

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 19-12**

**AN ORDINANCE RELATING TO THE PROPERTY MAINTENANCE CODE
WITHIN MADISON COUNTY, KENTUCKY
REPEALING ORDINANCE 07-03**

WHEREAS, the Madison County Fiscal Court wants the Property Maintenance Code to reflect the most current International Property Maintenance Code Standards;

WHEREAS, the unique balance between the development community and agriculture shall be respected and considered,

WHEREAS, there exists in areas of the unincorporated areas of Madison County, Kentucky, properties where the public health, safety and welfare are compromised by property owner's failing to properly maintain property; and

WHEREAS, the need to ensure our ordinances are current and accurate,

NOW, THEREFORE, BE ORDAINED by the Fiscal Court of the County of Madison, Commonwealth of Kentucky, as follows:

SECTION 1

The 2018 Edition of the International Property Maintenance Code as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of Madison County, in the Commonwealth of Kentucky, for the control of buildings, structures, and land as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

SECTION 2

The following sections are hereby revised:

Section 2.1-Add additional regulation to Section 102 of the Code titled Section 102.11 to exclude buildings and lands used solely for agricultural purposes on working farms 10-acres or more.

Section 2.2-Adding regulations to Section 104 of the Code titled 104.1 requiring complainants to file complaints in writing. All written complaints shall be signed by the complainant, stating their address as well as the address of the subject property. It will also state how the subject property is negatively affecting the complainant. Additionally,

the Code Enforcement Officer, at his or her sole discretion, may initiate investigations of properties where no complaint has been filed, but where the public's best interest would be served by enforcement action.

Section 2.3-Delete Section 103.5 of the International Property Maintenance Code Standards as Madison County does not charge fees for enforcement of this code.

Section 2.4-Delete Section 112.4 of the International Property Maintenance Code Standards

Section 2.5-Section 302.4 of the International Property Maintenance Code Standards shall have the following height of grass and weeds inserted as is recommended by the Code to a height not to exceed 8 inches.

Section 2.6-Section 304.14 of the International Property Maintenance Code Standards shall have the following dates inserted as is recommended by the Code of May 1 to October 1.

Section 2.7-Section 602.3 of the International Property Maintenance Code Standards shall have the following dates inserted as is recommended by the Code of January 1 to December 31.

Section 2.8-Section 602.4 of the International Property Maintenance Code Standards shall have the following dates inserted as is recommended by the Code of January 1 to December 31.

SECTION 3

Per Section 106.4 of the International Property Maintenance Code Standards, any person who shall violate a provision of this code, or shall fail to comply therewith, or with any of the requirements thereof, shall be subject to fines of not less than \$10.00 and no more than \$100.00 per day. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 4

That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

THIS ORDINANCE SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

DATE OF FIRST READING: 8.13.19

MOTION BY: TOM BOTKIN

SECONDED BY: JOHN TUDOR

VOTE:	YES	NO
JUDGE EXECUTIVE REAGAN TAYLOR	✓	
MAGISTRATE LARRY COMBS	✓	
MAGISTRATE ROGER BARGER	✓	
MAGISTRATE JOHN TUDOR	✓	
MAGISTRATE TOM BOTKIN	✓	

DATE OF SECOND READING: 8.27.19

MOTION BY: Tom Botkin

SECONDED BY: John Tudor

VOTE:	YES	NO
JUDGE EXECUTIVE REAGAN TAYLOR	✓	
MAGISTRATE LARRY COMBS	✓	
MAGISTRATE ROGER BARGER	✓	
MAGISTRATE JOHN TUDOR	✓	
MAGISTRATE TOM BOTKIN	✓	

R. J. O.
MADISON COUNTY JUDGE EXECUTIVE

ATTESTED:
[Signature]
MADISON COUNTY CLERK