

City Council Introduction: August 29, 2013

Bill Number 13-98

Public Hearing: August 26, 2013

## **F A C T   S H E E T**

**TITLE:** Amending LMC Section 9.20.050 -  
Disturbing the Peace

**SPONSOR:** Law Dept.

**OPPONENTS:**

**OTHER DEPARTMENTS AFFECTED:**

**STAFF RECOMMENDATION:**

**APPLICANT:** John McQuinn,  
Chief City Prosecutor

### **REASON FOR LEGISLATION:**

AN ORDINANCE amending Section 9.20.050 of the Lincoln Municipal Code, relating to disturbing the peace to clarify that the penalty for such offense includes the option of both a fine and imprisonment in the county jail.

## **D I S C U S S I O N**

When the current language was drafted, the wording giving a judge the ability to punish a person convicted of the crime of disturbing the peace by a fine and a jail sentence was inadvertently dropped. This amendment would restore the original language, making this penalty consistent with the general penalty provision found in LMC Chapter 1.24. The current equivalent state statute also allows punishment by a fine, or a jail sentence, or both.

**POLICY OR PROGRAM CHANGE:**

**COST OF TOTAL PROJECT:**

**SOURCE OF FUNDS:**

**CITY:**

**NON CITY:**

**BENEFIT COST:**

**FACT SHEET PREPARED BY:** John McQuinn, Chief City Prosecutor

**REVIEWED BY:**