

Motion made by Trustee Wallace Mullins, seconded by Trustee Lawrence Baker, that the Board of Trustees adopt the following Ordinance. to-wit:

GARBAGE ORDINANCE

6-1-1-1-7-1969

AN ORDINANCE OF THE CITY OF CRAB ORCHARD, KENTUCKY, REQUIRING ALL RESIDENTS AND BUSINESS ESTABLISHMENTS TO PROVIDE VERMIN-PROOF CONTAINERS FOR GARBAGE AND TRASH ON THEIR RESPECTIVE PREMISES, PROVIDING A PENALTY FOR FAILURE TO PROVIDE SAID CONTAINERS; PROVIDING FOR THE CITY OF CRAB ORCHARD TO REMOVE SAID GARBAGE AND TRASH FROM SAID CONTAINERS, AND AN ASSESSMENT OF SAID RESIDENTS AND OPERATORS OF SAID BUSINESS ESTABLISHMENTS FOR THE COSTS OF THE REMOVAL OF SAID GARBAGE AND TRASH.

WHEREAS, the improper storage and removal of garbage and trash in the City of Crab Orchard each day creates a greater problem in providing proper control of flies, rats and other vermin, and creates unsanitary conditions in said City, and

WHEREAS, it is impossible to remedy the situation unless the City provides a method to control same,

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE BOARD OF TRUSTEES OF THE CITY OF CRAB ORCHARD, KENTUCKY, AS FOLLOWS:

Each resident and business establishment located within the City limits of the City of Crab Orchard, Kentucky, shall provide on the premises a vermin-proof container for the purpose of holding garbage and trash until it is removed by a method provided by the City of Crab Orchard, and any resident or operator of a business establishment within the City limits of Crab Orchard failing to provide such container and allowing garbage and trash to accumulate on their premises shall, upon conviction, be fined not less than Five (\$5.00) Dollars or more than \$25.00 for each abuse, and each day such condition continues shall constitute a separate offense.

The City of Crab Orchard, by some method provided by it, shall remove said garbage and trash from the premises of each resident on the first Wednesday of each month, and shall remove said garbage and trash from the premises of each business establishment on Monday and Friday of each week.

Each resident shall pay to the City Clerk of the City of Crab Orchard the sum of One Dollar on the first day of each month, and the operator of each business establishment shall pay to said Clerk the sum of Two Dollars on the first day of each month, except gasoline filling station shall pay Three Dollars on the first day of each month. This ordinance shall become effective immediately upon passage and publication, and the City Clerk of Crab Orchard shall have this ordinance published in the Interior Journal, a newspaper of general circulation in Lincoln County, Kentucky, immediately after its passage.

City of Crab Orchard

Ordinance No. 9404-01

An ordinance of the City of Crab Orchard establishing procedures to abate nuisances.

Be it ordained by the City of Crab Orchard that the City desires to establish procedures to abate nuisances arising within the city limits, and to accomplish that goal the city proposes to enact the hereinafter provisions: Now therefore; the City of Crab Orchard does ordain as follows:

- a. Injuries or endangers the comfort, repose, health, or
- b. Offends decency; or
- c. Is offensive to the senses; or
- d. Unlawfully interferes with, obstructs or tends to obstruct or renders dangerous for passage and public or private street, highway, sidewalk, stream, ditch or drainage; or
- e. In any way renders other persons insecure in life or the use of property;

The maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance; provided however, this enumeration shall not be deemed or construed to be conducive, limiting or restrictive:

- a. Merchants must clean and maintain the area in front of their business,
- b. Noxious weeds and other rank vegetation.
- c. Accumulation of rubbish, trash, refuse, junk and other abandoned materials, metals, lumber or other things.
- d. Abandoned discarded or unused objects or equipment such as automobiles, furniture, stoves refrigerators, freezers, cans or containers.
- e. Any condition which provided harborage for rats, mice, snakes and other vermin.
- f. Within the restrictions of the Planning and Zoning Committee, there should be no livestock or fowl raised, produced, or maintained within the city limits.
- g. Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity hereof, or presents a more than ordinary dangerous fire hazard in the vicinity where it is located.

- h. All disagreeable or obnoxious odors and stenches, as well as the conditions substances or other causes which give raise to the emission or generation of such odors and stenches. Including the confinement of animals that cause obnoxious odors and stenches.
- i. The carcasses of animals or fowl not disposed of within a reasonable time after death.
- j. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery, industrial wastes or other substances.
- k. Dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities.

Whenever a nuisance is found to exist in the City, a duly designated officer of the City shall give five (5) days written notice to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance.

The notice to abate a nuisance issued under the provisions shall contain the following:

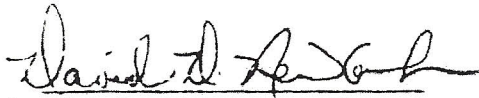
- a. An order to abate the nuisance or the request a hearing within a stated time which shall be reasonable under the circumstances.
- b. The location of the nuisance, if the same is stationary.
- c. A description of what constitutes a nuisance.
- d. A statement of acts necessary to abate the nuisance.
- e. A statement that if the nuisance is not abated as directed and no request for cost thereof against such person.

The notice to abate a nuisance shall be served by either hand-delivery or certified mail.

Any and all costs incurred by the City in the abatement of a nuisance under the provisions of this chapter shall constitute a lien against the property upon which such nuisance existed, which lien shall be filed, proven and collected as provided for by law. Such lien shall be notice to all persons from the time of its recording, shall bear interest at the legal rate set by the City Commission thereafter until satisfied, and shall be added to the tax bill for the premises upon which such nuisance existed.

Whoever violates any provision of this chapter shall be fined not more than \$500.00 for each offense. Each day's continued violation shall constitute a separate offense.

First Reading April 7, 1994
Second Reading April 14, 1994
Passed this 14th day of April, 1994
Ayes: 5
Nays: 0


David D. Newcomb, Mayor


Judy Broughton, City Clerk

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