

AN ORDINANCE TO AMEND CHAPTER 36 OF THE CITY CODE REGARDING DISORDERLY PREMISES.

#4009

Sponsors:

Council
Members
Cabrer
Freel

Co-Sponsor:

Council
Member
M. Brown

WHEREAS, it is the obligation of the City to identify and remedy behavior and conduct that constitutes a nuisance to residents and visitors of the City of Wilmington; and

WHEREAS, from time to time, the disruptive, rowdy and tumultuous behavior emanating from particular locations rises to a level at which enforcement action must be taken, in order to preserve the peace and security of our City's neighborhoods; and

WHEREAS, the City Council seeks to codify a definition of disorderly premises and impose penalties upon occupants who allow for such circumstances to arise.

THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Chapter 36 of the City Code is hereby amended by adding the underlined language as follows:

Sec. 36-69. Disorderly premises.

A. It shall be unlawful for any owner, owner's agent, caretaker or person to engage in, allow, suffer or permit in or upon any residence or premises occupied by himself or herself any conduct which causes public inconvenience, annoyance, alarm to a reasonable person, or disrupts the quiet and good order of adjoining and surrounding properties including, but not limited to, engaging in fighting or in violent, tumultuous, or threatening behavior, or making unreasonable noise. Any person who fails to obey the order of a law enforcement officer to dispel and disperse or otherwise discontinue the disturbing activity may be cited for violation of this Section.

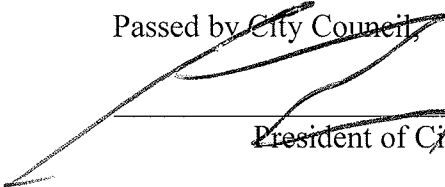
B. Any person convicted of a violation of this Section shall be fined no less than \$250.00 and no more than \$1,000.00 for the first offense; no less than \$500.00 and no more than \$2,500.00 for the second offense; and no less than \$1,000.00 and no more than \$5,000.00 for the third and subsequent offenses, of which the minimum fine, if imposed, shall be mandatory and not subject to suspension.

C. This Section of the City Code shall be enforced by the Wilmington Police Department.

SECTION 2. This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading.....December 18, 2014
Second Reading.....December 18, 2014
Third Reading.....January 8, 2014

Passed by City Council, Jan. 8, 2014

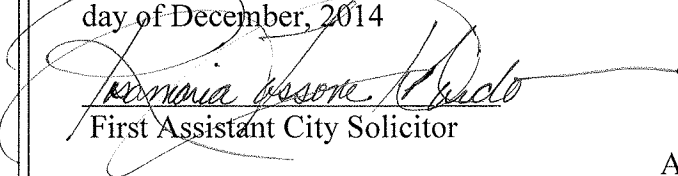


President of City Council

ATTEST: 

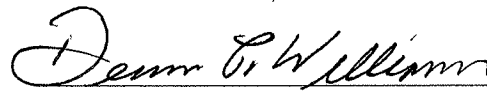
City Clerk

Approved as to form this 16th
day of December, 2014



First Assistant City Solicitor

Approved this 13 day of January, 2015



Mayor

SYNOPSIS: This Ordinance amends Chapter 36 of the Wilmington City Code by adding Section 36-69, related to disorderly premises. The ordinance codifies what constitutes disorderly premises and institutes penalties for occupants who are found and convicted of allowing such conduct. This ordinance aims to help curb tumultuous, disorderly conduct and behavior that disturb the peace and security of City neighborhoods.