

GENERAL ORDER 41.4.17

Chronic Disorderly Property Abatement

GENERAL ORDER CROSS-REFERENCE: None

SUMMARY

Establishes procedures for enforcement of the City's Chronic Disorderly Property Ordinance (City Ordinance NO. 7-11-1 through 7-11-9).

DISCUSSION

The City Council has ordained that chronic disorderly activity of various kinds on and near residential property adversely affects the health, safety and welfare of citizens, and diminishes the quality of life in residential neighborhoods where this chronic disorderly activity occurs. Chronic disorderly activity, defined as prohibited activities by the Chronic Disorderly Property ordinance, is a nuisance and is subject to abatement.

POLICY

I

DEFINITIONS

A Chronic Disorderly Property is defined as follows:

1. Property in a residential neighborhood on which four or more prohibited activities have occurred during any sixty (60) day period.
2. Property in a residential neighborhood on which or within 200 feet of which any person associated with the property has engaged in four or more prohibited activities during any sixty (60) day period.

A Person in Charge is any person, in actual or constructive possession of a property, including but not limited to an owner or occupant of property under his or her dominion, ownership or control.

The ordinance provides for three levels of intervention by the Police Department:

1. When two or more reports documenting prohibited activity on or within 200 feet of a property in a residential neighborhood, the Chief of Police may notify the person in charge in writing that the property is in danger of becoming a Chronic Disorderly Property.
2. When four or more reports documenting prohibited activity on or within 200 feet

of a property in a residential neighborhood, the Chief of Police shall notify the person in charge in writing that the property is a chronic Disorderly Property.

3. If, after notification, the person in charge fails to pursue a course of action stipulated by the Chief of Police to abate the prohibited activities giving rise to the violation within thirty (30) days, the Chief of Police may refer the matter to the City Attorney to initiate legal proceeding to abate the chronic disorderly activities.

II

It is the policy of the Springfield Police Department to enforce the Chronic Disorderly Property ordinance in a manner that provides for the health, safety and welfare of residential neighborhoods and ensures reasonable opportunity for persons in charge of property to abate prohibited activities prior to initiating legal proceedings by the City.

This is to be accomplished through early intervention by working with persons in charge of property who have received notice their property is in jeopardy of being declared a Chronic Disorderly Property.

III

Department members who may become aware of a potential Chronic Disorderly Property shall forward the information to the Office of the Chief:

1. The street address of the property
2. The person in charge (owner or occupant) of the property
3. Documented reports of prohibited activity to include names, addresses, telephone numbers and statements of persons living in the neighborhood either victimized or negatively impacted by the disorderly behavior emanating from the involved property.

IV

The Office of the Chief shall be responsible for providing the required notices and ensuring persons in charge comply with the provisions for abating prohibited activities or, if no compliance, initiating legal proceedings to formally abate the prohibited activities.

Richard L. Lewis
Chief of Police