

COMMONWEALTH OF KENTUCKY  
COUNTY OF BULLITT  
FISCAL COURT  
ORDINANCE NO. 03-04

**AN ORDINANCE RELATING TO THE ABATEMENT OF NUISANCES  
IN THE UNINCORPORATED AREAS OF BULLITT COUNTY, KENTUCKY**

WHEREAS, Bullitt County Fiscal Court has the authority pursuant to KRS 67.083(3)(a) and KRS 381.770 to enact ordinances to cause the abatement of nuisances; and,

WHEREAS, there exists in unincorporated areas of Bullitt County, Kentucky land upon which a condition or use causes, tends to cause or renders such land dangerous, detrimental or adverse to the health and welfare of the people of Bullitt County due to the existence of a public nuisance, health hazard or source of filth developing thereon through the accumulation of rubbish.

NOW, THEREFORE, BE IT ORDAINED, by the Fiscal Court of Bullitt County, Kentucky as follows:

**(1) Definitions**

- (a) "Nuisance" means any condition or use of premises that is detrimental to the health or safety of persons as a result of the accumulation of rubbish, trash, junk or an excessive growth of weeds or grass. This includes, but is not limited to, the keeping on, depositing on, or scattering upon the premises any of the following:
  - (i) lumber, junk, trash, debris or other material that may be dangerous, detrimental or adverse to the health and welfare of persons as a result of said material, either due to its accumulation or nature;
  - (ii) abandoned, discarded or unused objects or equipment, including, but not limited to, automobiles, furniture, stoves, refrigerators, freezers, drums, cans or containers.

**(2) Duty of Maintenance of Private Property**

No person owning, leasing, occupying or having charge of any real estate located in a residential, business or commercial zone shall cause upon such real estate a "nuisance" as set forth above.

- (3) **Exterior Storage of Non-operating Vehicles Prohibited**  
No person owning, leasing, occupying or having charge of any real estate in Bullitt County, Kentucky shall allow any non-registered, non-licensed, partially dismantled, wrecked, junked, discarded, or inoperable motor vehicle to remain on such property longer than ten (10) days. This section shall not apply to any vehicle in an enclosed building or to any vehicle on the premises of a business enterprise, including farms, operated in a lawful place and manner, when the keeping or maintenance of such vehicle(s) is necessary to the operation of such business enterprise.

- (4) **Complaint and Enforcement**  
This Ordinance may be enforced upon a written Complaint filed with the Bullitt County Code Enforcement Office by any private citizen or peace officer. This Ordinance shall be enforced by the Bullitt County Solid Waste Coordinator upon witnessing a violation of said Ordinance. This Ordinance may be enforced by any person witnessing a violation of said ordinance by seeking the issuance of a Criminal Complaint directly through the County Attorney's Office without referral by the Bullitt County Code Enforcement Office.

Upon receiving a Complaint from a private citizen or witnessing a violation of this Ordinance, the Solid Waste Coordinator shall visit the site of the alleged violation and conduct an investigation as necessary. Upon determination that a violation has occurred or is occurring, the Solid Waste Coordinator or any peace officer so witnessing the violation shall issue a citation or seek the issuance of a Criminal Complaint.

- (5) **Abatement and Lien**  
Upon the issuance of a citation or Criminal Complaint, if the owner, lessee, occupant or person having charge of any real estate fails to abate the nuisance within a reasonable time, then Bullitt County Fiscal Court may proceed to abate the nuisance through a private contractor or the use of County employees.

Any cost incurred by Bullitt County Fiscal Court in abating the nuisance, including, but not limited to, contractor fees, county employee labor, equipment and/or disposal charges, shall be billed to the owner, lessee, occupant or person having charge of the real estate. If the amount billed is not paid within thirty (30) days of demand for payment, then Bullitt County Fiscal Court may place a lien on the subject real estate. Said lien shall attach to the property and be filed with the Bullitt County Clerk.

(6) **Penalty**

- (a) If the owner, lessee, occupant or person having charge of any real estate shall violate any provision of this Ordinance, then he/she shall upon conviction thereof be fined not less than One hundred dollars (\$100.00) nor more than Five hundred dollars (\$500.00) for each offense. Each day upon which a violation occurs shall constitute a separate offense.
- (b) In addition to the criminal penalties set forth above, any person convicted of violating any provision of this Ordinance shall be liable to Bullitt County Fiscal Court for civil penalties in the amount of One hundred dollars (\$100.00) for each offense. Said penalty may be assessed and imposed by Bullitt District Court.

(7) **Severability**

Should any part or section of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, all other parts or sections of this Ordinance that are not found to be unconstitutional or otherwise invalid shall remain in full force and effect.

(8) **Inconsistent Ordinances Repealed**

All Ordinances, specifically Ordinance No. 97-30, that are in conflict herewith, or hereafter found or determined to be in conflict herewith, are, to the extent of such conflict, hereby repealed.

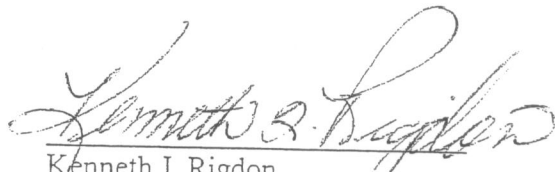
This Ordinance shall take effect and be in full force upon passage and publication.

Given First Reading at a Regular Meeting of Bullitt County Fiscal Court this 18th day of February 2003.


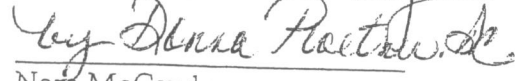
Given Second Reading and Adopted at a Regular Meeting of the Bullitt County Fiscal Court this 5<sup>th</sup> day of August 2003.

08-05-03


Date

  
Kenneth J. Rigdon  
Bullitt County Judge/Executive

Attested To:

  
  
Nora McCawley  
Bullitt County Clerk

Approved as to Legality and Form:

  
Walter A. Sholar  
Bullitt County Attorney

Recorded in Fiscal Court Order Book 37 Page 271  
Recorded in County Ordinance Book 3 Page 428