

“DISORDERLY HOUSE” ORDINANCE

1. Definition:

Disorderly House shall mean any dwelling to which the police have responded a certain number of times, as prescribed in Section 4 of this ordinance, involving the conduct of the owner, tenant(s) or the owner’s or tenant(s) co-habitees, guests or invitees that the Town of Norway Select board has found to unreasonably disturb the community, the neighborhood or an individual, such conduct includes, but is not limited to: loud music, boisterous parties, fights involving the owner or tenants of the dwelling or their invitees, the arrest of the owner, tenants or their invitees for activities in the dwelling that constitute a crime or civil infraction under either state or local law, and other similar activities.

Dwelling shall mean any single or multi-family residence or part thereof, including garages, outbuildings, exterior grounds and separate apartments.

2. Incident Reports and Notice of Disorderly House

- A. If a dwelling is visited by the police in relation to conduct described in the definition of Disorderly House in Section 1, the police department shall send an incident report, within three business days, to the owner as prescribed in Section 4 of this ordinance. If a dwelling is visited by the police department multiple times in any 30-day period, as prescribed in Section 4 of this ordinance, in relation to conduct described in the definition of Disorderly House in section 1, the owner of the dwelling shall be given notice that a hearing will be held by the Town of Norway Select board to determine whether the dwelling is a Disorderly House, in accordance with the table in Section 4 of this ordinance.
- B. The hearing notice shall require the owner or the owner’s designated agent to appear at the hearing in order to present the owner’s position on the incidents. If, after hearing the owner’s position, the Select board determines the dwelling is a Disorderly House, the Select board may either enter into a consent agreement with the owner to control the conduct occurring in the Disorderly House, if the owner shows that a reasonable effort is being made to abate the prohibited conduct and/or remove the tenant(s) involved in the prohibited conduct or refer the Disorderly House to the Town Attorney for legal action.

3. Violations

The following are violations of this ordinance:

- A. Failure to attend the scheduled hearing with the Town of Norway Select board;
- B. Violation of a consent agreement entered into under Section 2(B);

- C. Conduct as described in the definition of Disorderly House if a referral has been made to the Town Attorney under Section 2(B).

A violation of this ordinance shall result in a civil penalty of not less than \$100 nor more than \$2,500, plus attorney's fees and costs. The Town may also seek injunctive relief.

4. Incident Table

Units per Dwelling:	Number of Visits by Police in any 30 day Period to Designate Disorderly House
5 or less	3
6 to 10	4
11 or more	5