

ORDINANCE NO. BG2010 - 12

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 27  
(PROPERTY CODE) OF THE CITY OF BOWLING  
GREEN CODE OF ORDINANCES TO PROVIDE  
LOCAL REQUIREMENTS OMITTED FROM THE  
INTERNATIONAL PROPERTY MAINTENANCE  
CODE

WHEREAS, the City of Bowling Green adopted the International Property Maintenance Code, current edition, and all amendments thereto with certain exceptions set out in Chapter 27 (Property Code) of the City Code of Ordinances; and,

WHEREAS, the most current edition of the International Property Maintenance Code is dated 2009 and it contains various sections with omitted regulations that are left to the discretion of the local jurisdictions to determine, including the proper height of weeds and plant growth and the applicable dates for the provision of heating and the requirement to install and maintain insect screens; and,

WHEREAS, it is in the best interests of the City of Bowling Green to adopt local provisions to address the issues omitted in the International Property Maintenance Code and to make a couple of additional changes as recommended by the Code Enforcement Division.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 27 (Property Code) is hereby amended as follows:

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27-4 PROPERTY MAINTENANCE CODE.

27-4.01 Adoption.

The City hereby adopts and incorporates by reference as if produced herein the International Property Maintenance Code, current edition, as published by International Code Council, Inc. (ICC), and all amendments thereto and regulations promulgated thereby, except as set out

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hereinbelow. A copy of the Code is filed in the office of the City Clerk. Any conflicts between the provisions of the International Property Maintenance Code and the provisions of the City's Code of Ordinances shall be resolved in favor of the provisions of the City's Code of Ordinances.

27-4.02 Standards.

This Subchapter shall govern and control the conditions and maintenance of all property, buildings and structures in the City by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and that premises are clean and sanitary. This Subchapter shall also govern and control the condemnation of buildings and structures found to be unfit for human occupancy and use, and establish procedures for the demolition of such structures. This Subchapter shall also establish what constitutes a nuisance on public and private properties, prohibit such nuisances, fix the responsibilities of owners, operators and occupants of property and provide for administration, enforcement and civil penalties. The provisions of this Subchapter shall not be construed to prevent the enforcement of other ordinances or regulations.

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27-5 AMENDMENTS TO PROPERTY MAINTENANCE CODE.

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27-5.06 Application of Other Codes.

Section 102.3 of the International Property Maintenance Code is replaced as follows:

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with procedures and provisions of the Kentucky Building Code, Kentucky Residential Code, Kentucky Plumbing Code, Kentucky Mechanical Code, Kentucky Standards of Safety, National Fire Code, the National Electric Code and any other codes adopted by the Commonwealth of Kentucky or the City of Bowling Green now and in the future. Nothing in this Code shall be construed to cancel,

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modify or set aside any provision of the Bowling Green-Warren County Zoning Ordinance.

27-5.07      Weeds.

Section 302.4 of the International Property Maintenance Code is amended to designate ten (10) inches as the maximum height of weeds or plant growth on properties located in the City except for those parcels being used for agricultural purposes.

27-5.08      Insect Screens.

Section 304.14 of the International Property Maintenance Code is amended to designate the period from April 1 to October 31 as the appropriate time period requiring insect screens.

27-5.09      Heat Supply.

Section 602.3 of the International Property Maintenance Code is amended to designate the period from September 1 through April 30 as the appropriate time period requiring heat supply by every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms to furnish heat to the occupants.

27-5.10      Occupiable Work Spaces.

Section 602.4 of the International Property Maintenance Code is amended to designate the period from September 1 through April 30 as the appropriate time period to supply heat to indoor occupiable work spaces.

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27-9            ENFORCEMENT.

The International Property Maintenance Code is amended to provide that this Chapter shall be enforced by any designated code official or code enforcement officer designated by the City Manager.

2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

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3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on April 6, 2010, and given final reading on April 20, 2010, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: April 20, 2010

APPROVED: *Elin Wall*  
Mayor, Chairman of Board of Commissioners

ATTEST: *Kate Shalder*  
City Clerk

SPONSORED BY: Kevin D. DeFebbo, City Manager, 03/29/2010, 1:30 p.m.