



Louisville Metro Government

Legislation Text

File #: O-430-17, Version: 1

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SECTION I: LMCO § 132.03(A)(19) is hereby repealed.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

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