

ORDINANCE 04-2006

**AN ORDINANCE ESTABLISHING ABANDONED URBAN PROPERTIES AND
SETTING A TAX RATE FOR THESE PROPERTIES
FOR THE CITY OF HOPKINSVILLE, KENTUCKY**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF HOPKINSVILLE, KENTUCKY AS FOLLOWS:**

SECTION ONE

(A) ABANDONED URBAN PROPERTY CLASSIFIED AS REAL PROPERTY.

Abandoned urban property is established as a separate classification of real property for the purpose of ad valorem taxation. As used in this chapter, "abandoned urban property" means:

- (1) Any vacant structure or vacant unimproved lot or parcel of ground in the City which has been vacant or unimproved for a period of at least one year and which:
 - (a) Because it is dilapidated, unsanitary, unsafe, vermin infested, or otherwise dangerous to the safety of persons, it is unfit for its intended use; or
 - (b) By reason of neglect or lack of maintenance has become a place for the accumulation of trash and debris, or has become infested with rodents or other vermin; or
 - (c) Has been tax delinquent for a period of at least three years.
- (2) Any property in the City identified as "dilapidated" or "deteriorated" by the Hearing Panel of the Dilapidated Structures Ordinance pursuant to Chapter 161 of the Hopkinsville Code of Ordinances.

(B) RATE OF TAXATION FOR ABANDONED URBAN PROPERTIES. The rate of taxation levied upon abandoned urban properties is \$1.50 on each \$100 of assessed value.

**(C) CLASSIFICATION OF PROPERTY AS ABANDONED URBAN PROPERTY;
RIGHT TO APPEAL.**

(1) The Hopkinsville Christian County Planning Commission shall each year determine which properties in the City are abandoned urban properties and shall prepare and furnish a list of abandoned urban properties located in the City to the City Finance Department and the Christian County Property Valuation Administrator prior to January 1 of each year.

(2) Except as otherwise provided in division (3) of this section, a property classified by the Hopkinsville Christian County Planning Commission as abandoned urban property as of January 1 shall be taxed as abandoned urban property for such tax year. If the owner repairs, rehabilitates, or otherwise returns the property to productive use so that the property is no longer abandoned urban property, he or she shall notify the City, which shall, if it finds the property no longer abandoned urban property, notify the Finance Department and the Christian County Property Valuation Administrator to strike the property from the list of abandoned urban properties as of the succeeding January 1.

(3) No later than March 1 of each year, the Hopkinsville Christian County Planning Commission shall mail, by first-class mail, to the owner(s) of each abandoned

urban property, as those name(s) are listed in the records of the Property Valuation Administrator, a notice this property has been classified as abandoned urban property. The owner of any abandoned urban property who believes his, her, or its property has been incorrectly classified may appeal such classification to the Dilapidated Structures Hearing Panel. Such appeal shall be in writing and shall be made no later than April 1 of that year. The Dilapidated Structures Hearing Panel shall afford the owner the opportunity for a hearing. If the Dilapidated Structures Hearing Panel finds the property was incorrectly classified as abandoned urban property, it shall cause the property to be removed from the list of properties so classified. The Dilapidated Structures Hearing Panel shall develop policies and procedures for conducting such appeals.

SECTION TWO

If any section, subsection, sentence, clause or phrase of this ordinance is held unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remaining portions of this ordinance.

SECTION THREE

All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

SECTION FOUR

This ordinance shall take effect after its passage and publication according to law.

ORDINANCE 04-2006 ABANDONED URBAN PROPERTIES

PUBLICLY READ AND PASSED FIRST TIME: February 7, 2006

PUBLICLY READ AND PASSED SECOND TIME: February 23, 2006

APPROVED: _____
Richard G. Liebe
Mayor

ATTEST: _____
T. Mark Withers, II
CAO/City Clerk