

**CITY OF ELKTON, KENTUCKY
ORDINANCE NO. 2018-19**

**AN ORDINANCE CONCERNING THE DEMOLITION
OF BUILDINGS AND ACCESSORY STRUCTURES WITHIN
THE CITY LIMITS OF ELKTON, KENTUCKY**

WHEREAS, a function of the Elkton City Council is to enact rules and regulations that apply to the general public to ensure the public's health, safety, and welfare; and

WHEREAS, the Elkton City Council desires to establish acceptable procedures for the demolition of buildings and accessory structures within the City of Elkton:

NOW THEREFORE, be it ordained by the City Council of the City of Elkton, Kentucky, as follows:

SECTION 1.

DEMOLITION OF BUILDINGS OR STRUCTURES

PERMIT REQUIRED.

No building or accessory structure shall be demolished without a permit issued by the city. No demolition permit shall be issued except in conformity with the provisions of this chapter. An accessory structure shall be defined as any structure that is, or has previously been, served by electric, water, or sewer service or any combination thereof.

SCHEDULE.

A schedule for the demolition shall be submitted when application is made for a demolition permit. The schedule shall set forth the intended dates of commencement and completion of the demolition. No work shall be done until such construction documents and schedule are approved by the city.

EXPIRATION OF PERMIT.

Any demolition permit shall expire after a period of six (6) months after the date of its issuance. Provided however, that a sixty (60) day extension may be permitted if sufficient proof of justifiable cause can be demonstrated why the work described in the demolition permit was not completed.

PEDESTRIAN AND TRAFFIC PROTECTION.

The work of demolishing any building or accessory structure shall not be commenced until pedestrian and traffic protection is in place as required by the city.

REMOVAL OF MATERIALS, VACANT LOT.

Where a building or accessory structure has been demolished, all materials shall be removed from the site and disposed of according to law. The vacant lot shall be filled with clean soil and graded to the surrounding topography, and seeded and strawed. Proper drainage shall be established, and provision shall be made to prevent the accumulation of water or damage to any adjoining property.

All basements, cellars, cisterns or other cavities shall be backfilled with dirt, rock, brick or other suitable backfill material. Wood, roofing or other similar material shall not be placed in the backfill.

UTILITY CONNECTIONS.

Service utility connections shall be discontinued and capped in accordance with the approved rules and the requirements of the authority having jurisdiction.

DAMAGE TO ADJACENT PROPERTY.

In all cases where there is a possibility of damage to city or private properties such as sidewalks, streets, adjacent buildings or utilities as a result of the proposed demolition, security in an amount deemed sufficient by the Zoning Administrator must be furnished. The security may be furnished in the form of cash, negotiable securities, or surety bond.

CIVIL OFFENSE.

Violation of the provisions of this chapter is hereby also declared to be a civil offense and may be enforced by the Code Enforcement Board established in §§ 35.095 et seq., or the alternative, the Todd District Court. The decision on where the chapter will be enforced shall be at the city's discretion.

Any person violating any of the provisions of this chapter, if charged and enforced through the Code Enforcement Board, created in §§ 35.095 et seq., the offense being a civil offense, may be fined in accordance with the Ordinance Fine Schedule, as set forth in § 35.106.

PENALTY.

Whoever violates any provision of this Chapter shall be guilty of a misdemeanor and shall be fined not more than five hundred dollars (\$500.00). Each day's violation shall constitute a separate offense.

SECTION 2. If any section, subsection, sentence clause or phrase of this ordinance is held unconstitutional or otherwise invalid, such infirmities shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. All ordinances or part of ordinances in conflict with this amendment are hereby repealed.

SECTION 4. This Ordinance shall take effect and be in force from and after its date of passage and publication according to law.

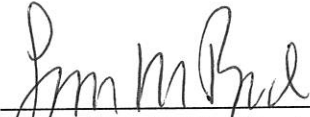
PUBLICLY READ AND PASSED FIRST TIME: November 12, 2018

PUBLICLY READ AND PASSED SECOND TIME: December 10, 2018

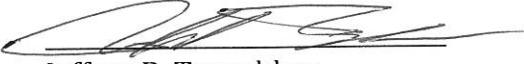
APPROVED:


Jackie Boyd Weathers, Mayor

ATTEST:


Laura Brock, City Clerk

Prepared by:


Jeffrey B. Traugher
Attorney at Law
207 E. McReynolds Drive
P.O. Box 129
Elkton, KY 42220

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