

**CITY OF RUSSELLVILLE, KENTUCKY  
ORDINANCE 2012-03**

AN ORDINANCE AMENDING ORDINANCE 2000-02 & ORDINANCE 2001-05 TO  
INCLUDE A SEPARATE ENFORCEMENT PROCEDURE FOR THE ABATEMENT OF  
WEEDS AND GRASS WHICH CONSTITUTE A NUISANCE AND TO INCREASE THE  
FINES FOR WEEDS AND GRASS NUISANCE VIOLATIONS

\*\* \*\* \*

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

WHEREAS, Ordinance No. 2000-02 was amended by Ordinance No. 2001-05;  
and

WHEREAS, it is the desire of the City Council of the City of Russellville, Kentucky to improve the efficiency of the enforcement procedure for the abatement of weeds and grass nuisance violations and to increase the fines for such violations.

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

**I. SUBSTANTIVE AMENDMENTS:**

A) Ordinance 2000-02 is hereby amended as follows:

SECTION 9. Enforcement Proceedings.

h) Upon failure of the property owner or agent having charge of a property to cut and destroy weeds and/or grass after service of a Notice of Violation, the Code Enforcement Officer shall issue a citation for violation of Ordinance 85-12, the weeds and grass nuisance ordinance, (and for any other violations pertaining to the same property) and shall immediately place a sign in the yard of the property in violation stating that the City will mow the property within three (3) days. Upon failure to comply with the Notice of Violation, any duly authorized employee of

the City of Russellville or a contractor hired by the City shall be authorized to enter upon the property in violation and cut and destroy the weeds and grass growing thereon. The costs of abatement, any fines imposed as a result of the violation and any costs incurred as a result of enforcing the ordinance and collecting the abatement costs and fines, shall be recovered from the owner of the property and shall be included as charges and fees incurred by the City in connection with the enforcement of the ordinance in the event a lien is placed on the property by the City. In the event the City's employees or its contractors arrive at the property in violation and determine that the violation has been abated since the issuance of the citation, the property owner shall be assessed abatement costs equal to one-half of the costs that would have been incurred had the City's employees or its contractors taken the steps to abate the violation.

B) Ordinance 2001-05, Section 13, Ordinance Fine Schedule, paragraph (a) is hereby amended to increase the fines for violations of weeds and grass as a nuisance as follows:

<u>VIOLATION OF</u>	*	<u>1<sup>ST</sup> OFFENSE</u>	<u>2<sup>ND</sup> OFFENSE</u>	<u>&gt; 3<sup>RD</sup> OFFENSE</u>
<u>CITY ORDINANCE</u>	<u>EACH DAY CONSTITUTES A</u>			
	<u>SEPARATE VIOLATION</u>			
Weeds and Grass (Ord. 85-12, 92.03)	*	\$10.00	\$25.00	\$50.00
		\$50.00	\$100.00	\$200.00

C) Ordinance 2001-05, Section 13, Ordinance Fine Schedule, paragraph (b) is hereby amended to increase the fines for violations of weeds and grass as a nuisance as follows:

<u>VIOLATION OF</u>	*	<u>1<sup>ST</sup> OFFENSE</u>	<u>2<sup>ND</sup> OFFENSE</u>	<u>&gt; 3<sup>RD</sup> OFFENSE</u>
<u>CITY ORDINANCE</u>	<u>EACH DAY CONSTITUTES A</u>			
	<u>SEPARATE VIOLATION</u>			
Weeds and Grass (Ord. 85-12, 92.03)	*	\$25.00	\$50.00	\$100.00
		\$100.00	\$200.00	\$400.00

**II: SEVERABILITY.**

If any provision of this Ordinance is deemed by a court of competent jurisdiction to be unenforceable, the remaining provisions of this Ordinance shall continue in full force and effect.

**III: REPEALER CLAUSE.**

Any and all parts of Ordinances now in effect which conflict with this Ordinance are hereby repealed.


**IV: EFFECTIVE DATE.**

This Ordinance shall become effective upon publication.

FIRST READING conducted on the 20th day of March 2012.

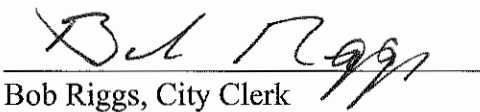
SECOND READING conducted on the 27th day of March 2012.

APPROVED BY:



Mark Stratton, Mayor

ATTEST:

  
Bob Riggs, City Clerk