

CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2019#1

AN ORDINANCE AMENDING CHAPTER 150 OF THE
DAYTON CODE OF ORDINANCES TO ADOPT THE 2018
INTERNATIONAL PROPERTY MAINTENANCE CODE
AND AMEND OTHER PROVISIONS TO CONFORM
WITH THE CITY CODE OF ORDINANCES.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF DAYTON,
CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:

Section I

That Chapter 150.03 of the City of Dayton code of ordinances is amended as follows:

§150.03 Adoption of International Property Maintenance Code; Amendments.

(A) Adoption. That certain document, three copies of which are on file in the office of the City, being marked and designated as "The [2015] 2018 International Property Maintenance Code" as published by the International Code Council, Inc. (ICC) is hereby adopted as the property maintenance code of the city for the control of buildings and structures as herein provided; and each and all of the regulations of "[2015] 2018 International Property Maintenance Code, "are hereby referred to, adopted, and made a part hereof, as if fully set forth herein.

(B) Suits pending, etc. Nothing in this section or in the Property Maintenance Code 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or liability incurred, or any cause or causes of action acquired or existing under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this section.

(C) Amendments. The following sections of the [2015] 2018 International Property Maintenance Code, are hereby revised as follows:

(1) Section 101.1, Insert: "the City of Dayton, Campbell County Kentucky"

(2) Section 102.3, Delete in its entirety and replace with "Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Kentucky Building Code, Kentucky Residential Code, the Uniform State Building Code as is established by the Board of Housing, Buildings and Construction of the State of Kentucky, National Electrical Safety Code, the National Electric Code and City of Dayton Code of Ordinance.

(3) Section 103.2, Delete "chief appointing authority" and replace with "Mayor"; Delete "appointing authority" and replace with "Mayor."

(4) Section 103.3, Delete in its entirety.

(5) Section 103.5, Delete in its entirety.

(6) Section 111.1, Delete in its entirety and replace with “Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the City of Dayton Code Enforcement ~~[and Nuisance]~~ Board, provided that a written application for appeal is filed with the City Clerk/Treasurer within ~~[7]~~ 10 days after the day the decision, notice or order was served.

(7) Section 111.2, Delete in its entirety.

(8) Section 111.7, Delete: “appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.” and replace with “Campbell County District Court within thirty (30) days of the final decision of the appeals board.”

(9) Section 111.8, Delete “by the appeals board.”

(10) Section 201.3 Delete in its entirety and replace with “Where terms are not defined in this code and are defined in the Kentucky Building Code, Kentucky Residential Code, City of Dayton Code of Ordinances, National Electrical Code or any applicable code adopted and enforced by the State of Kentucky, such terms shall have the meanings ascribed to them as stated in those codes.”

(11) Section 202, Insert “OUTDOOR STORAGE. The keeping of personal or business property in any open space or outdoor area outside of a building or structure. For the purpose of this definition, property shall not include items that were originally designed for continuous outdoor use (ex: lawn furniture, grills, playground equipment).”

(12) Section 302.1, Insert: “and all outdoor storage shall be removed.”

(13) Section 302.4, Insert: “six (6) inches”

(14) Section 302.8, Delete in its entirety and replace with “No inoperative, abandoned or unlicensed motor vehicle, trailer, recreational vehicle, camper, boat or similar equipment shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. All motor vehicles, trailers, recreational vehicles, campers, boats and similar equipment shall be parked, kept or stored on a paved surface. All trailers, recreational vehicles, campers, boats and similar equipment shall be parked, kept or stored in the rear yard and may be parked, kept or stored in the side yard behind the front structure line of the principal structure if approved by the Board of Adjustment. In no case shall more than one trailer, recreational vehicle, camper, boat or similar equipment be permitted outside of an enclosed building on any premises.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area

designed and approved for such purposes.”

(15) Section 303.2, Delete in its entirety and replace with “Enclosures for swimming pools, hot tubs and spas shall be regulated by the Kentucky Building Code, Kentucky Residential Code, the City of Dayton Zoning Ordinance and any applicable codes adopted and enforced by the State of Kentucky.”

(16) Section 304.14. Insert: “April 1 to October 31”

(17) Section 401.3, Replace “International Building Code” with “Kentucky Building Code, Kentucky Residential Code or any applicable code adopted and enforced by the State of Kentucky”

(18) Section 602.3, Insert: “October 1 to April 1”

(19) Section 602.4, Insert “October 1 to April 1”

(20) Section 702.1, Delete: “International Fire Code” and replace with “Kentucky Building Code, City of Dayton Code of Ordinances and the International Fire Code”

(21) Section 702.2, Delete: “International Fire Code” and replace with “Kentucky Building Code, City of Dayton Code of Ordinances and the International Fire Code”

(22) Section 702.3, Delete: “International Building Code” and replace with “Kentucky Building Code, City of Dayton Code of Ordinances and the International Fire Code”

(23) Section 704.1, Delete: “International Fire Code” and replace with “Kentucky Building Code, City of Dayton Code of Ordinances and the International Fire Code”

(D) Severability. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council for the City of Dayton hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section II

This ordinance shall be in full force and effect from and after its adoption, approval and publication as is required by law.

PASSED by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

First Reading: __Jan. 2, 2019_____
Second Reading: February 5, 2019



MAYOR BEN BAKER

ATTEST:



DONNA LEGER
CITY CLERK/TREASURER