



Commerce City

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Council Communication

File Number: Ord 2368

Agenda Date: 3/21/2022

Version: 2

Status: ATS Review

In Control: City Council

File Type: Ordinance

AN ORDINANCE AMENDING SECTION 1-3006 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO CORRECT THE SECTION NAME, DEFINE PARK RANGER AS A PEACE OFFICER, AND ESTABLISH THE AUTHORITY OF PARK RANGERS TO ENFORCE ORDINANCE AND RULE VIOLATIONS RELATING TO THE USE OF COMMERCE CITY PARK PROPERTY

Summary & Background

In the 2021 budget year, Council approved a proposed expenditure to have a Park Ranger from the Adams County Park Ranger Service provide supplemental supervisory, educational, and enforcement activities at City Park and Open Space properties. To memorialize that arrangement, Commerce City began negotiating an IGA with Adams County, establishing the parameters and details concerning the Park Ranger's involvement with and dedication of their time to cover Commerce City parks, trails and open spaces.

In August 2021, a new category of peace officer was added by creating and amending CCRMC sec. 1-3006 through Ordinance 2343. The purpose of this Ordinance was to confer the authority on the Adams County Park Ranger to be able to lawfully perform enforcement activity on behalf of the City. To that end, Ordinance 2343 added the following language to the Municipal Code's definition of "peace officer":

"Persons with conferred authority. Persons to whom authority has been conferred expressly, pursuant to an intergovernmental agreement or contract approved by the city council or otherwise lawfully approved consistent with the charter and state law, to enforce municipal ordinance and code violations shall have authority to enforce municipal ordinance and code violations to the extent specified in such agreement or contract."

At the time of adoption, the newly drafted section 1-3006 included an erroneous section name. It was intended that in conjunction with the repeal of section passage of section 3-1102, this new section was to be named "Peace officers." The immediate ordinance corrects this error.

In September 2021, after further negotiations with the County and additional Council approval, the City contracted with Adams County for two park rangers instead of one, and the extent of the rangers' authority and job responsibilities was set forth in an IGA between the City and the County. Following execution of the IGA and the early success of

the program, Commerce City staff presented a plan to hire two additional city-employed park rangers. The city-employed rangers will support and supplement the efforts of the two county rangers as part of a collaborative program with the County, establishing the foundation for Parks, Recreation and Golf to implement a fully internal Park Ranger Program in the future.

The additional ranger positions were approved within the 2022 budget process, and two Adams County and two Commerce City rangers have been hired for a total of four rangers dedicated to Commerce City park properties. However, as it is currently written, CCRMC sec. 1-3006(8) allows for Adams County rangers to enforce municipal code under our current IGA. That Code section does not give the same authority to Commerce City rangers because directly employing Commerce City rangers was not originally contemplated as part of the program.

Ordinance 2368 addresses this discrepancy in enforcement by adding language that includes “park ranger” as a category of “peace officer” in the City’s Municipal Code at section 1-3006(8) and renumbering the previously adopted subsection to (9). The authority of Adams County Park Rangers to enforce ordinance and rule violations on City park properties was previously codified via Ordinance 2343. This ordinance will similarly authorize Commerce City park rangers who have been directly employed by the City to enforce municipal ordinances and administratively adopted Parks Rules throughout all Commerce City park properties.

Staff Responsible (Department Head): Carolyn Keith, Director of Parks, Recreation & Golf; Matt Hader, Interim City Attorney

Staff Member Presenting: Carolyn Keith, Director of Parks, Recreation & Golf; Matt Hader, Interim City Attorney

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation: Approval of Ordinance 2368

Suggested Motion: I move to approve Ordinance 2368 amending the municipal code to grant city park rangers authority to enforce ordinance and rule violations relating to the use of Commerce City parks property.