

AN ORDINANCE TO AMEND CHAPTER 36 OF THE CITY CODE TO INCREASE THE FINE FOR RESISTING, INTERFERING, AND/OR HINDERING PARKING REGULATION ENFORCEMENT OFFICERS IN DISCHARGING THEIR DUTIES

#0359
Sponsor:

Council
Member
Oliver

WHEREAS, Parking Regulation Enforcement Officers (“PREOs”) help enforce City parking regulations by issuing tickets for parking violations; and

WHEREAS, PREOs have reported an increase in verbal abuse, interference, and threatened and/or actual physical violence while attempting to discharge their duties; and

WHEREAS, threatened and/or actual violent incidents against PREOs are referred to the Delaware Attorney General’s Office for investigation and prosecution; and

WHEREAS, currently, violators of Sec. 36-195 of the City Code may face a fine of up to \$500.00; and

WHEREAS, City Council believes that doubling the fine for resisting, interfering, and/or hindering PREOs from discharging their duties will deter this behavior.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Section 36-195 of the City Code is hereby amended by deleting the stricken language and adding the following underline language to read as follows:

Sec. 36-195. - Same—Resisting police officers, or employees of the department of public works, etc.

Whoever shall resist any police officer, or any other person duly authorized to perform police duty, specifically including, for purposes of this section, parking regulation enforcement officers of the city department of public works, in the discharge of his duties, or shall, in any way, interfere with or hinder him in the discharge of his duty as such member of the police department or of the department of public works, or in the performance of such police duty or parking regulation enforcement, by physical acts or by abusive, indecent, profane or vulgar language which by its very utterance tends to incite an immediate breach of the peace, or shall offer or endeavor so to do, shall be guilty of a misdemeanor. A conviction of a violation of

this section shall be punishable by a fine not to exceed the amount of ~~\$500.00~~ \$1,000.00.

SECTION 2. This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading.....October 19, 2023
Second Reading....October 19, 2023
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2023

Mayor

SYNOPSIS: This Ordinance amends Chapter 36 of the City Code to increase the fine for resisting, interfering, and/or hindering parking regulation enforcement officers in the discharge of their duties from \$500.00 to \$1,000.00.

FISCAL IMPACT: There is no anticipated fiscal impact.