

65.8808 Code enforcement board creation -- Joinder with additional cities or counties -- Powers -- Classification of violation of ordinance as civil offense.

- (1) The legislative body of a local government may, by ordinance, create a code enforcement board which shall have the power to issue remedial orders and impose civil fines as a method of enforcing a local government ordinance when a violation of the ordinance has been classified as a civil offense in accordance with this section. Any local government may expand its code enforcement board to include additional cities or counties within its jurisdiction for performing the function for which the code enforcement board was organized.
- (2) Subject to the limitations set forth in subsection (3) of this section, the legislative body of a local government may elect to enforce any ordinance of the local government, including any zoning ordinance or regulation, by classifying a violation of the ordinance as a civil offense and establishing civil fines which may be imposed on any person who commits a violation of the ordinance. If a local government elects to enforce an ordinance as a civil offense, the ordinance, by its express terms, shall provide:
 - (a) That a violation of the ordinance is a civil offense;
 - (b) A maximum civil fine that may be imposed for each violation of the ordinance; and
 - (c) A specific civil fine of less than the maximum civil fine that will be imposed for each offense if the person who has committed the offense does not contest the citation.
- (3) No legislative body of a local government shall classify the violation of an ordinance as a civil offense if the same conduct that is regulated by the ordinance would also constitute a criminal offense or a moving motor vehicle offense under any provision of the Kentucky Revised Statutes.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 12, sec. 2, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 364, sec. 1, effective July 15, 1998. -- Created 1996 Ky. Acts ch. 177, sec. 3, effective July 15, 1996.