

ORDINANCE NO. 199, SERIES 2018

AN ORDINANCE AMENDING CHAPTER 156 OF THE LOUISVILLE METRO CODE OF ORDINANCES ("LMCO") INCLUDING DRUG PARAPHERNALIA AND UNLICENSED MASSAGE THERAPY WITHIN THE MEANING OF CRIMINAL ACTIVITY IN THE CRIMINAL ACTIVITY AS A PUBLIC NUISANCE ORDINANCE (AS AMENDED).

SPONSORED BY: PRESIDENT JAMES, COUNCILMEMBERS GREEN, HAMILTON, LEET, SHANKLIN, WOOLRIDGE, AND LANSHIMA

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; Metro Council is also concerned with human trafficking and prostitution within illicit massage businesses, commonly known as massage parlors.

WHEREAS, Metro Council believes that incorporating unlicensed massage therapy within the *Criminal Activity as a Public Nuisance ordinance* will help to eliminate massage parlor trafficking while ensuring the health and safety of customers and employees of therapeutic massage businesses.

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 and unlicensed massage therapy 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:

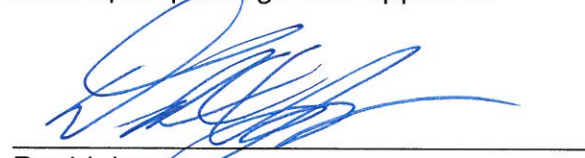
§156.057 CRIMINAL ACTIVITY AS A PUBLIC NUISANCE.

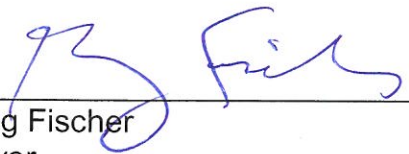
(2) Any premises, other than hotels/motels, where law enforcement officers, on more than one occasion in the preceding 12-month period, where each such offense listed below begins a new 12 month period, have issued (i) an official incident report, or (ii) criminally or administratively cited, or (iii) 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 offenses as defined by KRS 218A.500 and 218A.510; or
- (j) Unlicensed massage therapy under KRS 309.353.

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


H. Stephen Ott
Metro Council Clerk


David James
President of the Council




Greg Fischer
Mayor

11/12/18

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: 

LOUISVILLE METRO COUNCIL
READ AND PASSED
October 25, 2018

O-353-18