



CITY MANAGER MEMORANDUM
#32-2022

DATE: May 23, 2022

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager 

FROM: Jason Johnson, Municipal Court Supervisor
Rupa Venkatesh, Assistant to City Manager 

SUBJECT: CB-1985 – Amendment to the Harassment Section of the Municipal Code

PURPOSE

To consider CB-1985, an ordinance on second reading that would amend Section 9-4-4, Subsection (a) of the Municipal Code regarding harassment. It would strike “intended to harass” from the code to be in compliance with the recent Colorado Supreme Court ruling that is prompting this change.

BACKGROUND

In *People v. Moreno* (2022), the Colorado Supreme Court ruled that the State “harassment statute” was unconstitutional since it restricts protected speech. Rather than invalidating the entire harassment statute, the Colorado Supreme Court struck the phrase “intended to harass.”

The Municipal Code currently has the “intended to harass” phrase in its harassment code and needs to be modified as a result of the *Moreno* ruling.

Council also received a confidential memo from City Attorney Corey Hoffmann recommending this proposed ordinance.

BUDGET/TIME IMPLICATIONS

There are no financial or time impacts to the City.

STAFF RECOMMENDATION

Staff recommends approval of CB-1985 on second reading.

STAFF REFERENCE

If Council members have any questions, please contact:

- Jason Johnson, Court Supervisor, at jjohnson@northglenn.org or 303.450.8703
- Rupa Venkatesh, Assistant to City Manager, at rvenkatesh@northglenn.org or 720.376.8069

CB-1985 – Amendment to the Harassment Section of the Municipal Code

SPONSORED BY: MAYOR LEIGHTY

COUNCIL MEMBER'S BILL

ORDINANCE NO.

No. CB-1985
Series of 2022

Series of 2022

A BILL FOR AN ORDINANCE AMENDING SECTION 9-4-4 OF THE NORTHGLENN MUNICIPAL CODE CONCERNING HARASSMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 9-4-4 of the Northglenn Municipal Code is amended to read as follows:

Section 9-4-4. Harassment.

(a) A person commits harassment if, with intent to harass, annoy or alarm another person, ~~he or she~~ such person:

* * *

(4) Initiates communication with a person in any medium, anonymously or otherwise, in a manner intended to ~~harass or~~ threaten bodily injury or property damage, or makes any comment, request, suggestion or proposal in any medium which is obscene;

* * *

INTRODUCED, READ, AND ORDERED POSTED this 9th day of May, 2022.


MEREDITH LEIGHTY
Mayor

ATTEST:



JOHANNA SMALL, CMC
City Clerk


PASSED ON SECOND AND FINAL READING this ____ day of _____,
2022.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:



COREY Y. HOFFMANN
City Attorney