

ORDINANCE 2003-23

AN ORDINANCE AMENDING ORDINANCE 85-15, "AN ORDINANCE DEFINING, AND PROVIDING FOR THE CONTROL OF GARBAGE, REFUSE, AND LITTER, PROVIDING FOR PRIMA FACIE EVIDENCE OF VIOLATIONS OF PROVISIONS OF THIS ORDINANCE IN CERTAIN SITUATIONS, PROVIDING FOR ACTION BY CITY AT EXPENSE OF OWNER, TENANT, OR PERSON IN CONTROL OF PREMISES AFTER FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDINANCE, WITH A PENALTY CLAUSE, A REPEALER CLAUSE, AND A SEVERABILITY CLAUSE", BY ADDING TREE LEAVES AS AN UNDESIRABLE AND IMPERMISSIBLE ITEM TO ACCUMULATE ON CITY STREETS AND SIDEWALKS; PROVIDING A SEVERABILITY CLAUSE, REPEALER CLAUSE AND AN EFFECTIVE DATE

WHEREAS, the City of Russellville has previously adopted Ordinance 85-15, the heading of which is found above, and which is incorporated by reference as is fully rewritten herein; and

WHEREAS, City Council desires to amend this Ordinance to include tree leaves as being undesirable and impermissible item to accumulate on city property, including the streets; and

WHEREFORE, City Council deems this Ordinance to be in the best interests of the health, safety and welfare of the citizens of Russellville;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY, as follows:

I. THE AMENDMENT.

1. Section 1 of Ordinance 85-15 is hereby amended as follows:

It shall be unlawful for any person, group, firm, institution, or corporation or their agents to permit, keep, or maintain any vacant lot or other property within the City of Russellville, Kentucky, with weeds or grass growing upon same to a height of more than twelve (12) inches or to keep trash, refuse, and debris of any description on any vacant lot or other property. Trash and refuse shall not be used in a restrictive sense, but shall include all unclean and useless material which is discarded and would otherwise tend to menace health, obstruct the streets and sidewalks, and detract from the appearance of the property, including, but not limited to, such items as waste paper, cardboard, ashes, metal cans, and bottles. The intentional placing of tree leaves in the city streets or sidewalks is considered to be a violation of this Ordinance.

II. SEVERABILITY. The provisions of this Ordinance are severable. If any sentence, clause or part of this Ordinance or the application thereof to any particular state of case is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance, it being the legislative intent of this body to ordain and in act each other.

III. REPEAL OF EXISTING ORDINANCES. All ordinances or parts of ordinances in conflict herewith now in effect, to the extent of said conflict, are hereby repealed.

IV. EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

FIRST READING was conducted the 2nd day of December, 2003.

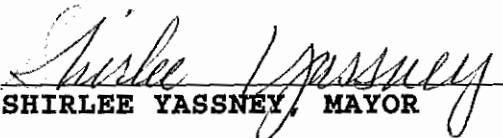
SECOND READING AND PASSAGE by roll call vote on the 23rd day of December, 2003.

Ayes: Barrett, Ken; Bell, Patricia; Hankins, Jean; Jones, Russell; Sweatt, Marie; Wren, Howard

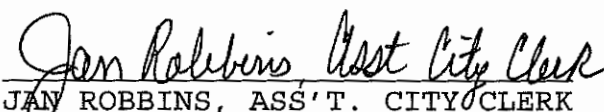
Nays: none

Abstaining: none

Absent: none


SHIRLEE YASSNEY, MAYOR

ATTEST:


JAN ROBBINS, ASS'T. CITY CLERK