

**CITY OF HIGHLAND HEIGHTS
ORDINANCE NO. 01-2025**

**AN ORDINANCE AMENDING CHAPTER 37 OF THE
HIGHLAND HEIGHTS CODE OF ORDINANCES TO
AMEND THE CIVIL FINE SCHEDULE IN § 37.99.**

This ordinance amends the civil fine schedule for code enforcement violations found in Ordinance 37.99 of the City of Highland Heights Code of Ordinances. After a recommendation from the Code Enforcement Board (“the Board) to increase the fines and review by the City’s Code Enforcement Officer and City Administrator, the fines will be amended as follows for any code enforcement violations. Violations are classified as a first, second, third or greater violation within a one-year period.

Fines for an uncontested violation that is paid within seven (7) days of the violation will increase as follows: first violation – increases from \$25.00 to \$100.00; second violation – increases from \$100.00 to \$200.00; and third or greater violation – increases from \$250.00 to \$500.00. The fine for an uncontested violation that is not paid within seven (7) days of the violation will increase as follows: first violation – increases from \$50.00 to \$200.00; second violation – increases from \$200.00 to \$400.00; and third or greater violation – increases from \$500.00 to \$1,000.00. If the fine is contested and a hearing is held before the board, the minimum and maximum fines may be imposed by the Board as follows: first violation – from \$25.00 to \$100.00, to \$100.00 to \$400.00; second violation – from \$100.00 to \$250.00, to \$200.00 to \$800.00; and third or greater violation – from \$250.00 to \$500.00, to \$500.00 to \$2,000.00.

I, Michelle Eviston, an attorney licensed to practice law in the Commonwealth of Kentucky, acting as attorney for the City of Highland Heights, Kentucky, do hereby certify that this summary was prepared by me at the direction of the Council of the City of Highland Heights, and that said summary is a true and accurate summary of the contents of the ordinance.


MICHELLE EVISTON, ESQ.

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AMEND THE CIVIL FINE SCHEDULE IN § 37.99.**

WHEREAS, on November 6, 2024, the City of Highland Heights Code Enforcement Board recommended that City Council consider increasing the civil fine schedule for code enforcement violations; and

WHEREAS, the City of Highland Heights Code Enforcement Board recommended increasing the fine for a first violation in a one-year period from \$25.00 to \$100.00; and

WHEREAS, the City of Highland Heights Code Enforcement Board recommended increasing the fine for a second violation in a one-year period from \$100.00 to \$200.00; and

WHEREAS, the City of Highland Heights Code Enforcement Board recommended increasing the fine for a third or greater violation in a one-year period from \$250.00 to \$500.00; and

WHEREAS, the City of Highland Heights' Code Enforcement Officer also recommends increasing the civil fine schedule as there has been an increase in repeat offenders and that increased fines are needed to deter repeated violations; and

WHEREAS, the City of Highland Heights' City Administrator has reviewed the recommendations of the Code Enforcement Board and after consultation with the Code Enforcement Officer, recommends using the Code Enforcement Board's recommendation as the minimum fine for each violation; recommended the fine amounts for uncontested violations that are not paid within seven (7) days; and recommended a maximum fine that Code Enforcement Board may impose; and

WHEREAS, the City Council of the City of Highland Heights agrees with the assessment and recommendations of the City's Code Enforcement Officer, Code Enforcement Board, and City Administrator.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY OF HIGHLAND
HEIGHTS, CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:**

Section I

That Section 37.99 of the City of Highland Heights Ordinance No. 14-2019, enacted November 5, 2019, as amended by the City of Highland Heights Ordinance No. 13-2020, enacted on December 15, 2020, and as codified in the City of Highland Heights Code of

Ordinances, Chapter 37, is hereby amended with the addition and deletion of the foregoing words and phrases:

...

§37.99 Penalty.

Violation of ordinances that are enforced by the City Board shall be subject to the following schedule of civil fines unless the specific ordinance declares a different penalty:

(A) If the violation of an ordinance is not contested by the person charged with the violation, the penalties set forth in this division shall apply.

Violation	Civil Fine (if uncontested and paid within 7 days)	Civil Fine (if not paid within 7 days)
First Offense in one-year period	\$25.00 <u>\$100.00</u>	\$50.00 <u>\$200.00</u>
Second Offense in one-year period	\$100.00 <u>\$200.00</u>	\$200.00 <u>\$400.00</u>
Third or Greater Offense in one-year period	\$250.00 <u>\$500.00</u>	\$500.00 <u>\$1,000.00</u>

(B) If a citation is contested and hearing before the Board is conducted, the following minimum and maximum penalties may be imposed at the discretion of the Board:

Violation	Civil Fine
First Offense in one-year period	\$25.00 <u>\$100.00</u> to <u>\$100.00</u> \$400.00
Second Offense in one-year period	\$100.00 <u>\$200.00</u> to <u>\$250.00</u> \$800.00
Third or Greater Offense in one-year period	\$250.00 <u>\$500.00</u> to <u>\$500.00</u> \$2,000.00

...

Section II

The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision, shall for any reason be declared unconstitutional or invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

Section III

All prior resolutions, orders or ordinances, or parts of any resolutions, orders or ordinances in conflict herewith are hereby repealed.

Section IV

This Ordinance shall be in effect and in full force from and after its passage, publication and recording, according to law.

PASSED by the City Council of the City of Highland Heights, Campbell County, Kentucky assembled in regular session.

First Reading: March 4, 2025
Second Reading: April 1, 2025


MAYOR GREGORY MEYERS

ATTEST:


JEANNE PETTIT
City Clerk/Treasurer