

CITY OF HIGHLAND HEIGHTS, KENTUCKY
ORDINANCE # 01-2021

AN ORDINANCE ADOPTING AND OUTLINING THE
ABATEMENT PROCEDURES WITHIN THE CITY

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HIGHLAND HEIGHTS, KENTUCKY:

Section I

That the following sections shall be added to the City of Highland Heights Code of Ordinances:

§ 37.50 NOTICE TO ABATE.

Whenever any violation hereof is found to exist within the City, the Code Enforcement Officer shall give written notice as hereinafter set forth.

§ 37.51 CONTENT OF NOTICE.

The notice to abate a violation issued under the provisions hereof shall contain:

- (A) An order to abate the violation or to request a hearing within the stated time, which shall be reasonable under the circumstances;
- (B) The location of the violation;
- (C) A description of the item or what constitutes the violation;
- (D) A statement of acts necessary to abate the violation;
- (E) A statement that if the violation is not abated as directed and no written request for a hearing is made within the prescribed time, the City will abate the violation and assess the cost thereof against the person; and,
- (F) If a hearing is requested pursuant to this section, the hearing shall be conducted by the Code Enforcement Board pursuant to the procedures established therefore by ordinance.

§ 37.52 SERVICE OF NOTICE.

The notice to abate a violation hereof shall be served by regular U.S. Mail to an owner or agent of the real property where the violation exists, at the tax address maintained by the Campbell County Property Valuation Administrator and, in addition, by hand delivery by the Code Enforcement Officer to the same, or by posting a copy thereof in a conspicuous place on or about the real property where the violation has occurred.

§ 37.53 ABATEMENT BY CITY.

Upon failure of the person to whom notice to abate a violation was served, to abate the same, the Code Enforcement Officer shall proceed to abate such and shall prepare a statement of costs incurred in the abatement thereof.

§ 37.54 CITY'S COST DECLARED A LIEN.

- (A) Any and all costs incurred by the city in the abatement of a violation under the provisions hereof shall constitute a lien against the real property upon which the violation existed, which lien shall be filed, proven and collected as provided for by law.
- (B) The lien shall be notice to all persons from the time of its recording, shall bear interest at the legal rate thereafter until satisfied and shall be added on the tax bill for the premises upon which the violation existed.
- (C) In addition to the lien against the property provided for the abatement of the violation, the owner of the real property upon which a lien has been filed shall be personally liable for the amount of the lien, including all interest, civil penalties and other charges related thereto, and the city may bring a civil action against the owner personally and/or a civil action in foreclosure against the real property upon which the lien has been filed and shall have all remedies as provided for the recovery of a debt owed.

Section II

That this Ordinance shall be signed by the Mayor, attested by the City Clerk/Treasurer and recorded. Same shall be in effect at the earliest time provided by law.

First reading this 5th day of January, 2021.

Passed on second reading this 2nd day of February, 2021.



Gregory V. Meyers, Mayor

ATTEST:



Jeanne M. Pettit, City Clerk/Treasurer