

ORDINANCE NO. 19-16

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY AMENDING ORDINANCE NO. 19-14

WHEREAS, the City on July 9, 2019 enacted Ordinance No. 19-14, an ordinance relating to hotel and motel properties within the City which are Chronic Nuisance Properties as that term is defined in the Ordinance; and

WHEREAS, various owners of hotels and motels in the City have met with City officials and suggested that the ordinance be amended in several particulars, and the Board of Commissioners finds those suggestions to be well taken;

NOW, THEREFORE, BE IT ORDAINED that Ordinance No. 19-14 be, and hereby is, amended in the following particulars:

SECTION I

Section II, sub-part 4 is amended to delete the following provisions:

- ~~“(g) Unsworn falsification to authorities or giving a peace officer a false name or address, as defined in KRS 523.100 or 523.110;~~
- ~~*****~~
- ~~“(i) Resisting arrest, fleeing or evading police, or hindering prosecution or apprehension, as defined in KRS 520.090 through KRS 520.130;”~~

With the deletion of the above two sub-parts, the remaining sub-parts shall be re-lettered as necessary.

SECTION II

A further portion of Section II, sub-part 4 is amended and shall read as follows:

“A Nuisance Activity shall be deemed to have occurred if:

- (a) It has been personally observed by a City police officer or a City codes enforcement officer; or
- (b) A City police officer or a City codes enforcement officer determines, following investigation of the event in question, that the alleged Nuisance Activity in fact occurred.

~~An incident shall not be deemed to be a Nuisance Activity unless the Owner, within 20 days of its occurrence, shall have been given written notice of it. An incident shall not be deemed to be a Nuisance Activity:~~

- (a) If it was the report or request for assistance made by the owner or manager of the hotel or motel which occasioned the presence on the premises of the City police officer or codes enforcement officer relating to the incident in question; or
- (b) Unless the Owner, within 45 days of its occurrence, shall have been given written notice of it."

SECTION III

Except as amended as set forth above, Ordinance No. 19-14 shall remain in full force and effect in accordance with its present tenor.

SECTION IV

This Ordinance shall become effective immediately upon its enactment following second reading, and publication in accordance with the requirements of applicable Kentucky law.


DATE OF FIRST READING:	August 20, 2019
MOTION BY:	Commissioner Morgan
SECONDED BY:	Commissioner Brewer
DATE OF SECOND READING:	August 27, 2019
MOTION BY:	Commissioner McDaniel
SECONDED BY:	Commissioner Grant
VOTE	YES NO
Commissioner Brewer	x
Commissioner Grant	x
Commissioner McDaniel	x
Commissioner Morgan	x
Mayor Blythe	x


Mayor Blythe

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney