

TITLE XIII: GENERAL OFFENSES

Chapter

130. OFFENSES AGAINST COUNTY REGULATIONS

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GENERAL PROVISIONS

§ 130.01 REWARD FUND.

Any person who provides specific information to the Campbell County Police Department which leads to the citation or arrest, and conviction of individuals for stealing, defacing, destroying, damaging property owned by the Campbell County Fiscal Court and with the recommendation of the Public Safety Director and/or Chief of Police and the approval of the Fiscal Court, shall be entitled to a reward in the amount of \$100 for misdemeanor conviction and \$250 for a felony conviction for said information.
(Ord. O-12-94, passed 8-17-94)

§ 130.02 NUDITY PROHIBITED.

(A) The following definition shall apply to this section:

PUBLIC PLACE means a place to which the public or a substantial group of persons has access and includes but is not limited to highways, transportation facilities, schools, places of amusement, places of entertainment, places of business, parks, playgrounds, bars, restaurants, saloons and hallways, lobbies and other portions of apartment houses and hotels not constituting rooms or apartments designated for actual residence. An act is deemed to occur in a public place if it produces its offenses or prescribed consequences in a public place.

(B) No person shall appear in any public place in such a manner or attire as to expose to view any portion of the pubic area, anus, vulva, or genitals, or any simulation thereof, or for any female to appear in such a manner or attire as to expose to view the portion of the breasts below a horizontal line across the top of the areola at its highest point or simulation thereof. This shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel; provided, the areola is not exposed in whole or in part.

(C) No person, corporation, partnership or other entity who owns, manages, or controls any property, and no retail licensee or holder of an entertainment permit, shall permit or allow any person to appear in any public place in such a manner or attire as to expose to view any portion of the pubic area, anus, vulva, or genitals, or any simulation thereof, or for any female to appear in such a manner or attire as to expose to view the portion of the breasts below a horizontal line across the top of the areola at its highest point or simulation thereof. This shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel; provided, the areola is not exposed in whole or in part.
(Ord. O-16-97, passed 7-2-97)

§ 130.03 CARRYING CONCEALED DEADLY WEAPONS PROHIBITED.

(A) Pursuant to the authority of KRS 237.115, the Campbell County Fiscal Court does hereby prohibit the

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carrying of concealed deadly weapons in all buildings or portions thereof which are owned, leased or controlled by the Campbell County Fiscal Court. The provisions of this section shall not apply to police officers and shall not be deemed to be in violation of KRS 65.870.

(B) All buildings or portions thereof in which the carrying of concealed and deadly weapons is prohibited shall be clearly identified by signs posted at the entrance to the restricted area. Those signs shall be a minimum 18 square inches in size and shall read as follows:

THE POSSESSION OF CONCEALED DEADLY
WEAPONS, EVEN WITH PROPER PERMIT, IS HEREBY
PROHIBITED IN THESE PREMISES.

(C) Any buildings used for public housing by private persons and any private dwellings owned, leased or controlled by the Campbell County Fiscal Court are exempted from the restrictions of this section.

(D) Persons violating this section may be denied entrance to the subject buildings, or ordered to leave the buildings. Also employees of the Campbell County Fiscal Court shall be subject to employee disciplinary measures for violation of the provisions of this section.

(Ord. O-17-2001, passed 9-19-01)

§ 130.04 RESPONSIBILITY FOR POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS.

(A) No person being the owner or occupant or otherwise in possession or control of any property located within the county shall knowingly allow any person under the age of 21 years to remain on such property while in the possession of or while consuming alcoholic beverages as defined in KRS 241.010.

(B) No person being the parent or guardian or otherwise having the care, custody, or control of any minor shall knowingly allow the minor to violate any of the provisions of this section or other laws regulating minors consuming alcohol nor shall any person aid, abet, induce, cause, encourage, or in any way contribute to a minor violating any of the provisions of this section or other laws regulating minors consuming alcohol, including but not limited to allowing a minor having prior problems of possession or consumption of alcoholic beverages to be in possession or control of property located within

the county under circumstances such that a reasonably prudent and responsible adult should have known that a violation of this section was likely to occur on the property.

(C) It shall be an affirmative defense under this section if the person charged with the offense or their

minor child or ward, within one hour after the possession or consumption of alcoholic beverages constituting the basis of the violation, enlisted the aid of and cooperated with law enforcement personnel to cause minors, who are in possession of or consuming alcoholic beverages in violation of this chapter, to be removed from the property.
(Ord. O-23-03, passed 12-17-03) Penalty, see § 130.99

REMOVAL OR DESTRUCTION OF CONTROL MONUMENTS

§ 130.20 STATUTORY AUTHORIZATION.

The Fiscal Court, in accordance with KRS 67.070 and 433.770 prescribes the following regulations concerning the removal or destruction of control monuments and the perpetuation of survey points.
(Ord. O-02-10, passed 2-3-10)

§ 130.21 DEFINITIONS.

The following definitions shall apply to this subchapter:

CONTROL MONUMENT. The physical

structure, along with any references or accessories thereto, used to mark the location of a geodetic control point, or local control point.

GEODETIC CONTROL POINT. Points established to mark horizontal or vertical control positions that are part of the National Geodetic Survey Network.

LOCAL CONTROL POINT. Points established to mark horizontal or vertical control positions that are part of a permanent governmental control network other than the National Geodetic Survey Network.

PARCEL. A part or portion of real property including but not limited to easements, rights-of-way, aliquot parts of sections or tracts.

REMOVAL OR DESTRUCTION. The physical disturbance or covering of a monument such that the control point is no longer visible or readily accessible.
(Ord. O-02-10, passed 2-3-10)

§ 130.22 DESIGNATED AGENT.

(A) Fiscal Court may designate an agency for the purposes of enforcing the provisions and intent of this subchapter.
(Ord. O-02-10, passed 2-3-10)

(B) The Campbell County Fiscal Court hereby designates Northern Kentucky Area Planning Commission (NKAPC) to serve as agent for enforcing the provisions and intent of this subchapter, subject to the following terms and conditions:

(1) NKAPC is authorized to assess all fees and penalties applicable under this subchapter.

(2) All fees collected for monuments in the county shall be the property of Campbell County Fiscal Court and shall remain in a separate account until such time as they are used for the placement or replacement of a monument in the county.

(3) NKAPC will provide Campbell County Fiscal Court with an annual accounting report of fees and penalties collected pursuant to this subchapter.

(4) NKAPC shall promptly notify the Planning and Zoning Commission whenever an application is made to remove or destroy a monument.

(Ord. O-02-10, passed 2-3-10; Am. Res. R-18-10, passed 2-3-10)

establishment or maintenance of the control point. Such agency may, at its discretion, exempt the applicant from the remonumentation requirements of this subchapter. Such exemption shall be noted by the designated agent on the permit application form.

§ 130.23 APPLICABILITY.

(A) No control monument shall be moved, removed or destroyed before a permit is obtained as required by this subchapter.

(B) Any person, corporation, association, department, or subdivision of the state, county, or municipality responsible for an activity that may cause a control monument to be disturbed shall be responsible for ensuring that the original control point is perpetuated. It shall be the responsibility of those performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity for the purpose of locating and referencing any known or existing control monuments. Campbell County, when removing a local control point that it has established, shall be exempted from the requirements of this subchapter.

(C) (1) Control monuments subject to this subchapter are those monuments marking local control points and geodetic control points.

(2) In regard to local control or geodetic control points, the designated agent will defer authorization for the removal or destruction of the control monument to the agency responsible for the

(D) A fee of \$4,000 will be assessed for the removal or destruction of each monument. All proceeds from this fee shall be used to restore the control monument back to its original condition or useful state.
(Ord. O-02-10, passed 2-3-10) Penalty, see § 130.99

§ 130.24 MONUMENT REMOVAL OR DESTRUCTION.

(A) All control monuments that are removed or destroyed shall be replaced by a firm experienced in geodetic control under the direction of the designated agent to perpetuate the control point.

(B) An applicant may request a variance from this referencing requirement by so noting in the applicant information section on the permit application and providing the justification on the back of the form. The designated agent shall note whether the variance is approved or not approved and shall provide the reason for not approving the request.
(Ord. O-02-10, passed 2-3-10) Penalty, see § 130.99

§ 130.25 APPLICATION PROCESS.

(A) Whenever a control monument needs to be removed or destroyed, the application and fee required by this subchapter shall be submitted to the

designated agent.

(B) Upon receipt of a properly-completed application and fee, the designated agent shall promptly issue a permit authorizing the removal or destruction of the monument, provided that:

(1) In extraordinary circumstances, to prevent hardship or delay, a verbal authorization may be granted, pending the processing and issuance of a written permit. A properly completed application shall be submitted by the applicant within 15 days of the verbal authorization.

(2) Applications received by the designated agent concerning local or geodetic control points will be referred to the appropriate jurisdiction for action. The applicant will be notified when such action is taken.

(C) One application may be submitted for multiple monuments to be removed or destroyed as part of a single project; however, there shall be separate attachments to the application form detailing the required information for each monument to be removed or destroyed. Likewise, the fee set forth in § 130.23(D) shall be submitted for each monument removed or destroyed.
(Ord. O-02-10, passed 2-3-10)

Campbell County - General Offenses**§ 130.26 PROJECT COMPLETION;
PERPETUATION OF ORIGINAL POSITION.**

After completion of the activity that caused the removal or destruction of the monument, all control monuments that have been affected shall be reset at the discretion and direction of the designated agent. (Ord. O-02-10, passed 2-3-10) Penalty, see § 130.99

§ 130.99 PENALTY.

(A) (1) Any person, corporation, partnership or other entity who violates § 130.02 shall be guilty of a class B misdemeanor and shall be subject to a fine and/or imprisonment as provided by the Kentucky Revised Statute for a class B misdemeanor.

(2) In addition to the above mentioned penalty, the county Judge/Executive shall revoke the entertainment permit of any person convicted of violating § 130.02. (Ord. O-16-97, passed 7-2-97)

(B) Any person violating any of the provisions

of § 130.04 shall be guilty of a misdemeanor and shall be subject to a fine not to exceed \$250 or imprisonment in the county jail for not more than 90 days or both for a first offense and to a penalty of a fine not to exceed \$500 or imprisonment in the county jail for a period not to exceed one year or both for any subsequent offense. (Ord. O-23-03, passed 12-17-03)

(C) (1) Any person who knowingly or by willful disregard causes the removal or destruction of a control marker or monument under §§ 130.20 through 130.26 shall cause the marker or monument, at his or her own expense, to be reestablished under the supervision and approval of the designated agent. In addition to any fine set forth below, that person shall also pay a penalty of \$4,000 for each monument affected.

(2) In addition, any violation of §§ 130.20 through 130.26 shall be deemed a Class A misdemeanor, and shall be subject to such penalties as are provided under Kentucky Revised Statutes. (Ord. O-02-10, passed 2-3-10)