

**ORDINANCE NO. B2015 – DRAINAGE CONTROL PENALTY**

**AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE RELATING TO CHAPTER 156 DRAINAGE CONTROL OF THE CITY OF BARDSTOWN’S CODE OF ORDINANCES.**

**WHEREAS**, the City Council of the City of Bardstown, Kentucky authorized the creation of a Code Enforcement Board with the authority to issue remedial orders and impose fines in order to provide an equitable, expeditious, effective, and inexpensive method of ensuring compliance with the ordinances in force within the City; and

**WHEREAS**, through the orders assessed by the Code Enforcement Board, the penalty phase of this chapter will be strengthened; and

**WHEREAS**, the penalties assessed and enforced by the Code Enforcement Board must be specified in the penalty section of a chapter, with that chapter being determined to be the particular section amended to reflect such penalties for this chapter.

**NOW THEREFORE, BE IT ORDAINED** by the City of Bardstown, Kentucky, that Section 156.99 Penalty of the Code of Ordinances relating to Drainage Control be amended as follows:

SECTION 156.99 PENALTY

Any person, firm, or corporation who violates or fails to comply with any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction, shall be subject to a fine of not less than ~~the~~ \$25, nor more than \$250, and in addition shall pay all costs and expenses involved in the case. ~~[In lieu of penalties provided herein, when the civil citation / notification is issued as described under §156.50 Enforcement Procedure, the City Civil Engineer may assess a civil penalty or fine of not less than \$25 and not more than \$250. All civil penalties shall be paid to the City of Bardstown]~~ **Violators of this chapter may be issued a citation by the officer in charge of enforcement. In addition or in the alternative, any person determined to be in violation of this chapter may be assessed civil penalties or fines, those fines assessed through the Code Enforcement Board process as provided for in Ordinance B2015-28 in the amount of no less than \$50 nor more than \$150 for the first offense, no less than \$75 nor more than \$200 for the second offense and no less than \$100 nor more than \$250 for any subsequent offense.** A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict.

This ordinance shall be in full force and effect following publication as required by law.

**CITY OF BARDSTOWN**

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John Royalty, Mayor

**ATTEST:**

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Barbara Bryant, City Clerk

Dated: \_\_\_\_\_