

CITY OF ST. MATTHEWS
ORDINANCE 25-03
AN ORDINANCE AMENDING ORDINANCE 31.16
REALTING TO ENFORCEMENT OF CITY ORDINANCES

WHEREAS, the City Council has created a Code Enforcement Board, and therefore the City needs to update Ordinance 31.16 to recognize the duties and powers of a Code Enforcement Officer,

BE IT ORDERED BY THE CITY OF ST. MATTHEWS:

Section 1. Section 31.16 of the Codified Ordinances is hereby amended to read as follows:

§ 31.16 ~~CITATION~~ CODE ENFORCEMENT OFFICER.

(A) There is hereby created a non-elected city office to be known as “Code Enforcement Officer.” This office is created under the authority and with all the powers of a ~~Citation~~ Code Enforcement Officer under ~~KRS 83A.087~~ KRS 65.8801 through KRS 65.8839 and with power to enforce city ordinances under KRS 83A.065.

(B) Qualifications and appointment. No person shall be appointed Code Enforcement Officer unless he or she is:

(1) At least 21 years of age; a high school graduate or has received a general equivalency diploma (G.E.D.), or above; and

(2) Is sober, moral, and sagacious; and further

(3) No person who has been convicted of a felony is eligible for appointment;

(4) Before entering upon his/her duties of office, an Code Enforcement Officer shall take the oath prescribed by Kentucky Constitution, Section 228.

(5) If required by the city, he or she must be bondable in such amount as may be fixed by the city from time to time and which bond shall be filed with the City Clerk.

(6) The office or position may be deemed part-time, or full-time, with compensation as may set by the city from time to time. The city may appoint more than one Code Enforcement Officer, either full or part-time.

(7) The appointment of any Code Enforcement Officer shall be made by the Mayor and approved by the City Council.

(C) Powers and duties. Code Enforcement Officer(s) shall not have the powers of a peace officer to make arrests, or to carry deadly weapons, but may issue citations, unless otherwise restricted by the City Council, upon the observance of:

(1) Non-moving motor vehicle offenses;

(2) Violations of city ordinances, except for moving motor vehicle offenses and except for offenses which constitute a violation of the Kentucky Penal Code.

(3) Any other duties prescribed by the Mayor and City Council and not contrary to law, including:

(a) In accordance with KRS 241.160, an Code Enforcement Officer may also be assigned by the city to serve as the Alcoholic Beverage Control Administrator and (in that event) shall exercise all the functions and have the powers authorized under Kentucky Revised Statutes and city ordinances for an Alcoholic Beverage Control Administrator.

(b) Enforcement of binding element violations, if designated by the Planning Commission as a Land Use Enforcement Officer.

(c) Enforcement of any zoning regulation under authority of KRS 100.271.

(d) Enforcement of sign regulations in the city.

(4) The procedure for citations issued by a ~~Citation~~ Code Enforcement Officer shall be as provided in KRS 431.015 ~~65.8801~~ through KRS 65.8839.

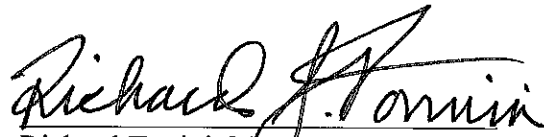
(5) Nothing contained herein shall limit the power of a ~~Citation~~ Code Enforcement Officer to make an arrest as a private person as provided in KRS 431.005.

Section 2. This ordinance shall be in effect and in full force from and after its passage, publication, and recording, according to law.

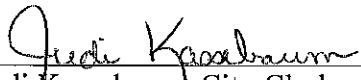
First reading: 02/25/2025

Second Reading: 03/11/2025

Passed and Approved: 3/11/2025


Richard Tonini, Mayor

ATTEST:


Judi Kassebaum, City Clerk

“Aye” Votes 7

“Nay” Votes 0