

ORDINANCE NO. 1994-16

**AN ORDINANCE RELATING TO THE ABATEMENT OF
PUBLIC NUISANCES, HEALTH HAZARDS, SAFETY THREATS
AND PERMITTING STRUCTURES TO BECOME DILAPIDATED**

WHEREAS, the City of Oak Grove desires to enhance the esthetics value of property within the City through the elimination of health and safety hazards to the community by setting minimum standards for property within the City; and

WHEREAS, City Council has determined that dilapidated structures, overgrown properties and litter constitute a public health and safety hazards to the citizens of Oak Grove; and

WHEREAS, this ordinance is enacted pursuant to the authority of KRS 381.770 and other applicable law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OAK GROVE, KENTUCKY, as follows:

SUMMARY

SECTION ONE

Establishes the definitions of five (5) terms as used in this ordinance.

SECTION TWO

Establishes the standards for maintenance of property within the City of Oak Grove relating to safety and health of the citizens and declaring property not maintained correctly to be a public nuisance.

SECTION THREE

Establishes four (4) prohibited conditions for property relating to fitness for human habitation, safety and health of the occupants of the structure, neighboring structures or other City residents. Also prohibits interfering with officers of the City investigating possible violations

SECTION FOUR

Establishes enforcement procedures including creating the position of enforcement officer and the authority of the enforcement officer; creation of a Hearing Panel; the procedure for declaring dilapidated properties a nuisance; notice of violation procedures; periods to cure violations; hearing procedures; abatement of violations by the City; liens against property; and owner's liability.

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SECTION FIVE

Establishes penalties, including fines of not less than \$50.00 nor more than \$250.00 for each offense and establishing civil penalties of not less than \$100.00 nor more than \$500.00 for any person convicted of a second offense in a five (5) year period. This section also authorizes the City to seek other legal remedies available within the law.

SECTION SIX

Should any provision, section, paragraph, sentence, or any other portion of this ordinance be unconstitutional, invalid, or otherwise unenforceable, such determination shall not impair or affect any other portion of this ordinance, it being the legislative intent to ordain and enact each part of this ordinance independently of all other parts and in accordance with the laws of the Commonwealth of Kentucky.

SECTION SEVEN

This ordinance shall take effect upon passage and publication.

Approved on First Reading this 19 day of July, 1994.

Approved on Second Reading this 16 day of Aug., 1994.

ATTEST: BARBARA A. JOHNSON, CITY CLERK

APPROVED: BOBBY G. MACE, MAYOR

PUBLISHED: In full in the Kentucky New Era, the 19th day of August, 1994.

A copy of the full text of said Ordinance is available for public inspection during the hours between 9:00 a.m. and 4:00 p.m. Monday through Friday.

Barbara A. Johnson, City Clerk

I, John J. Chewning, hereby certify that I am an Attorney licensed to practice law in the Commonwealth of Kentucky, with offices located at 603 South Main Street, P.O. Box 573, Hopkinsville, Kentucky 42241, that I prepared the foregoing Public Nuisance and Dilapidate housing Ordinance of the City of Oak Grove, Kentucky, and that I certify the foregoing Summary to be a true and accurate summary of the contents of said Ordinance.



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