

AN ORDINANCE TO AMEND THE JONESBORO CODE OF ORDINANCES, TITLE 7, BY THE CREATION OF CHAPTER 7.42 TO BE ENTITLED MAINTAINING A DISORDERLY HOUSE; PROVIDING FOR DEFINITION AND PENALTIES

WHEREAS, the maintenance of a disorderly house is considered to be an ongoing offense and an annoyance to the general public and a detriment to public peace, welfare and safety.

THEREFORE, BE IT ORDAINED, by the City Council of the City of Jonesboro, Arkansas that Title 7 of the Jonesboro Code of Ordinances be amended by the addition of Chapter 7.42 entitled Maintaining a Disorderly House as follows:

Section 7.42.01 Disorderly House; Maintaining. The term "disorderly house" as used in this Chapter shall be deemed to be any room, house, building, structure, or premises, where unlawful or illegal acts are being committed. It shall be unlawful for the owner, lessee, resident, manager, or proprietor 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.

Section 7.42.02 Suppression of Nuisances; Disorderly Houses. Any room, house, building, structure, or place and any property kept and used in maintaining the same, where, in violation of the ordinances of the city, unlawful or illegal acts are committed, is hereby declared to be an unreasonable interference with the health, safety, welfare, and property of the citizens of the city, a disorderly house, and a public or common nuisance. Such nuisances may be restrained or suppressed by the city in any manner provided by law, and the City Attorney is hereby authorized and empowered to take such legal action as may be necessary to restrain or suppress such nuisances.

Section 7.42.03 Inmate of Disorderly House. It shall be unlawful for any person to be an inmate of or visit or frequent any disorderly house as declared in Section 7.42.01 with knowledge of, and participation in, the illegal activities occurring therein.

Section 7.42.04 Disorderly House; Penalty for Violations.

(a) Any person who violates Section 7.42.01 or Section 7.42.02 shall be guilty of a misdemeanor and upon conviction of a first offense shall be punished by imprisonment in the county jail for a period not to exceed six months, or by a fine of not less than \$250.00 nor more than \$500.00, recoverable with costs, or both such fine and imprisonment.

(b) Any person who violates Section 7.42.01 or Section 7.42.02 and has had one conviction for violation of either Section 7.42.01 or Section 7.42.02 in the ten years prior to the date of the current conviction shall be punished by imprisonment in the county jail for a period of not to exceed six months, or by a fine of not less than \$350.00 nor more than \$900.00, recoverable with costs.

(c) Any person who violates Section 7.42.01 or Section 7.42.02 and has had two or more convictions for violation of either Section 7.42.01 or Section 7.42.02 in the ten years prior to the date of the current conviction shall be punished by imprisonment in the county jail for a period of three days to six months and a fine of not less than \$400.00 nor more than \$1000.00, recoverable with costs and shall spend no less than 10 days in the county jail.