

ORDINANCE 2004-03

AN ORDINANCE AMENDING ORDINANCE 2000-02, "AN ORDINANCE ESTABLISHING A CODE ENFORCEMENT BOARD; CREATING DEFINITIONS, DEFINING CREATION, MEMBERSHIP, POWERS, APPOINTMENT, TERM, REMOVAL, OATH, COMPENSATION, CONFLICTS OF INTEREST OF BOARD; PROVIDING FOR ENFORCEMENT PROCEEDINGS, HEARINGS, LEGAL COUNSEL, APPEALS, FINE SCHEDULES, LIENS, CHARGES AND FEES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALER CLAUSE AND EFFECTIVE DATE"; AND TO ADD A NEW SECTION PROVIDING FOR ESTABLISHMENT OF A SEPARATE LINE ITEM IN THE GENERAL FUND FOR DEPOSIT OF FINES PAYMENTS, AND ESTABLISHING CRITERIA FOR PAYMENTS TO BE MADE OUT OF THIS LINE ITEM; PROVIDING FOR A REPEALER CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF RUSSELLVILLE, KENTUCKY, THAT:

WHEREAS, the City of Russellville has previously enacted Ordinance No. 2000-02 (as amended), creating the City of Russellville Code Enforcement Board, and

WHEREAS, fines are being collected by the Code Enforcement Board for violations of city Ordinances; and

WHEREAS, City Council believes these fines should be used for the continued maintenance and beautification of City properties, all of which promotes the health, safety and welfare of the City of Russellville.

NOW, THEREFORE, be it ordained by the City Council in and for the City of Russellville, Kentucky, as follows:

A. Ordinance 2000-02 is hereby amended to provide it with a new section to read:

RECEIPT OF FINES, AND EXPENDITURES FROM LINE ITEM

1. Legislative intent for this section: The purpose for the line item account is to give back to the citizens of the City of Russellville fines paid by violators of the

City's Ordinances. These fines are unbudgeted revenues, and should be used for unbudgeted projects in furtherance of the continued maintenance and beautification of city properties. The expenses incurred in enforcing the City's Ordinances are normal, budgeted administrative expenses, and are not subject to payment out of this line item.

2. Creation of new line item account:
 - a. The City of Russellville shall establish a new line item within its General Fund for Code Enforcement Board revenues and expenditures.
 - b. Retroactive to July 1, 2003, payment of fines by violators shall be credited to the line item of Code Enforcement Board revenues and expenditures.
 - c. The Code Enforcement Board may make recommendations to the City Council for expenditures from this line item for expenditures in furtherance of the continued maintenance of city properties, and/or for beautification of city properties. Such recommendations may be in conjunction with matching grant funds, or in combination with other contributions made by public or private funds.
 - d. For the purposes of this section, "properties" shall include City easements and right-of-ways.

- e. All recommendations made by the Code Enforcement Board for expenditures shall be approved by a quorum of the Board.
- f. All fines previously imposed by the Code Enforcement Board, and that have been collected since July 1, 2003, and placed into the City's General Fund shall be transferred to this line item account of the General Fund of the City of Russellville.

B. All ordinances or parts of ordinances in conflict herewith now in effect are hereby repealed.

C. If any clause, provision or section of this ordinance shall be ruled void or unenforceable by any court of competent jurisdiction, the remainder hereof is intended to be enacted and shall be in force and effect notwithstanding.

D. This ordinance shall be effective upon its passage and publication as required by law.

FIRST READING conducted the 20th day of April, 2004.

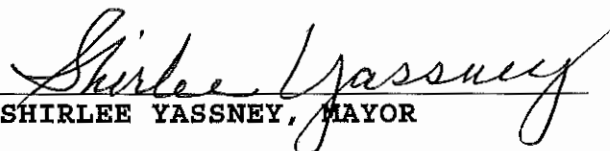
SECOND READING CONDUCTED AND PASSAGE by roll call vote on the 4th day of May, 2004.

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

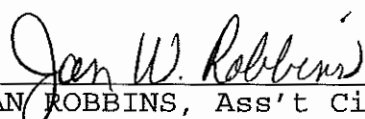
NAYS: none

ABSENT: none

ABSTAINING: none


SHIRLEE YASSNEY, MAYOR

ATTEST:


JAN ROBBINS, Ass't City Clerk