

AN ORDINANCE OF THE CITY OF VILLA HILLS, IN KENTON COUNTY, KENTUCKY AMENDING SIDEWALK MAINTENANCE AND REPAIR SECTIONS OF CHAPTER 150 OF THE VILLA HILLS CODE OF ORDINANCES TITLED GENERAL PROVISIONS.

WHEREAS, the current Villa Hills provisions on sidewalk maintenance and repair are inefficient and time consuming; and

WHEREAS, The City of Villa Hills wishes to update the sidewalk maintenance and repair provisions to make them more efficient and ensure public safety;

BE IT ORDAINED BY THE CITY OF VILLA HILLS, KENTUCKY:

SECTION I

Section 150.52 NOTICE OF VIOLATION; COST ASSESSMENT; LIEN is amended as follows:

In the event that the City Inspector or an authorized representative determines that any sidewalk or portion thereof in the city is in violation of this subchapter, the City Clerk shall cause a written notice to be mailed by [~~certified mail~~] **delivery confirmation** to every owner of abutting real estate in regard thereto a written description **and photograph** of the sidewalk and the conditions in violation of this chapter, the criteria used to determine the violation(s), a copy of the sidewalk detail from the city's encroachment permit, an estimated cost if the city makes the repair, the length of time this cost will be amortized at a rate on the property tax bill until recovered not to exceed the greater of \$250 per year or an amortized amount to fully pay the cost within ten (10) years, and instructions on how to apply for a waiver for households facing economic hardship. The notice shall state that unless the violations are eliminated and the condition of the sidewalk conforms to the requirements of this subchapter within sixty (60) consecutive calendar days after the notice was mailed, the city shall cause the condition of the sidewalk to conform to the requirements of this subchapter. Unless it is finally determined in an administrative hearing that there was no violation of the terms and provisions of this subchapter and the determination of the enforcement officer was erroneous, each owner of the abutting property shall be jointly and severally liable to the city for all costs and expenses incurred by the city in causing the sidewalk to conform to the requirements of this subchapter and the cost of the collection thereof, including reasonable court costs and attorney's fees. In order to secure payment, the city shall have a lien upon the abutting real estate, which shall be superior to all other liens thereon, except liens for ad valorem taxes and public improvement assessments.

SECTION II

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

SECTION III

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.

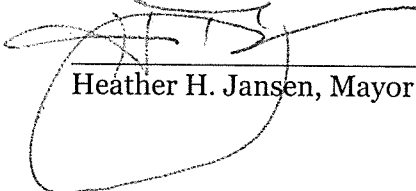
SECTION IV

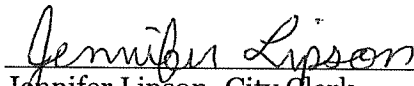
This Ordinance shall take effect and be in full force from and after its passage, and may be published in summary form, and recording, according to law.

Passed by the City Council this 26th day of July, 2023.

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

ATTEST:


Heather H. Jansen, Mayor


Jennifer Lipson, City Clerk

Sponsor: Thompson
First Reading: July 19, 2023
Second Reading: July 26, 2023
Ayes: 5
Nays: 0
Abstentions: 0
Absent: 1
Published: July 31, 2023