

CITY OF DAYTON, KENTUCKY  
ORDINANCE NO. 2020-#5

AN ORDINANCE AMENDING AND REGULATING THE  
USE OF MOTOR VEHICLES AS IT RELATES TO  
LITTERING AND RELEASE OF FOREIGN MATTERS  
ONTO CITY STREETS AND SIDEWALKS.

WHEREAS, the City finds that the health, safety and welfare of the citizens is gravely impacted by discharge of litter and other foreign matters throughout the City and in particular onto City Streets and Sidewalks; and

WHEREAS, the City desires to amend and add to City Ordinance in order to provide clarification and improve enforcement of existing ordinances in place to mitigate these issues.

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

Section I

That City of Dayton Ordinance 94.99 is amended as follows:

**§ 94.99 PENALTY.**

(A) The owner of any motor vehicle or other mobile unit who violates § 94.01, 94.02 or 94.03 shall be subject to a civil offense with a civil fine of \$75. Unless paid or timely appealed, said fine shall be increased to \$150.

(B) Whoever violates any of the provisions of this chapter for which no other penalty has been specifically provided shall be fined in accordance with the City Civil Fine Schedule. [not more than five hundred dollars (\$500.00). Each day the violation is committed or permitted to continue shall constitute a separate offense.]

Section II

That the following sections are added City of Dayton Ordinance:

**§ 71.10 SPILLAGE PREVENTION DEVICES.**

Any vehicle equipped with a device suitable for prevention of spillage as required under KRS 189.150 shall ensure such device is engaged and covering the load area of the vehicle when operating or in transit on City streets regardless of whether the vehicle is carrying a load or is empty.

Section III

That City of Dayton Ordinance 71.99 is amended as follows:

**§ 71.99 PENALTY.**

(A) Whoever violates any provision of this chapter for which no other penalty is specifically provided shall be guilty of a violation and shall be fined not less than \$20 nor more than \$250.

(B) Any person who violates § 71.26 shall be guilty of a misdemeanor and shall be fined not less than \$60 nor more than \$500, or be imprisoned in the county jail for not more than 30 days, or both. (KRS 189.993 (8))

(C) Any person who violates the provisions of § 71.77 shall be guilty of a Class B misdemeanor and be subject to a fine, jail time, or both in accordance with the penalties for a Class B misdemeanor provided in the Kentucky Revised Statutes.

(D) The owner of any motor vehicle or other mobile unit who violates § 71.10 shall be subject to a civil offense with a civil fine of \$75. Unless paid or timely appealed, said fine shall be increased to \$150.

Section IV

This ordinance shall be signed by the Mayor, attested by the City Clerk, recorded, published, and shall be in effect at the earliest time provided by law.

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

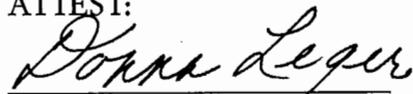
First Reading: June 2, 2020

Second Reading: 7-7-2020



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MAYOR BEN BAKER

ATTEST:



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DONNA LEGER  
CITY CLERK/TREASURER