

ORDINANCE 01-2024

AN ORDINANCE OF THE CITY OF FORT WRIGHT, IN KENTON COUNTY, KENTUCKY, ADDING A NEW SECTION 110.17 TO THE BUSINESS REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF FORT WRIGHT IMPOSING AN ADMINISTRATIVE HOLD ON ISSUANCE OR RENEWAL OF ANY LICENSE, PERMIT OR OTHER APPROVAL IF THERE ARE UNPAID TAXES, FINES OR OTHER VIOLATIONS.

WHEREAS, the City seeks to impose an additional penalty due to multiple occasions of violations by various operators of different businesses in the City who are delinquent in their taxes or otherwise not complying with City Ordinances; and

WHEREAS, the Fort Wright City Council desires to amend its Code of Ordinances to impose an additional penalty for non-payment or non-compliance with its ordinances by parties seeking to obtain or renew licenses, permits or other approvals when they are already delinquent with their compliance with the City's Ordinances; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FORT WRIGHT, KENTON COUNTY, KENTUCKY, AS FOLLOWS.

SECTION 1

The Code of Ordinances Title XI, entitled Business Regulations, is hereby amended to add a new Section 110.17 as follows (any text being added is shown by a single solid line drawn underneath it; text that is removed is marked at the beginning with an opening bracket and at the end with a closing bracket; the text between the brackets is stricken through with a single solid line).

SECTION 2

Section 110.17 Administrative Hold

(A) Any person, business or entity is administratively ineligible for the issuance of any license, permit or other approval issued by the city or its agencies, including city administrator; finance department; city clerk; city engineer; city ABC administrator; city treasurer; Planning and Development Services of Kenton County as zoning administrator for the City of Fort Wright; fire department or police department if the following exist:

- (1) Own property in the city for which there exists:
 - (a) Unpaid city ad valorem taxes;

(b) Unpaid fines, including code enforcement fines, parking fines, and abatement costs assessed by the city; or

(c) A final order finding a violation of any code or ordinance of the city that has not been remedied.

(2) Are delinquent on payment or filing of any occupational license or net profit taxes, insurance premium taxes, or any other taxes or payments owed to the city or its agencies

(B) An administrative hold resulting from the application of section (a) shall run with the land and be binding on the person, business or entity's successors and heirs, provided that the successors and heirs have notice or constructive notice of the delinquent obligation. The filing of a lien in the county clerk's office shall be presumptively established constructive notice to all persons.

SECTION 3

Any and all Ordinances in conflict with this Ordinance shall be, and hereby are, repealed to the extent of said conflict.

SECTION 4

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

SECTION 5

That this ordinance shall become effective upon its passage and shall be published under KRS 83A.060(9) and other applicable law. This ordinance may be published by summary.

Passed by City Council on March 6 2024.

CITY OF FORT WRIGHT, KENTUCKY

By: _____

Dave Hatter, Mayor

ATTEST:

Maura Russell
Maura Russell, City Clerk

FIRST READING: 02-07-2024
SECOND READING: 03-06-2024
PUBLICATION: 03-08-2024



AFFIDAVIT OF PUBLICATION

See Proof on Next Page

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I, Laquansay Nickson Watkins, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of LINK Reader, a publication that maintains a "notice website" as that phrase is defined in the State of Kentucky (KRS 424.145), that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper or online notice website at <https://linkreader.column.us/search>, as provided by the requirements of KRS 424, in consecutive issues on the following dates:

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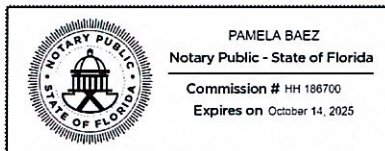
Laquansay Watkins

Agent

VERIFICATION

State of Florida
County of Orange

Subscribed and sworn to before me 03/11/2024



Notary Public
Notarized remotely online using communication technology via Proof.

The City of Fort Wright has adopted the following Ordinances: 01-2024, imposing administrative holds on license or permit applications if there are outstanding taxes, fines, or other violations; and 02-2024, adding a provision to the Alcoholic Beverages section authorizing the City to revoke or suspend an alcohol license for non-payment of taxes and other legal violations. The Ordinances may be viewed in full at <https://www.fortwright.com/about/city-ordinances>. The Ordinances and any documents associated may be inspected and copied during ordinary business hours at the offices of the City at 409 Kyles Lane, Fort Wright, KY, 41011. The City's telephone number is 859-331-1700 and fax number is 859-331-0454.