

**LOCAL LAW 5 OF 2022 OF THE CITY OF KINGSTON, NEW YORK,
AUTHORIZING THE REPLACEMENT OF SECTION 195-1 – DISORDERLY
CONDUCT DEFINITION IN THE CODE OF THE CITY OF KINGSTON**

Sponsored By: Laws & Rules Committee: Alderman:
Worthington, Hill, Frankel, Scott-Childress,
Olivieri

WHEREAS, after review of the Code of the City of Kingston and the City's current Disorderly Conduct provision in Section 195-1, it is recommended that a change be made to revise the existing Disorderly Conduct definition in Section 195-1.

NOW THEREFORE, BE IT ENACTED AS FOLLOWS:

SECTION 1. That the Common Council authorizes the adoption to the change in the current definition of Disorderly Conduct in Section 195-1 of the Code of the City of Kingston as attached.

SECTION 2. If any provisions of this local law are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the local law shall remain in effect.

SECTION 3. This local law shall take effect upon filing with the Secretary of State.

Submitted to the Mayor this ____ day of _____, 2022

Approved by the Mayor this ____ day of _____, 2022

Elisa Tinti, City Clerk

Steven T. Noble, Mayor

Adopted by Council on _____, 2022

LH 5
10/20/22

THE CITY OF KINGSTON COMMON COUNCIL

LAWS & RULES
COMMITTEE REPORT

DEPARTMENT: Corporation Counsel DATE: 10/19/2022

Description: Adopting a local law that replaces §195-1 (Disorderly Conduct) of the City's Administrative Code with the following text:

A person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoy, or alarm, or recklessly creating a risk thereof they:

1. Engage in fighting or in violent, tumultuous, or threatening behavior, or
2. Make unreasonable noise, or
3. In a public place, use abusive or obscene language, or makes an obscene gesture or
4. Without lawful authority, disturb any lawful assembly or meeting of persons, or
5. Obstruct vehicular or pedestrian traffic, or
6. Congregate with other persons in a public place and refuses to comply with a lawful order of the police or a peace officer to disperse, or
7. Create a hazardous or physically offensive condition by any act which serves no legitimate purpose.

The crime of disorderly conduct, which is hereby declared an offense within said City of Kingston, shall be punishable by a fine in the amount of \$0-\$500.00.

Motion by RSC

Seconded by MO

Action Required: _____

SEQRA Decision:
Type I Action _____
Type II Action _____
Unlisted Action _____

Negative Declaration of Environmental Significance: _____

Conditioned Negative Declaration: _____

Seek Lead Agency Status: _____

Positive Declaration of Environmental Significance: _____

Committee Vote	YES	NO
<i>Rita Worthington</i> Rita Worthington, Ward 4 Chairman	✓	
<i>Barbara Hill</i> Barbara Hill, Ward 1	✓	
<i>Carl Frankel</i> Carl Frankel, Ward 2	✓	
<i>Rennie Scott-Childress</i> Rennie Scott-Childress, Ward 3	✓	
<i>Michael Olivieri</i> Michael Olivieri, Ward 7	✓	

(B)

(LIR)

CITY OF KINGSTON
Office of Corporation Counsel
bgraves@kingston-ny.gov



Steven T. Noble, Mayor

Barbara Graves-Poller, Corporation Counsel

September 30, 2022

Alderwoman at Large Andrea Shaut, President
City of Kingston Common Council
City Hall - 420 Broadway
Kingston, NY 12401


Re: Administrative Code § 195-1 Disorderly Conduct

Dear President Shaut,

My office is currently reviewing various Administrative Code provisions as part of the City's ongoing rezoning effort. That process led us to evaluate the City's current disorderly conduct provision, § 195-1 of our current Code. We recommend an Administrative Code change, via local law, to revise the existing "disorderly conduct" definition.

I ask that you please forward this communication and the attached supporting documentation to the next regularly scheduled Laws & Rules Committee for consideration. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,



Barbara Graves-Poller
Corporation Counsel