

Article 14: Violations & Remedies

14.1 Remedies

The Administrative Official or Code Enforcement Officer or their respective deputies or designated representative shall issue notice to violators of all violations of the Zoning Regulations and shall order that such violations cease. In cases of possible violation where the Administrative Official cannot determine if there is a literal violation, he shall apply to the Board of Zoning Adjustments for an interpretation in accordance with the Kentucky Revised Statutes. In addition to criminal remedies, injunctive relief may also be sought by the Administrative Official, the City Attorney, the County Attorney or any other aggrieved party.

The Code Enforcement Officer, with the assistance of the officials of other departments of the city and county having jurisdiction, is hereby authorized and directed to enforce all the provisions of these regulations; to review plans and specifications; to issue applicable and appropriate permits and certificates; to conduct inspections; and to perform such other services as may be necessary to execute the provisions of these regulations.

A. Investigation & Inspection

The Planning Commission Director and his/her designated representatives, in the performance of his/her duties and functions, may enter upon any land, with written consent from the property owner, and make investigation, inspection, examination and surveys that do not occasion damage or injury to private property.

B. Stop Orders:

Upon notice from the Administrative Official or Code Enforcement Officer or their respective deputies or designated representative that any use of property is being maintained contrary to the provisions of these regulations, such use shall be stopped immediately. Such notice shall be in writing and shall be given to the owner of the property, and shall state specifically the regulations being violated. Said notice may be given by registered mail to the person so using the property after reasonable efforts personally to serve the notice have failed.

C. Citations:

1. Any person or entity who fails to stop use immediately as required by Section 14.13 hereof shall be issued a citation by the proper authorities including the Enforcement Officer, for such violation pursuant to the provisions of KRS 100.991 unless other enforcement measures are taken.
2. Any person or entity who violates any of the provisions of these Zoning Regulations shall be issued a citation by the proper authorities including the Enforcement Officer, for such violation pursuant to the provisions of KRS 100.991.

14.2 Penalties

Violations of the provisions of this Zoning Regulation or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who so violates these Zoning Regulations or fails to comply with any of the requirements except as otherwise provided herein, shall, upon conviction thereof, be fined not less than \$10.00 but no more than \$500.00 for each such offense for which convicted. Each day of violation shall constitute a separate offense.

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14.3 Appeals

Appeals from the actions of the Planning Commission and Board of Zoning Adjustment, as well as from the final actions of the City Council or Fiscal Court, with respect to Zoning map or text amendments, shall be taken in the manner set forth in Chapter 100.347 of the Kentucky Revised Statutes.

Amended City of Bardstown, Ordinance B2012-14, July 24, 2012; City of Bloomfield, Ordinance 2012-84, September 14, 2012; City of Fairfield, Ordinance 2012-P&Z 02, August 24, 2012; and, City of New Haven, Ordinance #430, Series 2012, September 30, 2012; Nelson Fiscal Court, August 10, 2012.