

ORDINANCE NO. 05-06

AN ORDINANCE DEFINING ABANDONED URBAN PROPERTY, PROVIDING FOR THE IDENTIFICATION THEREOF, FIXING THE TAX RATE AND LEVYING A SEPARATE AD VALOREM TAX THEREOF, PROVIDING FOR PENALTIES AND INTEREST IN THE EVENT OF DELIQUENCIES, AND PROVIDING FOR AN APPEAL.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMPBELLSVILLE, KENTUCKY AS FOLLOWS:

Pursuant to the provisions of KRS Chapter 92, the City Council of the City of Campbellsville, Kentucky, does hereby adopt the following provisions with respect to abandoned urban properties.

SECTION I

Abandoned urban property is established as a separate classification of real property for the purpose of ad valorem taxation. As used in this Ordinance, “abandoned urban property” means:

- A) Any vacant structure or vacant or unimproved lot or parcel of ground in the limits of the City of Campbellsville which has been vacant or unimproved for a period of at least one year and at least one of the following:
  - 1) Because it is dilapidated, unsanitary, unsafe, vermin infested, or otherwise dangerous to the safety of persons, is unfit for its intended use as zoned; or
  - 2) By reason of neglect or lack of maintenance has become a place for the accumulation of trash and debris, or has become infested with rodents or other vermin; or
  - 3) Has been ad valorem tax delinquent to the City under this or any other Ordinance for a period of at least three years.

SECTION II

An ad valorem tax rate of one dollar (\$ 1.00) per one hundred dollars (\$ 100.00) in assessed value is hereby established for an abandoned urban property.

SECTION III

- A) Abandoned urban property shall be assessed in the same manner and at the same time as all other real estate in the City which is subject to ad valorem taxation.
- B) The issuance of bills for the collection of taxes on abandoned urban property shall correspond with the dates of issuance of the City’s other ad valorem tax bills and

due dates, delinquency dates, penalties, and interest shall correspond with provisions applicable to the City's other ad valorem tax bills.

#### SECTION IV

- A) The Building Inspector and/or other employee or person (the "Enforcement Official") designated by the Mayor shall, on or before June 1 of each year, beginning June 1, 2005, compile a list of all abandoned urban properties in the City. No later than July 1 of each year, the Enforcement Official shall notify the owner of each parcel of abandoned urban property by certified mail that the subject property has been determined to be abandoned urban property and may thus be subject to taxation at a higher rate.
- B) Any owner, to whom such a notice is provided, shall have sixty (60) days thereafter in which to appeal the City's determination. All such appeals shall be in writing and shall be directed to the enforcement Officials.
- C) All appeals shall be heard by the City Council at a regular or a special called meeting. Appellants and the city shall have the right to present evidence and the right to counsel at the hearing. Following the hearing, the Council shall, by majority decision of Council members in attendance, declare whether or not the parcel in question constitutes abandoned urban property and the reasons therefore.
- D) If a property classified as abandoned urban property is repaired, rehabilitated, or otherwise returned to productive use, the owner shall notify the city which shall, if it finds the property no longer abandoned urban property, notify the property valuation administrator to strike the property from the list of abandoned urban properties.
- E) The Enforcement Official shall deliver to the Taylor County Property Valuation Administrator a list of all abandoned urban properties within the City.

#### SECTION V

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

#### SECTION VI

This Ordinance shall take effect upon its second reading, passage and publication.

The sponsor of this Ordinance (is) was council member Doug Mullins. It was introduced and given a first reading and passage at a meeting of the City Council held on the 1<sup>st</sup> day of August, 2005; it received its second reading, passage and became effective at the regular meeting of the City Council held on the 6<sup>th</sup> day of September, 2005. It was published in the Central Kentucky News Journal on the 12<sup>th</sup> day of September, 2005.

CITY OF CAMPBELLSVILLE, KENTUCKY

ATTEST:

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Brenda Allen, Mayor

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Cary Purvis, City Clerk