



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Text

File #: 0654-24, **Version:** 1

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