

**CITY COUNCIL COMMITTEE**

**SPECIAL MEETING**

**POLICY DEVELOPMENT  
AND INTERNAL OPERATIONS**

**Mayor Tim Grayson, Chair**  
**Laura Hoffmeister, Committee Member**

**5:30 p.m.**  
**Monday, October 26, 2015**

**Wing A, City Manager Conference Room**  
**1950 Parkside Drive, Concord**

**- ANNOTATED AGENDA -**

**ROLL CALL:** All present

**STAFF PRESENT:** Lance Bayer, Special Counsel; Russ Norris, Police Sergeant

**MEMBERS OF THE PUBLIC WHO ADDRESSED THE COMMITTEE:** None

**PUBLIC COMMENT PERIOD:** Ray Barbour spoke about a parking problem on Babel Ln near the Clayton Rd intersection. Sgt Norris was directed to deliver the complaint to the Police Department Parking Enforcement Unit.

- 1. DISCUSSION** – Proposed Adoption of Ordinance Amending the Development Code to Regulate Unattended Charitable Donation Boxes. Report by Lance Bayer, City Attorney.

**ACTION:** Current ordinance may improperly restrict or ban the charitable use of unstaffed collection boxes in the City of Concord, and restrict the free speech entitlements of persons wishing to place such a box. A revision to the ordinance may be necessary to allow for the legal use of collection boxes, but also assure reasonable placement, maintenance, and removal procedures.

Committee Member Hoffmeister asked how the City can be assured collection boxes are placed only by charitable interests. Mr. Bayer explained that language would be included in the ordinance modification to address this.

Committee Member Hoffmeister asked about the nature of the associated free-speech issue. Mr. Bayer explained that the concern arises from charitable door-to-door solicitation, which is already considered to be free speech.

Chair Grayson asked if the length of collection box placement can be controlled. Mr. Bayer explained that this control would be possible with a use permit.

Committee Member Hoffmeister asked if a time limit could be imposed on use permits requiring that charitable boxes be removed after a predetermined length of time. Mr. Bayer explained that this may not be possible due to the free speech entitlement.

Committee Member Hoffmeister expressed concern that the City's banner permit process, which mandates banner removal after 30 days, may also be subject to free speech allowances. Mr. Bayer explained he believed this was not the case due to the temporary nature of banners and the permanent nature of boxes. However, the issue will be researched further.

Committee Member Hoffmeister asked for confirmation that the placement of charitable collection boxes currently requires a use permit. Mr. Bayer confirmed this was so.

Committee Member Hoffmeister asked if any ordinance modification could include a maintenance agreement. Mr. Bayer explained maintenance requirements are already part of existing code enforcement process.

Staff was directed to bring a charitable collection box ordinance modification before the full Council.

**2. ADJOURNMENT** at 6:15 p.m.

Reviewed by:



Jovan Grogan, Deputy City Manager

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