


GAINESVILLE POLICE DEPARTMENT

GENERAL ORDER

	TITLE Nuisance Abatement Procedures		ACCREDITATION
	PROPOSER UNIT Patrol Operations Bureau		PRIOR REVISIONS ATTACHMENT: 0
NUMBER 40.32	ISSUE DATE 11/11/02	REVISION DATE 06/19/17	TOTAL PAGES 2

I. PURPOSE: This Order provides guidelines for addressing and enforcing the Nuisance Abatement Ordinance.

II. POLICY: The Gainesville Police Department shall work cooperatively with other departments of the City to respond to, enforce and properly track properties that may be public nuisances. When possible, the Department will also work with involved property owners to alleviate the nuisance.

III. DEFINITIONS: Public nuisances is defined by City Ordinance Chapter 16 Article V, Sections 16-94 as any structure or portion thereof as defined in FSS 810.011 or any piece, parcel tract or plot of land or any portion thereof which has been used:
https://www.municode.com/library/fl/gainesville/codes/code_of_ordinances?nodeId=PTIICOOR_CH16NU_ARTVPUUAB

A. On at least 3 occasions within a 6 month period as the site of the unlawful sale, delivery, manufacture, or cultivation of a controlled substance. An arrest for a violation of FSS 893 or any federal narcotics law within 30 days prior to the issuance of a notice is prima facie evidence of a violation.

B. On at least 2 occasions within a 6 month period as the site of the unlawful sale, delivery, manufacture, or cultivation of a controlled substance, **and**, on at least one occasion within the time frame, as the site of a felony possession of a controlled substance.

C. On at least 3 occasions within a 6 month period as the site of a violation of FSS 796 relating to prostitution and prostitution-related activity. An arrest for a violation of FSS 796 within 30 days prior to the issuance of notice is prima facie evidence of a violation.

D. On at least 3 occasions within a 6 month period as the site where a criminal street gang conducted a pattern of street gang activity as defined by FSS 874.03.

E. On at least 3 occasions within a 6 month period as the site of a violation of FSS 812.019 relating to dealing in stolen property.

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IV. PROCEDURE: Identifying, Substantiating and Documenting An Incident: Potential nuisances may be identified by citizen complaint or by field personnel. Sworn personnel will substantiate and document the incident and report it through the chain of command as needing attention.

A. An incident may be substantiated by any police officer:

1. Who makes an arrest, or
2. Whose investigation documents the occurrence of a requisite incident regardless of whether an arrest is made, or
3. Who investigates a complaint from a citizen and develops probable cause to believe that an incident occurred.

B. When a Department member substantiates a qualifying incident, he/she shall complete an investigative report.

C. Department members shall contact Codes Enforcement and provide them with all necessary information to move forward with the nuisance abatement process.

By Order of

*Signed Original on File in the
Accreditation Unit*

**Tony R. Jones
Chief of Police**