

**ORDINANCE NO. 19-17**

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY AMENDING §94.03 OF THE CITY OF RICHMOND, KENTUCKY CODE OF ORDINANCES**

**WHEREAS**, Chapter 94 of the City’s Code of Ordinances is the chapter of the City’s code of ordinances which pertains to the existence of various nuisances within the City; and

**WHEREAS**, §94.03 of that Chapter sets out items to be included in any notice of a nuisance to be given to a property owner; and

**WHEREAS**, the Board finds it to be in the public interest that this section be amended in the following particulars in an effort to minimize the amount of time which a given nuisance continues to exist and to encourage the property owner to abate the nuisance as speedily as possible;

**NOW, THEREFORE, BE IT ORDAINED** that:

**SECTION I**

§94.03 (B) is amended to read as follows:

“(B) The notice shall:

- (1) Specifically describe the nuisance and the property upon which it is located;
- (2) ~~Direct that the nuisance shall be abated within such reasonable time, but not less than ten days, as the Codes Enforcement Officer shall determine and set forth in the notice;~~ State the amount of the fine assessed for the existence of the nuisance;
- (3) ~~State that unless the nuisance is so abated or removed the city will cause it to be abated or removed and that the cost of abatement incurred by the city will be charged to the owner;~~ State that if the nuisance is abated within such reasonable time as is set forth in the notice, the assessed fine shall be waived; provided, however, that it shall be the obligation of the owner, if the owner desires that the fine be waived, to present to the Codes Enforcement office in Richmond City Hall, and within five days after the expiration of the abatement time set forth in the notice, satisfactory proof that the nuisance was abated within the specified time;
- (4) ~~State the amount of the fine to be assessed if the nuisance is not abated within the time allowed for abatement;~~ State that if the nuisance is not abated by the owner, the City will effect abatement, the costs of which will be charged to the owner and, if the city’s abatement costs and/or the assessed fine are not timely paid by the owner, both the unpaid assessed fine and/or the unpaid City’s abatement costs will be placed on the tax bill pertaining to the property.

~~(5) State that the abatement costs and any assessed fine will constitute a lien against the property in question if not timely paid and will be placed on the tax bill pertaining to the property."~~

**SECTION II**

Except as amended as set forth above in Section I, the existing ordinance shall remain in full force and effect in accordance with its original tenor.

**SECTION III**

This Ordinance shall be in full force and effect immediately upon its enactment following second reading, and publication in accordance with the requirements of applicable Kentucky law.

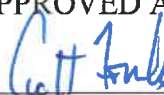
**DATE OF FIRST READING:** August 27, 2019  
**MOTION BY:** Commissioner Brewer  
**SECONDED BY:** Commissioner McDaniel

**DATE OF SECOND READING:** September 10, 2019  
**MOTION BY:** Commissioner Morgan  
**SECONDED BY:** Commissioner McDaniel

| <b>VOTE</b>           | <b>YES</b> | <b>NO</b> |
|-----------------------|------------|-----------|
| Commissioner Brewer   | x          |           |
| Commissioner Grant    | x          |           |
| Commissioner McDaniel | x          |           |
| Commissioner Morgan   | x          |           |
| Mayor Blythe          | x          |           |

  
Mayor Blythe

ATTEST:   
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
City Attorney