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GENERAL NEWS

Council receives audit report, moves forward on noise ordinance

The Carlisle City Council members unanimously expressed their support for the ordinance last night for two and one-half hours, where they received the annual financial audit from Lexington Accountant Jerry Henley, held the second reading of a new noise ordinance, held the second reading of an ordinance repealing a former ordinance related to the occupational license taxes, and went into closed session for 30 minutes to discuss possible disciplinary action of a city employee.

On a motion by Councilman Billy Mac Gouance, seconded by Councilman Eugene Hall, the second reading of the city's noise ordinance was held and unanimously approved by all council members.

The 10 pages that outlined the noise ordinance will be published in full, as required by law, in a future edition of The Carlisle Mercury with an effective date of Jan. 1, 2008, according to page 10 of the document.

One of the sections of the ordinance was cause for concern expressed by Councilman Tommy Crawford. The section of the ordinance outlining the "Right of entry of law enforcement officer to investigate noise disturbance," which included dialogue authorizing "any city law enforcement officer" to enter and inspect any dwelling, multifamily dwelling, building, structure or premises within the county as may be necessary to enforce the provisions of that particular section (of the noise ordinance).

The ordinance states that without consent by the owner or his agent a search warrant would be obtained if necessary.

"So how are we going to be issuing search warrants just for noise?" Crawford asked with raised eyebrows.

Crawford also raised questions on the city's 30 percent loss of utility income as discussed briefly by Henley during his audit report.

Clark stated, as did other city officials, that the ordinance also makes

clear that the Mayor may grant special variances related to noise disturbances if a written application for such is made to the mayor and approved.

First time violators to the ordinance face fines ranging from \$50 to \$500.

Those who violate the ordinance twice within any 12 month period face fines ranging from \$100 to \$500 and those who violate the ordinance three times within any 12 month period face fines ranging from \$200 to \$500.

The ordinance received unanimous support for passage on a motion by Councilman Billy Mac Gouance and seconded by Councilman Eugene Hall on Dec. 10, during the regular meeting of the Carlisle City Council.

COURT NEWS

Nicholas District Court
Wed. October 31, 2007
Hon. Jay Delaney
Angela N. Wilds, PTC. Previously dismissed 12/8/07.
Larry Edgar Bowles, ARR. 1. OBS Burglary 2nd degree, forced entry, residence waive form arr. NO plea Bond amended to 10,000 10 % auth. No contact with James Simons of Family. PH 11/7/07 at 2 p.m.
Crystal M. Campos, ARR. 1. Obs burglary, 2nd degree, forced entry, residence. 2. Criminal Trespass, 2nd degree. PD appointed waive form arr. NO plea PH 11/7/07 at 2 p.m.
Rojelio Castro, ARR. 1. Obsolete Operating MV w/ influence of intoxic bev, list off. 2. Obs leaving scene of accident. Hit and run. 3. Obs No operators license. 4. Obsolete no insurance, 1st offense. PD appointed waive form ARR NO plea PTC 11/7/07 at 1 p.m. Bond amended to 1,500 10% authorized.

See COURT Page 14

Henley's audit report council members unanimously voted to go into closed (secret) session with City Attorney Stanley "Skip" Watson citing Kentucky Revised Statutes 61.210 and 61.613 as the legal right for the council to go into closed session to discuss possible disciplinary action of an employee.

Guests, media personnel and others, were then asked to leave the council chambers with the exception of City Clerk Mary Stewart, Mayor Clark, the six city council members and Carlisle Chief of Police William Denton.

Council members voted to go into open session 50 minutes later and invited all back into chambers with no discussion being made on the individual employee in question.

There was no action taken during the closed session, Clark said. "It was merely discussion."

ORDINANCE
(Continued from Page 3)

which:

(a) Endangers or injures the safety or health of humans or animals;

(b) Annoys or disturbs a reasonable person of normal sensitivities; or

(c) Endangers or injures personal or real property.

Specific acts of noise disturbances that will be considered violations of the ordinance include: the operation of machinery or tools that creates a noise disturbance across a dwelling unit boundary other than powered snow removal equipment, between the hours of 11 p.m. and 7 a.m., prevailing local time, or on Saturday or Sunday before the hour of 9 a.m. prevailing time.

The lengthy ordinance also has restrictions for anyone repairing engines, loading and unloading boxes or cans in such a manner as to cause a noise disturbance across a dwelling unit boundary, or playing a radio, television, musical instrument or similar device as to create a noise disturbance across a dwelling unit boundary.

Noise disturbance will also not be tolerated on public grounds, right-of-ways or public spaces.

Section three of the ordinance also addresses nuisances.

It shall be unlawful for any person to keep or harbor within the urban county any animal, including, but not limited to, domestic pets, that repeatedly or frequently emits any sound, including but not limited to

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