HARDIN COUNTY, KENTUCKY

ORDINANCE NO 159 ,SERIES 2000

AN ORDINANCE RELATING TO THE ESTABLISHMENT OF A PROPERTY MAINTENANCE CODE OF HARDIN COUNTY, KENTUCKY

BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF HARDIN, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

WHEREAS, KRS 67.083 (3) (a) provides that a Fiscal Court of a county may carry out governmental functions necessary for the abatement of public nuisances;

WHEREAS, KRS 67.083 (3) (j) provides that a Fiscal Court of a county may carry out governmental functions necessary to facilitate the construction and purchase of new and existing housing and cause the repair or demolition of structures which present a hazard to public health, safety or morals or are otherwise inimical to the welfare of residents of the county; and

WHEREAS, the Fiscal Court of Hardin County desires to adopt a Property Maintenance Code to insure public health, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDAINED, by the Fiscal Court of County of Hardin, Commonwealth of Kentucky that the HARDIN COUNTY MAINTENANCE CODE is hereby enacted as follows:

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Page 1 of 15
Hardin County Clerk
Kenneth L. Tabb Clerk
File# 159
BK 3 PG 376-390

CHAPTER 1
ADMINISTRATION

SECTION PM-101.0 GENERAL

PM-101.0 Title: These regulations shall be known as the Property Maintenance Code of Hardin County, Commonwealth of Kentucky, hereinafter referred to as "this code".

PM-101.2 Scope: This code is to protect the public health, safety and welfare in all existing structures, residential and nonresidential, and on all existing premises by establishing minimum requirements and standards for premises, structures, equipment, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; fixing the responsibility of owners, operators, and occupants; regulating the occupancy of existing structures and premises, and providing for administration, enforcements and penalties.

PM-101.3 Intent: This code shall be construed to secure its expressed intent, which is to insure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as require herein.

PM-101.4 Referenced Standards: The standards referenced in this code and listed in Chapter 4 shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provision of this code and reference standards, the provisions of this code shall apply.

PM-101.5 Existing Remedies: The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

PM-101.6 Workmanship: All repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner.

PM-101.7 Application of Other Codes: Any repairs, additions or alteration to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the building, plumbing and mechanical codes listed in Chapter 4.

SECTION PM-102.0 VALIDITY

PM-102.1 Validity: If any section, subsection, paragraph, sentence, clause or phrase of this code shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this code which shall continue in full force and effect, and to this end the provisions of this code are hereby declared to be severable.

PM-102.2 Saving Clause: This code shall not affect violations of any other ordinance, code or regulation existing prior to the effective date hereof, and any such violation shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

PM-102.3 Jurisdiction: This code shall apply to the unincorporated areas of Hardin County, Kentucky.

SECTION PM-104.0 DUTIES AND POWERS OF CODE OFFICIAL

PM-104.1 General: The code official shall enforce all of the provisions of this code.

PM-104.1 Notices and Orders: The code official shall issue all necessary notices or orders to ensure compliance with the code.

PM-104.3 Right of Entry: The code official is authorized to enter the structure or premises at reasonable times to inspect. Prior to entering into a space not otherwise open to the general public, the code official shall make a reasonable effort to locate the owner or other person having charge or control of the structure or premises, present proper identification and request entry. If requested entry is refused or not obtained, the code official shall pursue recourse as provided by law.

PM-104.4 Access by Owner or Operator: Every occupant of a structure or premises shall give the owner or operator thereof, or agent or employee, access to any part of such structure or its premises at reasonable times for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this code.

PM-104.5 Identification: The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

PM-104.6 Coordination of Enforcement: Inspection of premises, the issuance of notices and orders and enforcement thereof shall be the responsibility of the code official so charged by the jurisdiction. Whenever inspections are necessary by any department, the code official shall make reasonable effort to arrange for the coordination of such inspections so as to minimize the number of visits by inspectors, and to confer with the other departments for the purpose of eliminating conflicting orders before any are issued. A department shall not however, delay the issuance of any emergency orders.

PM-104.7 Rule Making Authority: The code official shall have power as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structures or fire performance requirements specifically provided for in this code or of violating public safety.

PM-104.8 Organization: The code official shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of this code and as authorized by the appointing authority. The code official is authorized to designate an employee as deputy who shall exercise all the powers of the code official during the temporary absence or disability of the code official.

PM-104.9 Restriction of Employees: An official or employee connected with the enforcement of this code, except one whose only connection is that of a member of the board of appeals established under the provisions of Section PM-110.0 shall not be engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of construction documents thereof, unless that person is the owner of the building; nor shall such officer or employee with official duties or with the interests of the department.

PM-105.10 Relief from Personal Responsibility: The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit proceeding that is instituted in pursuance of the provisions of this code; and an officer of the department of building inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

PM-104.11 Official Records: An official record shall be kept of all business and activities of the department specified in the provision of this code, and all such records shall be open to public inspection at all appropriate times and according to reasonable rules to maintain the integrity and security of such records.

SECTION PM-105.0 VIOLATIONS

PM-105.1 Unlawful Acts: It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, permit another person to occupy any structure or equipment regulated by this code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this code, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this code.

PM-105.2 Penalty: Any person who shall violate a provision of this code shall, upon conviction thereof, be subjected to a fine up to $500.00 or imprisonment for a term not to exceed sixty (60)

days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

PM-105.3 Prosecution: In case of any unlawful acts the code official may institute an appropriate action or proceeding at law to exact the penalty provided in Section PM-105.2. Also, the code official may ask the jurisdiction's legal representative to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person: 1) To restrain, correct or remove the violation or refrain from any further execution of work; 2) To restrain or correct the erection, installation, maintenance, repair or alteration of such structure; 3) To require the removal of work in violation; or 4) To prevent the occupancy of the structure that is not in compliance with the provisions of this code.

SECTION PM-106.0 NOTICES AND ORDERS

PM-106.1 Notice to Owner or to Person or Persons Responsible: Whenever the code official determines that there has been a violation of this code or has grounds to believe that violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Section PM-106.2 and PM 106.3. Notices for condemnation procedures shall also comply with Section PM-107.3.

PM-106.2 Form: Such notice prescribed in Section PM-106.1 shall; 1) be in writing; 2) include a description of the real estate sufficient for identification; 3) include a statement of the reasons or reasons why the notice is being issued; and 4) include a correction order allowing a reasonable time for the repairs and improvements required to bring the dwelling unit or structure into compliance with the provision of this code.

PM-106.3 Method of Service: Such notice shall be deemed to be properly served when a copy thereof is (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner. The records of the Hardin County Property Valuation Administrator may be relied upon as accurate information as to the owner of the premises or structure.

PM-106.4 Penalties: Penalties for noncompliance with orders and notices shall be as set forth in Section PM-105.2.

PM-106.5 Transfer of Ownership: It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of

violation issued by the code official.

SECTION PM-107.0 UNSAFE STRUCTURES AND EQUIPMENT

PM-107.1 General: When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

PM-107.1.1 Unsafe Structure: An unsafe structure is one that is found to be dangerous to life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is likely.

PM-107.1.2 Unsafe Equipment: Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wring or device, flammable liquid container or other equipment on the premises or within structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

PM-107.1.3 Structure Unfit for Human Occupancy: A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

PM-107.2 Closing of Vacant Structures: If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

PM-107.3 Notice: Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice an served on the owner or the person or persons responsible for the structure or equipment in accordance with Section PM-106.3. The notice shall be in a the form prescribed in Section PM-106.2.

PM-107.4 Placarding: Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment, a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

PM-107.5 Prohibited Occupancy: Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties by this code.

PM-107.6 Removal of Placard: The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

SECTION PM-108.0 EMERGENCY MEASURE

PM-108.1 Imminent Danger: When in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This structure is Unsafe and its Occupancy has been Prohibited by the Code Official." It shall be unlawfully for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.

PM-108.2 Temporary Safeguards: Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding-up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

PM-108.3 Closing Streets: When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

PM-108.4 Emergency Repairs: For the purposes of this section, the code official shall employ the necessary labor and material to perform the required work as expeditiously as possible.

PM-108.5 Costs of Emergency Repairs: Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of the code official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

PM-108.6 Hearing: Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

SECTION PM-109.0 DEMOLITION

PM-109.1 General: The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to raze and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to raze and remove such structure.

PM-109.2 Order: All notices and orders shall comply with Section PM-106.0.

PM-109.3 Failure to Comply: If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be razed and/or removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such razing and/or removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

PM-109.4 Salvage Materials: When any structure has been ordered razed and/or removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvaged and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such razing and/or removal, shall be promptly remitted with a report of such sale to transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall state so.

SECTION PM-110.0 MEANS OF APPEAL

PM-110.1 Application for Appeal: Any person affected by a decision of the code officials or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

PM-11O.2 Appeals Board: In order to protect existing structures in the jurisdiction by vigorous enforcement of the provisions of this code, there shall be and is hereby created a code appeals board, hereafter referred to as the board, consisting of the then current members of the Hardin County Planning and Development Commission.

PM-110.3 Notice of Meeting: The board shall meet upon notice from the chairman, within ten days of the filing of the appeal, or as stated periodic meetings.

PM-110.4 Open Hearings: All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official, and any person whose interests are affected shall be given an opportunity to be heard.

PM-110.4.1 Procedure: The board shall adopt and make available to the public through the secretary, procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

PM-110.5 Postponed Hearing: When a quorum is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

PM-110.6 Board Decision: The board shall affirm, modify or reverse the decision of the code official by a majority vote of three members.

PM-110.6.1 Resolution: The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

PM-110.6.2 Administration: The code official shall take immediate action in accordance with the decision of the board.

PM-110.7 Court Review: Any person, whether or not a previous party of the appeal, shall have the right to apply to the Hardin Circuit Court to correct the errors of law. Application for review shall be made in the manner required by law within thirty (30) days following the filing of the decision.

CHAPTER 2
DEFINITIONS

SECTION PM-201.0 GENERAL

PM-201.1 Scope: Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

PM-201.2 Interchangeability: Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter, and the singular number includes the plural and the plural singular.

PM-201.3 Terms Defined in Other Codes: Where terms are not defined in this code and are defined in the building, plumbing or mechanical codes listed in Chapter 4, such terms shall have the meaning ascribed to them as in those codes.

PM-201.5 Parts: Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "story," or "structure" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

PM-202.0 GENERAL DEFINITIONS

Approved: Approved by the code official.

Basement: That portion of a structure which is partly or completely below grade.

Building: Any structure occupied or intended for supporting or sheltering any occupancy.

Building Code: The building code officially adopted by the legislative body of this jurisdiction, or other such codes officially designated by the legislative body of the jurisdiction for the regulation of construction, alteration, addition, repair, removal, demolition, location, occupancy and maintenance of buildings and structures.

Code Official: The official designated by Executive Order of the Hardin County Judge/Executive who is charged with the administration and enforcement of this code, or any duly authorized representative.

Condemn: To adjudge unfit for occupancy.

Dwellings: See Section PM 201.5

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking or sanitation.

Exterior Property: The open space on the premises and on adjoining property under the control of owners or operators of such premises.

Extermination: The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

Garbage: The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Infestation: The presence, within or contiguous to a structure or premises of insects, rats, vermin or other pests.

Let for Occupancy of Let: To permit possession or occupancy of a dwelling, dwelling unit, rooming unit, building or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or

unrecorded agreement of contract for the sale of the land.

Occupancy: The purpose for which a building or portion thereof is utilized or occupied.

Occupant: Any person living or sleeping in a building; or having possession of a space within a building.

Operator: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

Owner: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the state of any such person, and the executor or administrator or the estate of such person if ordered to take possession of real property by a court.

Person: An individual, corporation, partnership or any other group acting as a unit.

Premises: A lot, plot or parcel of land including any structures thereon.

Public Nuisance: Includes the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law; or
2. Any physical condition or occupancy of any premises or it appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences and structures; or
3. Any premises that has unsanitary sewage or plumbing facilities; or
4. Any premises designated as unsafe for human habitation; or
5. Any premises that is manifestly capable or being a fire hazard, or is manifestly unsafe or unsecured so as to endanger life, limb or property; or
6. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the require precautions against trespassers have not been provided; or
7. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds; or
8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open; vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

Rubbish: Combustible and noncombustible waste materials, except garbage; the tem shall include the residue from the burning of wood, coals, coke and other combustible materials, papers, rags,

cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin can metals, mineral matter, glass, crockery, and dust and other similar materials.

Structure: That which is built or constructed or a portion thereof.

Workmanlike: Executed in a skilled manner, e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

Yard: An open space on the same lot with a structure.

CHAPTER 3
GENERAL REQUIREMENTS

SECTION PM-301.0 GENERAL

PM-301.1 Scope: The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structure, equipment and exterior property.

PM-301.2 Responsibility: The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in Sections PM-306.0 and PM-307.0. A person shall not occupy as owner-occupant or permit another person to occupy premises which do not comply with the requirements of this chapter.

PM-301.3 Vacant Structures and Land: All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION PM-303.0 EXTERIOR PROPERTY AREAS

PM-303.1 Sanitation: All exterior property and premises shall be maintained in a clean, sage and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in clean and sanitary condition.

PM-303.2 Grading and Drainage: All premises shall be graded and maintained to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Water retention areas and/or reservoirs. Existing as of the effective date of this Ordinance or approved.

PM-303.5 Rat Harborage: All structures and exterior property shall be kept free from rat infestation. Where rats are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, property precautions shall be taken to prevent reinfestation.

PM-303.7 Accessory Structures: All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. Accessory structures must be maintained in accordance with the criteria established by this code.

SECTION PM-304.0 EXTERIOR STRUCTURE

PM-304.1 General: The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare.

PM-304.2 Structural Members: All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

SECTION PM-305.0 INTERIOR STRUCTURES

PM-305.1 General: The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Every occupant shall keep that part of the structure which such occupant occupies or controls in a clean and sanitary condition.

PM-305.2 Structural Members: The supporting structural members of every structure shall be maintained structurally sound, and be capable of supporting the imposed loads.

SECTION PM-306.0 RUBBISH AND GARBAGE

PM-306.1 Accumulation of Rubbish or Garbage: All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish or garbage.

PM-306.2 Disposal of Rubbish: Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

PM-306.2.1 Rubbish Storage Facilities: The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

PM-306.3 Disposal of Garbage: Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

SECTION PM-307.0 EXTERMINATION

PM-307.1 Infestation: All structures shall be kept free from insect and rat infestation. All structures in which insects or rats are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

PM-307.2 Owner: The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

PM-307.3 Single Occupancy: The occupant of a structure containing a single dwelling unit or of a single nonresidential structure shall be responsible for extermination on the premises.

PM-307.4 Multiple Occupancy: The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupants shall be responsible for extermination.

PM-307.5 Occupant: The occupant of any structure shall be responsible for continued rat proof condition of the structure, and if the occupant fails to maintain the rat proof condition, the cost of extermination shall be the responsibility of the occupant.

CHAPTER 4 REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard and/or by document title.

Kentucky Building Code

SECTION II

If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not effect the remaining parts of this Ordinance.

SECTION III

Given First Reading on the 19 day of June, 2000.

Given the Second Reading on the 10 day of July, 2000.

Adopted by the Fiscal Court of Hardin County, Kentucky, on the 10 day of July, 2000.

HARDIN COUNTY FISCAL COURT

GLEN D. DALTON
HARDIN COUNTY JUDGE/EXECUTIVE

Attest:

KENNETH L. TABB
HARDIN COUNTY COURT CLERK

Approved as to form:

KEN M. HOWARD
HARDIN COUNTY ATTORNEY