



City of Grand Island

Tuesday, April 09, 2002

Council Session

Item F4

#8731 - Consideration of Amendment to Chapter 20 of the Grand Island City Code Relative to Disorderly Houses

The Grand Island Police Department has requested enactment of an ordinance prohibiting “disorderly houses”. A number of communities in Nebraska, including the City of Lincoln, prohibit maintenance of a disorderly house, this being any property, including a room, house, building, structure or other place where unlawful or illegal acts are committed or which unreasonably interfere with the health, safety, welfare and property of citizens or are a public or common nuisance. The ordinance as drafted proposes to prohibit owners, occupants or persons in possession, charge or control of a property to maintain a disorderly house and prohibits other persons from residing in, visiting or frequenting a disorderly house. The proposed ordinance compliments the existing ordinance prohibiting disturbing the peace and will facilitate police officers in policing and clearing a disorderly house and the City Attorney’s Office in enjoining persons from maintaining such a property as a public nuisance. The City Attorney’s Office and Grand Island Police Department recommend approval of the ordinance prohibiting maintenance of “disorderly houses” as drafted.

Staff Contact: Charlie Cuypers

ORDINANCE NO. 8731

An ordinance to amend Chapter 20 of the Grand Island City Code; to add Sections 20-17 and 20-18 pertaining to disorderly house; to repeal any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
GRAND ISLAND, NEBRASKA:

SECTION 1. Section 20-17 of the Grand Island City Code is hereby added to
read as follows:

§20-17. Disorderly House

(A) The term "disorderly house" as used in this code shall mean any room, house, building, structure, or premises, where unlawful or illegal acts are being committed.

(B) It shall be unlawful for the owner, occupant or person in possession, charge, or in control of any room, house, building, structure, or premises to knowingly collect or permit to be collected therein persons who are engaging in any unlawful act, or to knowingly make, cause, permit, or suffer to be made therein any loud or improper noise to the annoyance or disturbance of any person or neighborhood.

(C) It shall be unlawful for any person to be a resident or occupant of, or visit or frequent any disorderly house with knowledge of, and participation in, the illegal activities occurring therein.

SECTION 2. Section 20-18 of the Grand Island City Code is hereby added to
read as follows:

§20-18. Failure to Disperse

(A) Whenever a police officer has probable cause to believe that a person or persons are creating a disturbance of the peace and quiet of any person or neighborhood, such police officer may order said person or persons not residing on the premises to disperse for the purpose of abating the said disturbance.

(B) It shall be unlawful for any person to refuse to comply with a lawful order to disperse given by a police officer in the performance of the officer's duties under this section.

SECTION 3. Any ordinance or parts of ordinances in conflict herewith be, and
hereby are, repealed.

ORDINANCE NO. 8731 (Cont.)

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: April 9, 2002.

Ken Gnadt, Mayor

Attest:

RaNae Edwards, City Clerk