

CITY OF BELLEVUE, KENTUCKY

Vacant Residential Property Registration Form Ordinance 2015-05-01

This form shall be filled out in its entirety and submitted to the City Clerk's Office of Bellevue with the fee of \$500.00 payable to "Treasurer, City of Bellevue" 616 Poplar Street Bellevue Kentucky 41073 (859) 431-8888 fax (859) 261-8387

Mary.scott@bellevueky.org

(Information on this form must be printed or typed)

Address of Vacant Property _____

Creditor Company Name _____

Creditor Mailing Address _____

City _____ State _____ Zip Code _____

Name of person located within the Commonwealth of Kentucky who is authorized to accept service on behalf of the Creditor _____

Phone Number _____ Email _____

Section 1

156B.01 PURPOSE – It is the purpose and intent of this chapter to establish a vacant residential property registration and maintenance program as a mechanism to protect neighborhoods and minimize hazards to persons and property because of the vacancy.

156B.02 DEFINITIONS – for the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CREDITOR A federal or state chartered bank, savings bank, savings and loan association, or credit union, and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, services.

EVIDENCE OF VACANCY A condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions include but are not limited to overgrown or vegetation, accumulation of flyers, mail, or trash, disconnected utilities, the absence of window coverings or furniture, and statements by neighbors, delivery persons, or government employees.

RESIDENTIAL REAL PROPERTY Real Property with one or more dwelling units.

VACANT Having no legal resident or tenant.

156B.03 REGISTRATION

- (A) The City Clerk shall prepare, maintain and periodically update a registry of vacant residential property located in the City of Bellevue.
- (B) Prior to filing a complaint of foreclosure or executing a deed in lieu of foreclosure on a vacant residential real property that appears on the registry located within the City, a creditor shall pay the fee set forth in (C).

- (C) The fee for vacant residential property shall be Five Hundred (\$500.00 dollars made payable to the "Treasurer, City of Bellevue" and submitted to the City Clerk prior to any action of creditor set forth above in (B). Thereafter, an annual fee of Five Hundred (\$500.00) is payable until such time that the foreclosure action is dismissed, the property is sold at judicial sale, the property is reoccupied, or until the property is transferred to an unaffiliated third party.

156B.04 MAINTENANCE

For so long as the property remains vacant after the creditor has filed a foreclosure action or executed a deed in lieu of foreclosure, but prior to vestige of title in the creditor or third party, the creditor must:

- (A) Keep the property free of garbage, litter, junk, debris, building materials and discarded personal items.
- (B) Keep the property free of graffiti, tagging or similar markings by removing it or painting over it with the exterior paint that matches the color of the exterior of the building.
- (C) Maintain the yard by removing weeds and dead vegetation, trimming overgrown plantings, and mowing the grass as seasonally appropriate.
- (D) Drain pools and ensure that they remain covered and free from accumulated water.
- (E) Secure all buildings, including outbuildings, on the property in order to protect them from intrusion by unauthorized persons, animals, birds and vermin.
- (F) Perform any maintenance or repairs necessary to ensure that the property does not violate the City's Property Maintenance Code, Building Code, or any other City Ordinance, and that it does not otherwise constitute a nuisance.
- (G) If the City determines the property is in violation of the City's Property Maintenance Code, Building Code, or any other City Ordinance, the City may notify the creditor of the violation by providing a Notice of Violation to the creditor. A Notice of Violation shall include a description of the conditions that give rise to the violation and shall provide a period of not less than five (5) days for the creditor to remedy the violation, or sooner if the violation results in an immediate danger to the health and well-being of the community.

156B.05 ENFORCEMENT; PENALTIES

- (A) If the creditor fails to remedy the violation within the stated period, the City may issue a citation and impose penalties against the creditor for the violation. The creditor shall be subject to a civil fine of not less than \$100.00 but no more than \$500.00 per day per violation. The City is hereby empowered to enter upon the property to abate the nuisance keeping account of the expense including but not limited to the labor and materials required for the abatement, and the expense shall be charge to and paid by the creditor.
- (B) The City shall possess a lien on property for all fines, penalties, charges, attorney's fees, abatement costs, and all other reasonable costs associated with enforcing this ordinance, including the costs of placing a lien on a parcel of real property pursuant to this provision. The lien shall take precedence over all other subsequent liens, except state, county, school and city taxes, and may be enforced by judicial proceedings.

Creditor Signature _____ Date _____

