

76-9-905 Designation of areas where orders to disperse are authorized and gang loitering is prohibited.

- (1) Municipal and county legislative bodies shall, within their respective jurisdictions, designate the areas within their jurisdictions that they have determined are subject to the enforcement of Section 76-9-903 because criminal street gangs have been able to or are attempting to:
 - (a) establish control over these identifiable areas;
 - (b) intimidate others from entering those areas; or
 - (c) conceal illegal activities conducted in those areas.
- (2)
 - (a) Prior to designating areas subject to enforcement under Section 76-9-903, the legislative body shall consult, as appropriate, with persons who are knowledgeable about the effects of gang activity in areas where Section 76-9-903 may be enforced.
 - (b) Persons consulted under Subsection (2)(a) may include:
 - (i) members of local law enforcement agencies who have training or experience related to criminal street gangs;
 - (ii) other agency personnel with particular knowledge of gang activities in the proposed designated area;
 - (iii) elected and appointed officials of the area where the proposed designated area is located; and
 - (iv) representatives of community-based organizations.
- (3) The municipal or county legislative body shall develop and implement procedures for periodic review and update of area designations it makes under Subsection (1).

Enacted by Chapter 86, 2009 General Session