

ORDINANCE NO. \_\_\_\_\_, SERIES 2018

**AN ORDINANCE AMENDING CHAPTER 156 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) INCLUDING DRUG PARAPHERNALIA WITHIN THE MEANING OF CRIMINAL ACTIVITY IN THE CRIMINAL ACTIVITY AS A PUBLIC NUISANCE ORDINANCE.**

**SPONSORED BY: PRESIDENT JAMES AND COUNCIL MEMBERS GREEN, BRYANT HAMILTON AND LEET**

**WHEREAS**, Metro Council is concerned with the compliance of current drug laws as well as the public health problems associated with drug-related crime and violence in the community;

**WHEREAS**, Metro Council believes including drug paraphernalia in the definition of criminal activity within the *Criminal Activity as a Public Nuisance* ordinance will help enforce drug laws as well as reduce crime and violence in the community; and

**WHEREAS**, to accomplish this objective, Metro Council modifies the definition of criminal activity as a public nuisance to include drug paraphernalia to prohibit owners of residential, commercial, or vacant property from allowing their premise to be used as the site for drug-related crime.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I.** Section 156.057(A)(2) of the LMCO is hereby amended as follows:

**§156.057 CRIMINAL ACTIVITY AS A PUBLIC NUISANCE.**

(2) Any premises, other than hotels/motels, where law enforcement officers, on more than one occasion in the preceding 12-month period, where each such offense listed below begins a new 12 month period, have issued (i) an official incident report, or (ii) criminally or administratively cited, or (iii) arrested a person for any of the following violations:

- (a) Prostitution and/or human trafficking offenses under KRS Chapter 529;
- (b) Sexual offenses under KRS Chapter 510 with the exception of KRS 510.150;
- (c) Gambling offenses under KRS Chapter 528;
- (d) The sale or use of alcoholic beverages on or from either licensed or unlicensed premises;
- (e) Misdemeanor or felony possession, trafficking, or manufacturing drug offenses under KRS Chapter 218A;
- (f) Murder under KRS 507.020 and manslaughter under KRS 507.030 and KRS 507.040;
- (g) Assault or related offenses under KRS Chapter 508; ~~or~~
- (h) Theft offenses under KRS chapter 514; or
- (i) Drug paraphernalia as defined by KRS 218A.500.

**SECTION II.** This Ordinance shall take effect upon passage and approval.

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 H. Stephen Ott  
 Metro Council Clerk

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 David James  
 President of the Council

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 Greg Fischer  
 Mayor

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 Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
 Jefferson County Attorney

By: \_\_\_\_\_  
 O-353-18