

**CITY OF INDIAN HILLS
ORDINANCE NO. 7, Series 2018**

**AN ORDINANCE AMENDING INDIAN HILLS CODIFIED ORDINANCE
CHAPTER 2.25 (ORDINANCE NO. 04-02) PROVIDING FOR CHANGES TO
THE OFFICE OF CITATION OFFICER**

WHEREAS, it is the desire of the Indian Hills City Council, and in the best interest of the City of Indian Hills, Kentucky, to utilize the authority granted in KRS 83A.060(3) to amend city ordinances and further to ensure compliance with ordinances in force within the City of Indian Hills, and

WHEREAS, City of Indian Hills Codified Ordinance Chapter 2.25 (Ord. No. 04-02) should be amended to reflect changes made to the office of Citation Officer of Indian Hills and those specific sections amended are to be herewith set out in full.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF INDIAN HILLS:

SECTION 1. City of Indian Hills Codified Ordinance Chapter 2.25 (Ord. No. 04-02) is hereby amended to reflect changes made to the office of the Citation Officer of Indian Hills. The specific sections amended are herewith set out in full.

Section 1. There is hereby created a non-elected city office to be known as "citation officer".

Section 2. No person shall be appointed as a citation officer unless he or she is:

- a. At least 21 years of age; and
- b. Is a high school graduate or has received a General Equivalency Diploma (G.E.D.); and
- c. Is sober, moral, and sagacious; and
- d. No person who has been convicted of a felony is eligible for appointment.

Section 3. Before entering upon his/her duties of office, a citation officer shall take the oath as prescribed by Kentucky Constitution, Section 228.

Section 4. If required by the City Council, a bond in such amount as may be fixed by the City Council, shall be filed with the City Clerk.

Section 5. ~~[The office or position shall be deemed a part time employment, and t] The compensation of the Citation Officer shall be paid in an amount as established by the City Council pursuant to KRS 83A.070. [not less than \$10.00 per hour nor more than \$80.00 per hour, and such other benefits, if any, as the city elects to provide.] Bonuses and extra compensation may be paid to the Citation Officer for services rendered. Such a determination to pay bonuses and extra compensation to the Citation Officer for services rendered shall be made by the City Council and shall become part of the fixed compensation of the Citation Officer subject to the decision of the City Council to appropriate the funds set forth in the annual budget ordinance of the City of Indian Hills.~~

Section 6. The appointment shall be made by the Mayor with the approval of the City Council. The Citation Officer shall serve at the pleasure of the Mayor and City Council. The Citation Officer shall file a monthly report with the Mayor ~~on the first day of each month~~ reporting on activities for the previous month. The Mayor may delegate to the Chief of Police or other officer or employee of the City the superintendence over the Citation Officer.

Section 7. The citation officer shall not have the powers of peace officers to make arrests or to carry deadly weapons ~~[,]~~ but shall have the powers and duties to [may] issue citations, unless otherwise restricted by the City Council upon observance of:

- a. Non-moving motor vehicle offenses.
- b. Violations of ordinances except for moving motor vehicle offenses and except for offenses which constitute a violation of the Kentucky Penal Code.
- e. Any other duties prescribed by the City Council and not contrary to law.

Section 8. The procedure for citations issued by a citation officer shall be as provided in KRS 431.015.

Section 9. The citation officer may also be referred to as the "Code Enforcement Officer."

Section 10. Nothing contained herein shall limit the power of a citation officer to make an arrest as a private person as provided in KRS 431.005.

Section 11. Acting under an Interlocal Cooperation Act Agreement, the City may jointly appoint a Citation Officer with another party to the agreement.

~~[Section 12. This ordinance shall take effect upon its adoption by the City Council and publication as required by law.]~~

~~[First reading held April 15, 2004, Passed and approved May 20, 2004]~~

SECTION 2. Severability. The provisions of this ordinance shall be considered severable. If any provisions of this ordinance is found to be invalid, that finding shall not necessarily invalidate the entire ordinance.

SECTION 3. Effective Date. This ordinance shall become effective after passage, approval and publication as required by law.

First Reading: 8/16/2018

Second Reading: 9/20/2018

Passed and Approved: 9/20/2018

ENTERED THIS 20th DAY OF September 2018.

Introduced by:

Attest:

Chip Hancock, Mayor

Donna M. Sinkhorn, City Clerk

<u>Council</u>	<u>Yea</u>	<u>Nay</u>	
<u>Ms. Carroll</u>	___	___	Absent
<u>Mr. Doheny</u>	<u>X</u>	___	
<u>Ms. Dunbar</u>	<u>X</u>	___	
<u>Mr. Garlove</u>	___	___	Absent
<u>Mr. Giesel</u>	<u>X</u>	___	
<u>Mr. Gries</u>	<u>X</u>	___	
<u>Mr. Gruebbel</u>	<u>X</u>	___	
<u>Mr. Kron</u>	___	___	Absent
<u>Ms. Zinniel</u>	<u>X</u>	___	