

1 RESOLUTION NO. 030770

2  
3 PASSED April 26, 2004

4  
5 A resolution of the City Commission of the City of Gainesville, Florida,  
6 supporting an amendment to section 893.138 F. S. which would expand  
7 the type of nuisance activity that can be heard before a nuisance  
8 abatement board created by a local jurisdiction; and approve sending  
9 this resolution to the Florida League of Cities and the City's Legislative  
10 Delegation; and providing an immediate effective date.

11  
12 **WHEREAS**, §893.138 of the Florida Statutes provides a limited scope of nuisance activity  
13 which may be presented before a Nuisance Abatement Board created under it's auspices; and

14  
15 **WHEREAS**, the City of Gainesville has experienced nuisance activity related to unruly crowds  
16 at local businesses and, the illegal conduct of commercial business in residential areas and would like  
17 to have such nuisance activity presented to its Nuisance Abatement Board for resolution,

18  
19 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE**  
20 **CITY OF GAINESVILLE, FLORIDA:**

21  
22 **Section 1.** The City Commission supports the amendment of §893.138, to include new sections  
23 "e" and "f" which would expand the list of places or premises which may declared a public nuisance by  
24 the locally created Nuisance Abatement Board to include any place or premise that has been used:

- 25  
26 (e) on more than two occasions within a 6-month period, as a site requiring 3 or more police  
27 officers to quell a crowd disturbance whether inside or outside the establishment; and  
28  
29 (f) on more than two occasions within a 6-month period as the site of unlicensed commercial  
30 activity relating to the use or consumption of alcoholic beverages on property zoned for  
31 residential use.

32  
33 **Section 2.** The Clerk of the Commission is directed to send this resolution to the Florida  
34 League of Cities and the City's Legislative Delegation.

35  
36 **Section 3.** This resolution shall become effective immediately upon adoption.

37  
38 **PASSED AND ADOPTED** this 26 of April, 2004.

39  
40  
41   
42 THOMAS D. BUSSING  
43 MAYOR

44  
45 ATTEST:

46   
47  
48 KURT M. LANNON  
49 CLERK OF THE COMMISSION

50  
Approved as to form and legality

  
MARION J. RADSON  
CITY ATTORNEY

APR 27 2004