

Text Recommended by the Planning Commission on July 25, 2013

ZOTA 2013-7: ABATEMENT OF ZONING ORDINANCE VIOLATIONS

ZONING ORDINANCE

(Note: Underlined text below indicates an addition, and ~~stricken-through~~ text indicated a deletion to the current Zoning Ordinance.)

ARTICLE 5: ADMINISTRATION, ENFORCEMENT AND VIOLATIONS

Article 5-9(d) ABATEMENT – When there is reason to believe that the violation poses a serious threat to the public health, safety or welfare; or in situations where damage resulting from continuation of the violation would be irreparable or irreversible; or if the violation represents a continuing public nuisance, the government may, without further notice, proceed to abate the conditions. In the case of a continuing public nuisance, abatement involving the removal of structures or materials shall only take place after a civil citation has been issued and has not been appealed to the Infrastructure Hearing Board, or after an appealed civil citation has been upheld by the Infrastructure Hearing Board. ~~In such cases,~~ The government may, in addition to any fine imposed herein, charge the responsible person, persons or entities with the cost of abatement, including equipment expense, disposal fee, if any, and an administrative fee of seventy-five dollars (\$75.00). The Urban County Government may file a lien for such abatement, in accordance with section 16-81 of the Code of Ordinances and KRS 65.8835. Citations, if issued, shall not preclude the government from abating the conditions and billing the responsible person, persons or entities for the cost of abatement.