

## CITY OF ENGLEWOOD

### ORDINANCE #25-31

#### **AN ORDINANCE AMENDING CHAPTER 307 OF THE CODE OF THE CITY OF ENGLEWOOD TO INCLUDE SECTION §307-1.1 "DEFECATING AND URINATING IN PUBLIC PROHIBITED"**

**BE IT ORDAINED** by the City Council of the City of Englewood that Chapter 307 be amended to add Section § 307-1.1 "Defecating and urinating in public prohibited" as follows:

§ 307-1.1 Defecating and urinating in public prohibited.

#### **A. Definitions**

##### **PUBLIC PLACE**

A public place shall be defined as any street, highway, thoroughfare, right-of-way, alley, parking lot, driveway, sidewalk, boulevard, park, pier, bridge, or other place, whether public or private, which is open to the public. A "public place" does not include a place specifically designated for use as a urinal or a toilet such as, but not limited to, a restroom or portable toilet.

##### **DEFECATE/DEFECATION**

To excrete waste from the body from a person's bowels.

##### **URINATE/URINATION**

To pass or discharge urine excreted by the kidneys from the body.

##### **PERSONS WITH IMPAIRMENTS**

A recognized disability, unrelated to the ingestion of alcohol, illegal substances, or substances not prescribed to the particular person ingesting them, which renders a person unable to exercise control over his or her bodily functions of urination and/or defecation.

#### **B. No person shall defecate or urinate**

- (1) In a public place.
- (2) In any public place that has not been designated for use as a toilet urinal.
- (3) On private property, if visible from a public place.
- (4) Outdoors on private property, even if not visible from a public place, without the express permission of the owner.

**C. Exceptions.** The provisions of § 307-1.1B shall not apply to children under six years old or to persons with impairments as defined in this article. However, this determination shall be made by the court after sufficient testimony or evidence is provided to determine that the alleged violator of this ordinance truly falls under the parameters of person with impairments. However, the issuing person may, at their own discretion, issue a warning instead of a citation if the observations and information appear to be sufficient at the time of the violation.

#### D. Violations

Any person who violates any provision of this article (§ 307-1.1) shall upon conviction thereof be punished by a fine not less than \$300 but not exceeding \$500 or by imprisonment for a term not succeeding 90 days, or both. Any subsequent convictions thereof be punished by a fine not less than \$500, but not exceeding \$1,000 or by imprisonment for a term not succeeding 90 days, or both.

Juveniles, or individuals under the age of 18 years, may be issued a summons or warning for these violations. However, each time a juvenile is found in violation of this ordinance, the juvenile's parent(s) or guardian(s) will immediately be made aware of the offense. The parent(s) or guardian(s) shall meet with the Juvenile Bureau of the Police Department and conference with juvenile as well as his or her parent(s) or guardian(s). This conference will outline preventive steps to ensure further violations will not occur in conducting himself or herself in such a manner. If the conference and results do not meet the satisfaction of the Juvenile Bureau and the Chief of Police, or if there is non-compliance on the part of the juvenile or parent(s) or guardian(s), a summons or written warning may be issued to the juvenile.

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ENGLEWOOD TO INCLUDE SECTION §307-1.1 “DEFECATING AND URINATING IN  
PUBLIC PROHIBITED”****RECORD OF VOTE**

FIRST READING DATE: September 2, 2025

COUNCIL	MOTION	VOTE
David		Y
Rosenzweig		Y
Tokayer		Y
Wilson	X	Y
Wisotsky		Y

DATE PUBLISHED IN THE RECORD: September 8, 2025

DATES PUBLIC HEARINGS HELD: September 16, 2025

DATE SECOND READING HELD: September 16, 2025

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
David						
Rosenzweig						
Tokayer						
Wilson						
Wisotsky						

Y=YES

N=OPPOSED

A=ABSTAINED

AB=ABSENT

PRESENTED TO MAYOR:

APPROVED \_\_\_\_\_

REJECTED \_\_\_\_\_ (VETO)

DATE: \_\_\_\_\_

MAYOR MICHAEL WILDES

I do hereby certify that the foregoing is a true and exact copy of  
an Ordinance adopted and approved by the Mayor and  
Council of the City of Englewood.

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Yancy Wazirmas, RMC  
City Clerk