

ORDINANCE 2017- 1722

AN ORDINANCE AMENDING CITY OF MURRAY CODE OF ORDINANCES, CHAPTER 99, NUISANCES, SPECIFICALLY §99.99, PENALTY, IN ORDER TO BRING SAME INTO COMPLIANCE WITH KENTUCKY GENERAL ASSEMBLY HOUSE BILL 422, SIGNED INTO LAW ON APRIL 9, 2016.

WHEREAS, the City of Murray desires to amend Chapter 99, specifically §99.99 in order to bring the Chapter into compliance with the Kentucky General Assembly House Bill 422, signed into law on April 9, 2016.

WHEREAS, the Murray City Council has reviewed and discussed the following proposed changes to Chapter 99, §99.99, Penalty, of the City Of Murray Code Of Ordinances and believe the changes are reasonable and necessary.

BE IT ORDAINED by the City Council of the City of Murray, as follows:

**AMENDMENT I. ADDITIONS, ASSERTIONS & CHANGES:**

**§99.99: PENALTY** is amended to read in its entirety as follows:

(A) Each violation of this Chapter shall constitute a civil offense. Any person who violates any portion of this chapter shall be assessed a fine of not less than \$100, nor more than \$500. Each response made by a city official or city police officer on response to a noise defined by this ordinance shall constitute a separate offense. Penalties for violations of this chapter shall be imposed by the Code Enforcement Board for the City of Murray. The Code Enforcement Board shall have the authority to institute civil penalties pursuant to ~~§92.01, et seq.~~ 40.39 of the Code of Ordinances for the City of Murray.

~~(B) Any person who violates any portion of §70.12 shall be assessed a fine of not less than \$100, nor more than \$500. Each response made by a city official or city police officer on response to a noise defined by this ordinance shall constitute a separate offense. Penalties for violations of §70.12 shall be imposed by the Code Enforcement Board for the City of Murray. The Code Enforcement Board shall have the authority to institute civil penalties pursuant to §§92.01, et seq.~~

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of the Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

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JACK D. ROSE, MAYOR

ATTEST:

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JUNE BATTS, CITY CLERK

Introduced by the City Council on \_\_\_\_\_, 2017.

Adopted by the City Council on \_\_\_\_\_, 2017.

Published in the Murray Ledger and Times on \_\_\_\_\_, 2017.