

**SCOTT FISCAL COURT
ORDINANCE NO. 99-11**

AN ORDINANCE UPDATING AND ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDING, AND STRUCTURES, BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES: KNOWN AS THE PROPERTY MAINTENANCE CODE, AND THE REPEAL OF THE 1993 EDITION

WHEREAS, in order to maintain the public protection and safety provided by Scott County Fiscal Court, it is necessary periodically to update the Property Maintenance Code, the current edition of which is the 1998 edition adopted by this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED BY THE SCOTT COUNTY FISCAL COURT, as follows:

SECTION 1. That a certain document, three (3) copies of which are on file in the office of the Scott County Judge Executive's Office, being marked and designated as "The International Property Maintenance Code, First Edition, 1998" as published by the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, and the Southern Building Code Congress International, Inc., be and is hereby adopted as the Property Maintenance Code of the County of Scott, in the State of Kentucky; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of

said Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance. A copy of which is incorporated herein by reference and filed with the Clerk of the Scott Fiscal Court.

SECTION 2. Amendments to the Text of the Printed Code: The following sections shall supersede those which are provided in the printed text of the Code:

§1.0.1 GENERAL

PM-1.0.1 Title: These regulations shall be known as the International Property Maintenance Code of The County of Scott referred to as "this code".

§106 VIOLATIONS

PM-106.4.1 Civil penalty: Any person, firm or corporation who violates any provision of this code may be subject to civil penalties of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), pursuant to the civil penalty guidelines as set forth below. The amount of civil penalties shall be determined by the number of reinspections required to correct the violation. The following table provides the penalty for reinspections which reveal uncorrected violations. The higher the number of violations and required reinspections shall result in higher penalties.

Uncorrected Violations	1	2	3	4	5+
1–3	\$100.00	\$150.00	\$200.00	\$250.00	\$300.00
4–7	150.00	200.00	250.00	300.00	350.00
8–10	200.00	250.00	300.00	350.00	400.00
11–15	300.00	350.00	400.00	450.00	500.00
16–20	400.00	450.00	500.00	550.00	750.00
21+	650.00	700.00	750.00	800.00	1,000.00

8108 UNSAFE STRUCTURES AND EQUIPMENT

PM-108.1.5 Utility removal:

When, in the opinion of the code official, continued utility service could pose a threat to occupants or to the public, the code official may order discontinuance of utility service until such time as necessary repairs have been completed.

(This section is added to the text provided in the printed code).

PM-108.2 Closing of vacant structures:

(In addition to the text provided in the corresponding code, section of the printed the following language is added).

There shall be an administrative fee of seventy-five dollars (\$75.00) assessed in addition to the cost of closing the property.

The payment of all charges assessed for the closing of the property, cost and fees, shall be secured by real estate upon which the structure lien on is located.

the Notice of the lien shall be filed of record as provided elsewhere in the code.

8109 EMERGENCY MEASURES

PM-109.5 Costs of emergency work:

Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the code official.

Legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs including an administrative fee of seventy-five dollars (\$75.00), said property. including (This text the placing of a lien against is in lieu of the text in the printed Code) .

§108 UNSAFE STRUCTURES AND EQUIPMENT

PM-108.1.5 Utility removal. When, in the opinion of the code official, continued utility service could pose a threat to occupants or to the public, the code official may order discontinuance of utility service until such time as necessary repairs have been completed. (This section is added to the text provided in the printed code).

PM-108.2 Closing of vacant structures. In addition to the text provided in the corresponding section of the printed Code, the following language is added: There shall be an administrative fee of seventy-five dollars (\$75.00) assessed in addition to the cost of closing the property. The payment of all charges assessed for the closing of the property, cost and fees, shall be secured by a lien on the real estate upon which the structure is located. Notice of the lien shall be filed of record as provided elsewhere in the code.

§109 EMERGENCY MEASURES

PM-109.5 Costs of emergency work. Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the code official. Legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs including an administrative fee of seventy-five dollars (\$75.00), including the placing of a lien against said property. (This text is in lieu of the text in the printed code).

§110 DEMOLITION

PM-110.1 General. (The text in the printed code is amended to remove the words "so old,").

PM-110.3 Failure to comply. (The following text is to be added to that in the printed code in place of the phrase, "and the cost of such demolition and removal shall be charged ...") The cost of such demolition and removal, including an administrative fee of one hundred dollars (\$100.00), shall be charged against the real estate upon which the structure is located. The payment of all charges assessed for the demolition and removal closing the property, along with the administrative fee, shall be secured by a lien on the real estate upon which the structure is located. Notice of the lien shall be filed of record as provided elsewhere in the code.

§111 MEANS OF APPEAL

PM-111.2 Membership of Board: The phrase reading "experience and training" beginning in line three of that section shall read "experience or training".

§602 HEATING FACILITIES

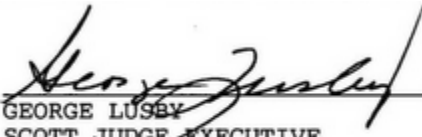
PM-602.3 Insert: 1 October to 1 May

PM-602.4 Insert: 1 October to 1 May

§705 FIRE PROTECTION SYSTEMS

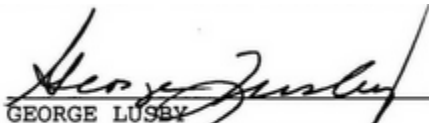
PM-705.5.2 Power source: Existing battery-powered smoke detectors in operational condition shall be acceptable. However, when battery-powered smoke detectors are found to be nonoperational or where no smoke detectors exist, approved hard-wired smoke detectors shall be required. (This section replaces that in the text of the printed code).

SECTION 3: Repeal of the 1993 Property Maintenance Code. Upon the adoption and effective date of this Ordinance, the 1993 Property Maintenance Code (codified in Section 12-1 of Scott County's Municipal Code) is repealed.



GEORGE LUSBY
SCOTT JUDGE EXECUTIVE

ATTEST:



GEORGE LUSBY
SCOTT JUDGE EXECUTIVE

ordpropmaint