

CITY OF DAYTON, KENTUCKY

ORDINANCE NO. 2021#6

AN ORDINANCE REPEALING SECTION 37.08 OF THE CITY OF DAYTON CODE OF ORDINANCES AND ENACTING A NEW SECTION 37.08, SECTION 37.09, AND SECTION 37.10 TO DEFINE ABANDONED URBAN PROPERTY AND BLIGHTED AND DETERIORATED PROPERTY IN THE CITY, CREATING A PROCESS TO IDENTIFY THESE TYPES OF PROPERTY IN THE CITY AND NOTIFY PROPERTY OWNERS OF THIS CLASSIFICATION, SETTING A TAXATION RATE FOR THESE PROPERTIES AT \$0.75 PER \$100 OF ASSESSED VALUE, AND CREATING A NOTICE, HEARING, AND APPEAL PROCESS RELATED TO THIS CLASSIFICATION.

BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY:

Section 37.08 of the City of Dayton Code of Ordinances is hereby repealed and a new Section 37.08 is hereby enacted along with new Code Sections 37.09 and 37.10 as follows:

ABANDONED AND BLIGHTED URBAN PROPERTIES

§ 37.08 ABANDONED URBAN PROPERTY AND BLIGHTED URBAN PROPERTY CLASSIFIED AS REAL PROPERTY.

- (A) Pursuant to KRS 92.305(1), the city hereby finds and declares that abandoned urban property (“abandoned urban property”), as defined in KRS 132.012, and blighted or deteriorated property (“blighted urban property”), as defined by KRS 99.700 to 99.730, exists in the city.
- (B) (1) Abandoned urban property and blighted urban property established as a separate classification of real property for the purpose of ad valorem taxation.
(2) As used in this subchapter, abandoned urban property shall have the same meaning as in KRS 132.012(1) and blighted urban property shall have the same meaning as in KRS 99.705(2).

§ 37.09 RATE OF TAXATION LEVIED UPON ABANDONED URBAN PROPERTY AND BLIGHTED URBAN PROPERTY.

The rate of taxation levied upon abandoned urban property and blighted urban property shall be \$0.75 on each \$100 of assessed value.

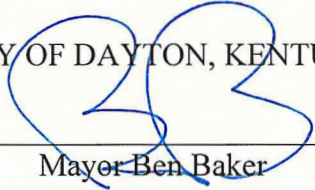
§ 37.10 CLASSIFICATION OF PROPERTY AS ABANDONED URBAN PROPERTY AND BLIGHTED URBAN PROPERTIES; RIGHT TO APPEAL.

- (A) Pursuant to KRS 99.710, the city hereby establishes a Vacant Property Review Commission, and pursuant to KRS 99.710(5), the duties of this commission are assigned by the city to its Code Enforcement Board.
- (B) Pursuant to KRS 99.710(2)(B) and KRS 99.710(5), the city hereby assigns the duties that otherwise would be fulfilled by a vacant property review commission under KRS 99.700 to 99.730 to the city's Code Enforcement Board. The Code Enforcement Board shall each year determine which properties in the city are abandoned urban properties or blighted urban properties and shall prepare and furnish a list of these properties in the city to the City Clerk and the Campbell County Property Valuation Administrator prior to January 1 of each year.
- (C) Except as otherwise provided in division (D) below, a property classified by the Code Enforcement Board as "abandoned urban property" or "blighted urban property" as of January 1 may be taxed as abandoned urban property or blighted urban property for such tax year. If the owner repairs, rehabilitates, or otherwise returns the property to productive use so that the property is no longer abandoned urban property or blighted urban property, the owner shall notify the city's Director of Code Enforcement, who shall, if he/she finds the property is no longer abandoned or blighted, notify the City Clerk and the Campbell County Property Valuation Administrator to strike the property from the list of abandoned urban properties or blighted urban properties in the next calendar year.
- (D) (1) No later than July 1 of each year, the Code Enforcement Board shall mail, by certified mail, to the owner(s) of each abandoned urban property or blighted urban property, as those name(s) are listed in the records of the Campbell County Property Valuation Administrator, a notice that this property has been classified as abandoned urban property or blighted urban property. The owner of any such property who believes that the property has been incorrectly classified may request in writing an appeal to the Code Enforcement Board. Appeals to the Code Enforcement Board shall follow the provisions set forth in Section 38.09 and 38.10 of the City of Dayton Code of Ordinances.
(2) If on appeal the Code Enforcement Board finds that property classified as abandoned urban property or blighted urban property was incorrectly classified as as such, or if the conditions that caused the property to be classified as abandoned urban property or blighted urban property have been abated and the property has been returned to its intended productive use, then the Board shall direct that the property be removed from classification list as an abandoned urban property or blighted urban property.
- (E) Any person or entity claiming to be injured or aggrieved by any final action of the Code Enforcement Board may seek judicial review pursuant to Section 38.11 of the City of Dayton Code of Ordinances. All decision that is not appealed within 30 days of the Board's final action taken will not be subject to judicial review.

This ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published, and become law at the earliest possible time.

First Reading: May 4, 2021

Second Reading: June 7, 2021

CITY OF DAYTON, KENTUCKY
By: 
Mayor Ben Baker

ATTEST:


Donna Leger, City Clerk