



Legislation Details (With Text)

**File #:** 111052      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/30/2011      **In control:** PUBLIC SAFETY COMMITTEE

**On agenda:**      **Final action:** 1/18/2012

**Effective date:**

**Title:** A substitute ordinance relating to harassing or obscene communications, phone calls and messages made by electronic transmission.

**Sponsors:** THE CHAIR

**Indexes:** COMMUNICATIONS SYSTEMS, SOCIAL CONCERNS

**Attachments:** 1. Hearing Notice List, 2. Notice Published on 2-3-12

Date	Ver.	Action By	Action	Result	Tally
11/30/2011	0	COMMON COUNCIL	ASSIGNED TO		
1/5/2012	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
1/11/2012	0	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	3:0
1/18/2012	1	COMMON COUNCIL	PASSED	Pass	15:0
1/24/2012	1	MAYOR	SIGNED		
2/3/2012	1	CITY CLERK	PUBLISHED		

111052  
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to harassing or obscene communications, phone calls and messages made by electronic transmission.

- 106-8-0 rc
- 106-8-2 rc
- 106-8-4 rc

Current code provisions prohibit the sending of harassing or obscene phone calls. This ordinance extends these prohibitions to the sending of harassing or obscene text messages.

This ordinance also increases the range of penalties to not less than \$100 nor more than \$500 from \$50 to \$200.

Part 1. Section 106-8-0, 2 and 4 of the code is repealed and recreated to read:

**106-8. Harassing or Obscene Phone Calls and Messaging.** Whoever does any of the following, by means of telephone calls or text messaging originating within or received within the limits of the city, may be fined not less than \$100 nor more than \$500 or upon default of payment shall be imprisoned as provided by law:

2. Makes a telephone call or sends a text message with the intent to abuse, threaten or harass any person receiving the call or text message.

4. Makes repeated telephone calls or sends repeated text messages solely to harass any person receiving the calls or text messages.

APPROVED AS TO FORM

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Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney

Date: \_\_\_\_\_

City Attorney

LRB135768-2.1

Richard L. Withers

12/22/2011