



CITY OF BOULDER
STUDY SESSION

TO: Members of City Council
FROM: Tom Carr, City Attorney
DATE: February 11, 2014
SUBJECT: Social Misbehavior

This Study Session will provide an opportunity for council to discuss criminal behavior on the municipal campus. Council members and members of the community have raised significant questions regarding a group or groups of individuals who appear to have taken over the municipal campus. The focus of this session is certain behaviors occurring on the campus that effectively prevent other community members from enjoying the campus.

QUESTIONS FOR COUNCIL:

1. Does council agree that there is a problem that needs to be addressed?
2. Does council agree with staff's proposed actions?
3. Are there additional actions council would like staff to explore?

SUMMARY OF TOPICS

The following is a list of options that staff has identified. These are intended as a basis for discussion. Council members can add any topics that are missing from this list or direct staff not to pursue others on the list.

Tool	Comment	Status
Strategies Already Implemented		
Increased police patrols	Increased enforcement provides a disincentive to criminal behavior. Even with dedicated overtime officers, however, the behavior cannot be	The city manager provided additional funding for police overtime in 2013. Additional funding will be identified to provide overtime in 2014.

Tool	Comment	Status
	eliminated completely.	
Rules	Rules of conduct for the library and municipal campus building to reduce behavior that affects other patrons.	Rules adopted for the library and municipal campus in 2013. Staff is looking at modifications.
No Smoking	In December 2012, council banned smoking on the Pearl Street Mall. This ordinance appears to have improved air quality on the mall. On January 6, the city manager adopted a proposed rule banning smoking on the municipal campus to attempt to improve the environment there. In addition, the library commission will soon be considering a rule to ban vapor cigarettes in the library.	Effective January 28, 2014
Strategies Requiring Additional Council Input		
Panhandling	Boulder code currently prohibits aggressive begging. It also prohibits remaining on a median, which precludes panhandling from medians. Panhandling is also limited in certain areas of Downtown and University Hill. Panhandling is considered speech and therefore only can be regulated with reasonable time, place and manner restrictions. Options for enhanced restrictions include prohibiting panhandling near ATMs, parking kiosks, school zones, public buildings and from patrons at outdoor restaurants. In addition, it may be possible to restrict panhandling from vehicles.	At council's direction staff can propose a revised ordinance in the first or second quarter of 2014.

Tool	Comment	Status
Partial Closure	Denying access to certain areas seems to have a temporary positive effect. In January 2012, the city manager adopted a rule closing the parks at night. This rule has led to a significant number of trespass citations. In addition, the partial closure of the municipal building lawn in 2013 had a temporary positive effect.	Staff is considering a plan to fence off the band shell, which has been the source of numerous trespass citations. Constant use as a camping site has the potential for damaging the historic structure.
Increased Sentencing Guidelines	The City Attorney's Office adopted new sentencing recommendation guidelines that recommend a more significant sentence for crimes committed in high impact areas, including the Municipal Campus, the Pearl Street Mall, Boulder High School, Downtown Boulder and the Downtown Library.	Implemented by the CAO in December 2013.
Exclusion Orders	The court has previously issued exclusion orders for individuals who commit crimes on the Pearl Street Mall. Staff is investigating issuing such orders for several defined areas of the municipal campus and Boulder Creek path areas where criminal behavior has impacted the communities' ability to enjoy those public spaces.	In progress
Repealing sentencing limits	In 2012, at the request of the city attorney, the council passed an ordinance eliminating the possibility of jail for first and second offenses for many municipal offenses. This has created situations in which offenders with significant	If council directs staff can propose a revised ordinance in the first quarter of 2014.

Tool	Comment	Status
	criminal histories for other offenses cannot be jailed for a first offense on a new violation of a different code provision.	
Adopt Unlawful Conduct on Public Property Ordinance	The city has no general ordinance prohibiting unlawful conduct on public property. There is a state law, so these violations must be charged by the County. It would provide more options if the city had a similar ordinance.	If council directs staff can propose a revised ordinance in the first quarter of 2014.

BACKGROUND:

Over the last two years, groups of individuals have congregated in various areas of the municipal campus. There is not, nor should there be, any law against such congregation. The problem is behavior. Staff examined police arrests and citations on the municipal campus for the 12 months from October 1, 2012 through September 30, 2013. The resulting data supports some interesting conclusions.

Half of the arrests and citations were for ignoring rules. That is, of the 646 citations and arrests during this period 326 were for Trespass, Failure to Appear, Failure to Comply or Contempt of Court. This suggests a defendant population that may not care very much about legal obligations.

The police department is dealing with much more than nuisance crimes. Many of the defendants were arrested for serious offenses. Among the arrests and citations there were charges associated with serious crimes, such as burglary, assault, robbery, kidnapping and escape. A complete list of the crimes and frequency follows:

Offense	Citations	Defendants
Contempt of Court	166	97
Trespass	82	52
FTA (Failure to appear)	47	41
FTC (Failure to comply)	31	28
Public Consumption of Marijuana	31	30
Assault	31	21
Camping	25	22
Alcohol Public Consumption	21	21
Obstruction	18	16
Drug Paraphernalia	11	11
Violation of Protective Order	11	11
Possession of Controlled Substance	10	7

Offense	Citations	Defendants
Dogs at Large	10	10
Brawling	9	9
Marijuana Possession	8	8
Domestic Violence	8	8
Warrant from another Jurisdiction	8	8
Fugitives	7	4
Theft	7	6
Concealed Weapon	6	6
Criminal Impersonation	6	6
Harassment	6	5
Resisting Arrest	5	5
Fighting Words	5	5
City Manager Rule	5	5
Parole Violation	5	5
Unlawful Distribution of Controlled Substance	4	2
Attempt to Influence a Public Servant	4	4
Threatening Bodily Injury	4	4
Animal Cruelty	4	3
Conspiracy	3	3
Sex Offender Registration Violation	3	2
False Reporting	3	3
Escape	3	3
Dog License or Tag Required	3	3
Aggressive Animals	3	3
Minor in Possession of Alcohol	2	2
Criminal Attempt	2	2
Felony Menacing	2	2
Forgery	2	2
Public Indecency	2	2
Rabies Inoculation Required	2	2
Littering	2	2
Fraudulent Identification	2	2
Urinating in Public	2	2
Harassment of Service Dog	1	1
Date Rape Drug	1	1
Marijuana Distribution	1	1
Reckless Endangerment	1	1
Kidnapping	1	1
Burglary	1	1
Burglar Tools	1	1
Robbery	1	1
Criminal Mischief	1	1
Identity Theft	1	1
Criminal Possession of a Credit Card	1	1
Disorderly Conduct	1	1

Offense	Citations	Defendants
Fishing without a License	1	1
Building Fires on Public Property	1	1
Protection of Trees	1	1

A relatively small number of individuals cause a disproportionately large percentage of the problems. This data sample involved 280 defendants. Thirty of the defendants were responsible for 220 of the 646 arrests and citations. Looked at another way, 11 percent of the defendants were responsible for 34 percent of the citations and arrests.

The data leads to another conclusion: The problem is not homeless individuals or transients, it is criminal behavior. The best approach to criminal behavior is enforcement. Normally, alternatives to incarceration can be very effective. Unfortunately, this is a defendant population that appears to fundamentally disregard the law. The city has little alternative but to increase enforcement and detention of individuals convicted of criminal behavior.

Proposed Responses

Staff has identified nine strategies to address the problem. These are short term approaches. In the longer term, the redesign resulting from the Civic Area Plan currently under consideration will hopefully provide more opportunities to reactivate the area and draw a more diverse representation of the community to the municipal campus. The proposed immediate responses are as follows:

1. Increased Police Patrols

The best response to criminal activity is prominent police presence. In 2013, the city manager funded increased police overtime to provide regular two person police patrols on the municipal campus. Overtime was appropriate to avoid drawing police from other areas of the city. The large number of arrests and citations resulted from this police presence. The city manager plans to fund this effort again in 2014. It should be noted that police overtime is not an unlimited resource. There are many demands for extra officers, particularly the many special events that the city hosts. As a practical matter there are only so many hours that an officer can work. While increased overtime patrols are a good short term tool, they are not sustainable in the long term.

2. Rules of Conduct

Some of the behavior that is most troubling to other users of the municipal campus are not necessarily criminal, but create an unpleasant environment for members of the public using municipal buildings and for city workers. To address some of this behavior, the Library Commission adopted rules of conduct for the library and the city manager adopted similar rules for the West Senior Center, the Park Central Building, the New Britain Building and the Municipal Building. These rules are intended to create a standard of behavior in these facilities. As a result of behavioral concerns, staff will be

discussing potential additional rules with the Library Commission involving the following issues:

1. Unattended bags outside the library
2. E-cigarettes
3. Display of marijuana inside library

These potential rules have implications for the entire campus and changes will be considered in that context. Copies of these rules are attached as Attachment A.

3. Smoking

One of the most visible and troubling negative externalities associated with behavior on the municipal campus is smoking. Eliminating smoking should help to promote a healthier and more family friendly atmosphere on the municipal campus, in addition to significantly reducing ground litter. The city manager's rule banning smoking on the municipal campus went into effect on January 28, 2014. Police officers began educational activities immediately. Enforcement will begin as soon as signs are posted providing notice of the restriction.

4. Panhandling

Boulder currently has three code sections that limit panhandling. Section 5-3-7 which prohibits "aggressive begging" reads as follows:

(a) No person shall beg or solicit aggressively for a gift of money or any thing of value on any public street, sidewalk, way, mall, park, building, or other public property, or on any private property open to the public while in close proximity to the individual addressed. "Aggressive begging" means begging or soliciting accompanied by or followed immediately by one or more of the following:

- (1) Repeated requests after a refusal by the individual addressed;
- (2) Blocking the passage of the individual addressed;
- (3) Addressing fighting words to the individual addressed; or
- (4) Touching the individual addressed.

(b) If one person acts in concert with another to beg aggressively, such that one person begs or solicits, and another commits one or more of the additional acts constituting aggressive begging, both have committed the crime.

(c) If one person begs or solicits, and a second person, who knew or reasonably should have known of a refusal by the individual addressed,

begs or solicits from the same individual within one minute, the second person has committed the crime.

In addition to the aggressive begging section, section 7-5-25 prohibits remaining on a roadway median for any longer than necessary to cross a street. This precludes panhandling from roadway medians.

Finally, section 5-3-12 prohibits begging in specified locations:

5-3-12 Begging in Certain Places Prohibited.

(a) No person shall beg or solicit for a gift of money or anything of value while the person begging or soliciting is in any of the following places on public property:

- (1) On the mall within ten feet of a building wall.
- (2) In the downtown or the University Hill commercial district, as those areas are defined in subsection (b) of this section, within five feet of a building wall.
- (3) Within ten feet of any outdoor patio where food or drink are served.
- (4) Within ten feet of any vending cart operating pursuant to a permit from the City.

(b) This section applies only to the following parts of the City:

- (1) The downtown, defined as the area included within the Downtown Boulder Business Improvement District established by Ordinance No. 6095. A map showing the downtown boundaries is appendix A of this section.
- (2) The University Hill commercial district, defined as the west side of Broadway from University Avenue to College Avenue; Pennsylvania Avenue from Broadway to the alley west of Thirteenth Street and also including the right of way abutting the property on the north side of Pennsylvania just west of the alley; Thirteenth Street from Pleasant Street to College Avenue including the right of way abutting the two northern most properties south of College on the east and west sides of Thirteenth Street; Fourteenth Street south of College on the west side from College to the southern edge of the University Hill General Improvement District parking lot; and College Avenue from the alley west of Thirteenth Street to Fourteenth Street. A map showing the University Hill commercial district is appendix B of this section.

(c) This section does not apply to begging or solicitation solely by means of a sign carried by the person, so long as the sign is not extended within eighteen inches of the person solicited.

Individual council members have asked staff to look into additional potential regulation of panhandling. Council members and members of the community have expressed concern about panhandling as it affects community safety. There is concern about panhandling when the person solicited is vulnerable or captive. That is, when solicitation occurs while a person is using an automated teller machine or parking kiosk. There are similar concerns about panhandling in school zones or from people sitting in outdoor restaurants who may not be protected by paragraph 5-3-12(a)(3) because of existing limitations in that ordinance. There are also safety concerns regarding soliciting drivers in vehicles. If council directs, staff can present a panhandling ordinance in the first or second quarter of 2014.

5. Partial Closure

As noted above, the ultimate goal is to make the environment open and attractive to all members of the community. In the short term, it may be possible to effect positive change by securing certain areas of the campus. For example, the historic band shell has become a de facto campground. In the five months between July and December 2013, the police issued over 100 trespass tickets in and around the band shell. Staff recommends that council consider fencing the band shell.

6. Increased Sentencing Guidelines

Based on police observation and confirmed by the data discussed above, a big part of the problem is driven by individuals who refuse to comply with legal obligations. In December, staff from the police department and the City Attorney's Office met to discuss increased sentencing recommendations by the city's prosecutors. The City Attorney's Office agreed and drafted new sentencing guidelines, which include a differential for crimes committed on the municipal campus, downtown, on the Pearl Street mall in the main library and on the Boulder High School campus. These guidelines are as follows:

CODE SECTION	OFFENSE	HIGH IMPACT AREA¹	OUTSIDE HIGH IMPACT AREA
5-7-2	Open container	5 – 7 days per violation	2 days per violation

¹ The High Impact areas are as follows:

- Municipal campus (6th Street – 13th Street, Arapahoe – Canyon including Central Park, excluding Boulder Public Library).
- Boulder High (13th Street – 17th Street, Boulder Creek Path)
- Pearl Street Mall (9th – 15th Street, Pearl ST)
- Downtown Boulder (6th – 20th, Pine ST to Walnut ST)
- Main Boulder Public Library

5-6-10	Camping	5 – 7 days per violation	1 day per violation
5-4-3	Trespassing	7 – 10 days per violation	2 – 5 depending on facts**, 5 – 10 if inside property of business or residence; up to 90 days if business was disrupted, employees or customers threatened.
5-6-7	Public urination	5 – 7 days per violation	3 – 5 days per violation depending on facts
5-3-6	Use of fighting words	7 - 30 days, depending on facts, history. Lower end if victim is enforcement. Lower end if D is receiving other sentences. Higher end if victim not acting in course of employment.	3 – 10 days, depending on facts, history. Lower end if victim is enforcement. Lower end if D is receiving other sentences. Higher end if victim not acting in course of employment.
5-3-2	Brawling	10 – 60+ depending on history	5 – 30+ depending on history
5-3-1	Assault	30 – 90 depending on history	30 – 90 depending on history.
5-3-3	Physical Harassment	10 – 60+ depending on facts, history	5 – 90 depending on facts, history
5-3-4	Threatening bodily injury	10 – 90 days, depending on facts, history, relationship to victim.	10 – 60 days, depending on facts, history, relationship to victim.
2-6-10	Failed to Appear	1 – 3 in 1 year:	1 day
		4 – 6 in 1 year	2 days
		7 – 10 in 1 year	3 days
		11 – 13 in 1 year	4 days
		14 – 17 in 1 year	5 days
		18 – 20 in 1 years	6 days

The City Attorney’s Office implemented these new sentencing guidelines in December. It is important to note that these are just recommendations and that the Court retains the discretion to impose sentences.

7. Exclusion Orders

As part of a sentence, the court can direct a defendant to stay out of a particular area, where the defendant has previously engaged in criminal activity. The municipal court has a practice of issuing such orders for repeat offenders on the Pearl Street mall. Staff is working with the court to define several exclusion zones around the municipal campus and nearby Boulder Creek Path areas. In addition, the library has the ability to exclude individuals who fail to comply with library rules.

8. Repeal Sentencing Limits

In February 2012, council passed Ordinance No. 7831, which effectively eliminates jail for first offenders. The intent of the ordinance was to bring the city's code into conformance with municipal court sentencing practices by eliminating the possibility of jail for first offenders. The ordinance also was intended to reduce the number of jury trials which at the time were challenging the ability of the court to handle its docket. The ordinance has had the unintended consequence of precluding the court from sentencing a defendant to jail for a first offense, even if the defendant had a long history of committing other offenses. Staff recommends that council repeal parts of Ordinance No. 7831 and return to the municipal court the ability to impose jail sentences on first offenses when appropriate.

9. Adopt a Municipal Offense Banning Unlawful Conduct on Public Property.

The city does not currently have an ordinance banning unlawful conduct on public property. Accordingly, the police now charge such offenses under state law. Adopting such an ordinance would allow for these cases to be brought in the municipal court. This would allow for better tracking and coordination among the various city departments. The state law is as follows:

C.R.S. § 18-9-117. Unlawful conduct on public property

(1) It is unlawful for any person to enter or remain in any public building or on any public property or to conduct himself or herself in or on the same in violation of any order, rule, or regulation concerning any matter prescribed in this subsection (1), limiting or prohibiting the use or activities or conduct in such public building or on such public property, issued by any officer or agency having the power of control, management, or supervision of the building or property. In addition to any authority granted by any other law, each such officer or agency may adopt such orders, rules, or regulations as are reasonably necessary for the administration, protection, and maintenance of such public buildings and property, specifically, orders, rules, and regulations upon the following matters:

- (a) Preservation of property, vegetation, wildlife, signs, markers, statues, buildings and grounds, and other structures, and any object of scientific, historical, or scenic interest;
- (b) Restriction or limitation of the use of such public buildings or property as to time, manner, or permitted activities;
- (c) Prohibition of activities or conduct within public buildings or on public property which may be reasonably expected to substantially interfere with the use and enjoyment of such places by others or which may constitute a general nuisance or which may interfere with, impair, or disrupt a funeral or funeral procession;
- (d) Necessary sanitation, health, and safety measures, consistent with section 25-13-113, C.R.S.;

(e) Camping and picnicking, public meetings and assemblages, and other individual or group usages, including the place, time, and manner in which such activities may be permitted;

(f) Use of all vehicles as to place, time, and manner of use;

(g) Control and limitation of fires, including but not limited to the prohibition, restriction, or ban on fires or other regulation of fires to avert the start of or lessen the likelihood of wildfire, and the designation of places where fires are permitted, restricted, prohibited, or banned.

(2) No conviction may be obtained under this section unless notice of such limitations or prohibitions is prominently posted at all public entrances to such building or property or unless such notice is actually first given the person by the officer or agency, including any agent thereof, or by any law enforcement officer having jurisdiction or authority to enforce this section.

(3) (a) Except as otherwise provided in paragraphs (b) and (c) of this subsection (3), any person who violates subsection (1) of this section is guilty of a class 3 misdemeanor.

(b) Any person who violates any order, rule, or regulation adopted pursuant to paragraph (g) of subsection (1) of this section is guilty of a class 2 misdemeanor and shall be assessed a fine of not less than two hundred fifty dollars and not greater than one thousand dollars. The fine imposed by this paragraph (b) shall be mandatory and not subject to suspension. Nothing in this paragraph (b) shall be construed to limit the court's discretion in exercising other available sentencing alternatives in addition to the mandatory fine.

(c) Any person who violates any order, rule, or regulation adopted pursuant to paragraph (c) of subsection (1) of this section concerning funerals or funeral processions is guilty of a class 2 misdemeanor.

If council directs, staff can bring forward a municipal ordinance prohibiting unlawful conduct on public property in the first or second quarter of 2014.

NEXT STEPS

After receiving direction, staff will move forward with the action items. Ordinances will be brought forward for first reading consistent with the work plan as discussed earlier on February 11.

Attachment A: Library and Municipal Campus Rules

City of Boulder Library Rules of Conduct

The Boulder Public Library Commission has adopted the following rules of conduct to protect the rights and safety of library patrons, volunteers, and staff. These rules apply to everyone in the library, except for city employees and contractors of the city doing work at the library. "Library" shall mean all parts of the interior of the Main Boulder Public Library and all branch libraries, including, without limitation, the entrance structures of the Main Boulder Public Library. Any person who violates these rules of conduct may be subject to suspension of privileges in accordance with the procedures of [Section 5-5-18, "Suspension of Facility Privileges," Boulder Revised Code \(B.R.C.\) 1981](#).

[Unattended Children Policy](#)

No person may:

1. disturb other patrons or library staff or volunteers so as to disrupt their use of any library facility or their work including and not limited to, inappropriate use of personal equipment, (cellular phones, computers of any kind, radios, music players, video display devices);
2. use any other person's library or Internet courtesy card to obtain any library services without their permission;
3. manipulate or bypass library software systems such as those that regulate computer use or tamper with library computer hardware or accessories;
4. lie down, doze or sleep in any library facility except this rule shall not apply to children;
5. bring a weapon into or possess a weapon, except as expressly permitted by state law;
6. use the restrooms for bathing, shaving, washing, rinsing or drying hair, or washing, rinsing or drying clothing;
7. go barefoot or shirtless;
8. eat anything while in any library facility except in designated areas such as: public meeting rooms, Main Library Bridge seating area, and exhibit spaces during scheduled events;
9. ride a skateboard, bring or ride a bicycle, wear or use rollerblades or roller skates, or jeopardize the safety of anyone in any library facility;
10. bring into, or possess alcoholic beverages in any library facility, without prior approval of the Library and Arts Director and/or the Library Commission, or enter the library while under the influence of drugs and/or alcohol;
11. chew tobacco or products containing tobacco in any library facility;
12. carry, lead, bring an animal into any library facility, or cause an animal to enter a library facility, with the exception of [service animals](#) under the control of their owners for person or persons with disabilities;
13. be in any library facility, without the permission of an authorized library employee, outside of standard operating hours;
14. seek or collect signatures from the general public on a petition in any library facility;
15. solicit donations of money or anything of value, or sell or take orders for anything of value in any library facility with the exception of persons who are conducting a commercial transaction with the city and at its request or who are participating in library-sponsored activities;
16. bring into any library facility oversized items larger than a total of 50 linear inches, e.g. 10" X 16" X 24", with the exception of presentation and/or meeting room equipment;
17. leave bags and other personal items unattended;
18. steal, damage or alter any library property (with the exception of normal wear and tear), including, without limitation, any computer equipment, systems, or software;
19. smoke, as defined in [Section 6-4-2 B.R.C. 1981](#) or any successor ordinance, in any library facility or in enclosed outdoor seating and garden areas with direct access to library facilities or within 15 feet of an entrance;
20. commit harassment of another person, within the meaning of [Section 18-9-111 Colorado Revised Statutes \(C.R.S.\)](#) or any successor statute, in any library facility;
21. commit indecent exposure, within the meaning of [Section 18-7-302 C.R.S.](#) or any successor statute, in any library facility;
22. sell or possess illegal drugs in any library facility.

People who commit any criminal acts in library facilities may be subject to criminal prosecution as well as suspension of all library privileges.

Suspension of Library Privileges

Security personnel or the Library and Arts Director, Deputy Library Director, the manager on duty, or their designee may restrict access to library facilities with immediate dismissal of the person from the premises by suspending the person's access to library facilities for a set period of time or by denying access to specific services and/or programs.

The suspension period shall be reasonably related to the severity of the offense and its danger to public health, safety, and welfare and shall not, except for criminal offenses of a sexual nature, exceed one year. Suspension of privileges shall range from 24 hours (for a relatively minor first offense) up to one year. A suspension period of more than one year shall be issued in accordance with [Section 5-5-18 B.R.C. 1981](#).

Right of Appeal

Pursuant to Section 5-5-18, "Suspension of Facility Privileges" and Chapter 1-3, "Quasi-Judicial Hearings," B.R.C., a patron found in violation of the rules of conduct has the right to request a hearing to appeal a suspension or its duration by filing a written request with the Boulder Public Library administration office, 1001 Arapahoe Ave, Boulder, CO 80302, Attn: Suspension Appeals (303-441-

3106 303-441-3106 Such a request must be filed no more than ten days after the suspension notice was deposited in the mail, hand-delivered, posted, or published. The patron will receive notification of the hearing date, time, and location. At the hearing, the patron will have an opportunity to provide information as to why he/she believes the suspension should be removed or the duration amended. Failure to appear at the scheduled hearing waives any right to a hearing.

If the suspended patron chooses to return to the library once the suspension period has expired, they must abide by the Boulder Public Library rules of conduct and/or policies. Any future rule or policy violations may result in a progressively longer suspension.

Revised February 6, 2013 by the Boulder Library Commission

Boulder Municipal Campus Rules of Conduct

Pursuant to C.R.S. § 18-9-117, and § 8-3-3, B.R.C., 1981, the Boulder City Manager has adopted the following rules of conduct to protect the rights and safety of visitors and staff in municipal buildings. These rules apply inside of the following buildings on the city's municipal campus: the Municipal Building, the Park Central Building, the Atrium Building the West Senior Center and the New Britain Building. Any person who violates these rules of conduct may be subject to prosecution pursuant to C.R.S. § 18-9-117 "Unlawful Conduct on Public Property." The following is prohibited in any of the listed buildings on the municipal campus:

1. Stealing, removing without permission, damaging or altering any city property.
2. Possessing a weapon, except as expressly permitted by state law.
3. Committing harassment of another person, within the meaning of C.R.S. § 18-9-111 or any successor statute.
4. Committing indecent exposure, within the meaning of C.R.S. § 18-7-302 or any successor statute.
5. Selling or possessing illegal drugs.
6. Smoking, as defined in section 6-4-2 B.R.C. 1981 or any successor ordinance.
7. Leaving children, ages 11 and under, or dependent persons unattended.
8. Riding a skateboard or a bicycle, wearing or using rollerblades or roller skates.
9. Jeopardizing the safety of any person.
10. Possessing alcoholic beverages without prior approval of the City Manager.

11. Being under the influence of drugs or alcohol.
12. In areas open to the public, lying down, dozing or sleeping, except for children under the age of 13.
13. Using public restrooms for bathing or shaving; washing, rinsing or drying hair; or washing, rinsing or drying clothing.
14. Being barefoot or shirtless.
15. Chewing tobacco or products containing tobacco.
16. Being in any building outside of normal business hours, without the permission of an authorized employee, except to attend any meeting or function open to the public.
17. Except for city employees, being in any area of a building designated as "limited access," "employees only," "restricted access" or a similar designation without the permission of an agent of the city of Boulder.
18. Leaving bags and other personal items unattended, unless the unattended item is the property of the city of Boulder or an employee of the city of Boulder.