



Louisville Metro Government

Legislation Details (With Text)

File #: O-430-17 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 11/21/2017 **In control:** Public Safety Committee

On agenda: 2/22/2018 **Final action:** 2/22/2018

Title: AN ORDINANCE REPEALING PORTIONS OF LOUISVILLE/ JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES CHAPTER 132.03(A)(19) RELATING TO PANHANDLING.

Sponsors: Robin Engel (R-22), Bill Hollander (D-9)

Indexes:

Code sections:

Attachments: 1. O-430-17 V.1 113017 Repealing Portions Chp 132.03 Panhandling.pdf, 2. O-430-17 V.1 113017 ATTACH Kentucky Superme Court Opinion on Panhandling.pdf, 3. ORD 024 2018.pdf

Date	Ver.	Action By	Action	Result
2/22/2018	1	Metro Council	passed	Pass
2/14/2018	1	Public Safety Committee	recommended for approval	Pass
1/31/2018	1	Public Safety Committee	held	
12/6/2017	1	Public Safety Committee	held	
11/30/2017	1	Metro Council	assigned	

ORDINANCE NO. _____, SERIES 2018

AN ORDINANCE REPEALING PORTIONS OF LOUISVILLE/ JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES CHAPTER 132.03(A)(19) RELATING TO PANHANDLING.

SPONSORED BY: COUNCIL MEMBERS HOLLANDER AND ENGEL

WHEREAS, Louisville/Jefferson County Metro Government (“Louisville Metro Government”) last revised the Louisville/Jefferson County Metro Government Code of Ordinances (“LMCO”) § 132.03(A)(19) on August 27, 2012 relating to panhandling, and penalties for the criminal offense of panhandling in Louisville Metro;

WHEREAS, Dennis Champion challenged the constitutionality of Lexington-Fayette Urban County Government’s panhandling ordinance on an appeal after being convicted of panhandling in Fayette County District Court;

WHEREAS, the Kentucky Supreme Court struck down Lexington-Fayette Urban County

Government's panhandling ordinance as a violation of the First Amendment of the United States Constitution (see attached Kentucky Supreme Court opinion); and

WHEREAS, Louisville/Jefferson County Metro Council hereby repeals LMCO § 132.03(A)(19) to comply with the opinion issued by the Kentucky Supreme Court.

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

SECTION I: LMCO § 132.03(A)(19) is hereby repealed.

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

Stephen Ott Metro Council Clerk

H. _____ David
James President of the Council

Greg Fischer Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____