

ORDINANCE 2015- 6 Draft Ordinance 2015-E

AN ORDINANCE OF THE CITY OF VILLA HILLS, KENTON COUNTY, KENTUCKY CREATING A NEW SECTION OF CHAPTER 35 OF THE VILLA HILLS CODE OF ORDINANCES TO ESTABLISH A SEPARATE CLASSIFICATION OF REAL PROPERTY KNOWN AS “ABANDONED URBAN PROPERTY” FOR PURPOSES OF *AD VALOREM* TAXATION.

WHEREAS, the City Council of the City of Villa Hills finds that abandoned urban property as defined by KRS 132.012 exists within the City; and

WHEREAS, the City Council of the City of Villa Hills finds that abandoned urban properties require greater code enforcement activities by the City that results in a greater financial cost to the City; and

WHEREAS, the City Council of the City of Villa Hills finds that abandoned urban properties and blighted and deteriorated properties require an increased level of city services, such as police and fire protection; and

WHEREAS, KRS 92.305 permits cities to levy a separate rate of taxation on abandoned urban properties and blighted and deteriorated properties;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF VILLA HILLS, KENTON COUNTY, KENTUCKY, AS FOLLOWS:

SECTION I

That a new section of Chapter 35 of the City of Villa Hills Code of Ordinances is hereby created as indicated herein:

§ 35.20 ABANDONED URBAN PROPERTIES TAX

(A) “Abandoned urban property” shall have the same meaning as in KRS 132.012.

(B) Abandoned urban property is hereby established as a separate classification of real property for the purposes of *ad valorem* taxation.

(C) The rate of taxation levied upon abandoned urban properties shall be \$0.75 on each \$100.00 of assessed value, or such higher amount as is hereafter constitutionally authorized.

(D) Prior to November 30 of each year, the City shall determine which properties in the City are abandoned urban properties and shall prepare and furnish a list of abandoned urban properties located in the City to the City Administrator/Clerk and to the Kenton County Property Valuation Administrator.

(E) A property classified by the City as abandoned urban property as of November 30th each year shall be taxed as such, at the rate set forth in § 35.20(C) for the following tax year.

(F) If the owner repairs, rehabilitates or otherwise returns the property to productive use, he or she shall notify the City to reevaluate whether the property meets the definition of abandoned urban property for the following tax year. If the City finds that the property no longer meets the definition of abandoned urban property, it shall notify the City Administrator/Clerk and the Kenton County Property

Valuation Administrator to strike the property from the list of abandoned properties for the following tax year.

(G) No later than December 15 of each year, the City shall mail, by regular first-class mail, to the owner(s) of each abandoned urban property, as those name(s) are listed in the records of the Property Valuation Administrator, a notice that this property has been classified as abandoned urban property. The owner of any abandoned urban property who believes that his or her or its property has been incorrectly classified may appeal the classification to the City's Vacant Properties Review Commission. The appeal shall be in writing and shall be made no later than March 1 of the year. The Vacant Properties Review Commission shall afford the owner the opportunity for a hearing. If the Vacant Properties Review Commission finds the property was incorrectly classified as abandoned urban property, it shall cause the property to be removed from the list of properties so classified. The Vacant Properties Review Commission shall develop policies and procedures for conducting such appeals.

Section II – Provisions Severable

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provisions thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section III – Conflicting Ordinances Repealed

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section IV – Effective Date and Publication

This Ordinance shall take effect and be in full force from and after its passage, publication, which may be in summary form, and recording, according to law.

Passed by the City Council this 15th day of April, 2015.

City of Villa Hills, Kentucky
A Municipal Corporation of the Home Rule Class


Irvin T. "Butch" Callery, Mayor

ATTEST:


Craig T. Bohman, City Administrator/Administrator/Clerk

Sponsor: Waugaman

First Reading: March 18, 2015

Second Reading: April 15, 2015

Ayes: 6

Nays: 0

Abstentions: n/a

Absent: n/a

Published: 4-23-2015