

ORDINANCE NO. 1, SERIES 2005  
CITY OF ORCHARD GRASS HILLS, KENTUCKY  
AN ORDINANCE RELATING TO THE ABATEMENT  
OF NUISANCES IN THE CITY OF ORCHARD GRASS HILLS, KENTUCKY

WHEREAS, the City Council of the City of Orchard Grass Hills has the authority to enact ordinances to cause the abatement of nuisances; and,

WHEREAS, there exists in the more densely populated City of Orchard Grass Hills, privately owned properties whose condition or use could cause or tend to cause substantial diminution in the value of properties in the neighborhood if not properly maintained or tends to render such properties as dangerous to residents of Orchard Grass Hills, Kentucky;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORCHARD GRASS HILLS, KENTUCKY THAT:

1. Definitions.

(a) "Nuisance" means any condition or the use of premises or building exteriors in the boundaries of the City of Orchard Grass Hills, Kentucky, which is detrimental to the property of others or tends to cause substantial diminution of value of other properties in the neighborhood in which such premises are located. This includes, but is not limited to, the keeping or the depositing on, or the scattering over the premises of any of the following:

- (i) Lumber, junk, trash, debris, concrete or construction debris;
- (ii) Abandoned, discarded or unused objects or equipment, such as automobiles, furniture, stoves, refrigerators, freezers, cans or containers;
- (iii) Manure or compost piles or other material which is of such a nature as to spread or harbor disease, emit unpleasant odors or harmful gas, or attract rodents, vermin, or other disease-carrying pets, animals or insects;
- (iv) Keeping unsanitary matter on premises. It shall be unlawful for any person to keep, or permit another to keep, upon any privately owned property deleterious or septic material, unless such material is retained in containers or vessels which deny access to humans, flies, insects, rodents or animals. This section shall not apply to overflowing septic tanks and lateral lines as those items are subject to existing Health Department Regulations.
- (v) Keeping an unruly dog, or dogs, that continuously barks or howls or is uncontrolled.

(vi) A basketball goal or portable sporting equipment on any sidewalk, right of way or street.

(vii) A violation of any other standard set forth below in this Ordinance.

2. Duty to Maintain Private Property.

No person owning, leasing, occupying or having charge of any privately owned property shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such privately owned premises in a manner causing substantial diminution in the value of other properties in the neighborhood in which such premises are located. It shall be the duty of such person to keep the grass on the lot property cut, to keep the lot free from weeds, trash, and to keep it otherwise neat and attractive in appearance. Further, such person shall repair his/her residence, keeping the same in condition comparable to the condition of such residence at the time of its initial construction, excepting only normal wear and tear. If all or any portion of a residence is damaged or destroyed by fire, or other casualty, then such person shall, with all due diligence, properly rebuild, repair, reconstruct such residence in a manner which would substantially restore it to its apparent condition immediately prior to the casualty or completely remove said structure, fill in any basement areas and plant the lot in grass within a period of ninety (90) days after the date of said fire or casualty.

In the event the City must cut grass and/weeds, clean up trash and take any other steps to maintain privately owned premises, the City shall have a lien against the subject property for the cost of maintaining said privately owned premises.

3. Exterior Storage of Non-Operating Vehicles Prohibited.

No person in charge of or in control of any property, whether as owner, lessee, tenant, occupant or otherwise, shall allow any partially dismantled, wrecked, junked, discarded or otherwise non-operating motor vehicle to remain on such premises longer than seventy two (72) hours, or three (3) days; except that this section shall not apply with regard to any vehicle in an enclosed building or garage that is not visible from any public place or from any surrounding private property.

4. Offensive Trade or Activity.

No noxious or offensive trade or activity shall be conducted on any lot, nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood.

(a) A dog, or dogs, that continuously, bark, howl or are uncontrolled shall be an annoyance or nuisance to the neighborhood.

(b) The presence of a basketball goal or portable sporting equipment on any sidewalk, right of way or street shall be an annoyance or nuisance to the neighborhood because it

attracts people engaging in activities which could present a safety problem in the neighborhood, or an annoyance or nuisance to the neighborhood.

5. Use of Other Structures.

No structure of a temporary character shall be permitted on any lot. No outbuilding, trailer, tent, shack, barn or other structure other than the main residence erected on the lot shall at any time be used as a residence, temporarily or permanently. No trailer, commercial vehicle, camper trailer, camping vehicle shall be parked or kept on any lot at any time unless housed in a garage or basement.

6. Animals.

No animals, including reptiles, livestock or poultry of any kind shall be raised, bred or kept on a lot, except for dogs, cats and other household pets (meaning the domestic pets traditionally recognized as pets in this geographic area) may be kept, providing they are not kept, bred or maintained for any commercial or breeding purposes.

7. Signs.

No commercial sign for advertising or for any other purpose shall be displayed on any residential lot or on any building or structure of any residential lot, except one sign for advertising the sale or rent thereof, which shall not be greater in area than nine (9) square feet. This restriction shall not prohibit placement of occupant name signs and lot numbers as allowed by applicable zoning regulations.

8. Disposal of Trash.

No lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Trash, garbage or other waste shall not be kept except in sanitary containers.

9. Antennae and Receivers/Transmitters.

No antennae (except for standard small television antennae) or microwave and other receivers and transmitters shall be erected or placed on any lot unless its design and placement are approved by the City Council.

10. Penalty.

- (a) A violation of this Ordinance is a civil offense;
- (b) A maximum civil fine of \$100.00 may be imposed for each violation of this Ordinance;

- (c) A specific civil fine of less than the maximum civil fine, but not less than \$20, shall be imposed for each offense if the person who committed the offense does not contest the citation.
- (d) Separate offenses shall be deemed committed on each day the nuisance is permitted to exist.

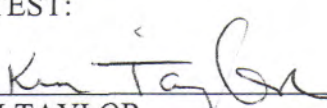
11. This Ordinance shall become effective upon its passage and advertisement according to law.

1<sup>st</sup> Reading - 14<sup>th</sup> day of June, 2005 July

2<sup>nd</sup> Reading and Enactment of the Ordinance - 12<sup>th</sup> day of 2005,  
2005.

  
JIM BURKE, MAYOR

ATTEST:

  
KIM TAYLOR  
Orchard Grass Hills City Clerk