

CITY OF BELLEVUE

ORDINANCE NO. 2024-06-02

AN ORDINANCE AMENDING ORDINANCE 2003-07-02, AS CODIFIED IN CHAPTER 98 OF THE BELLEVUE CODE OF ORDINANCES, ADDING A SUBSECTION, (§ 98.89) RELATED TO CIVIL PENALTIES FOR VIOLATING § 98.25A OF SAID ORDINANCE RELATING TO PROHIBITED ACTS WITH CITY TREES, WHERE SUCH PROHIBITED ACTION RESULTS IN THE LOSS AND/OR REQUIRED REMOVAL OF A CITY TREE, AND VESTING THE INVESTIGATION, CHARGING AND ENFORCEMENT AUTHORITY THEREOF WITH THE CODE ENFORCEMENT BOARD.

* * *

WHEREAS, the Board of Council adopted ordinances in Chapter 98 of the Bellevue Code of Ordinances (codified) establishing rules regarding city trees, including but but limited to prohibited acts relating to city trees in §98.25A of said ordinances; and

WHEREAS, §98.99 provides for certain criminal penalties for violating Chapter 92 of the Bellevue Code of Ordinances; and

WHEREAS, in situations where violation(s) of §98.25A result in the loss and/or required removal of a city tree, the expense for removal and/or replacement of said tree is cost the city should not bear; and

WHEREAS, Board of Council desires to create a civil remedy for said violation that results in the loss of a city tree, and to vest the investigation, charging and enforcement authority therefore with the Code Enforcement Board;

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY, that Ordinance 2003-07-02 as codified in Chapter 98 of the Code of Ordinances be amended to add §98.89 as follows:

§ 98.89 REMEDIES.

(A) Any person, firm, organization or corporation who violates §98.25A, in addition to any other penalties, including but not limited to those set forth in §98.90, shall be liable and responsible for the costs and fees associated with the removal and replacement of any city tree, if such violation results in the loss and/or required removal of said city tree

(B) The investigation, charging and enforcement of this § 98.89 shall vest with the Code Enforcement Board.

That this Ordinance shall be in effect, when read, passed, and published according to law.

Charlie Cleves, Mayor

ATTEST:

Lindy Jenkins, City Clerk

First Reading:

Second Reading:

Publication: