



# NEWSLETTER

July / Aug / Sept 2022

The City Of  
**GOSHEN**

**P.O. Box 112, Goshen, Kentucky 40026**  
**Phone 228-2377 Email: [info@CityofGoshen.com](mailto:info@CityofGoshen.com)**

<b>Bob Thacker</b> Mayor Parks/Beautification Sanitation/Snow Removal	<b>Todd Hall</b> Commissioner Website Drainage/Storm Water	<b>Jeff Mangan</b> Commissioner Ordinance Enforcement Public Safety	<b>Bill Rolfes</b> Commissioner Finance / Budget Newsletter	<b>Doug Morales</b> Commissioner Street/Public Works Architectural Control	<b>Joyce Morpew</b> City Clerk Treasurer
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## Major Drainage Project This Fall



## Speeding and Stop Signs

Drivers who speed and run stop signs endanger the lives of others...and it is a growing problem in the City of Goshen and surrounding communities. Recently, a pedestrian was nearly struck by a vehicle than ran a stop sign on Springmeadow. The city has requested our police patrols concentrate more on this ongoing issue. Please be responsible and make a conscious effort to obey the 20 mile-per-hour speed limit and come to a complete stop at all stop signs.



## Email List

The City of Goshen Newsletter is a quarterly publication delivered electronically via email. If you have not been receiving Newsletters, we do not have your current email address registered. You can easily submit your email address to the City of Goshen [Newsline Email List](#) by visiting the [CityofGoshen.com](http://CityofGoshen.com) website or by contacting the City Clerk's office at 228-2377 / [info@CityOfGoshen.com](mailto:info@CityOfGoshen.com)



## Calendar

Tuesdays

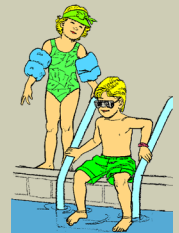
- ◆ Trash Pickup  
(Every other Tuesday—Recycle)

**Dates to Remember**

*Ordinance Enforcement Board Tentatively meets the Third Tuesday of the Month at 7:00 pm*

**Saturday, July 16th**

- ◆ Oldham County Day  
Downtown Lagrange  
8:00 am—5:00 pm



**Monday, July 18th**

- ◆ City Commission Meeting.  
NOFD - Hwy 1793 @ 7:00 pm

**August 2nd - 6th**

- ◆ Oldham County Fair

**Wednesday, August 10th**

- ◆ OCPS First Day of School



**Thursday, August 11th**

- ◆ Semi-Annual Junk Pick up

**Monday, August 15th**

- ◆ City Commission Meeting.  
NOFD - Hwy 1793 @ 7:00 pm

**Monday, September 5th**

- ◆ Labor Day



**Friday, Sept 9th & Saturday 10th**

- ◆ Rumble Through the Jungle (Cross Country)  
Creasey Mahan Nature Preserve

**Monday, September 19th**

- ◆ City Commission Meeting.  
NOFD - Hwy 1793 @ 7:00 pm

**Sunday, October 2nd**

- ◆ 16th Annual Haunted Hike  
Creasey Mahan Nature Preserve  
3:00 pm - 7:00 pm (Rain Date - October 9th)



## Next Meeting

Our next regular Commission Meeting will be held on July 18th, @ 7:00 pm, North Oldham Fire Station 1. You are invited and encouraged to attend.

[www.CityofGoshen.com](http://www.CityofGoshen.com)

## Tax Discount

The City Commission is pleased to announce your discounted tax rate is 10%. Please note to receive this discount your City taxes must be paid by August 31, 2022. Taxes paid between September 1- 30 are the face amount. A 10% penalty will be applied to all unpaid bills after September 30th. The City Budget for the fiscal year of July 1, 2022 - June 30, 2023 will reflect \$81,350 in property tax revenue for the City. The City Tax rate has been set at 0.131% of assessed property value. The City has established the following procedure in order for your taxes to be processed in a timely manner. We hope you will take advantage of this discount. Taxes will be sent to the homeowner's address by August 1st. It is the homeowner's responsibility to forward the tax information to your mortgage company.

*\*Please note many mortgage companies have brokered out tax bills to a 3rd party tax service to pay homeowner taxes. Please contact your mortgage company and make sure you have the correct information before you forward your tax bill to be paid. Please contact the City Clerk at 228- 2377 if you have not received an invoice by July 6 or if you have any question regarding your tax bill.*

## SEMI-ANNUAL JUNK PICKUP - Thursday, August 11th

Normal junk pickup consists of hot water heaters, washers, dryers, dishwashers, couches, chairs. Coffee / end tables, misc. boxed toys, garage items, tools, grilles, bicycles, lawn mowers, refrigerators\* etc. The following is a general guideline of what is **NOT ACCEPTABLE** for junk pickup of "normal" household solid waste.

- Demolition / construction material ..studs, drywall, sinks, tubs, toilets . A dumpster is required for construction, renovation , redecorating. Cabinets must be broken down to small pieces no longer than 4-5' If items can fit into a 90 gal ID cart they are acceptable.
- Large amounts of fencing ...a few planks may be ok if no longer than 4-5ft. in length...must be tied and bundled for pickup. No concrete... blocks, bricks etc.
- No liquids of any kind...paint, thinners, pesticides household cleaners, motor oils, fuels. Wet paint can be "solidified" with kitty litter or granular absorbent material from automotive supply stores.
- No medical bio-hazards...sharps, chemo diapers, oxygen tanks.
- Lawn mowers must have gas tanks removed and broken down as much as possible.
- Gas grilles are acceptable... with no propane tanks of any kind...grilles must have tank removed and broken down as much as possible.
- Swing sets and basketball goals must be broken down as much as possible... no pieces more than 4-5ft long... no concrete on legs or base.
- Mailboxes cannot be more than 4-5' long and no concrete on base.
- No large car parts...fenders, hoods, trunk lids etc. No tires of any kind.
- Freezers, refrigerators, air conditioners - must have Freon / refrigerant captured and removed by certified HVAC technician and unit tagged for acceptable pickup. Freon is considered hazardous waste.
- No landscaping material such as...logs, railroad ties, landscape timbers or concrete blocks. NO dirt, sod.

No yard waste material...no fire logs, stumps, shrubs etc.

**DO NOT PLACE ITEMS IN BLUE ID TRASH CAN!**



City of Goshen Resident  
Route 3  
Goshen, KY 40026

NEWSTLETTER  
The City Of  
GOSHEN

City of Goshen Resident  
P.O. Box 112  
GOSHEN, KY 40026





**CITY OF GOSHEN**  
**ORDINANCE 3, SERIES 2022**

**AN ORDINANCE ADOPTING THE CITY OF GOSHEN, KENTUCKY, ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2022 THROUGH JUNE 30, 2023.**

WHEREAS, an annual budget proposal and message have been prepared and delivered to the legislative body; and

WHEREAS, the legislative body has reviewed such budget proposal and made necessary modifications,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GOSHEN, KENTUCKY:

**SECTION 1:** The annual budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023 is hereby adopted as follows:

	<b>GENERAL FUND</b>	<b>SPECIAL REVENUE FUND</b>	<b>TOTAL GOVERNMENTAL FUNDS</b>
<b>RESOURCES AVAILABLE</b>			
Estimated Beginning Fund Balance	\$ -	\$ -	\$ -
<b>REVENUES</b>			
Property Taxes	73,215		73,215
Interest Income	1,000		1,000
Municipal Road Aid Fund		18,000	18,000
KY Appropriation - Contract Police	4,285		4,285
Litter Abatement Grant	571		571
Other	367,206		367,206
<b>Total Estimated Revenues</b>	<b>446,277</b>	<b>18,000</b>	<b>464,277</b>
<b>TOTAL RESOURCES AVAILABLE</b>	<b>446,277</b>	<b>18,000</b>	<b>464,277</b>
<b>APPROPRIATIONS</b>			
General Government	102,142		102,142
Public Works	263,005		263,005
Road Fund		18,000	18,000
Police & public safety	35,000		35,000
Sanitation	46,130		46,130
<b>Total Appropriations</b>	<b>446,277</b>	<b>18,000</b>	<b>464,277</b>
<b>ESTIMATED FUND BALANCE END OF YEAR</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**SECTION 2:** This budget ordinance shall be administered by the executive authority as described and set forth in the Kentucky Revised Statutes. Administration shall include, but not be limited to at least the following:

- A. Preparation and submission of financial statements which include budgetary comparisons on not less than a quarterly basis.
- B. Provide for budget amendments if called for by the Commission or if anticipated through implementation.
- C. Prepare any financial statements required for publication purposes, pursuant to KRS 424 and 91A.
- D. Cause each fund of this budget to be audited as prescribed by law.

**SECTION 3:** This Ordinance shall be published by title and summary within thirty (30) days after adoption.

**SECTION 4:** This Ordinance shall be effective upon publication as required by law.

FIRST READING: May 16, 2022  
SECOND READING: June 20, 2022  
Passed and approved this 20th day of June 2022

CITY OF GOSHEN  
ORDINANCE #4, SERIES 2022

AN ORDINANCE PROVIDING FOR THE ASSESSMENT OF ALL REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF GOSHEN KENTUCKY, AND FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES THEREON TO BE USED FOR GENERAL CITY PURPOSES DURING THE FISCAL YEAR OF JULY 1, 2022, TO JUNE 30, 2023.

BE IT ORDAINED BY THE CITY OF GOSHEN, KENTUCKY:

**SECTION 1:** The following provisions for the assessment, levy and collection of taxes shall apply for the fiscal year of July 1, 2022, through June 30, 2023, for the City of Goshen, Kentucky.

**SECTION 2:** There is levied for the fiscal year July 1, 2022, through June 30, 2023, a tax at a rate of .131% that will yield \$81,350 in tax revenue based on the assessed values as published by the Oldham County Property Valuation Administrator.

**SECTION 3:** The City of Goshen, Kentucky, hereby elects to use the annual assessment of the Property Valuation Administrator of Oldham County, Kentucky, as the basis for all ad-valorem taxes on real property and improvements. The Homestead and Disability Exemption as authorized by Section 170 of the Kentucky Constitution is hereby adopted.

**SECTION 4:** Pursuant to its authority under the provisions of KRS 82.082 and 91A.510, there is levied upon all real property for the fiscal year July 1, 2022 through June 30, 2023, a storm water user fee levied at the rate set by the City Commission in the City of Goshen Stormwater User Fee Policy, which fee is based upon the impervious surface area of each property. The fees collected will be used to pay for the City of Goshen's compliance with the Clean Water Act and MS4 permitting and compliance, in accordance with the City's storm water permitting ordinances.

**SECTION 5:** All taxes assessed on real property within the City of Goshen pursuant to this Ordinance shall become due and payable on September 30, 2022. If paid before September 1, 2022, the taxpayer shall have a discount of ten percent (10%) of the tax bill. All tax payments made after September 30, 2022, shall be considered delinquent and a penalty of ten percent (10%) shall be charged, plus an interest charge of one percent (1%) of the payment due shall be assessed on the subsequent month for which such payment is due and owing.

**SECTION 6:** The City Clerk/Treasurer, Mayor, City Attorney, or such other person as may from time to time be duly authorized by the Mayor or Commission of the City of Goshen is hereby authorized and directed at his/her discretion, to use any method provided by law to collect the tax assessed by the Ordinance. Such methods may include but not limited to, garnishment and the filing and foreclosure of a tax lien.

**SECTION 7:** Where any lien is filed pursuant to this Ordinance, then in accordance with KRS 134.420, the fee for filing and releasing the lien shall be paid to the Oldham County Clerk by the City of Goshen and shall

become part of the lien as an added cost to the delinquent taxpayer to be paid by him as part of the amount necessary to release the lien.

**SECTION 8:** Any unpaid tax, as herein provided, shall remain a lien against the property in favor of the City of Goshen, until fully paid.

**SECTION 9:** Proceeds of such taxes are to be placed in the general fund of the City of Goshen, Kentucky, and are to be used for general operating purposes and expenses of the City in accordance with the fiscal year 2022-2023 budget, and for any and all necessary and proper municipal function as may be properly ordained or resolved by the City Commission.

**SECTION 10:** This Ordinance shall be effective upon publication.

FIRST READING May 16, 2022

SECOND READING June 20, 2022

Passed and approved this 20th day of June 2022

Mayor \_\_\_\_\_  
Bobby Thacker

ATTEST:

City Clerk \_\_\_\_\_  
Joyce Morpew

# Coming Soon...



**CITY OF GOSHEN**  
**ORDINANCE # 2, SERIES 2022**  
**AN ORDINANCE REPEALING AND REPLACING CITY**  
**ORDINANCES RELATING TO PROPERTY MAINTENANCE STANDARDS AND NUISANCES**

**WHEREAS**, the City Commission of the City of Goshen (the "City Commission") is concerned about the property values in the City of Goshen (the "City") as well as the public health and safety of its citizens and the enforcement of City ordinances;

**AND WHEREAS**, the City desires to revise and modernize the city ordinance sections that relate to property maintenance standards and the restriction of nuisance conditions and to establish a more detailed and definitive mechanism to promote the public health and safety by prohibiting nuisances,

**NOW THEREFORE**, be it ordained by the City of Goshen:

**Section 1:** Chapter 50 (including Sections 50.01 and 50.99), of the City of Goshen Codified Ordinances, be and hereby is, repealed in its entirety.

**Section 2:** The City Commission does hereby repeal certain sections of Chapter 91 of the City of Goshen Codified Ordinance relating to the maintenance of property and prohibition of nuisance conditions, specifically Sections 91.01, 91.02, 91.03, 91.04, 91.05, 91.06, 91.07, 91.08, 91.09 and 91.99.

**Section 3:** The City Commission does hereby enact new sections in chapter 91 of the codified ordinances as follows:

**91.01 PUBLIC PURPOSE, PUBLIC NUISANCES DEFINED**

1. The City Commission does hereby find that it is necessary to provide for the abatement of conditions which are offensive, detrimental to property values and community appearance, an obstruction to or interference with the comfortable enjoyment of adjacent property or premises, or hazardous or injurious to the health, safety or welfare of the general public in such ways to constitute a public nuisance; and, to provide reasonable standards to safeguard life, health and public welfare in keeping with the character of the City, by and through the general police power of the City granted in KRS 82.082, as well as the authority granted in KRS 65.8840 to prohibit and abate nuisances, for each of the following purposes:

- a. To safeguard the health, safety, and welfare of the people by maintaining property or premises in good and appropriate condition,
- b. To enhance the economic value of the community, and each area in it, through the regulation of the maintenance of property or premises.



2. Accordingly, the City Commission finds and declares that the purpose of this chapter is to:

- a. Reduce the threat to health, safety, welfare, appearance, and economic value due to the decline in property condition(s) by lawfully delineating the circumstances under which such condition(s) may be considered illegal and/or require abatement; and further finds that,
- b. Allowing abatement of such condition(s) if abatement is in the best interest of the health, safety, and welfare of the residents of the City because maximum use and enjoyment of property or premises in proximity to one another depends upon maintenance of those properties or premises at or above the minimum standard.

3. Definitions. For the purpose of this Chapter, the following words and phrases are defined as follows:

- a. ABANDONED, in addition to those definitions provided by state codes, local ordinances and case law, the term abandoned means and refers to any item which has ceased to be used for its designed and intended purpose. The following factors, among others, may be considered by the Enforcement Officer in determining whether an item has been abandoned:
  - i. Present operability and functional utility for its original purpose, or reuse for another legal purpose,
  - ii. The date of last use,
  - iii. The extent of any disrepair or damage,
  - iv. The last time an effort was made to repair or rehabilitate the item,
  - v. The status of registration or licensing of the item,
  - vi. The age and degree of obsolescence,
  - vii. The cost of rehabilitation or repair of the item versus its market value, and
  - viii. The nature of the area and location of the item. Items such as furniture, toys, appliances, stoves, refrigerators, freezers, washing machines, dryers, dishwashers, water heaters, television sets and other items not intended for use or storage in an outdoor environment may be considered abandoned if left outside the home for over seventy-two (72) hours.
- b. ABATE, means to repair, replace, remove, destroy, or otherwise remedy the condition in question by such means and in such a manner and to such an extent as the Enforcement Officer in his/her judgment shall determine is necessary in the interest of the general health, safety, and welfare of the community.
- c. CITY shall mean the City of Goshen and its authorized Enforcement Officers.
- d. COMPOST, means a properly maintained and lidded container which is used for the purpose of decomposing material into usable compost.
- e. DISMANTLED, means objects or machinery from which essential equipment, parts or contents have been removed or stripped and the outward appearance verifies the removal.

- f. ENFORCEMENT OFFICER shall mean those persons appointed by the City Commission as Enforcement Officer.
- g. GARBAGE, means discarded items, abandoned items, accumulation of yard debris, animal, and vegetable waste (not including properly enclosed and maintained compost), resulting from the handling, preparation, cooking and consumption of food and similar animal and vegetable refuse whether liquid or solid, or any accumulation of any sour, decaying or putrescent substance, either gas, liquid, or solid.
- h. GARDENING, means the active cultivation of fruits and vegetables in the rear yard of a residence. Gardens must be kept maintained and tidy in keeping with this ordinance. Gardening cannot be used as an excuse for lack of maintenance.
- i. GOOD REPAIR means the external elements of structures which are being maintained in a state of repair that allows those elements to provide the functional use for which they were intended.
- j. INOPERATIVE, means incapable of functioning or producing activity for mechanical, or other reasons, include (where appropriate), lack of current registration and license tag.
- k. LIENHOLDER, means any person, as defined in this Chapter, who has a recorded interest in real property, including mortgagee, beneficiary under a deed of trust, or holder of other recorded liens or claims of interest in real property.
- l. NATURAL OR NATIVE LANDSCAPE, means the active cultivation of native vegetation in landscaping in accordance with the standards set out herein. Natural or native landscaping cannot be used as an excuse for lack of maintenance.
- m. NUISANCE, means any public nuisance known at common law or in equity jurisprudence, or any condition defined as a nuisance under this ordinance.
- n. OWNER, means the registered owner of a vehicle, the person(s) to whom property tax is assessed on real or personal property, as shown on the last tax assessment roll of the County and in addition renter(s), lessee(s) and other occupants residing permanently or temporarily on property.
- o. PERSON, means an individual, partnership, joint venture, corporation, limited liability company, association, social club, fraternal organization, trust, estate, receiver, or any other entity.
- p. PREMISES, means any building, lot, parcel, real estate, or land or portion of land whether improved or unimproved, occupied, or unoccupied, including adjacent streets, sidewalks, and driveways.
- q. PROPERTY, means any real property including but not limited to land, lot, or parcel of land, and shall include any alley, sidewalk, driveways, or unimproved public easement, or right of way abutting such real property, lot, or parcel of land.
- r. SCRAP METAL, means pieces or parts of steel, iron, tin, zinc, copper, aluminum, or any alloy thereof, whether covered with porcelain or any other material, whether intact or in parts, which has served its usefulness in its original form and can no longer be used for its intended purpose, or other compliant new purpose.
- s. STAGNANT/POLLUTED WATER, water standing for longer than 4 days, without proper drainage or disbursement.
- t. STRUCTURE, means anything constructed, built or planted upon, any edifice or building of any kind, or any piece of work artificially built up or composed of parts



joined together in some definite manner, which structure requires location on the ground or is attached to something having a location on the ground, including fences, arbors, trellises, gates, garages, carports, swimming and wading pools, patios, outdoor areas, paved areas, walks, tennis courts and similar recreation areas.

u. UNFIT FOR FURTHER USE, means any item, object, etc., or any device used to carry out a specific function which has served its usefulness and is more or less in its original form and can no longer be used for its originally intended purpose or having defective or missing parts or in such a condition generally as to be unfit for further use or conveyance.

v. WASTE ITEMS, means boxes, bags, plastic, paper, clothing, discarded or unused items, trash, filth, waste material (solid or liquid), litter, rubbish, debris, building materials of any kind (not being utilized for a current lawful ongoing construction project on property), and containers or refuse of any kind (not being utilized for a current lawful ongoing construction project on property) left for over seventy-two (72) hours.

w. WEEDS, means unhealthful plant growth such as but not limited to jimson, burdock, ragweed, thistle, cocklebur, kudzu, bamboo, poison ivy or poison oak, or any other growth of a noxious or poisonous kind or any plant growth not intended for aesthetic appeal or other legitimate purpose, such as crops, trees, bushes, flowers, ornamental plants. Whether a certain plant or planting is "ornamental" shall be solely determined by any Enforcement Officer designated by the City Commission to enforce city ordinances, after consideration as to whether the plants or plantings serves some discernable and clearly recognizable beautification purpose. Evidence of ornamental characteristics include, but are not limited to: (1) Defined planting boundaries, (2) Evidence that the resident actually cultivates the plants and plantings regularly to provide for a reasonable landscape scheme, (3) Has employed landscape professionals in the planning of the plants or plantings, (4) Can articulate a discernable landscaping scheme for the plants or plantings, (5) Has spent time or money on the creation and upkeep of the plants or plantings.

x. WRECKED, means that which has outward manifestation or appearance of damage to parts and contents which are essential to operation.

## **91.02 PROPERTY MAINTENANCE STANDARDS**

1. It is hereby declared to be a public nuisance for any owner (or person in control), of any real or personal property located in the City, to keep, maintain, or utilize such real or personal property in such a manner that any of the following nuisance conditions are found to exist:

a. Abandoned, dismantled, wrecked, inoperable, unlicensed, or discarded objects, equipment or appliances left outside for more than 72 hours, such as, but not limited to vehicles, boats, water heaters, refrigerators, other appliances and household fixtures, furniture not designed for outdoor use, machinery, equipment, or containers.

b. Junk, scrap metal, motor vehicles. The storage of motor vehicles in an inoperative condition, motor vehicles unfit for further use, not having a current registration and license tag, automobile parts, scrap metal or junk, unless completely enclosed within a garage. Any vehicle abandoned or illegally parked on any lot in the city may be removed at the direction of the city to a tow lot designated by the city.

- c. Discarded food, garbage, rubbish, refuse, which has not been properly and timely placed in containers for waste collection. Garbage and recycling containers must be securely lidded. The city does not allow “open composting” and all compost bins must have a secure lid.
- d. Lumber (excluding lumber for a construction project on the property with a valid permit), salvage materials, including but not limited to auto parts, scrap metals, tires, other materials stored on premises more than seventy-two (72) hours.
- e. Incomplete projects. Any renovation or construction to structures or grounds must be completed through consistent, sustained effort and no such building or grounds under construction or renovation may be allowed to be uncompleted for an unreasonable length of time, given consideration to the type of project. A period of 120 days without consistent, sustained effort to complete the project shall be an unreasonable length of time, without sufficient, specific, written explanation for said delay.
- f. Receptacles for discarded materials, yard waste and recyclables shall not be placed out for collection for more than 24 hours prior to the collection day and must be removed from the front of the property where placed for pickup within 24-hours of the pick-up. All receptacles shall have a tight-fitting lid and when not out for pickup, shall be kept behind a building or otherwise out of public view from the street that faces the front of the property on which the container is located.
- g. With respect to receptacles such as dumpsters and portable storage containers being used for discarded materials or storage in connection with a current lawful ongoing construction project on a particular property within the City; no such receptacles may be placed or left on a city street or right of way without first securing a permit from the City.
- h. Swimming pool, pond, spa, other body of water, or excavation that is abandoned, unattended, or empty, that is not fully contained inside a fenced area such that the area is inaccessible to the public, or any attractive nuisance not properly secured from public access, which endangers life, health, or public safety.
- i. Signs advertising work done on a site must be removed from the property within 10 days after the work is completed.
- j. Any property or dwelling on a property which detrimentally impacts the surrounding neighborhood because of either, (i) severe dilapidation, deterioration, or decay, or (ii) being uninhabited for a period greater than eight (8) weeks and not being secured or being improperly secured.
- k. Permits any structure/residence to become unfit and/or unsafe for human habitation or occupancy, or to permit conditions to exist in the structure which are dangerous or injurious to the health or safety of the occupants or the structure, the occupants of neighboring structures, or other residences of the City. All residences within the City shall have a safe and operable connection to water, electric/gas, and sewer services. Residents who are in the process of construction, have obtained the necessary permits and are not in violation of Section (e) concerning incomplete projects are exempt from this section during the construction.
- l. Permits any weeds, or grass growth, other than crops, trees or ornamental plants or shrubs, to grow to a height exceeding 6 inches. It shall be the duty of any owner, operator, agent, or occupant, occupying or controlling real property within the City of Goshen to maintain all grass to a maximum height of 6 inches and to remove all refuse, weeds,

trash, waste and litter from the sidewalks, curbing, to the edge of the pavement of such streets as are adjacent to such property.

m. Permits any weeds, non-ornamental plants, wild plant, or planting, other than the "Excluded Plantings" (as defined below), over 8" in height to remain on any premises. For purposes of this section, "Excluded Plantings" shall mean those non-ornamental wild plants that may be on a property bordering a U.S. Highway or Interstate and that have the distinct purpose(s) of creating or serving as a noise barrier or visible traffic buffering mechanism with respect to such U.S. Highway or Interstate.

n. Gardening. Vegetable or fruit gardens must be maintained, including all materials and equipment used in the garden site. Reasonable maintenance requires consistent cultivation and includes removing weeds and wild overgrowth. Annual crops and plant materials must be cleared away and properly disposed of at the end of their productive season. Perennial crops and plants must be weeded, trimmed, and maintained. Compose bins must be enclosed and kept tidy and can be located only in the rear yard. Irrigation, rain barrels and other watering devices must be sound, functional, and maintained. Pots, containers, mulch, bags, bales, tools, and any other equipment used in the gardening operation must be periodically collected and stored in an organized, tidy fashion and no resident is permitted to leave such material simply laying scattered around the yard. No parking or storage of carts, trays, display cases, wagons, trailers, or equipment is allowed, unless kept within a garage. No vegetable or fruit gardening is allowed in the front, side, or street side yard, as those yards are described by the Oldham County Zoning Code. Reference should be made to the definition of Weeds in this ordinance and the criteria in used to determine if a plant or planting is being maintained or has simply been left to grow up in weeds.

o. Natural or native landscape. Natural or native landscaping cannot be used as an excuse for lack of maintenance. Native plants and natural landscapes can be used if the owner consistently maintains such material and can articulate a recognizable landscaping plan for such materials and plantings. Reference should be made to the definition of Weeds in this ordinance and the criteria in used to determine if a plant or plantings are "ornamental" or simply "weeds."

p. Interference with and/or obstruction of a drainage ditch, device , or system to inhibit, alter, or prevent proper storm water drainage patterns; or interference or hindrance of any right of way by virtue of any object, or vegetation, that is in violation of City ordinance Chapter 91, or that interferes or hinders the use of a sidewalk, or obstructs the sight lines of any roadway.

q. Placement of portable storage and/or moving containers (i.e., PODS etc.), on or around any property without a permit from the City.

r. Permits the accumulation of ashes, leaves, wood, lumber, limbs, twigs, and storm debris.

s. Any tree, stack, or other object standing in such a condition that is likely to, if the conditions continue, endanger life, limb or property, or cause hurt, damage or injury to persons or property by falling thereof or of parts thereof.

t. Permits the dropping, deposit, or acquiesce in the dropping, depositing, scattering of waste material in any manner, in or on any public or private property any material of any kind, not including normal yard maintenance material.

u. Permits any condition to exist that is injurious to the public health. Such as but not limited to:

- i. Unlawful storage of explosives.
  - ii. Having an uncovered or insecurely covered cellar, well, pit or any excavation situated upon any premises in any open lot or plane that any reasonable or prudent person should realize should be injurious to human health.
  - iii. The failure to keep an animal's pen, yard, lot, or other enclosure in a sanitary condition and free from preventable offensive odors.
  - iv. Permits the presence of polluted water, or the accumulation of any substance that attracts vermin, rodents, insects, or animals or is otherwise injurious to the public health.
  - v. Permits the unlawful burning of any refuse, garbage, or waste or material of any kind.
  - vi. Permits landscape plants or weeds to block or interfere with the functionality of mail or paper boxes.
- v. Permits any condition to exist that causes a building or grounds not to be in good repair. Such as but not limited to:
- i. Windows, exterior doors, porches, roofs, eaves, foundations, exterior walls, and exterior stairs shall be watertight, weathertight, bird, animal, rodent proof and shall be kept in sound condition and good repair.
  - ii. All window treatments visible from the exterior of any structure, such as curtains, draperies, blinds, shades, shutters, or fabric, shall be maintained so that broken, torn or damaged window treatments are not viable from the exterior of the structure.
  - iii. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by paint, or by other protective covering or treatment. Peeling paint is a violation of this section.
  - iv. All exterior surfaces of structures must be kept free from mold.
  - v. All gutters, shutters, down spouts, and any other parts of the exterior of the home shall be maintained in their original condition and be fit for their intended purpose.
- w. Antennas and other receivers or transmitters (including, but not limited to satellite dishes), shall not be placed on any lot unless the design and placement is approved by the City Commission or its designated representative. No such equipment may be placed in the front or side yard of any residence, unless the installer proves to the city that such placement is the only viable way to get a signal.
- x. Permits the property and premises to be used in a manner that is in violation of any other chapter of the City of Goshen Code of Ordinances, the Oldham County Zoning Code, the applicable Building Code and Kentucky Revised Statutes.

## **91.99 ENFORCEMENT AND PENALTIES**

1. Enforcement of this Chapter may be accomplished by the Enforcement Officer, or by Officers of the City of Goshen, or other person or employee as may be designated by the City Commission to enforce city ordinances in any manner authorized by this Chapter or by any



other law. Pursuant to the City's prosecutorial discretion, the City may enforce violations of the provisions of this Chapter as criminal, civil, or an abatement action.

2. Whenever any of the nuisance conditions set in this Chapter is found to exist, the Enforcement Officer for the City shall give seven (7) days written notice to (i) the owner of the property, and (ii) to the occupant, lessee, or tenant of the property, as the case may be (the "Occupant"), if different from the owner, to remedy such condition. However, if the condition is of a nature that the same cannot reasonably be expected to be completely remedied within a seven (7) day period, the notice shall direct the recipient to proceed with reasonable diligence to remedy such condition as soon as possible. The notice referenced above shall be served by mail or by personal service to the last known address of the owner of the property, as it appears on the current tax assessment roll and to any occupant at the address of the property. The failure of any or all the addressees to receive the notice shall not invalidate any of the proceedings. Further, the failure of any owner or Occupant to see, read, or understand the notice shall not invalidate any of the proceedings.

3. Any person who is in violation of the provisions of this Chapter shall be fined in accordance with the following schedule. The penalties herein do not include enforcement, remedy, cleanup, or abatement costs, which are cumulative and not exclusive, and shall be in addition to all other remedies available to the City under state law and local ordinances. All fines collected in connection herewith shall be deposited into the City's general fund. Each day during which any such offence is committed, continued, or allowed shall be a separate offence under the following schedule:

a. For a first offence, a fine not exceeding \$50.00, for each day of violation, up to a maximum fine of \$1,000.00.

b. For a second similar offence which occurs within the preceding twelve months, a fine not exceeding \$75.00, for each day of violation, up to a maximum fine of \$2,000.00.

c. For a third similar offence which occurs within the preceding twelve months, a fine not exceeding \$100.00, for each day of violation, up to a maximum fine of \$3,000.00.

4. The City reserves the right to treat the violation of this chapter as a criminal misdemeanor, which shall be subject the violator to imprisonment for a period of not exceeding six (6) months; or, by both fine (as set out in the fine schedule in this Chapter), and imprisonment.

5. In order to enforce the provisions of this Chapter, when the Enforcement Officer, or other person or employee as may be designated by the City Commission to enforce city ordinances, finds and determines that the severity of the violation warrants immediate action, he/she may clean up or abate violation thereof in accordance with and under the authority of KRS 65.8840. The City shall have a lien against the applicable property for the reasonable value of labor and materials used in the remedy, cleanup, or abatement of the applicable condition. The

City shall also have a lien to secure payment of any fines as set out in KRS Chapter 65. An Affidavit of the Enforcement officer shall constitute prima facie evidence of the amount of the lien and the regularity of the proceedings pursuant to this ordinance and KRS 65.8840 and shall be recorded in the Office of the Oldham County Clerk. The lien shall be notice to all persons from the time of its recording and shall bear interest thereafter until paid at the rate of 1.5% per month, compounded monthly, and may be enforced by judicial proceedings. The cost of any such lien may also be recovered by the city in a civil action. Such emergency cleanup or abatement will not relieve the person of further action which may be taken by the City Commission or its duly authorized agents and representatives, including but not limited to, liability for any violations of this Chapter, or any other applicable provisions of state law and local ordinances.

6. The City may petition the Oldham District and/or Circuit Court to impose, assess and recover penalties imposed herein, including, but not limited to the forced sale of any real property encumbered by a lien imposed under the authority of this Chapter. In addition, the City shall be entitled to recover all costs related to enforcement, remedy, cleanup and/or abatement. In any civil action commenced by the City under this Chapter, the City shall be entitled to recover from the Defendant of such action, reasonable attorney's fees, and costs of suit.

7. Any vehicle abandoned or illegally parked on any lot in the city may be removed at the direction of the city to a tow lot designated by the city. The vehicle may be reclaimed by the owner at the owner's expense including all towing and storage charges and payment of all fines imposed by the city. All police officers, or City Enforcement Officers, are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued. If any vehicle is found illegally parked on any lot in violation of any provisions of this subchapter and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

**Section 3:** This ordinance shall take effect immediately upon its adoption, passage, and publication according to law.

First Reading: May 16, 2022

Second Reading: June 20, 2022

Passed and approved this the 20th day of June, 2022.