

ORDINANCE NO. 16-04

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY AMENDING
ORDINANCE NO. 4-11 RELATING TO THE ORDINANCE ENFORCEMENT BOARD**

WHEREAS, the Board of Commissioners for the City of Richmond wishes to amend the City ordinance which created the Richmond Ordinance Enforcement Board to adjust the compensation to be paid to Board members and to include within its authority the ability to address and adjudicate issues concerning unsafe, dilapidated, and uninhabitable structures within the City;

NOW, THEREFORE, BE IT ORDAINED that:

SECTION I

Throughout the entire Ordinance No. 04-11, the term “Ordinance Enforcement Board” shall be amended to read “Codes Enforcement Board.”

SECTION II

Section 2 of Ordinance No. 04-11 is hereby amended to read as follows:

“There is hereby created the ~~Ordinance~~ Codes Enforcement Board for the City of Richmond, Kentucky, pursuant to KRS 65.8801 *et seq.* The ~~Ordinance~~ Codes Enforcement Board shall consist of five members, appointed by the Mayor, subject to approval of the City Commission. At least two of the five members shall be professionally qualified as defined in Section 1 and the remaining members may be citizen members. Each member shall also have the qualifications specified in KRS 65.8811. The Mayor may, pursuant to KRS 65.8818, appoint 2 alternate members to serve on the ~~Ordinance~~ Codes Enforcement Board in the absence of regular members.”

SECTION III

Section 5 of Ordinance No. 04-11 is hereby amended to read as follows:

“Section 5. Duties and Authority of ~~Ordinance~~ Codes Enforcement Board; Administration.

The ~~Ordinance~~ Codes Enforcement Board shall:

(c) Hear and decide cases arising under Section 110 of the International Property Maintenance Code (the “IPMC”) relating to the demolition or repair of structures so deteriorated or dilapidated or so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy within the meaning of Section 110.1 of the IPMC. The issues before the Board shall be (i) whether the condition of the structure in question is as is set forth in

the said Section 110.1 of the IPMC and, if so, (ii) whether it is reasonable to repair the structure or whether the structure should be demolished. The City's Office of Codes Enforcement shall issue such notice to the property owner regarding the structure as is mandated by the IPMC, and should the time within which either repair or demolition of the structure by the owner elapse without abatement, the Office of Codes Enforcement shall schedule a hearing in front of the Board and provide to the property owner notice, in the fashion set forth in the IPMC, of the date, time, and location of the scheduled hearing. An appeal from the final decision of the Board shall be taken as is provided in Section 6 (c) hereof.

(e) (d) All enforcement proceedings shall proceed pursuant to the provisions of KRS 65.8801 – 8838. Review of enforcement proceedings shall be as specified in KRS 65.8831. All appeals to the ~~Ordinance~~ Codes Enforcement Board shall proceed pursuant to Section 5.

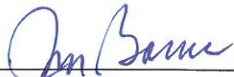
(d) (e) The City Clerk shall be the records custodian and ~~administrator~~ secretary of all enforcement proceedings of the ~~Ordinance~~ Codes Enforcement Board.”

SECTION IV

This Ordinance shall be effective immediately following its enactment after second reading, and publication in accordance with the requirements of applicable Kentucky law.

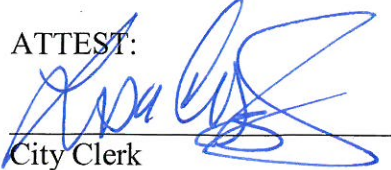
DATE OF FIRST READING:	January 26, 2016
MOTION BY:	Commissioner Morgan
SECONDED BY:	Commissioner Blythe
VOTE	YES NO
Commissioner Baird	x
Commissioner Blythe	x
Commissioner Morgan	x
Commissioner Newby	absent
Mayor Barnes	x

DATE OF SECOND READING:	February 9, 2016
MOTION BY:	Commissioner Blythe
SECONDED BY:	Commissioner Morgan
VOTE	YES NO
Commissioner Baird	absent
Commissioner Blythe	x
Commissioner Morgan	x
Commissioner Newby	x
Mayor Barnes	x



 Mayor Barnes

ATTEST:



City Clerk