

ORDINANCE NO. 10, 2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY REPEALING AND REPLACING ORDINANCE NO. 6-2004 WITH AN UPDATED VERSION FOR CODIFICATION REGARDING ABANDONED URBAN PROPERTY

WHEREAS, the City is desirous of undertaking measures with regard to "Abandoned Urban Property" within the City; and,

WHEREAS, changes requiring updating to the existing Ordinance is necessary to put the parameters into effect; and,

WHEREAS, the old (or existing) Ordinance, No. 6-2004 cannot be located within the Code of Ordinances and a new and updated version needs to be made a part thereof,

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

SECTION I

That Ordinance No. 6-2004 shall be and is hereby repealed, in full, and replaced, as follows.

SECTION II

1. The provisions of KRS 132.012 are hereby adopted with regard hereto.
2. "Abandoned Urban Property" shall be established as a separate classification of real property within the City for the purposes of ad valorem taxation. As used herein, "Abandoned Urban Property" means any vacant structure or vacant or unimproved lot or parcel of ground located within the boundaries of the City which has been vacant or unimproved for a period of at least one (1) year and which:
  - (a) because it is dilapidated, unsanitary, unsafe, vermin infested, or otherwise dangerous to the safety of persons, it is unfit for its intended use;
  - (b) by reason of neglect or lack of maintenance has become a place for the accumulation of trash and debris, or has become infested with rodents or other vermin;
  - (c) has been tax delinquent for a period of at least three (3) years;
  - (d) has had a methamphetamine contamination notice posted as provided in KRS 224.1-410 for a period of at least ninety (90) days, and the owner has neither appealed the notice nor provided a certificate of decontamination during the ninety (90) days; or,
  - (e) is located within a development area established under KRS 65.7049, 65.7051, and 65.7053.

3. The rate of ad valorem taxation levied upon Abandoned Urban Property, based upon the City's population, shall be the permissible maximum amount of \$.75 per \$100.00 of assessed value as established by virtue of the provisions of Kentucky Constitution Section 157.
4. The Mayor shall determine each year which properties located within the City are to be classified as Abandoned Urban Property and shall prepare and furnish a list thereof to the City Clerk and the Kenton County Property Valuation Administrator prior to January 1<sup>st</sup> of each year.
5. Except as otherwise provided in Subsection 6 hereof, a property classified as Abandoned Urban Property as of January 1<sup>st</sup> shall be taxed as Abandoned Urban Property for such tax year. If the owner undertakes to repair, rehabilitate or otherwise returns the property to productive and legal use, rids the property of any rodents or vermin and is current with any delinquent tax obligations so that the property is no longer to be considered as Abandoned Urban Property, the owner shall notify the City, through the City Clerk, which shall, if the City finds the property is no longer Abandoned Urban Property as defined, notify Public Works and the Kenton County Property Valuation Administrator to remove the property from the list of Abandoned Urban Properties as of the succeeding January 1<sup>st</sup>.
6. No later than February 1<sup>st</sup> of each year the City Clerk shall mail the owner of each Abandoned Urban Property by first class mail to the last known address of record with the Kenton County Property Valuation Administrator, a Notice that the property has been classified as Abandoned Urban Property. The owner of any such classified Abandoned Urban Property who believes that the property has been incorrectly classified as such may appeal the classification by sending a written request for appeal, as shall be set forth in the Notice letter to the City Clerk, no later than April 1<sup>st</sup> of such year stating the grounds therefore. The Mayor shall appoint a representative for the City to review such appeals who shall afford the property owner the opportunity for a hearing at a time and place to be determined with notice to be provided thereof. If such shall find the property was incorrectly classified as Abandoned Urban Property, it shall cause the property to be removed from the list of properties so classified otherwise the classification shall remain. Any adverse determination shall be appealed by the owner to the Kenton Circuit Court within thirty (30) days thereof in the manner provided for by law.

### SECTION III

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

1<sup>st</sup> Reading: October 13, 2024

2<sup>nd</sup> Reading: December 9, 2024

PASSED: December 9, 2024

  
KATHY ZEMBRODT, MAYOR

ATTEST:

  
JULIE ALIG, CITY CLERK