

## STAFF REPORT

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**Date:** January 8, 2025

**To:** Mayor and City Council

**Through:** Jackie Bryant, City Manager

**Subject:** Ordinance Adoption - Bill No. 7289 (For Possible Action): An Ordinance to amend Title 8, Chapter 8.10, of the Reno Municipal Code titled “Offenses Against Property” prohibiting loitering when posted on private property; and other matters properly relating thereto.

**From:** Chris Jacobson, Assistant Chief of Police, Reno Police Department

**Department:** Reno Police Department

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**Summary:**

In response to unlawful activity on private property, staff is introducing a loitering ordinance to proactively create a process to address this reoccurring issue citywide. The proposed ordinance will address unlawful activity including, but not limited to, side shows, street racing, fights, narcotic sales, and other crimes. Establishing a Reno Municipal Code ordinance to address loitering on private property creates an opportunity for a public and private partnership to mitigate unlawful activity, expedite resolution, and maximize staff time. The proposed ordinance supports public safety and serves as an additional tool for the Reno Police Department. Staff recommends Council approve the introduction of a new ordinance in Reno Municipal Code, under “Offenses Against Property” Title 8, Chapter 8.10 prohibiting loitering on private property.

**Alignment with Strategic Plan:**

Public Safety

**Previous Council Action:**

December 11, 2024 - Council meeting, staff provided a presentation and ordinance introduction. Council referred the ordinance for adoption.

December 4, 2024 - Council meeting, staff provided a current state of the Reno Police Department presentation and Council directed staff to research tools to improve addressing community concerns.

November 13, 2024 - Council meeting, staff provided a downtown update presentation and Council directed staff to research tools to improve addressing community concerns.

April 24, 2024 - Council meeting, staff provided a Directed Engagement, Enforcement, & Deployment Strategy (DEEDS) Initiative presentation and Council directed staff to research tools to improve addressing community concerns.

**Discussion:**

The Reno Municipal Code (RMC) does not have a statute to address loitering on private property. People gathering on private property after hours is challenging for businesses and law enforcement, and the current codes do not allow for enforcement consistently. Gatherings on private property after hours have led to criminal activities including side shows, street racing, fights, narcotic sales, unlawful use, and shootings in the City.

Currently, RMC for trespassing may not be a viable solution for enforcement, even if signage is posted on private property. For example, businesses that are not open at the time of the incident or unmonitored parking lots typically do not have a person responsible on-site to report the unwanted behavior to authorize a trespass violation. This is a frequent barrier in addressing activity in real-time for both businesses and law enforcement.

Staff examined ordinance codes to address this issue and is recommending the introduction of an ordinance related to loitering mirroring a City of Lodi, California ordinance. Adopted in 2007, this Lodi Municipal Code makes it unlawful for any person to enter or remain on any posted property without the written permission of the owners, tenants, or the occupant in legal possession or control thereof. The Lodi ordinance requires a letter of authority from the property owner or agent, containing the property owner's name, address, and phone number, and authorizes officers to enforce loitering violations without the property owner or agent present. The authorization letter is valid for one year after which the property owner or agent must submit a new one. Additionally, the property owners or their agents must also post no loitering signs on the property.

The new proposed RMC is recommended to become part of Title 8, which addresses offenses against property and would ban loitering when posted on private property in the City. Upon approval of the ordinance introduction and first reading, a second reading and ordinance adoption must be approved before the law can become effective. If adopted, staff will conduct outreach to the business community to create awareness of this partnership.

Upon adoption, staff will conduct extensive community outreach efforts to ensure the public is well-informed about new regulations, resources, and services available.

**Financial Implications:**

There are no financial implications associated with this item.

**Legal Implications:**

Legal review completed for compliance with City procedures and Nevada law.

**Recommendation:**

Staff recommends Council adopt Bill No. 7289.

**Proposed Motion:**

I move to approve the staff recommendation.

**Attachments:**

- Title 8, Chapter 8.10 Loitering