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City of Nevada City

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Nevada City Clerk & City Council
City Hall, 317 Broad St.
Nevada City, CA 95959

October 4, 2011

Re: Referendum Petition Against Nevada City Ordinance No. 2011-10

Dear City Clerk and City Council:

On behalf of the ad hoc Nevada City Voters Against the Public-Conduct Ordinance, I submit the accompanying referendum petition against the recently enacted ordinance "Regulating Conduct on Public Property." We expect the Nevada County Elections Office to certify the petition has been signed by significantly more than the 10% necessary to suspend the ordinance and trigger the Council's duty to reconsider it.

Please also consider this: As you know from the public hearings on the ordinance and from its predecessor's history in 1997-98, there was — and still is — substantial opposition to the notion of creating new local crimes as a method of controlling people's behavior. Instead of asking yourselves, "How can we convince the voters to adopt these new crimes?" why not ask, "What can we do to help people feel comfortable with each other in town?" Rather than over-policing conduct and creating criminals, why not work on enhancing accountability and public life?

If the Council decides to put this ordinance on the ballot, we'll have to campaign against it — along with many folks who signed the petition. But we'd *much* rather join with you in discussing and dealing with social issues — by, e.g., expanding the Boardwalk concept to include one or more car-free zones, as architect Charles Durrett has formally proposed (<http://tinyurl.com/6dbtl6h>); supporting and expanding the Alliance for Social Health's promising outreach work (see Sunday's *Union* article, <http://tinyurl.com/6jwus2z>); promoting more communication with people in problem areas, as Councilmember Bergman has proposed; supporting Councilmember Senum's and others' work on NC homelessness issues; actively soliciting volunteer support for the Police Department, as Bob Lobell and the 1999 Chamber Committee Report proposed and as Grass Valley already does; developing a Positive Tickets program, as builder Greg Zaller is working on with Chief Trovato (see, e.g., <http://positivetickets.com>); creating a volunteer task force to monitor the Commercial Street parking lot and make sure the bathrooms stay accessible; recruiting volunteers to clean and maintain the Boardwalk and parking lots ... et cetera. But *not* by crafting a new criminal law to police behavior that's otherwise legal.

The bottom line: we urge the Council to take the higher road, by repealing the ordinance.

Sincerely,



Stephen Greenberg (for Ben, Chad, Chuck, Darin, Rahlene, Robert, Robert, and Val)