

CITY OF GEORGETOWN, KENTUCKY

ORDINANCE NO. 14-021

AN ORDINANCE REGARDING CODE APPEALS BOARDS

SUMMARY

1. Amends Sec. 4-6 of the Georgetown Code of Ordinances to provide an administrative appeals board comprised of five members to hear appeals related to enforcement of the property maintenance, nuisance, illicit discharge, and fire safety codes. Establishes terms for members.
2. Creates Sec. 4-7 of the Georgetown Code of Ordinances to provide a building inspection appeals board comprised of five statutorily qualified members, to hear appeals of actions of the building inspector. Establishes terms for members.
3. Provides for severability of provisions and an effective date upon passage and publication.

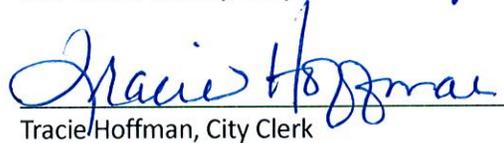
PUBLICLY INTRODUCED AND READ FIRST TIME: October 27, 2014

PUBLICLY READ SECOND TIME AND PASSED: November 10, 2014

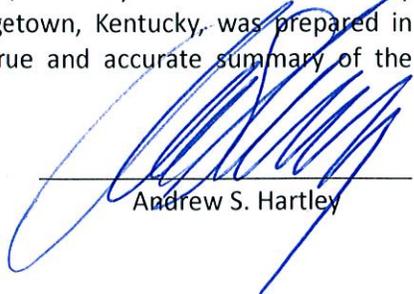
APPROVED:

  
Everette L. Varney, Mayor

ATTEST:

  
Tracie Hoffman, City Clerk

I, Andrew S. Hartley, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 100 North Court Street, Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 14-021 of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9), and is a true and accurate summary of the contents of said Ordinance.

  
Andrew S. Hartley

CITY OF GEORGETOWN, KENTUCKY

ORDINANCE NO. 14-021

AN ORDINANCE REGARDING CODE APPEALS BOARDS

SPONSOR: Council Member Connie Tackett

SECTION ONE

Sec. 4-6 of the Georgetown Code of Ordinances, entitled *Appeals board for building inspection, property maintenance and fire marshal inspection*, is amended as follows:

Sec. 4-6. Administrative Appeals board for building inspection, property maintenance and fire-marshall inspection.

~~(a) Created. There is created a seven (7) member board, which shall hear appeals of the actions of the office of building inspection, of property maintenance code enforcement and of fire marshal enforcement of the National Fire Code. Each of these regulations established by statutory or ordinance authority provides for the creation of this appeals board. This board will make no policy decisions, but rather execute the duties authorized by the provisions of each code concerning actions of the inspection and enforcement departments and whether those actions are in conformity with the applicable code.~~

~~The appeals board, when sitting on matters related to the enforcement of the Building Code, shall seat only five (5) members, pursuant to KRS 198B.070. The remaining two (2) alternate members shall sit on this board only those occasions when one or both are needed to achieve a quorum of three (3). The appeals board, when sitting on matters related to the enforcement of the property maintenance code and the fire prevention code, shall seat all seven (7) members.~~

~~(b) Appointment. Seven (7) members shall be appointed by the mayor with approval of the council. Two (2) members of the seven (7) shall be designated as alternates. After the initial terms of service, members' terms shall be three (3) years. Two (2) of the initial members shall be appointed to a term of one year, two (2) initial members to a term of two (2) years and three (3) initial members to a term of three (3) years. Any two of the membership may be alternative members. Except for the length of members' terms, which is set by statute, all board members and their terms shall be subject to the provisions of the City Ordinance 89-013, governing membership on city boards and commissions.~~

~~(c) Repeal of former property maintenance code appeals board. The appeals board established in conjunction with the adoption of the 1998 Property Maintenance Code, § 111.2 of Ordinance 99-018 is abolished and replaced by the board created in subsection (a) above. The board created by this section shall possess at minimum the qualification required by the 1998 International Property Maintenance Code.~~

(a) *Created.* There is created a five (5) member board, which shall hear appeals of actions taken by the respective enforcement authorities pursuant to Georgetown Code of Ordinances Article Eight (VIII) of Chapter Four (4) on the Property Maintenance Code, Chapter Nine (9) on Nuisances, Article Five (V) of Chapter Nineteen (19) on Illicit Discharges, and Chapter Seven (7) on Fire Safety Standards. This board shall make no policy decisions, but rather will execute the duties authorized by the provisions of each code concerning actions of the inspection and enforcement departments and whether those actions are in conformity with the applicable code.

(b) *Appointment.* Five (5) members shall be appointed by the mayor with approval of the council. An additional (2) members may be appointed as alternates in the same manner. After the initial terms of service, members' terms shall be four (4) years. One (1) of the initial members shall be appointed to a term of one year, two (2) initial members to a term of two (2) years and two (2) initial members to a term of three (3) years. Alternates shall be appointed for an initial term of two (2) years. All board members and their terms shall be subject to the provisions of the City Ordinance 89-013, governing membership on city boards and commissions. Members shall possess the qualifications required in Article VIII of Chapter 4 (property maintenance code) and in Article II of Chapter 7 (fire safety) of the Georgetown Code of Ordinances.

~~(d)~~(c) *Compensation.* There shall be no compensation for service of Administrative Appeals board members.

## SECTION TWO

A new section of Article I of Chapter 4 of the Georgetown Code of Ordinance is created as follows:

### Sec. 4-7. Building Inspection Appeals Board

(a) *Created.* There is created a five (5) member board, which shall hear appeals of the actions of the Building Inspector. The Board shall exercise the duties set forth in KRS 198B.070. The Board shall not hear appeals of decisions of the Electrical Inspector.

(b) *Appointment.* Five (5) members shall be appointed by the mayor with approval of the council. An additional (2) members may be appointed as alternates in the same manner. After the initial terms of service, members' terms shall be four (4) years. One (1) of the initial

members shall be appointed to a term of one year, two (2) initial members to a term of two (2) years and two (2) initial members to a term of three (3) years. Alternates shall be appointed for an initial term of two (2) years. Members and alternates shall possess the qualifications set forth in KRS 198B.070. All board members and their terms shall be subject to the provisions of the City Ordinance 89-013, governing membership on city boards and commissions.

(c) Compensation. There shall be no compensation for service of Building Inspection Appeals board members.

## SECTION TWO

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

## SECTION THREE

This Ordinance shall become effective upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME:      October 27, 2014

PUBLICLY READ SECOND TIME AND PASSED:      November 10, 2014

APPROVED:

  
Everette L. Varney, Mayor

ATTEST:

  
Tracie Hoffman, City Clerk