

## AN ORDINANCE RELATING TO NUISANCES

WHEREAS, it is the duty and desire of the Owen Fiscal Court to protect its citizens from conditions which endanger life, limb or property, or which destroy the enjoyment of dwellings or other uses of property in the vicinity by interfering with the ordinary comforts of human existence.

NOW THEREFORE BE IT ORDAINED BY THE FISCAL COURT OF OWEN COUNTY, KENTUCKY, meeting in regular session on February 11, 1992 having the first reading and on March 10, 1992 having the second reading:

SECTION ONE

The following conditions are declared to be a public nuisance and shall be prohibited:

The storage of motor vehicles in an inoperative condition; motor vehicles unfit for further use; motor vehicle parts or scrap metal within two hundred (200) feet of a public roadway, except on premises authorized by the Commonwealth of Kentucky for such purpose. There shall be a presumption that a motor vehicle is disabled and inoperative, if it is not moved within thirty (30) days.

Provided however that this ordinance shall not apply to vehicles that are completely enclosed within a garage or other building and out of sight of such public roadway.

Farm vehicles other than farm trucks shall not be considered motor vehicles for the purpose of this ordinance.

SECTION TWO

For the purpose of this chapter, it shall not be essential that the nuisance be created or contributed to by the owner, occupant, or person having control or management of the premises, but merely that the nuisance be created or contributed to by licensees, invitees, guests or other persons for whose conduct the owner or operator is responsible, or by persons for whose conduct the owner or operator is not responsible or by the exercise of reasonable care ought to have become aware of.

SECTION THREE

Scrap metal (Definition): Pieces of or parts of steel, iron, tin, zinc, copper, aluminum, or any alloy thereof, whether covered with porcelain or any other materials whether intact or in parts which has served its usefulness in its original form and can no longer be used for its originally intended purpose.

SECTION FOUR

Certain conditions declared a nuisance; It shall be unlawful for the owner, occupant or person having control or management of any land within Owen County or any private resort to permit a public nuisance to develop there on. The following conditions are declared to be a public nuisance:

(A) Dangerous trees or other objects adjoining all public roads and private resort roads; stack of, or other object standing in such condition that is will, if the condition is allowed to continue, endanger the life, limb or property of, or cause hurt, damage or injury to persons or property upon the roads adjacent thereto, by falling thereto or of parts thereof.

(B) Accumulation of rubbish. An accumulation on any premises of filth, refuse, trash, garbage or other waste material which endangers the public health, welfare, or safety or materially interferes with the peaceful enjoyment by owners or occupants of adjacent property because of the danger that it will catch or communicate fire, attract and propagate vermin, rodents or insects, or blow rubbish into any street, sidewalk, or property of another.

(C) Open wells; The maintenance of any open, uncovered, or insecurely covered cistern, cellar, well, pit, excavation, or vault situated upon private premises in any open or unfenced lot or place.

SECTION FIVE

It shall be the duty of any law enforcement official to serve or cause to be served a notice upon the owner or occupant of any premises on which there is kept or maintained any nuisance in violation of the provisions of this chapter and to demand with a written notice that the violation be corrected within ten days. If the violation is not corrected within ten days then a citation shall be issued to appear in District Court.

SECTION SIX

All county and state roads and roads in private resorts shall be covered under this ordinance.

SECTION SEVEN

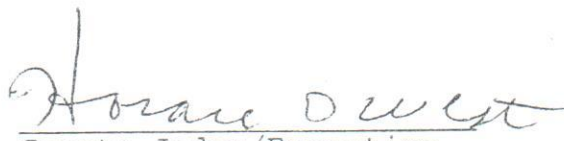
Any person who violates any provision of this chapter shall be fined not less than \$ 10.00 and not more than \$ 100.00 for each offense; Each days continued violation shall constitute a separate offense.

SECTION EIGHT

If any provision or section of this ordinance or the enforcement of any such provision or section is held to be invalid or unenforceable by a court or competent jurisdiction, such invalidity or unenforceability shall not affect or render invalid or unenforceable any other provision of this ordinance.

First reading given by the Owen County Fiscal Court  
this 11 th day of February, 1992.

Second reading given and passed by the Owen County  
Fiscal Court. This ordinance shall become effective  
upon passage and publication, this 10th day of  
March, 1992.

  
County Judge/Executive

ATTEST:

