

ORDINANCE NO. 220.3-03-2011

**AN ORDINANCE ESTABLISHING AN *AD VALOREM* TAX
RATE OF \$1.50 PER \$100.00 OF ASSESSED VALUE FOR
ABANDONED URBAN PROPERTY LOCATED WITHIN
THE CITY OF FRANKLIN, KENTUCKY**

WHEREAS, that during its 2004 session, the Kentucky General Assembly authorized cities of the fourth class like the City of Franklin, Kentucky (the "City") to levy a separate tax rate on Abandoned Urban Properties (as defined below) under the provisions of KRS Chapters 92 and 132 and other applicable law; and

WHEREAS, the City Commission of The City of Franklin, Kentucky finds and declares that there exists Abandoned Urban Properties located within the boundaries of the City; and

WHEREAS, the City is committed to continue to clean up blighted, vacated or abandoned real properties.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Franklin, Kentucky as follows:

Section 1. Abandoned Urban Property is established as a separate classification of real property for the purpose of *ad valorem* taxation. As used herein, an "Abandoned Urban Property" means any vacant structure or vacant or unimproved lot or parcel of ground located within the boundaries of the City which has been vacant or unimproved for a period of at least one (1) year and which:

1. Because it is dilapidated, unsanitary, unsafe, vermin infested or otherwise dangerous to the safety of persons, is unfit for its intended use; or
2. By reason of neglect or lack of maintenance has become a place for the accumulation of trash and debris, or has become infested with rodents or other vermin; or
3. Has been tax delinquent for a period of at least three (3) years; or
4. Is located within a development area established under KRS 65.7049, KRS 65.7051 and KRS 65.7053.

Section 2. The rate of *ad valorem* taxation levied upon Abandoned Urban Properties is \$1.50 on each \$100.00 of assessed value.

Section 3. A. The Code Enforcement Officer shall determine each year which properties located within the City are Abandoned Urban Properties, and shall prepare and furnish a list thereof to the City Clerk, City Finance Officer and the Simpson County Property Valuation Administrator prior to January 1st of each year.

B. Except as otherwise provided in division (C) of this section, a property classified by the Code Enforcement Officer as Abandoned Urban Property as of January 1st shall be taxed as Abandoned 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, the owner shall notify the City, by and through its Clerk, which shall, if it finds the property is no longer Abandoned Urban Property, notify the Simpson County Property Valuation Administrator to strike the property from the list of Abandoned Urban Properties as of the succeeding January 1st.

C. No later than May 1st of each year, the Code Enforcement Officer shall mail, by regular first-class mail, to the owner(s) of each Abandoned Urban Property, as those name(s) are listed in the records of the Property Valuation Administrator, a notice that the property has been classified as Abandoned Urban Property. The owner of any Abandoned Urban Property who believes that the property has been incorrectly classified may appeal said classification to the Code Enforcement Board of Appeals. Such appeal shall be in writing and shall be made no later than June 1st of that year. The Code Enforcement Board of Appeals shall afford the owner the opportunity for a hearing. If the Code Enforcement Board of Appeals finds 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.

Section 4. All ordinances or parts thereof in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

Section 5. Any section or provision of this ordinance that is declared by a Court of appropriate jurisdiction to be invalid for any reason, such decision shall not affect or invalidate the remainder of this ordinance.

Section 6. This ordinance shall take full force and effect upon publication as required by KRS Chapter 424 and other applicable law.

FEB 28, 2011 FIRST READING

MAR 14, 2011 SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on March 14, 2011, on motion made by Commissioner Mason Barnes and seconded by Commissioner Henry Stone, the foregoing ordinance was adopted, after full discussion, by the following vote:

YES JAMIE POWELL

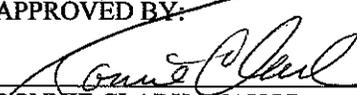
YES LARRY DIXON

YES MASON BARNES

YES HENRY STONE

YES RONNIE CLARK, MAYOR

APPROVED BY:



RONNIE CLARK, MAYOR

ATTEST:



KATHY STRADTNER, CITY CLERK
CITY OF FRANKLIN, KENTUCKY