

**CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2018-04**

AN ORDINANCE OF THE CITY OF WALTON, KENTUCKY, AMENDING THE CITY OF WALTON CODE OF ORDINANCES, IN ORDER TO CLASSIFY VIOLATIONS OF THE CITY'S ZONING ORDINANCES AS CIVIL OFFENSES WITH CIVIL FINES, THEREBY SUBJECTING SUCH VIOLATIONS 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

WHEREAS, by virtue of Section 155.01 of the Walton Code of Ordinances, the City has adopted the Boone County Zoning Regulations as the City's Zoning Regulations by reference; and

WHEREAS, pursuant to Section 440 of the Boone County Zoning Regulations, the Walton City Council has determined that there is a need to classify violations of the City's Zoning Regulations as civil offenses with civil fines, and to subject such violations 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 155.01 of the City of Walton Code of Ordinances is hereby amended as follows:

§ 155.01 ADOPTION OF BOONE COUNTY ZONING REGULATIONS.

The Boone County zoning regulations are hereby adopted by reference and made a part of this code as if set forth in full herein.

- A. Any violation of a provision contained in the City's zoning regulations is hereby classified as a civil offense, pursuant to KRS 65.8808 and §§ 34.40 thru 34.77 of this Code of Ordinances, and Section 440 of the zoning regulations; and such classification is intended, and shall be construed, to provide an additional or supplemental means of obtaining compliance with these provisions, and nothing contained herein shall prohibit the enforcement of these provisions by any other means authorized by law.
- B. Civil Fines for violations of the zoning regulations shall be as set forth in §§ 34.51 and 34.74 of this Code of Ordinances and amendments thereto.
- C. Each abovementioned provision of the City's zoning regulations violated shall be considered a separate fineable offense. If two (2) or more provisions of the City's zoning regulations are violated, the fines shall be cumulative and may be enforced

under the same Citation. Each day a violation exists shall be considered a separate offense without issuance of a separate Citation.

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 8th DAY OF MAY, 2018.

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

APPROVED:

GABE BROWN, MAYOR

ATTEST:

SHARON STEVENSON, CITY CLERK

DATE OF PUBLICATION: June 21, 2018