

**Commonwealth of Kentucky
City of London
Ordinance No. 2023-15**

**An Ordinance Declaring Abandoned Urban Properties as a Separate Class of
Real Property; Establishing the Vacant Properties Review Commission and
assigning duties to the Code Enforcement Board; Definitions; Rate of Taxation
for Abandoned Urban Properties; Classification of Property as Abandoned
Urban Property and Right of Appeal
And
Appeal Procedure**

*Whereas, KRS 92.305 enables the City of London City Council the legal right to make
findings and declarations regarding abandoned urban property,*

Be it therefore ORDAINED as follows:

1. The City of London is a home rule city and pursuant to KRS 92.305 is enabled to make a finding and declare that there exists abandoned urban property as defined in KRS 132.012 within the City of London and that there exists blighted or deteriorated property pursuant to KRS 99.700 to 99.730 and enable the City of London to levy a separate rate of taxation on abandoned urban property pursuant to KRS 132.012.
2. Pursuant to KRS 132.012, KRS 92.305 and KRS 91.285, and for the purposes of this Ordinance, there shall be a classification of real property known as abandoned urban property.
3. The City of London does hereby delegate to the Vacant Properties Review Commission the responsibility of determining which properties within the City of London are abandoned urban properties. The City Council and/or Mayor of the City of London may

refer properties to the Vacant Properties Review Commission ("Commission") to determine if those properties are abandoned urban properties. In accordance with KRS 99.710(5), the City does further assign the duties of its Vacant Properties Review Commission to the City's Code Enforcement Board. "Commission" as used herein is the same as the Code Enforcement Board.

4. The Commission shall certify properties as blighted or deteriorated to the City Council.
5. The list so compiled by the Commission shall be furnished to the County Property Valuation Administrator prior to the date fixed for the annual assessment of real property with the county.
6. If the property classified as abandoned urban property is repaired, rehabilitation or otherwise returned to productive use, the owner shall notify the City Council which shall, if it finds the property is no longer abandoned urban property, notify the property valuation administrator to strike the property from the list of abandoned urban properties.
7. Pursuant to the findings made herein above, there exists a need for the exercise of powers, functions and duties conferred by KRS 99.700 to 99.730 within the City of London, therefore the City Council of the City of London does hereby adopt the provisions of KRS 99.700 to 99.730 by this Ordinance.
8. The Commission (Code Enforcement Board) shall be composed of three (3) members. The Members of the Commission shall be appointed 1/3 of the members for one (1) year; 1/3 of the members for two (2) years and 1/3 of the members for three (3) years. Members of the Commission shall be appointed by the Mayor and approved by the City

Council. No officer or employee of the City of London shall be appointed to the Commission. All members of the Commission shall be over 21 years of age, a resident of the City of London for at least one (1) year prior to the appointment and remain a resident of the City of London during the entirety of the membership. The members may be eligible for reappointment. All members shall take the Kentucky Constitutional Oath of Office.

9. The Commission is hereby authorized to identify and certify properties for inclusion in a tax delinquency diversion program as provided in KRS 99.727.

10. Upon the written Order and recommendation of the Commission, the City Council shall review the Order and recommendation. The City Council may thereafter authorize the City Attorney of the City of London, to acquire such property by eminent domain (condemnation) pursuant to KRS 99.715 and KRS Chapter 416, any property determined to be abandoned, blighted or deteriorated pursuant to KRS 99.700 to 99.730, and shall have the power to hold, clear, manage, or dispose of property so acquired pursuant to the provisions of KRS 99.700 to 99.730. This may occur no sooner than ninety (90) days after the Commission has notified the Owner of the property by written Order in keeping with the requirements of KRS 99.720(1)(a)-(d) and (3)(a)-(c). Upon a showing by the owner that ninety (90) days is insufficient time to abate the property condition, an extension of time may be granted by the Commission pursuant to KRS 99.720(4).

11. "Abandoned urban property" for purposes of this Ordinance shall be the same as that used in KRS 132.012. Further, it is stated for clarification purposes this includes, but is not limited to, property that because of its physical condition or use is regarded as a

public nuisance at common law in accordance with any housing, building, property maintenance, plumbing, electric, fire or related codes; property which because of its physical appearance, use or occupancy is considered an attractive nuisance to children, including, but not limited to wells, shafts, basements, excavations and unsafe fences or structures; property which because it is delapidated, unsanitary, unsafe, vermin infested, or lacking facilities and equipment required by any housing, building, property maintenance, plumbing, electric, fire or related code has been designated as unfit for human habitation; which is a fire hazard or otherwise dangerous to the safety of persons or property; from which the utilities, plumbing, heating, sewer service or other such facilities have been disconnected, destroyed, removed or rendered ineffective so that the property is unfit for use; which by reason of neglect or lack of maintenance has become a place for accumulation of trash and debris, or a haven for rodents or other vermin; which has been tax delinquent for a period of at least three (3) years; or which has not been rehabilitated with the timer constraints placed upon the owner by the appropriate code enforcement agency.

12. The City of London does hereby establish and levy a rate of taxation on abandoned urban property of one dollar and fifty cents (\$1.50) per one hundred dollars (\$100.00) of assessed value, which is authorized by KRS 132.012 and is not limited by KRS 132.027.
13. The Commission shall determine which properties within the City are abandoned urban properties and provide the City Council, Mayor and City Clerk a copy of the list.
14. The City Clerk shall notify the County Property Valuation Administrator (PVA) prior to the date fixed for the annual property assessment of real property within the County.

15. If the property classified as abandoned urban property is repaired, rehabilitated or otherwise returned to productive use, the owner shall notify the Mayor and City Council who shall, if they find the property is no longer abandoned urban property, notify the PVA in writing to strike the property from the list of abandoned urban properties.
16. No later than May 1 of each year, the City Clerk shall mail by first class mail to the owner of each abandoned urban property the names that are or will be listed in the records of the PVA, a notice that the property has been classified as abandoned urban property.
17. The owner of any property classified as abandoned urban property may appeal the classification to the City Vacant Property Review Commission if the property owner believes the property was incorrectly so classified. Such appeal shall be in writing and made no later than June 1 of each year. The property owner shall be allowed such hearing. Upon receipt of a written request for a hearing, the Commission shall set the date, place and time of the hearing and give the property owner written notice thereof which may be by email. The hearing shall occur within forty-five (45) days of the request for the hearing. The failure of the property owner or a legal representative to appear and participate in the hearing, shall have the same effect as if no request was filed and no hearing is required to occur. Any decision made by the Commission shall be in writing and the property owner shall be notified either by first class mail or email notice.
18. The Commission may modify, sustain or withdraw the notice appealed from by a majority vote. If the Commission find that the property was incorrectly classified as abandoned urban property, it shall cause the property to be removed from the list of

properties so classified. The City Attorney shall provide legal advice to the Vacant Property Review Commission.

19. The property owner may appeal a decision by the Commission to the Laurel Circuit Court within thirty (30) days of the Commission's decision.

20. The provisions of this Ordinance do not modify any other provisions of other Ordinances establishing the Code Enforcement Board except as such Ordinances are in direct conflict with the language of this Ordinance.

21. If any parts of this Ordinance are declared unconstitutional or otherwise held by any Court of competent jurisdiction to be void for any reason, the remainder of this Ordinance shall remain in full force and effect.

22. This Ordinance shall be effective immediately upon publication.


Mayor Randall Weddle

Attested: 
City Clerk Katelin McPeck

First Reading: May 1, 2023 Second Reading: May 26, 2023

Publication Date: May 31, 2023