

IN THE VILLAGE OF NEW CONCORD, OHIO

ORDINANCE NO. C-6-17-1

ESTABLISHING AN ORDINANCE REGULATING NUISANCE
PARTIES IN THE VILLAGE OF NEW CONCORD.

WHEREAS, it is necessary to formally adopt an ordinance approving the rules and definitions for nuisance parties; and

WHEREAS, in the interest of preserving the public peace, health, safety and welfare of the residents of the Village of New Concord, it is prudent to adopt this ordinance

NOW, THEREFORE BE IT ORDAINED by the council of the Village of New Concord, county of Muskingum, and State of Ohio:

Section I: Definitions

Nuisance Party: a social gathering or party which is conducted or held on premises within the village and which, by reason of the conduct of the persons in attendance, results in any one or more of the following conditions or offenses occurring at the site of the party or social gathering, or on neighboring public or private property:

- Disorderly conduct
- Illegal Open container of alcohol in public
- Public indecency, outdoor urination or defecation in a public place
- Unlawful Sale, furnishing, dispensing or consumption of beer or intoxicating liquor
- Sale or furnishing of beer or intoxicating liquor to, or use of by, an underage person
- Illegal use of a controlled substance
- Unlawful deposit of litter or refuse
- Criminal damaging or the damage or destruction of property without the consent of the property owner
- Unlawful pedestrian or vehicular traffic
- Criminal mischief
- Unlawful loud noise
- Standing or parking of vehicles that obstructs the free flow of traffic on the public streets and sidewalks or that impedes the ability to render emergency services
- Any conduct that threatens injury , inconvenience, or alarm to persons or damage to property nearby which is hereby declared to be an unlawful public nuisance

Permit: to give permission to; or to allow by silent consent, by not prohibiting, or by failing to exercise control.

Section II: Nuisance Parties Prohibited

It shall be unlawful for any person having the right to possession of any residential premises, whether individually or jointly with others, to cause or permit a social gathering on the premises to become a nuisance party.

Section III: Duty to Control Premises

Any person who is an owner, occupant, tenant, or otherwise has rightful possession or control of any premises, or who sponsors, conducts, hosts, invites, or permits a social gathering or party on said premises which becomes a nuisance party, as defined in Section I and which nuisance is either the intentional result of, or within the reasonable expectations of the person or persons having possessory control is deemed to be in violation of this section.

Section IV: Order to Cease and Disperse

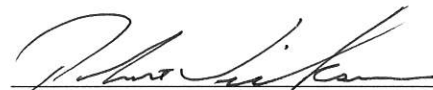
A party or social gathering that is or becomes a nuisance party, as defined by Section I, shall cease upon the order of the Chief of Police, or the Chief of Police's designee; and all persons not residing therein at the site of such social gathering or party shall leave the premises immediately. Any person who fails or refuses to obey and abide by such an order shall be guilty of a violation of this section.

Section V: Penalty

Whoever violates this section is guilty of a minor misdemeanor. For any second violation committed within 6 months shall be guilty of a misdemeanor of the fourth degree.

WHEREFORE, this ordinance shall take effect and be in full force from and after its passage, approval by the mayor, and the earliest period allowed by law.

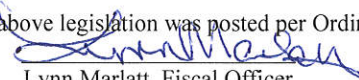
PASSED: June 12, 2017


Robert Dickson, President of Council

APPROVED: June 12, 2017


Brett Essex, Mayor

ATTEST: 
Lynn Marlatt, Fiscal Officer

I hereby certify that the above legislation was posted per Ordinance No. L-1-84-1.

Lynn Marlatt, Fiscal Officer