

ORDINANCE 24-2023

AN ORDINANCE AMENDING CHAPTER 33.192 OF THE HOPKINSVILLE CODE OF ORDINANCES PERTAINING TO CODE OF ORDINANCE ENFORCEMENT BOARD FINES

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

SECTION ONE

Section 33.192 of the Hopkinsville Code of Ordinances is hereby amended as follows:

§ 33.192 ORDINANCE FINE SCHEDULE.

Violations of ordinances that are enforced by the Code of Ordinance Enforcement Board shall be subject to the following schedule of civil fines.

(A) If a citation for a violation of an ordinance is not contested by the person charged with the violation, the penalties set forth in this division shall apply.

Violation	1st Offense	2nd Offense	All Other
Stormwater utility (Ch. 54)	\$50	\$150	\$250
Illicit discharge detection and elimination (Ch. 55)	\$150	\$300	\$500
Erosion prevention and sediment control (Ch. 56)	\$100	\$300	\$500
Traffic code (§ 70.03)	\$15	\$25	\$50
Pedestrian and traffic safety (§ 70.08)	\$50	\$100	\$150
Animals (Ch. 90)	\$25	\$50	\$100
Garbage, commercial refuse and trash collection (§ 93.02)	50 <u>200</u>	150 <u>300</u>	300 <u>500</u>
Property standards (§ 93.03). All acreage calculations shall be based on PVA records. Fines for neglected properties as defined in § 93.01 will be doubled.	A minimum of \$200 or \$10 per acre, whichever is greater, not to exceed \$300.	A minimum of \$300 or \$15 per acre, whichever is greater, not to exceed \$400.	A minimum of \$500 or \$15 per acre, whichever is greater, not to exceed \$500.
Smoking regulations (Ch. 94)	\$50	\$75	\$150

Junked or abandoned vehicles (Ch. 95)	50 <u>200</u>	400 <u>300</u>	150 <u>500</u>
Noise (Ch. 96)	50 <u>200</u>	150 <u>300</u>	300 <u>500</u>
Parks, playgrounds, and recreation areas (Ch. 97)	\$50	\$75	\$150
False alarm (Ch. 98)	\$50	\$60	\$70
Streets and sidewalks (Ch. 99)	\$100	\$200	\$300
Right-of-way (Ch. 100)	\$150	\$250	\$350
Cable (§ 100.02, 100.04, 100.20, 100.33, 100.35, 100.39)	\$500	\$1,000	\$5,000
Cable (§ 100.03, 100.05, 100.06, 100.36, 100.37, 100.38, 100.40, App. A, Franchise Agr.)	\$100	\$500	\$1,000
Stormwater/flood control (Chs. 151, 155)	\$150	\$250	\$350
Zoning (Ch. 158)	50 <u>200</u>	150 <u>300</u>	250 <u>500</u>
Property maintenance code (Ch. 163)	\$350	\$500	\$750
Post-construction water quality (Ch. 164)	\$150	\$300	\$500

(B) If the citation is contested and a hearing before the Code Board is required, the following maximum penalties may be imposed at the discretion of the Code Board, not to be less than 50% of the penalty for the listed offense.

Violation	1st Offense	2nd Offense	All Other
Stormwater utility (Ch. 54)	\$100	\$300	\$500
Illicit discharge detection and elimination (Ch. 55)	\$300	\$400	\$500
Erosion prevention and sediment control (Ch. 56)	\$200	\$400	\$500
Traffic code (§ 70.03)	\$30	\$50	\$100
Pedestrian and traffic safety (§ 70.08)	\$100	\$200	\$300
Animals (Ch. 90)	\$100	\$200	\$300
Garbage, trash and weeds (§§ 93.02, 93.03) Fines for neglected properties as defined in § 93.01 will be doubled.	\$400	500 <u>600</u>	600 <u>1,000</u>
Smoking regulations (Ch. 94)	\$100	\$150	\$300
Junked or abandoned vehicles (Ch. 95)	100 <u>400</u>	200 <u>600</u>	300 <u>1,000</u>
Noise (Ch. 96)	300 <u>400</u>	400 <u>600</u>	500 <u>1,000</u>

Parks, playgrounds, and recreation areas (Ch. 97)	\$100	\$150	\$300
False alarm (Ch. 98)	\$80	\$90	\$100
Streets and sidewalks (Ch. 99)	\$300	\$400	\$500
Right-of-way (Ch. 100)	\$300	\$400	\$500
Cable (§ 100.02, 100.04, 100.20, 100.33, 100.35, 100.39)	\$1,000	\$2,000	\$10,000
Cable (§ 100.03, 100.05, 100.06, 100.36, 100.37, 100.38, 100.40, App. A, Franchise Agr.)	\$200	\$1,000	\$2,000
Stormwater/flood control (Chs. 151, 155)	\$300	\$500	\$600
Zoning (Ch. 158)	400 <u>400</u>	300 <u>600</u>	500 <u>1,000</u>
Property maintenance code (Ch. 163)	500 <u>700</u>	750 <u>1,000</u>	1,000 1,500
Post-construction water quality (Ch. 164)	\$300	\$400	\$500

(C) There shall be an administrative fee of ~~50~~ 100 on any uncontested citation~~;~~ and \$200 on any contested citation ~~[or uncontested;]~~ acted on by the Code Board.

~~[(D) Hopkinsville City Council, in an effort to promote the health, safety and welfare of Hopkinsville citizens, has determined it is in the public interest to deposit all fines collected for Property Maintenance Code violations into a special fund to assist those individuals who are not financially capable of resolving and/or correcting violations for which they have been charged. Eligibility requirements for assistance will be adopted by municipal order of City Council.]~~

SECTION TWO

If any section, subsection, sentence, clause, or phrase of this ordinance is held unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remaining portions of this ordinance.

SECTION THREE

Any and all ordinances inconsistent with this ordinance are hereby repealed.

SECTION FOUR

This ordinance shall take effect after its passage and publication according to law.

**ORDINANCE 24-2023
CODE OF ORDINANCE ENFORCEMENT BOARD FINES**

PUBLICLY READ AND PASSED FIRST TIME: _____

PUBLICLY READ AND PASSED SECOND TIME: _____

APPROVED: _____
Mayor James R. Knight, Jr.

ATTEST: _____
City Clerk Christine M. Fletcher, MMC