

A SUMMARY OF ORDINANCE NO. 2008-05 ENTITLED
"AN ORDINANCE OF THE CITY OF LONDON, KENTUCKY RELATING TO
BLIGHTED AND DETERIORATED PROPERTIES WITHIN THE CITY LIMITS,
AUTHORIZING THE ACQUISITION BY EMINENT DOMAIN OF SUCH
PROPERTIES AND ESTABLISHING A PROPERTY REVIEW COMMISSION"

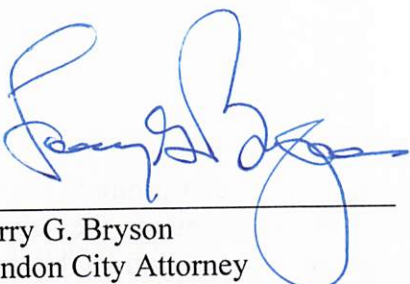
This summary is prepared pursuant to KRS 83A 060(4) as a correct summary of this Ordinance.

The title of this Ordinance is changed to read "An Ordinance of the City of London, Kentucky Relating to Blighted and Deteriorated Properties Within the City Limits, Authorizing the Acquisition by Eminent Domain of Such Properties and Establishing a Property Review Commission." All other mention in the Ordinance to "vacant" property has been removed.

Section III (1) is amended to allow for both residents of the City, as well as property owners in the City of London to be members of the Property Review Commission; "owners of real property" within the City are also eligible for membership on the Property Review Commission.

Other than these amendments, the Ordinance remains unchanged.

This summary is certified by City Attorney Larry G. Bryson to comply with KRS 83A.060(9), and will be effective upon publication of the summary.



Larry G. Bryson
London City Attorney

**COMMONWEALTH OF KENTUCKY
CITY OF LONDON**

ORDINANCE NO. 2008-01 2008-05

AN ORDINANCE AMENDING ORDINANCE NO. 2008-01 ENTITLED

**“AN ORDINANCE OF THE CITY OF LONDON, KENTUCKY RELATING TO
BLIGHTED AND DETERIORATED PROPERTIES WITHIN THE CITY LIMITS,
AUTHORIZING THE ACQUISITION BY EMINENT DOMAIN OF SUCH
PROPERTIES, AND ESTABLISHING A VACANT PROPERTY REVIEW
COMMISSION”**

WHEREAS, there exists within the City blighted and deteriorated properties in business areas and neighborhoods which cause the deterioration of those properties and contiguous property which constitute a danger to the public health, safety, and general welfare of the residents of the City and are beyond remedy and control solely by regulatory and administrative process; and

WHEREAS, the continued existence of such blighted and deteriorated properties, and the growth and spread of blight and deterioration, or the threatened deterioration of other business property and neighborhoods contributes substantially and increasingly to the spread of disease and crime and to losses by fire and accident; constitutes an economic and social liability; substantially impairs or arrests the sound growth of the community; retards the provision of decent, safe, and sanitary housing accommodations; depreciates assessable values of surrounding properties; causes an abnormal exodus of families and businesses from these neighborhoods and businesses, and is detrimental to the health, the well-being, and the dignity of the many residents of these neighborhoods and these businesses; and

WHEREAS, the problems resulting from the existence of these blighted and deteriorated properties cannot effectively be dealt with by private enterprise without the provisions herein; and

WHEREAS, the benefits which will result from eliminating the blighted properties which cause the blight and deterioration of property will occur to the inhabitants of the neighborhoods and operations of those businesses in which these conditions exist and to the residents of the City generally,

NOW, THEREFORE, be it duly ordained by the for the City Council of London, Kentucky as follows:

**SECTION I
Declarations**

It is hereby declared:

- (1) That it is the policy of the City of London, Kentucky to protect and promote the health; safety, and welfare of the residents of the City by eliminating the blight and deterioration of businesses and neighborhoods through the elimination of blighted and deteriorated properties within these areas of the City;
- (2) That the elimination of such blight and deterioration and the preparation of the properties for sale or lease, for development, or for redevelopment constitute a public use and purpose for which public money may be expended and private property acquired and these are governmental functions in the interest of the health, safety, and welfare of the residents of the City; and
- (2) That the necessity in the public interest for the provisions enacted herein is hereby declared to be a legislative determination.

plan. The certification and findings required by this section shall be in writing signed by the chairperson of the Commission and included in the Commission's report to the City Council.

- (5) Notice which may be, or is required to be, given under the terms of this ordinance shall be in writing and sent via first class mail, sufficient postage prepaid, and certified, return receipt requested, and a copy of any such notice shall further be posted in a conspicuous place on the property affected. Unless the owner of the property in question shall have notified the Inspector otherwise, the identity of the owner and the owner's mailing address shall be conclusively presumed to be as appear as such in the records maintained in the office of the Laurel County Property Valuation Administrator, Notice given in accordance with the foregoing shall be deemed effective on the date of receipt; provided, however, that same shall conclusively be deemed to have been received not later than the fifth business day following the date when same was delivered to the post office.

SECTION V Eminent Domain Proceedings

- (1) The City Council of the City of London, Kentucky may institute eminent domain proceedings in accordance with the provisions of Kentucky Revised Statutes Chapter 416 against any property, and may through such proceedings acquire any property, which has been certified as blighted or deteriorated by the Council if it finds:
- a. That the property has deteriorated to such an extent as to constitute a serious and growing menace to the public health; safety, and welfare;
 - b. That such property is likely to continue to deteriorate unless corrected;
 - c. That the continued deterioration of such property may contribute to the blighting or deterioration of the area immediately surrounding the property; and
 - d. That the owner of such property has failed to correct the deterioration of the property.

The findings required as above set forth shall be included in any Order of the City Council authorizing the institution of eminent domain proceedings.

SECTION VI: Use of the Property by the City of London

- (1) The City, following its acquisition of blighted or deteriorated property in accordance with foregoing provisions, shall have the power to hold, clear, manage, or dispose of the property so acquired for residential, business or related use, in keeping with the applicable zoning.

SECTION VII Effective Date

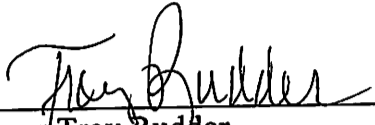
- (1) This ordinance shall be effective immediately upon its adoption by the City Council on second reading and publication in accordance with the applicable provisions of Kentucky law.

This Ordinance shall be in full force and effect upon second reading, adoption and publication according to law. Any Ordinance or parts of Ordinances in conflict herewith are hereby repealed.


Date of First Reading: May 5, 2008

Date of Second Reading: June 2, 2008

Publication Date: June 6, 2008



Mayor Troy Rudder

Attested: 
Connie McKnight
City Clerk