

ORDINANCE NO. 2023 - 025

**AN ORDINANCE AMENDING PROPERTY MAINTENANCE CODE
ORDINANCE RELATING TO GRASS AND WEEDS**

WHEREAS, there have been issues arise with regard to maintaining certain properties within the corporate city limits; and

WHEREAS, there is now a need to clarify a certain section of the property maintenance code to address said issues.

NOW, THEREFORE, BE IT ORDAINED by the City of Franklin, Kentucky, acting by and through its Board of Commissioners, after the passage, approval, and publication of this ordinance as follows:

1. Section 19 entitled “Property Maintenance Code”, specifically section (b) 1. is amended as follows:

1. Section 302.4 of the International Property Maintenance Code shall be amended to read as follows:

Premises and Exterior Properties shall be maintained by the owner or agent having charge of a property free from weeds or plant growth in excess of 10 inches in height. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Further, this section shall not apply to areas zoned as agricultural that are properly used and maintained as such. Premises and Exterior Properties shall also include all rights-of-way and easements, which includes the property line to the curb/street.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 or as prescribed by the City of Franklin’s Code of Ordinances. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

June 12, 2023

FIRST READING

June 26, 2023

SECOND READING

At a meeting of the Board of City Commissioners of the City of Franklin, Kentucky, held on June 26, 2023, on motion made by Commissioner Williams and seconded by Commissioner Powell, the foregoing ordinance was adopted, after full discussion, by the following vote:

- Yes DALE MCCREARY
- Yes JAMIE POWELL
- Yes HERBERT WILLIAMS
- Yes WENDELL STEWART
- Yes LARRY DIXON, MAYOR

APPROVED BY:

Larry Dixon, Mayor
Larry Dixon, Mayor

ATTEST:

Cathy Dillard
Cathy Dillard, City Clerk