

**CITY OF BRIARWOOD  
ORDINANCE NO. 3  
SERIES 2010**

**AN ORDINANCE** regulating nuisances within the city limits of the City of Briarwood.

**WHEREAS**, the City, by and through its elected Officers, are desirous of passing this Ordinance regulating nuisances for the safety and general well being of its' residents.

**NOW THEREFORE**, be it ordained by the Commission of the City of Briarwood, Kentucky;

(1) In addition to what is declared in this chapter to be a public nuisance, those offenses which are known to the common law and statutes of Kentucky as public nuisances may be treated as such and may be proceeded against as is provided in this chapter or in accordance with other provisions of law.

(2) It shall be unlawful for the owner, occupant, or person having control or management of any land within the City to permit a public nuisance to develop thereon. The following conditions are declared to be public nuisances:

(3) *Noise*. Emission of noise including, but not limited to, noise emitted from motor vehicles, which is noxious enough to destroy the enjoyment of dwellings or other uses of property in the vicinity by interfering with ordinary comforts of human existence.

(a) *Noxious odors or smoke*. Emission into the surrounding atmosphere of odor, dust, smoke, or other matter which renders ordinary use or physical occupation of other property in the vicinity uncomfortable or impossible.

(b) *Litter prohibited on unimproved lots*. It shall be unlawful to deposit on any unimproved lots in the city any trash, refuses, cans or any other material which will interfere with the health and sanitation of the inhabitants of the city.

(4) *Penalty*: Violation of this Ordinance shall constitute a violation and carry a fine of \$150.00 in addition to court and all other related cost(s).

**FURTHER**, this Ordinance shall take effect upon approval, passage and publication as required by law.

FIRST READING the 6<sup>th</sup> day of July, 2009.

SECOND READING the 1<sup>st</sup> day of March, 2010

PASSED AND APPROVED the 1<sup>st</sup> day of March, 2010

Published in the Courier Journal Neighborhood section in summary form on March 31, 2010

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ATTEST: */S/*

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Mayor, City of Briarwood, Kentucky

Clerk

Those voting Aye

Those voting Nay:

William H. Vaughan, Mayor Liz  
McGrath, Commissioner Carl  
Cavallaro, Commissioner Mike  
McGrath, Commissioner Bill  
Zapp, Commissioner