

## **City of Florence, Kentucky Chronic Nuisance Property Policy Overview**

### ***What is it all about?***

Property where nuisance activity occurs regularly is blight on the entire neighborhood. The nuisances frighten away law-abiding residents, discourage reinvestment, and consume police and other city services. Responsible property owners can and usually do take steps to discourage nuisances from occurring on their properties. Florence City Council adopted the Chronic Nuisance Property Policy by passing Ordinance O-1-14 into law on January 28, 2014.

### ***What does the policy say?***

When the city determines that three or more nuisance activities have occurred at a property within a 60-day period, or 12 or more nuisance activities have occurred at a property within a 12-month period, the Florence Police Department can notify the owner and request a plan to stop the nuisance activities from continuing. If the owner does not respond or fails to carry out the plan, enforcement action begins which may include a fine ranging from \$500 to \$5,000, revocation of an occupational license, and/or civil action foreclosure of the property.

### ***What nuisances are included?***

There are over 20 nuisance activities listed in the ordinance including but not limited to loud music, alcohol related offenses, illegal drug activity, harassment, disorderly conduct, prostitution, keeping animals that disturb the peace, and weapons related offenses. A complete list is defined in the ordinance.

### ***What types of properties are covered by the policy?***

This policy applies to both residential and commercial properties. This policy applies to all properties located in the City of Florence (hotels, businesses, etc.), and it is applied citywide.

### ***Does the nuisance activity have to result in a conviction or even the issuance of a citation before it counts toward the 3-in-60 day or 12-in-12 month limit?***

No. The Florence Police Department only needs to have probable cause to believe that the nuisance activities occurred at the premises. Probable cause can be established by credible evidence such as a police officer's own observation, physical evidence, or credible documentation by neighbors in the form of a sworn statement.

***Will this policy make property owners or tenants afraid to call the police for fear of losing their housing or place of business?***

The city believes that providing tenants and property owners with the abatement opportunities established in this policy will empower them to assert and protect their rights to live and/or conduct business in nuisance free environments. Responsible property owners will work to discourage nuisance activities from occurring on their properties.

***What should neighbors do if they have reason to believe that nuisance activities are occurring at a property?***

Depending on the severity of circumstances, keep a log of when the nuisance occurred (time, date, location, description of the nuisance) and contact the Florence Police Department at (859) 647-5421. Forwarding your observations to the Florence Police Department may assist if the property has reported calls. Be as specific as possible in describing the nuisance.

If there is believed to be current criminal activity occurring at the property, the police should be contacted immediately by calling 911.

***Do chronic nuisance policies work?***

Communities that have implemented similar policies report a high degree of success. When property owners are presented with credible evidence of illegal activities on their property, most cooperate to prevent its recurrence. Both the property owner and the neighborhood benefit. It is the City of Florence's goal that nuisance activities are resolved without having to levy fines or to take other enforcement actions.