

**CITY OF WALTON, KENTUCKY  
ORDINANCE NO. 2018-05**

**AN ORDINANCE OF THE CITY OF WALTON, KENTUCKY, AMENDING SECTION 34.65 OF THE CITY OF WALTON CODE OF ORDINANCES, IN ORDER TO PROVIDE FOR A NON-LAW ENFORCEMENT CITATION OFFICER TO SERVE AS CODE ENFORCEMENT OFFICER TO ENFORCE VIOLATIONS OF THE CITY'S ORDINANCES WHICH ARE SUBJECT TO THE CITY'S CODE ENFORCEMENT ORDINANCES PROCEDURES.**

WHEREAS, the City Council of the City of Walton, Kentucky, has previously adopted Code Enforcement Ordinances, codified as Sections 34.40 thru 34.77 of the City of Walton Code of Ordinances, and now has determined that there is a need to provide for a Citation Officer to enforce violations of the City's Ordinances which are subject to the procedures set forth in the Code Enforcement Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY AS FOLLOWS:

**SECTION ONE**

Section 34.65 of the City of Walton Code of Ordinances is hereby amended as follows:

§ 34.65 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ABATEMENT COSTS.** A city's necessary and reasonable costs for and associated with clearing, preventing unauthorized entry to, or demolishing all or a portion of a structure or premises, or taking any other action with regard to a structure or premises necessary to remedy a violation and to maintain and preserve the public health, safety and welfare in accordance with any city ordinance.

**AGREEMENT.** The Interlocal Agreement Creating the Union/Walton Joint Code Enforcement Board, approved by the Kentucky Department for Local Government on September 25, 2017.

**CHAIR.** A member of the Joint Code Enforcement Board annually elected from among its members to preside over meetings of the Joint Board.

**CITATION.** A citation that conforms to the requirements set forth in KRS 65.8825.

**CITATION OFFICER. An employee or independent contractor who is appointed by the Mayor to serve as Code Enforcement Officer to investigate violations of the City's Ordinances, serve Citations and Notices of Violation of Ordinances, and in other ways enforce the City's**

**Ordinances. A Citation Officer is not required to be a public law enforcement officer; but shall possess experience, education and training in codes administration, inspection and enforcement. Compensation for services of the Citation Officer shall be as provided by separate ordinance of the city, by separate contract, or as appropriated in the annual budget of the City.**

CODE ENFORCEMENT OFFICER. A city police officer, county police officer, safety officer, citation officer, sheriff; deputy sheriff, university police officer, airport police officer, or any other public law enforcement officer with the authority to issue a citation.

FINAL ORDER. Any order:

(1) Issued by the Joint Code Enforcement Board following a hearing in accordance with § 34.72(G) of this subchapter;

(2) Created because a violator neither paid nor contested the citation within seven (7) days as provided in § 34.71(F) of this subchapter; or

(3) Created because a violator failed to appear at a hearing the violator requested to contest the citation as provided in § 34.72(C) of this subchapter.

IMMINENT DANGER. A condition which is likely to cause serious or life-threatening injury or death at any time.

JOINT CODE ENFORCEMENT BOARD or JOINT BOARD. An administrative body created and acting under the authority of the Local Government Code Enforcement Board Act, KRS 65.8801 to KRS 65.8840.

NOTICE OF VIOLATION. A written notice of a violation of a city ordinance that describes the violation and sets forth a specific period of time in which the violator may remedy the violation without incurring a fine.

ORDINANCE. An official action of a party, which is a regulation of a general and permanent nature and enforceable as a local law and shall include any provision of a code of ordinances adopted by the city legislative body which embodies all or part of an ordinance.

OWNER. A person, association, corporation, partnership or other legal entity having a legal or equitable title in real property.

PARTY or PARTIES. The City of Walton, Kentucky and the City of Union, Kentucky, and other local governments who may subsequently choose to join the Joint Code Enforcement Board.

PREMISES. A lot, plot or parcel of land, including any structures upon it.

## **SECTION TWO**

This Ordinance shall take effect and shall be in full force after its enactment and publication as required by law.

**SECTION THREE**

All ordinances or parts of any ordinances in conflict herewith, to the extent of the conflict, if any, are hereby repealed.

**SECTION FOUR**

If any sentence, clause, section or part of this ordinance or the application thereof to any particular situation is, for any reason, found to be unconstitutional, illegal or invalid, the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

**SECTION FIVE**

This ordinance may be read and published in summary form.

PASSED AND APPROVED ON FIRST READING BY 6 OF 6 MEMBERS OF CITY COUNCIL ON THE 8<sup>th</sup> DAY OF MAY, 2018.

PASSED AND APPROVED ON SECOND READING BY 5 OF 5 MEMBERS OF CITY COUNCIL ON THE 12<sup>TH</sup> DAY OF JUNE, 2018.

APPROVED:

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GABE BROWN, MAYOR

ATTEST:

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SHARON STEVENSON, CITY CLERK

DATE OF PUBLICATION: June 21, 2018