



## **ADMINISTRATIVE RULE**

### **SUBJECT: RESTRICTIONS AND PROHIBITIONS IN CIVIC CENTER PARK FOR APRIL 15, 2017**

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#### **PURPOSE**

The purpose of this rule is to preserve public safety, protect park property and safely and fairly balance competing uses of Civic Center Park (the park) during an unpermitted demonstration being advertised at the park for April 15, 2017. Pursuant to Berkeley Municipal Code (“BMC”) Chapters 13.44 and 6.46, the City Manager is authorized to impose conditions on the issuance of a permit for a street or park event. Organizers of the April 15, 2017 event proposed for Civic Center Park (“the park”) have not applied for or obtained a permit for use of the park, or for surrounding streets. Therefore, the conditions, restrictions and prohibitions of this Rule shall apply.

The April 15 demonstration is being advertised as a response or follow up to a prior, unpermitted event held at the park on March 4, 2017. The March 4 demonstration turned violent, fights broke out, and numerous people were seriously injured. Violence at the March 4 event has been well documented by the Berkeley Police Department, the news media, and participants on social media. Some participants came to the park with metal pipes, baseball bats, lengths of 2”x4” lumber (some with nails in them), bricks, pepper spray, Mace, daggers, combat shields, poles, axe handles, hatchets, helmets, and similar items. Numerous people were injured and were treated at the scene, and ten people were arrested for offenses that included battery and assault with a deadly weapon.

Issuance of this regulation is not a waiver of the City’s current authority to enforce rules against unpermitted events, and does not constitute a sanction of any unpermitted event.

#### **REGULATION**

PURSUANT TO BMC 6.32.030:

On April 15, 2017, access to Civic Center Park (entry and exit) will be restricted via controlled access points. It shall be a violation of this Rule for any person to enter or exit the park other than at a controlled access point.

The following items are prohibited from being brought into Civic Center Park by any person on April 15, 2017:

- Metal pipes
- Baseball or softball bats

- Lengths of lumber or wood (any size)
- Wooden dowels
- Poles
- Bricks
- Rocks
- Glass bottles
- Pepper spray (OC spray)
- Mace
- Knives or daggers
- Shields
- Axes, axe handles, or hatchets
- Ice picks
- Razor blades
- Tasers
- Eggs
- Any other item that is generally considered an “implement of riot” that can be used as a weapon

On April 15, 2017, signs and flags must be hand held, and may not be affixed to any pole or stick.

Law enforcement personnel are exempt from this Rule.



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City Manager

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April 7, 2017

Date