

ORDINANCE NO. 9, 2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS,  
KENTUCKY AMENDING SECTION 91.12(B)(1) OF THE CODE OF ORDINANCES  
REGARDING PUBLIC NUISANCES

BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY, as follows:

SECTION I

That Section 91.12(B)(1) of the Code of Ordinances shall be and is hereby amended to read, as follows:

SECTION 91.12 NUISANCES DESCRIBED AND PROHIBITED

(B) Public nuisances include, but are not limited to:

(1) Any unreasonable or unlawful condition or use of or upon any lot or parcel of real estate in the city or any structure thereon that is detrimental to the value, use or enjoyment of the property of other in the vicinity of that lot or parcel of real estate, for which, after inspection, a citation may issue, including, without limitation:

SECTION II

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, be published and effective upon publication.

Passed: 1<sup>st</sup> Reading: August 9, 2021

Passed: 2<sup>nd</sup> Reading:

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KATHY ZEMBRODT  
Mayor

ATTEST:

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JULIE ALIG, City Clerk

ORDINANCE NO. 10, 2021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS,  
KENTUCKY CREATING SECTION 96 OF THE CODE OF ORDINANCES  
REGARDING AND TO BE TITLED NOISE CONTROL

BE IT ORDAINED BY THE CITY OF PARK, HILLS, KENTUCKY, as follows;

SECTION I

That there is hereby created Section 96 of the official Code of Ordinances of the City of Park Hills, Kentucky to read as follows:

SECTION 96 NOISE CONTROL

96.1 DEFINITIONS

LOUD, UNREASONABLE OR EXCESSIVE NOISE. Noise measured in excess of 85 dBa (decibels), as measured within one hundred (100) feet of the source of the noise, either being projected outside of any building or structure or out-of-doors.

PERSON. Any individual, corporation (for profit or non-profit), limited liability company, partnership, joint venture or any other business entity, charitable or social association.

SOUND AMPLIFICATION DEVICE. Any instrumentality, device or apparatus for the amplification of sounds from any radio, television, stereo, phonograph, record player, tape player, cassette player, compact disc player or other electronic device; any band, musical group or orchestration; any drum, synthesizer or musical instrument(s); or, any car alarm. Sound amplification shall also mean any other sound making or sound producing device or attachment, including any apparatus for the amplification of the human voice.

96.2 GENERAL PROHIBITION

No person shall make or cause to make any loud, unreasonable or excessive noise in the city, by whatever means or from whatever source such may emanate, such constituting a disturbance of the peace.

96.3 RESIDENTIAL IMPACT

It shall be unlawful to carry out the following activities within the City between the hours of 11 p.m. and 10 a.m. on weekdays; 11 p.m. on Friday and 10 a.m. on Saturday; and, 10 p.m. on Sunday and 7 a.m. on Monday, all current local time.

- a. Operate refuse collection machinery or loaders, unless otherwise set forth in any refuse collection contract with the City.
- b. Operate construction machinery for the erection, demolition, excavation, alteration or repair of any building, structure, roadway or parking lot unless otherwise permitted by the City, excepting public utility repairs during emergencies.
- c. Operate industrial machinery.

- d. Operate lawn mowers and other gardening or domestic related tools or machinery, out-of-doors.
- e. The ignition of fireworks or any explosive device.

#### 96.4 AMPLIFIED SOUND

It shall be unlawful to operate at anytime any sound amplification device or similar equipment, including musical instruments, so as to create noise which is plainly audible at a distance of one hundred (100) feet from the source by a person of normal hearing.

#### 96.5 AUTOMOBILE SAFETY DEVICES

The use of any device whose purpose is to protect an owner's motorized vehicle through the mechanical creation of a warning or alert noise of sufficient magnitude to be plainly audible at a distance of one hundred (100) feet from its source which does not automatically terminate within five (5) minutes of its activation, shall be unlawful.

#### 96.6 MOTOR VEHICLES

It shall be unlawful for any person to operate a motor vehicle in the city which has its muffler or exhaust equipment removed, altered or maintained in such a condition as to create loud, unreasonable or excessive noise which is disturbing to the neighborhood. It shall also be unlawful to spin tires, race engine or undertake jackrabbbit starts which would create loud, unreasonable or excessive noise.

#### 96.7 AMPLIFICATION DEVICES IN MOTOR VEHICLES

It shall be unlawful for any person to operate a sound amplification device or similar equipment which causes loud, unreasonable or excessive noise in or on a motor vehicle while it is either moving or standing within any public rights-of-way of the City.

#### 96.8 AMPLIFICATION DEVICES IN PUBLIC PLACES

It shall be unlawful for any person to operate a sound amplification device or similar equipment which may cause loud, unreasonable or excessive noise on a public rights-of-way or upon or within any public place within the city.

#### 96.9 ANIMALS

It shall be unlawful for any person to own, keep, possess or harbor any dog or other animal or bird which, by frequent or habitual howling, yelping or barking causes loud, unreasonable or excessive noise which produces an annoying disturbance to any person or neighborhood.

#### 96.10 USE OF SOUND LEVEL METERS

Any properly calibrated sound level meter or device complying with the provisions of the American National Standards Institute's specifications for sound level meters may be utilized to determine and verify the sound level in decibels for the purposes set forth herein.

#### 96.11 EXEMPTIONS

The following are exempted from the provisions hereof and shall not constitute loud, or excessive noise:

- a. Noise from law enforcement vehicles.
- b. Noise from fire and emergency vehicles.
- c. Noise made where such person has received and maintains a valid permit from the city.

#### 96.12 PERMIT REQUIREMENT

In the event any person desires to utilize any sound amplification device for additional amplification (by way of example, but not limited to, concerts, parades, etc.) or to operate such devices within the restricted hours of operation, such person shall be required to first obtain a permit issued by the city permitting the same to occur. Applications for such permit shall be made on a form provided by the city and submitted to, reviewed and approved by the city Police Department or Mayor and shall set forth the time duration, location, manner, conditions and additional sound level restrictions on the use of any sound amplification device so granted or approved in addition to the payment of any requisite fee, if assessed.

#### 96.13 ENFORCEMENT

The provisions hereof may be enforced by any police officer or code enforcement officer employed or contracted to enforce the same on behalf of the city.

#### 96.14 PENALTY

First Reading: August 9, 2021

Second Reading:

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MAYOR, KATHY ZEMBRODT

ATTEST:

\_\_\_\_\_  
CITY CLERK

**ORDINANCE NO. 11, 2021**

**AN ORDINANCE OF THE CITY OF PARK HILLS, IN KENTON COUNTY, KENTUCKY, IMPOSING TAXES FOR THE CALENDAR YEAR 2021, AND PROVIDING FOR THE PAYMENT AND COLLECTION OF SUCH TAXES, AND THE PENALTIES AND INTEREST THEREON FOR FAILURE TO PAY SAME**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY, AS FOLLOWS:**

**SECTION I**

The City of Park Hills hereby provides for the assessment of all real and personal property for calendar year 2021. The City elects to use the County assessment prepared by the Kenton County Property Valuation Administrator.

**SECTION II**

The following ad valorem taxes for the calendar year 2021 are hereby levied, assessed and imposed by and for the City of Park Hills, upon the following described property and the owners thereof, jointly and severally:

- A. An ad valorem tax on real property at the rate of \$.209 Dollars for each One Hundred Dollars (\$100.00) of the value thereof, as assessed pursuant to the provisions hereof. The foregoing rate, however, shall not apply to real property determined to be an Abandoned Urban Property under Ordinance No. 6, 2004. Abandoned Urban Properties shall be taxed \$.75 Dollars for each One Hundred Dollars (\$100.00) of the value thereof, as assessed pursuant to the provisions hereof.
- B. An ad valorem tax on all motor vehicles assessed as of January 1, 2021, is hereby fixed at .334 Dollars for each One Hundred Dollars (\$100.00) of the value thereof.
- C. An ad valorem tax on all corporate franchises and personal property other than motor vehicles at the rate of \$.731 Dollars for each One Hundred Dollars (\$100.00) of the value thereof, as assessed pursuant to the provisions hereof. Corporate franchises shall be assessed and returned according to Kentucky law.
- D. A road tax on all real property at the rate of \$.155 Dollars for each One Hundred Dollars (\$100.00) of the value thereof, as assessed pursuant to the provisions hereof.

**SECTION III**

The procedures set forth in Sections 33.010, 33.011, and 33.012 of the Park Hills Code of Ordinance shall govern the collection of the ad valorem taxes levied pursuant to this Ordinance.

#### **SECTION IV**

The tax as provided herein, shall be payable to the City Clerk/Treasurer between the dates of September 1, 2021 and September 30, 2021.

The City has a lien upon the property assessed under the terms of this chapter for the taxes levied upon that property, and for all penalties, interest, fees, commissions, charges, and other expenses, including court costs and attorney's fees as an additional penalty under KRS §90A.070(2), incurred by reason of delinquency in payment of the tax bill or in the process of collecting it. The lien has priority over all other obligations or liabilities for which the property is liable.

#### **SECTION V**

Any and all persons, corporations, companies or other legal entities failing to pay said taxes during the period set forth above, shall be assessed a penalty on the amount of the taxes in an amount equal to ten percent (10%) between October 1 and October 31, 2021; and an amount equal to twenty-five percent (25%) after October 31, 2021, together with interest at the rate of twelve percent (12%) *per annum* from due date, and the costs of collection including reasonable attorney fees, court costs and related expenses.

#### **SECTION VI**

Any and all ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

#### **SECTION VII**

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

#### **SECTION VIII**

That this ordinance shall become effective upon its passage and shall be published under KRS §83A.060(9) and other applicable law. The ordinance may be published by summary.

CITY OF PARK HILLS, KENTUCKY

By: \_\_\_\_\_  
Kathy Zembrodt, Mayor

ATTEST:

\_\_\_\_\_  
Julie Alig, City Clerk

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

PUBLICATION: \_\_\_\_\_