

**ORDINANCE NO. 21-15**

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY RELATING TO SOLICITATION PROPERTY NUISANCE**

**WHEREAS**, the City is aware of solicitation practices that have become prevalent in the City which led properties to fall into a littered state becoming a nuisance and safety risk to property owners, and under current City ordinances they cannot be effectively controlled, deterred, or abated under existing City ordinances; and

**WHEREAS**, such solicitation practices present health, safety, and welfare concerns and in addition have a negative impact upon the peaceful enjoyment of their property by persons residing on the property and in the immediate vicinity of them;

**NOW, THEREFORE, BE IT ORDAINED** that:

**SOLICITATION NUISANCE**

**Prohibitions**

(A) The distribution or accumulation of any unsolicited written or promotional material on any portion of any lot or parcel of real estate in the city outside of a building other than:

- (1) On a porch, if one exists, nearest to the front door; or
- (2) Securely attached to a door; or
- (3) Between an exterior door and an interior door: or
- (4) Personally with any occupant of the lot or parcel of real estate.

**Violations**

A violation of this chapter occurs whenever anybody, by either act or omission, conspires causes, permits, encourages, aids, assists, allows or engages in any of the acts, actions, behavior, conditions and occurrences prohibited by this ordinance; and each and every separate non-continuing occurrence thereof, and each and every day of each continuing occurrence thereof is a separate violation of this chapter.

**Penalty**

(A) *Civil offense.* Each separate violation of this chapter constitutes a civil offense; and, pursuant to the requirements of KRS 65.8808, the penalties to be imposed upon persons determined to have violated this chapter are hereby established as follows:

- (1) The specific civil fine that shall be imposed for each separate violation of this chapter in the event that a citation for that violation is not contested is hereby established at \$100 for a first violation, \$300 for a second occurrence of the same violation, and \$500 for the third and each subsequent occurrence of the same violation, plus the costs of collection, including, without

limitation, court costs and attorney fees.

(2) The maximum civil fine that may be imposed for each separate violation of this chapter is hereby established at \$500 for a first violation, \$750 for a second occurrence of the same violation, and \$1,000 for the third and each subsequent occurrence of the same violation plus the costs of collection, including, without limitation, court costs and attorney fees.

(B) *Criminal offense.* Each violation of this ordinance shall be a misdemeanor for which everybody convicted thereof in a court of competent jurisdiction shall be sentenced to pay a criminal fine not to exceed the maximum amount of \$500 as set forth in KRS 534.050 (2)(a) or a term of imprisonment not to exceed the maximum period of 12 months as set forth in KRS 532.090 (1), or both

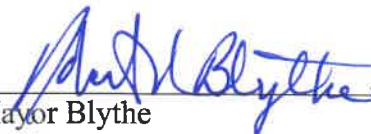
**SECTION VI**

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:** June 9, 2021  
**MOTION BY:** Commissioner Arnold  
**SECONDED BY:** Commissioner McDaniel

**DATE OF SECOND READING:** June 22, 2021  
**MOTION BY:** Commissioner McDaniel  
**SECONDED BY:** Commissioner Arnold

<b>VOTE</b>	<b>YES</b>	<b>NO</b>
Commissioner Arnold	x	
Commissioner Brewer	x	
Commissioner McDaniel	x	
Commissioner Newby	x	
Mayor Blythe	x	

  
Mayor Blythe

ATTEST:  
  
City Clerk

Approved as to form:  
  
City Attorney, Tyler Frazier