

ORDINANCE 2016 – 13 Draft Ordinance 2016-M as amended with Title amendment

AN ORDINANCE OF THE CITY OF VILLA HILLS, IN KENTON COUNTY, KENTUCKY CREATING A NEW SECTION OF CHAPTER 32 TO ESTABLISH CODE ENFORCEMENT FINES AND AMENDING SECTION 92.13 TO CONFORM

WHEREAS, it is the intent of KRS 65.8801 to 65.8839 to protect, promote, and improve the health, safety, and welfare of the citizens residing within the City by authorizing the creation of an administrative board with the authority to issue remedial orders and impose fines in order to provide an equitable, expeditious, effective, and inexpensive method of ensuring compliance with the ordinances in force within the City; and

WHEREAS, Ordinance 2016-11 passed November 16, 2016 requires a fine schedule to be adopted by separate ordinance.

NOW THEREFORE be it ordained by the City Council of the City of Villa Hills as follows:

SECTION I

A new section of Chapter 32 is hereby created:

§ 32.99. ORDINANCE CIVIL FINE SCHEDULE

Violations of ordinances that are enforced by the city code enforcement officer and board designated as the Code Enforcement Board for the City of Villa Hills shall be subject to the schedule of civil fines as contained in Section 92.13 of the Villa Hills Code of Ordinances.

SECTION II

Section 92.13 of Chapter 92 is hereby amended:

§ 92.13 PENALTIES.

The following penalties shall apply to violations of this chapter:

(1) Any person, firm, or corporation who violates any provision of this chapter **or any provision of chapter 32** shall be subject to a civil fine of not less than \$50 per day per violation but not more than \$500 per day per violation, or the cost to the City to abate the public nuisance, or both. Each day that a violation of this chapter continues after due notice has been served in accordance with the terms of this ordinance may be deemed a separate offense to a maximum of \$10,000 per citation.

(2) As an additional alternative remedy to the above penalty, any violator who violates any provision of Sections 92.01 through 92.12 of this code or any provision of chapter 32 and has been previously issued two or more citations for violation of this nuisance ordinance relating to the same property within a 12-month period may be assessed additional civil penalties of \$500 per day per violation to a maximum of \$20,000 per citation.

SECTION III

Any and all ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

SECTION IV

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 hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

SECTION IV

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

Passed by the City Council this 21st day of December, 2016.

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


Irvin T. "Butch" Callery, Mayor

ATTEST:


Craig T. Bohman, City Administrator/Clerk

Sponsor: Kilburn
First Reading: December 14, 2016
Second Reading: December 21, 2016
Ayes: 6
Nays: 0
Abstentions: none
Absent: none

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