

CHAPTER 90: NUISANCES

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§ 90.01 WEEDS.

It shall be a nuisance to permit weeds or other obnoxious plants to grow upon property within the city or to permit trash, rubbish, garbage, ashes, or other refuse or debris of any description to remain upon any property within the city.

(1993 Code, § 82.01) Penalty, see § 90.99

§ 90.02 BRANCHES.

It shall be unlawful for any owner, tenant, or other person having charge of property within the city to permit the branches of any tree on the sidewalk in front of his or her premises or the branches of any tree on his or her premises to extend over the sidewalk at a height of less than seven feet above the walk.

(1993 Code, § 82.02) Penalty, see § 90.99

§ 90.03 DUMPING.

It shall be unlawful for anyone to dump garbage, ashes, paper, or other refuse upon any public or private grounds within the city.

(1993 Code, § 82.03) Penalty, see § 90.99

§ 90.04 INSPECTIONS.

It shall be the duty of the Police Chief, or his or her designee, to frequently and periodically inspect the city to ascertain if there is any violation of this chapter. Upon finding any violation, the Police Chief shall notify the owner of the property of the violation observed, giving the owner ten-days notice, in writing, to remedy the situation and eliminate the nuisance.

(1993 Code, § 82.04) (Ord. 08-07, passed 5-21-2008)

§ 90.05 FIRE PERMIT.

It shall be unlawful for any person to burn refuse, trash, lumber, leaves, grass, straw, or any other combustible material in any street, alley, lot, yard, or other place within the city without first securing permission as provided in this chapter.

(1993 Code, § 82.06) Penalty, see § 90.99

§ 90.06 FIRE PERMIT ISSUANCE.

Only the Fire Chief or the next in command is authorized to grant permission to any person to burn any combustible material prohibited in this chapter, as the Fire Chief may determine. Permission shall be secured, in writing, from the Fire Chief and shall be valid only for the period of time designated.

(1993 Code, § 82.07)

§ 90.07 TREES OR BUSHES INTERFERING WITH PUBLIC RIGHT-OF-WAY.

(A) It shall be unlawful for any owner, tenant, or other person having charge of property within the city to permit any tree or bush, dead or alive, to exist in such a condition that it endangers the life, limb, or property of anyone using the public ways of the city.

(B) It shall be the responsibility of any owner, tenant, or other person having charge of property within the city upon which any tree, bush, or other object is located to remove that tree, bush, or other object if it is dead. It shall further be those persons responsibility to properly trim those trees, bushes, or other objects in such a manner as to prevent them from causing damage or injury to persons or property upon the public streets of the city.

(C) This section shall become effective and be in force from and after its passage and publication according to law.

(Ord. 91-03, passed 3-6-1991) Penalty, see § 90.99

See new sub 1006

§ 90.08 PROTECTION OF TREES AND ESTABLISHMENT OF TREE BOARD.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PARK TREES. Trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas owned by the city, or to which the public has free access as a park.

STREET TREES. Trees lying between the street and sidewalk within the city.

(B) There is hereby created and established a City Tree Board, which shall consist of at least five members and not more than ten members, all of which shall be citizens and residents of this city, who shall be appointed by the Mayor with the approval of the City Council.

(C) The term of office of the persons appointed by the Mayor shall be four years, except that the term of four of the members of the first Board shall be for two years. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

(D) Members of the Board shall serve without compensation.

(E) It shall be the responsibility of the Board to study, investigate, counsel, develop, and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in parks, along streets, and in other public areas. The plan will be presented annually to the City Council and, upon their acceptance and approval, shall constitute the official comprehensive tree plan for the city. The Board, when requested by the City Council, shall consider, investigate, make findings, report, and recommend upon any special matter of question coming within the scope of its work.

(F) The Board shall choose its own officers, make its own rules and regulations consistent with this section and adopted law, and keep a journal of its findings. A majority of the members shall be a quorum for the transaction of business.

(G) The Tree Board will formulate an official street tree species list for the city. No species other than those included in this list may be planted as street trees without written permission of the City Tree Board. Furthermore, it is unlawful for any plants or shrubs to be planted in the areas between the sidewalk and street, except ordinary lawn grass.

(H) The spacing of street trees shall be a minimum of 30 feet, except in special plantings designed by a landscape architect and submitted for approval to the Tree Board.

(I) Street trees shall be centered in the area between the street and sidewalk and no tree shall be planted within 15 feet of powerlines.

Southgate - General Regulations

(J) No street trees shall be planted closer than 20 feet of any street corner, measured from the point of nearest intersecting curbs or curblines. No street tree shall be planted closer than ten feet of any fireplug.

(K) It shall be unlawful as a normal practice for any person, firm, or city department to top any street tree, park tree, or other tree on public property. **TOPPING** is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical, may be exempt from this section at the determination of the City Tree Board.

(L) Every owner of any tree, including street trees, overhanging any street or right-of-way within the city shall prune the branches so that the branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of seven feet above the surface of the street or sidewalk. The owners shall remove all dead, diseased, or dangerous trees or broken or decayed limbs which constitute a menace to the safety of the public. The city shall have the right to prune any tree or shrubs on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibilities with any traffic-control device or sign.

(M) It shall be unlawful for any person to prevent, delay, or interfere with the City Tree Board or any of its agents or servants while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street tree, park tree, or trees on private grounds, as authorized in this section.

(N) The Mayor shall have the right to review the conduct, acts, and decisions of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the Mayor who may hear the matter and make the final decision.

(1993 Code, § 82.10) (Ord. 92-16, passed 1-6-1993; Ord. 00-12, passed 11-15-2000) Penalty, see § 90.99

§ 90.09 PROHIBITING LOUD AND UNNECESSARY NOISES WITHIN THE CITY LIMITS.

(A) No person shall make, continue, or cause to be made or continued any loud, unnecessary, or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others within the limits of the city.

(B) The following acts, among others, are declared to be loud and disturbing noises in violation of this section, but this enumeration shall not be deemed to be exclusive:

(1) The playing of any radio, phonograph, or other musical instrument in any manner or with the volume, particularly during hours between 11:00 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort, or repose of any person in any dwelling or in any of the yard thereof, hotel, or other type of residence; and

**CITY OF SOUTHGATE
CAMPELL COUNTY, KY
ORDINANCE NO 10-6**

AN ORDINANCE RELATING TO PROTECTION OF TREES ON PUBLIC PROPERTY WHICH SERVE THE PUBLIC INTEREST BY PROVIDING OXYGEN, STABILIZATION OF THE SOIL, PREVENTION OF EROSION, SHELTER FOR WILDLIFE, CONSERVATION OF ENERGY BY PROVIDING SHADE, FILTERING AIR, AND ADDING TO THE BEAUTY OF THE CITY OF SOUTHGATE; AND ESTABLISHING A CITY TREE COMMISSION; PROVIDING WHEN THIS ORDINANCE IS TO TAKE EFFECT AND FOR PENALTIES FOR VIOLATION OF SAID ORDINANCE.

WHEREAS, the City Council recognizes that trees provide a setting with a variety of color unsurpassed in shade and hue; and,

WHEREAS, the City Council recognizes that trees are invaluable physiological counterpart to the man-made urban setting; and,

WHEREAS, the City Council of the City of Southgate has determined that the protection of trees on public property within the City of Southgate is not only desirable but essential to the present and future health, safety, and welfare of all citizens; and,

WHEREAS, the City of Southgate recognizes that trees on public property are valuable contributions to the City's environment;

NOW, THEREFORE, be it ordained by the City Council of the City of Southgate, Kentucky:

SECTION 1

DEFINITIONS

STREET TREES: "Street Trees" are herein defined as trees, shrubs, bushes and other plantings lying between the street and sidewalk within the City and/or are otherwise within the City Right of Way.

HIS: "His" is defined as he or she.

PARK TREES: "Park Trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas owned by the City, or to which the public has free access as a park.

CITY RIGHT OF WAY "City Right of Way" is defined as 25 feet from the center of the street.

SECTION 2

CREATION AND ESTABLISHMENT OF A CITY TREE BOARD

There is hereby created and established a City Tree Board for the City of Southgate, Kentucky which shall consist of at least five members, and not more than ten members, all of which shall be citizens and residents of this City, who shall be appointed by the Mayor with the approval of

the City Council. All except one of the members shall be citizens or residents of this City. The member who is the exception shall serve in an advisory capacity and is not required to be a resident of this City. This person shall be knowledgeable of and have expertise in management of the urban forest. Members will be appointed by the Mayor with approval of the City Council.

SECTION 3 TERM OF OFFICE

The term of office of the persons appointed by the Mayor shall be staggered three year terms. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed for the unexpired portion of the term.

SECTION 4

COMPENSATION

Members of the Board shall serve without compensation.

SECTION 5

DUTIES AND RESPONSIBILITIES

It shall be the responsibility of the Board to study, investigate, counsel, develop, and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in parks, in or about city property, and in other public areas. Such plan will be presented annually to the City Council and upon their acceptance and approval, shall constitute the official comprehensive tree plan for the City of Southgate, Kentucky.

The Board, when requested by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.

SECTION 6

OPERATION

The Board shall choose its own officers, make its own rules and regulations consistent with this ordinance and adopted law, and keep a journal of its findings. A majority of the members shall be a quorum for the transaction of business.

SECTION 7

STREET TREES

Street Trees generally are not permitted to be planted as new plantings where they will interfere with or cause damage to City streets, sidewalks, curbs, or any public utilities. Street Trees may be planted in an area with a minimum planting square footage space of four feet in width by four feet in length, and with the written approval of the Tree Board.

All persons seeking to plant a Street Tree, as a new planting, or to replace a pre-existing Street Tree, must file an application to the Tree Board describing the species to be planted, the proposed location, including proximity to any street, sidewalk, curb, or public utility.

The Tree Board shall formulate an official Street Tree species list for the City of Southgate, that will specify the types of plantings that may be permitted as Street Trees. Said list shall be maintained at the office of the City Clerk, and may be updated from time to time if appropriate, by the Tree Board. No species other than those on said list may be planted as Street Trees.

SECTION 8

SPACING

The spacing of any Street Tree shall be maintained at a minimum of 30 Feet, except in special plantings designed by a landscape architect and submitted for approval to the Tree Board.

SECTION 9

DISTANCE FROM POWERLINES

No Street Tree shall be planted within 15 feet of power lines.

SECTION 10

DISTANCE FROM STREET CORNERS AND FIREPLUGS

No trees shall be planted closer than 20 feet of any street corner, measured from the point of nearest intersecting curbs or curb lines. No tree shall be planted closer than 10 feet of any fireplug.

SECTION 11

TREES AND OTHER PLANTINGS IN THE CITY RIGHT OF WAY MAY BE REMOVED

It is the responsibility of the property owner of the property adjacent to the Street Tree, or other plantings located in the City right of way, to maintain such in a manner that does not cause or contribute to damage to the street, sidewalk, curb or public utilities.

After giving a property owner an opportunity to cure any damage or to properly prune or maintain the offending tree or planting lying in the public right of way, the City, through its Code Enforcement Officer, and the Code Enforcement Board may remove or cause to be removed the offending trees or plantings located in the City Right of Way.

The City may recover from the property owner the costs and expenses expended by the City in removing the tree, plant, or bush. A lien for the City's expenses may be asserted against the property.

SECTION 12

PUBLIC TREE CARE

It shall be the responsibility of any owner, tenant, or other person, having charge of property within the City upon which any tree, bush, or other object is located, to remove said tree, bush

or other object if it is dead. It shall further be said person's responsibility to properly trim said trees, bushes or other objects in such a manner as to prevent them from causing damage or injury to persons or property upon the public streets of the City of Southgate, Kentucky.

SECTION 13

TREE TOPPING

It shall be unlawful as a normal practice for any person, firm, or city department to top any street tree, park tree, or other tree on public property. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy to disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempt from this ordinance at the determination of the City Tree Board.

SECTION 14

PRUNING, CORNER CLEARANCE

Every owner of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection and so that there shall be a clear space of eight (8') feet above the surface of the street or sidewalk. Said owners shall remove all dead, diseased, or dangerous trees or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrubs on private property when it interferes with the proper spread of light along the street from a street light or interferes with visibilities with any traffic control device or sign.

SECTION 15

DEAD OR DISEASED TREE REMOVAL ON PRIVATE PROPERTY

The City shall have the right to cause the removal of any dead or diseased trees on private property within the City when such trees constitute a hazard to life and property, or harbor insects or disease which constitute a hazard to life and property, or harbor insects or disease which constitute a potential threat to other trees within the City. The City Tree Board will notify in writing, the owners of such trees. Removal shall be done by said owners at their own expense within sixty days after the date of service of notice.

SECTION 16

INTERFERENCE WITH CITY TREE BOARD

It shall be unlawful for any person to prevent, delay or interfere with the City Tree Board or any of its agents or servants while engaging in and about the planting, cultivating, mulching, pruning, spraying, or removing of any street tree, park trees, or trees on private grounds, as authorized in this ordinance.

SECTION 17

REVIEW BY MAYOR

The Mayor shall have the right to review the conduct, acts and decisions of the City Tree Board. Any person may appeal from any ruling or order of the City Tree Board to the Mayor who shall hear the matter and make the final decision.

SECTION 18

PENALTIES

Any person violating any provision of this ordinance shall be cited to Campbell County District Court. Upon conviction or a plea of guilty, they shall be subject to a fine not to exceed \$500.00, and shall be responsible to reimburse the City for any costs of or removal or remediation, including attorney fees and costs.

The City may also cause a lien to be filed against any property found to be in violation of this Ordinance to recover all costs, expenses, and attorney fees incurred by the City.

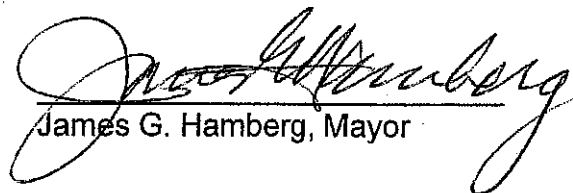
SECTION 19

ALL OTHER ORDINANCES REPEALED

This Ordinance is severable. To the extent that any part(s) are found to be invalid all other sections shall remain in full force and effect. All other Ordinances or parts of Ordinances inconsistent with this Ordinance are to the extent of the inconsistency repealed.

SECTION 20

This ordinance will become effective and in force from and after its adoption and publication as provided by law.


James G. Hamberg, Mayor

ATTEST:



Jody Anderson, City Clerk

First Reading: 8/18/2010
Second Reading: 9/1/2010
Published: 9/9/2010

(2) The conducting, operating, or maintaining of any garage or service station in any residential area so as to cause loud or offensive noises to be emitted therefrom between the hours of 10:00 p.m. and 7:00 a.m.

(1993 Code, § 82.12) (Ord. 93-05, passed 9-15-1993; Ord. 98-10, passed 11-18-1998) Penalty, see § 90.99

§ 90.10 CRIMINAL ACTIVITY NUISANCE.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CRIMINAL ACTIVITY NUISANCE. Any building or premises where law enforcement officers have, on more than one occasion in the preceding 12-month period, cited, arrested, or executed a court-issued search warrant, for crimes involving prostitution, controlled substances, or outdoor gambling.

CRIMINAL NUISANCE VIOLATION. A criminal citation, arrest, or court-issued search warrant for crimes involving prostitution, controlled substances, or outdoor gambling.

(B) *Unlawful use of property.* No owner of residential, commercial, or vacant property located within city limits shall allow his or her property to be used as a site for any criminal activity nuisance after having received notice pursuant to this code that the property has been used for the commission of a criminal activity nuisance. A legal or equitable owner of the property is deemed to have knowledge of the activity upon receipt of the notice as set forth in this code.

(C) *Destroying orders or notices.* No person or owner shall destroy, remove, or deface any order or notice posted by the Code Enforcement Department.

(D) *Disobeying orders.* No person or owner shall disobey any order issued by the Code Enforcement Department, or use or occupy or permit any other person to use or occupy any premises ordered closed by the Director of Code Enforcement.

(E) *Duty of Police Department.* The Police Department shall, as soon as possible but not less than every 30 days after criminally citing or arresting persons or executing court-issued search warrants for crimes involving prostitution, controlled substances, or outdoor gambling, notify the Code Enforcement Department in writing of the specific violation investigated, the address of the property on or in which the violations occurred, and the circumstances of the violation. After the police notify the Code Enforcement Department of a criminal nuisance violation at a property for the first time, the Code Enforcement Department shall notify the owner of the property of the violation by regular United States mail.

(F) *Notice.*

(1) Whenever the Code Enforcement Department receives information that a criminal activity nuisance exists in or upon residential, commercial, or vacant property, i.e., when a second criminal nuisance violation has occurred at the property, it shall notify the owner that the property is a criminal activity nuisance and that the nuisance must be abated. If a property owner or his or her tenant reports an illegal activity that leads to a criminal citation or court-ordered search warrant, the citation or warrant will not be considered a criminal nuisance violation for purposes of this section.

(2) The notice required by this section shall be mailed by certified mail, return receipt requested. If certified mail is not accepted or received by the property owner, notice may be served by personal delivery upon the owner. If the whereabouts of the property owner are unknown and it cannot be ascertained by a Code Enforcement Officer in the exercise of reasonable diligence, or if the whereabouts of the owner are known and he or she refuses to accept personal service or the certified letter mailed to him or her, then the Code Enforcement Officer shall make an affidavit to that effect and, thereafter, the officer may serve the notice by posting a copy of it in a conspicuous place on the premises, by sending a copy of the notice by regular United States mail to the property owner's last known mailing address, by newspaper publication pursuant to KRS Ch. 424, and by recording the notice in the ~~Kenton~~ ^{Campbell} County Clerk's office.

(G) *Abatement.*

(1) Should the criminal activity nuisance not be abated within 45 days after the issuance of the notice, or by any extension granted by the city or its agencies, the Code Enforcement Department shall be authorized at any time thereafter to issue an order closing and vacating the premises, or portions thereof, to the extent necessary to abate the criminal activity nuisance. The closing and vacating shall be for the period as the Director of Code Enforcement reasonably may direct, but in no event shall the closing and vacating be for a period of more than one year from the date of the closing. A close and vacate order issued by the Director of Code Enforcement pursuant to this section is not an act of possession, ownership, or control by the city. A close and vacate order will be rescinded within 14 days after the criminal activity nuisance is abated unless the premises is the site of repeated close and vacate orders.

(2) If the premises consist of multi-unit dwellings or mixed uses and the criminal activity nuisance has occurred solely within a unit or units, the authority to close and vacate is restricted to the unit or units in which the criminal activity nuisance has occurred, and does not extend to any other unit in the premises.

(3) Upon the issuance of any order provided for in this section, a copy of the order shall be served on the owner of the property in the same manner as the notice provided for in this code, and a copy shall be conspicuously posted on the property.

(4) If any person or owner fails to comply with an order to close and vacate issued pursuant to this section, the Code Enforcement Department may:

(a) Prohibit the furnishing of utility service, including, but not limited to, gas, electric, water, and heating oil, to the premises by any public utility holding a franchise to use the streets and public ways of the city;

(b) Revoke the certificate of occupancy of the premises or the occupational license of a business; or

(c) Use any other legal remedy available under the laws of the state.

(5) Pursuant to the provisions of KRS 381.770(6) through (8), the city shall possess a lien against the property for all fines, penalties, charges, and fees imposed and for the reasonable value of labor and materials used to abate the public nuisance. This lien shall be superior to and have priority over all other liens on the property except taxes and may be enforced by judicial proceeding.

(H) Eviction as a defense.

(1) It shall be a defense to a violation of this section if the owner has instituted an eviction proceeding within 30 days of the second citation against the offending tenant or occupants of the offending premises, and the owner completes the eviction within 75 days of commencement or as soon thereafter as court procedures allow. In the event that the judicial or quasi-judicial proceedings prohibit an owner from proceeding with an eviction, abatement of the public nuisance by eviction will be stayed until the judicial or quasi-judicial proceeding is resolved.

(2) In the case of multi-unit dwellings, the only parties necessary to name in an eviction proceeding are the occupants of the actual unit involved with the activity suspected, or the occupants suspected of the activity described in the notice.

(I) Relief from order. The Director of Code Enforcement may vacate or suspend the provisions of an order to close and vacate upon a showing by clear and convincing evidence that the criminal activity nuisance has been abated and will not be maintained or permitted in any unit of the premises.

(J) Abatement actions not in violation of law. Actions taken by an owner to abate a criminal activity nuisance shall not be deemed to be violations of fair housing or landlord-tenant laws.

(K) Other remedies available. Enforcement of this section does not impair or restrict the ability of the city to bring a separate action to revoke the occupational license of a landlord or business who allows a criminal activity nuisance to exist on the landlord's property.

(Ord. 07-06, passed 8-1-2007) Penalty, see § 90.99

§ 90.99 PENALTY.

(A) Generally. Any person, firm, or corporation violating any provisions of this chapter may, in lieu of being summoned to the District Court for a hearing, pay a fine of \$20 for the violation. If city

citation is not paid within five days of the violation, a citation to District Court shall be issued and any person, firm, or corporation violating this chapter shall be fined in an amount not to exceed \$500, imprisoned not less than ten days, nor more than 30 days, or both fined and imprisoned. Each day of violation shall constitute a separate offense.

(1993 Code, § 82.99)

(B) *Section 90.08.* Any person violating any provision of § 90.08 shall be cited to County District Court. Upon conviction or plea of guilty, they shall be subject to a fine not to exceed \$500.

(C) *Section 90.10.*

(1) Any person, firm, business, or corporation violating any provisions of § 90.10 may, in lieu of being summoned to the District Court for a hearing, pay a fine of \$500 for the violation. If the citation is not paid within five days of the violation, a citation to the District Court shall be issued and any person, firm, business, or corporation violating § 90.10 shall be fined in an amount at least \$100, but not to exceed \$500, imprisoned not less than ten days, nor more than 30 days, or both fined and imprisoned. Each day of violation shall constitute a separate offense.

(2) This penalty section applies solely to § 90.10 and is wholly distinct from the general penalty provisions for this chapter, located at division (A) above.

(Ord. 92-16, passed 1-6-1993; Ord. 94-11, passed 8-3-1994; Ord. 07-06, passed 8-1-2007)

CITY OF SOUTHGATE
CAMPBELL COUNTY, KENTUCKY
ORDINANCE NO. 10-11

AN ORDINANCE OF THE CITY OF SOUTHGATE, KENTUCKY, IN CAMPBELL COUNTY,
AMENDING SECTION 90.10 OF THE SOUTHGATE CODE OF ORDINANCES TO INCLUDE
DISORDERLY CONDUCT IN THE DEFINITION OF CRIMINAL ACTIVITY NUISANCE

WHEREAS, the City of Southgate desires to expand the definition of criminal activity nuisance to include disorderly conduct; and

WHEREAS, inclusion of disorderly conduct into the definition of criminal activity nuisances promotes the health, safety and welfare of the community;

BE IT ORDAINED BY THE CITY OF SOUTHGATE, CAMPBELL COUNTY, KENTUCKY:

SECTION 1

The Code of Ordinances of the City of Southgate, Kentucky, Section 90.10 (A), is amended as follows:

§ 90.10 CRIMINAL ACTIVITY NUISANCE

A. DEFINITIONS

For purposes of this ordinance, the following words and phrases shall have the following meanings ascribed to them respectively:

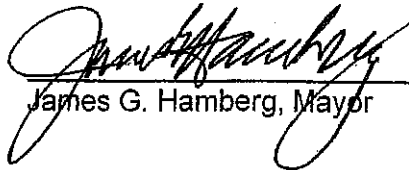
1. "Criminal Activity Nuisance" shall mean any building or premises where law enforcement officers have, on more than one occasion in the preceding twelve-month period, cited, arrested, or executed a court-issued search warrant, for crimes involving prostitution, controlled substances, disorderly conduct, or outdoor gambling.
2. "Criminal Nuisance Violation" shall mean a criminal citation, arrest, or court-issued search warrant for crimes involving prostitution, controlled substances, disorderly conduct, or outdoor gambling.

SECTION 2

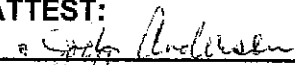
All ordinances or parts of ordinances not in conflict with this Ordinance shall remain in full force and effect.

SECTION 3

This Ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published, and shall be in effect at the earliest time provided by law.


James G. Hamberg, Mayor

ATTEST:


Jody Anderson, City Clerk

First Reading: 10/06/2010
Second Reading: 10/20/2010
Date of Publication: 11/11/2010