

SUMMARY OF ORDINANCE 2024.7

Comes the undersigned, John Hackley, an attorney practicing in the Commonwealth of Kentucky, and hereby certifies the following as his summary of the Ordinance referenced, above, pursuant to KRS 83A.060(4) and (9).

AN ORDINANCE AMENDING CITY ORDINANCES IN COMPLIANCE WITH 2016 KENTUCKY HOUSE BILL 422 TO INCLUDE REVISIONS RELATED TO CODE ENFORCEMENT, NUISANCES, AND ESTABLISHING A LIENHOLDER NOTIFICATION SYSTEM.

The Ordinance creates an administrative board with authority to issue remedial orders and impose fines to eliminate nuisances, and ensure compliance with ordinances within the city. It initially defines public nuisances in nine categories, including criminal activity, graffiti, environmental nuisances, garbage, dilapidated housing, excessive emergency calls, drug overdoses, nuisances of common law and statutory origin and nuisances created by others.

The Ordinance allows the Code Enforcement Officer to order an owner to demolish structures, after notice and hearing, or when imminent dangers exists, to take immediate action to remedy the danger. The parameters of a hearing before the Code Enforcement Board are described by the ordinance, describing notice, evidentiary standards and orders entered by the Code Enforcement Board. Civil fines of \$250.00 to \$1,000.00 may be imposed through the ordinance.

The Ordinance establishes a three person enforcement board, and regarding said board, defines the board's enforcement powers, method of appointment, terms of office, removal, oath, training, alternate membership, vacancies, and establishes that the board shall elect a chair, meet on the second and fourth Mondays at 6:30 p.m. at the Junction City, City Hall, be paid \$50.00 per month, take and retain minutes, have open meetings, and generally defines the powers and duties of the board.

The Ordinance establishes enforcement proceedings, describes the process of issuance of citations, and addresses the parameters of said citations, and the procedures for their enforcement by the board, civil fines that can be accessed, rules of proper hearings on the citations, and the appellate process after the board has acted. Appeals of board orders and findings may be taken before the Boyle District Court within 30 days of their creation.

A detailed description of liens and fines and charges is provided, with ant said liens to be effective for ten years, with said liens taking precedence over all other liens, except state, county, school board, and city taxes, which may be enforced by foreclosure actions.

The ordinance establishes a lienholder notification system, allowing those interested to register with the city to receive electronic notification of finals orders and liens.

The ordinance establishes the rights of other lienholders to correct violations and pay civil fines and costs, and defines the timing of lien filing and release.

FIRST READING: 9/11/24

SECOND READING: 9/13/24

FURTHER, the undersigned certifies this Ordinance Summary, for reading and publication, this the 12th day of September, 2024.

JOHN HACKLEY
JUNCTION CITY, CITY ATTORNEY