

ORDINANCE NO. 2345

AN ORDINANCE OF THE CITY OF ERLANGER, IN KENTON COUNTY, KENTUCKY ESTABLISHING REGULATIONS FOR THE COLLECTION OF NON-RESIDENTIAL SOLID WASTE; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY OF ERLANGER, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:

Section 1.0 – Definitions

As used herein, the following words and phrases have the following meanings provided for them:

1.1 The word “everybody” means every human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated, association or otherwise.

1.2 The word “nobody” means no human being, or any organization or combination thereof, in the form of a corporation, partnership, joint venture, unincorporated, association or otherwise.

1.3 The words “solid waste” have the same meaning provided for them by KRS 224.01-010(31)(a)

Section 2.0 – Prohibitions

During the period of time after 2:00 A.M. and before 7:00 A. M., nobody shall, by act or omission, conspire, cause, permit, promote, allow, assist, encourage or engage in the collection and removal of any solid waste from any real estate in the City of Erlanger that is not used for residential purposes but which abuts, is adjacent to or across a street from any real estate that is used for residential purposes.

Section 3.0 - Civil Penalties

Each separate violation of this ordinance is hereby classified as a civil offense, for which:

3.1 The maximum civil fine required by K.R.S. 65.8808(2)(b) that may be imposed for each separate violation of this ordinance, is hereby established as \$500.00; and

3.2 The specific civil fine required by K.R.S. 65.8808(2)(c) that will be imposed for each separate offense and violation of this ordinance if the person who has allegedly committed the violation and offense does not contest a citation for it, is hereby established in the amount of \$100.00;

3.3 An enforcement officer may, in lieu of immediately issuing a civil citation, give notice that the violation of this ordinance shall be remedied within a specific period of time.

Section 4.0 – Provisions Severable

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 5.0 – Conflicting Ordinances Repealed

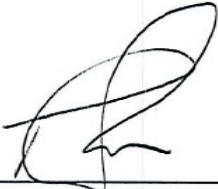
All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6.0 – Effective Date

This ordinance shall be effective as soon as possible according to law.

Section 7.0 - Publication

This ordinance shall be published in summary pursuant to K.R.S. 83A.060 (9).



THOMAS L. ROUSE, Mayor