will also be subject to arrest if the person is again, within eight hours after the current order to disperse is made:

(i) present in a public place with a group that includes one or more persons a peace officer reasonably believes to be a member of a criminal street gang; and

(ii) within sight or hearing of the location where the law enforcement officer is currently issuing the order to disperse.

Section 3. Develop Procedures: The Taylorsville Police Department shall conduct a review after Taylorsville Dayzz and report back to the City Council concerning this policy.

BE IT FURTHER RESOLVED that the Taylorsville City Administration and Police Department shall take all necessary actions to enforce Sections 76-9-903 and 76-9-905 of the Utah Code within the designated areas and collaborate with local law enforcement agencies, community organizations, and other stakeholders to mitigate gang-related activities and enhance public safety.

PASSED AND APPROVED by the Taylorsville City Council this ____ day of _____, 2023.

TAYLORSVILLE CITY COUNCIL

By: _____
Council Chair

SEAL

VOTING:

Meredith Harker	Yea	___	Nay	___
Ernest Burgess	Yea	___	Nay	___
Bob Knudsen	Yea	___	Nay	___
Curt Cochran	Yea	___	Nay	___
Anna Barbieri	Yea	___	Nay	___

PRESENTED to the Mayor of the City of Taylorsville for approval this ___ day
_____, 2023.

APPROVED this ___ day of _____, 2023.

By: _____
Mayor Kristie S. Overson

ATTEST:

Jamie Brooks, City Recorder

DEPOSITED in the office of the City Recorder this ___ day of _____, 2023.

RECORDED this ___ day of _____, 2023.