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TRUTHFUL PRESENTATION

MARCH 20, 2013

Order of Business: CR-48 BILL 7
Relating to Nuisances on Public Sidewalks

OPPOSED

I am opposed entirely to this bill that will allow county personnel to search and confiscate personal property on the sidewalk and city places.

This is an attack on homeless people, artists and users of free speech.

GENERAL PROBLEMS

This bill is also concerning to the public who need the sidewalk for common purpose and life circumstances that arise where private belonging maybe left on the sidewalk without the intent of obstruction or nuisance. For instance people have children who may leave belongings but come back to search in a reasonable time, or people who need to hold property shortly for the purpose of dropping into a store, go to the toilet, make a phone call in a quite place, shuttle belongings as they move them.

The ability for city workers to make a determination on "nuisance" here is such that any thing not meeting the small box measurement can be confiscated immediately. The small collection size is far too small as to be reasonable.

The procedures for recovery are difficult or impossible and an appeal system addressed to the Director of Facility Maintenance is bias and unfair. The fines are gross and severe.

HOMELESS

Since the city neglects homeless by not providing proper permanent shelter or even dignified desirable emergency shelter for homeless it is unreasonable to exclude these people from carrying and using there only minimal means of survival and privacy – such as a tent.

FREE SPEECH and EXPRESSIVE ACTIVITY

Artists and protestors require and have rights to expression in public places which this bill contravenes. The use of installations and structures for protest or for art are not adequately spelled out in this bill. The rights of protest are such that an encampment or "occupation" is warranted and a positive activity for the community to be part of and/or witness. This can involve multiple nites and indeed an undetermined period of tent and structure use in a public space – until such time as a grievance is outstanding.

Michael Daly