



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Details (With Text)

File #:	0654-24	Version:	1	Name:	Summary: Environmental Quality and Public Works Committee, April 30, 2024
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File created:	6/13/2024	In control:			Urban County Council
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Enactment date:	7/2/2024	Enactment #:			O-067-2024

Title: An Ordinance amending Section 16-203 of the Lexington-Fayette Urban County Code of Ordinances to update div. titles and remove the penalty reduction for failing to contest citations, effective upon passage of Council. [Council Office, Hall]

Sponsors:

Indexes:

Code sections:

Attachments: 1. eqpw_2024-04-30, 2. Chapter 16 ordinance changes 04.24.pdf, 3. 17B ordinance amendment 04.24.pdf, 4. ORD 0654-24 Chapter 16 ordinance changes 4895-3285-2385 v.2.pdf

Date	Ver.	Action By	Action	Result
7/2/2024	1	Urban County Council		
6/27/2024	1	Urban County Council	Received First Reading	
6/18/2024	1	Urban County Council Work Session	Approved and Referred to Docket	Pass

An Ordinance amending Section 16-203 of the Lexington-Fayette Urban County Code of Ordinances to update div. titles and remove the penalty reduction for failing to contest citations, effective upon passage of Council. [Council Office, Hall]

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Section 16-203 of the Lexington-Fayette Urban County Code of Ordinances be and hereby is amended to read as follows:

Sec. 16-203. - Civil fines.

(a) Any person who violates any provisions of Article II, V, or X of Chapter 16, or who fails to perform any duties imposed by these Articles, or who violates any determination, permit, administrative regulation, or order of the Div. of Environmental Services issued pursuant thereto shall be liable for a civil fine for the civil offense and in addition, Maybe concurrently enjoined from any violations as provided in Sections 16-209.

(b) The compliance history of the violator, the degree of environmental harm caused by the violation, and whether the violation demonstrates a willful and knowing disregard for

the environment or the requirements of Chapter 16 shall be considered in determining the amount of the civil fine. The Div. of Environmental Services May consider a reduction in the assessed civil penalty amount considering the violator's good faith efforts to correct the violation as stipulated in the citation.

(c) The maximum civil fine that May be imposed for a violation of Chapter 16 is fifteen thousand dollars (\$15,000.00) and each day on which any such violation shall continue shall be deemed a separate offense.

(d) The amount of the maximum civil fine for each violation, not to exceed fifteen thousand dollars (\$15,000.00), shall be specified in a civil citation issued pursuant to Section 16-202(b).

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

0654-24:EPT:4895-3285-2385, v. 2