



Registration of Vacant Residential Property

This registration form must be completed by the Creditor or Creditor's representative:

- (a) Prior to filing a complaint of foreclosure or executing a deed in lieu of foreclosure on vacant residential property located in the City of Alexandria, Kentucky; or
- (b) Within ten (10) business days after obtaining knowledge of the vacancy if the subject residential property becomes vacant after the Creditor files a complaint of foreclosure or executes a deed in lieu of foreclosure, but prior to vesting in the Creditor or a third party.

Property Information:

Vacant Property Address

Property Owner's Name

Property Owner's Address (if known)

Creditor's Information:

Creditor's Name/Business Name

Creditor's Address

Creditor's Phone Number

Creditor's Representative:

****Note:** Representative must be located within the Commonwealth and must be authorized to accept service on behalf of the Creditor

Representative's Name

Representative's Address

Representative's Phone Number

Complaint of Foreclosure
Date Filed _____ Case No.: _____

Deed in Lieu of Foreclosure
Anticipated date of execution: _____

Date

Creditor or Creditor's Representative

For Clerk Use:

Date Received

City Clerk



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ORDINANCE NO. 2010 - 15

AN ORDINANCE OF THE CITY OF ALEXANDRIA, IN CAMPBELL COUNTY, KENTUCKY
REQUIRING REGISTRATION OF CERTAIN VACANT RESIDENTIAL PROPERTIES.

WHEREAS, the presence of vacant residential property may constitute a threat to the public health, general welfare, and safety of the residents of the City of Alexandria; and

WHEREAS, the presence of vacant residential property may depreciate property values and contribute to the deterioration of surrounding neighbors; and

WHEREAS, the presence of vacant residential property may necessitate expensive and disproportionate expenditures of public funds for preservation of the property, prevention of crime, and maintenance of adequate police, fire, and accident protection; and

WHEREAS, City officials are hampered in their efforts to enforce municipal codes without information regarding the current states and ownership of vacant residential property; and

WHEREAS, it is in the best interest of the City to ensure sufficient information is made available to City officials to assure effective maintenance and preservation of vacant residential property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, KENTUCKY:

SECTION 1. Purpose.

It is the purpose and intent of this ordinance to establish a vacant residential property registration and maintenance program as a mechanism to protect neighborhoods and minimize hazards to persons and property as a result of the vacancy.

SECTION 2. Definitions.

As used in this ordinance:

- a) "Creditor" means a federal or state chartered bank, savings bank, savings and loan association, or credit union, lender, mortgagee, and any entity acting on behalf of the Creditor named in the debt obligation including, but not limited to, servicers; and
- b) "Residential property" means real property with one (1) to four (4) dwelling units.
- c) "Vacant" means a residential property with no legal resident or tenant. Evidence of vacancy includes and condition that on its own, or combined with other conditions present, would lead to reasonable person to believe that the property is vacant. Such conditions include but are not limited to overgrown or dead vegetation, accumulation of flyers, mail, or trash, disconnected utilities, the absences of window coverings or furniture, and statements by neighbors, delivery persons, or government employees.

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SECTION 3. Registration.

- a) Prior to filing a complaint of foreclosure or executing a deed in lieu of foreclosure on residential property located in the City of Alexandria, a Creditor shall inspect the property to determine whether the property is vacant. If the property is vacant, the Creditor shall, on the same day the complaint of foreclosure is filed or the deed in lieu of foreclosure is executed, register the property as a vacant property with the City Clerk's office of the City of Alexandria in which the property is located for the purpose of minimizing hazards to persons and property as a result of the vacancy.
- b) If a residential property becomes vacant at any time after a Creditor files a complaint of foreclosure or executes a deed in lieu of foreclosure, but prior to vesting of title in the Creditor or a third party, the Creditor shall, within ten (10) business days after obtaining knowledge of the vacancy, register the property as a vacant property with the City of Alexandria.

SECTION 4. Maintenance.

- a) Registration of a residential property as a vacant property shall include the address of the property and the name and contact information of a person located within the commonwealth who is authorized to accept service on behalf of the Creditor.
- b) If a residential property becomes or remains vacant as provided in Section 3, but prior to vesting of title in the Creditor or any third party, and the City determines the property is in violation of any ordinance regulating a nuisance, the City may notify the Creditor of the violation by providing Notice of the Violation by certified mail, return receipt requested, to the person identified in subsection (a) of this section, and may require the Creditor to correct the violation to the extent consistent with the terms of the Notice.
- c) A Notice of Violation shall include a description of the conditions that give rise to the violation with the Notice of Violation and shall provide a period of not less than five (5) days from the Creditor's receipt of the Notice for the Creditor to remedy the violation, or sooner if the nuisance constitutes an immediate danger to the health and well being of the community.

SECTION 5. Enforcement.

- a) If the Creditor fails to remedy the violation within the stated period, the City may issue a citation and impose penalties against the Creditor for violation of any ordinance regulating a nuisance; and the City is hereby empowered to enter upon the private property to abate the nuisance, keeping an account of the expense, including, but not limited to, the labor and materials, of the abatement; and the expense shall be charged to and paid by the Creditor. The City shall possess a lien on property for all fines, penalties, charges, and fees imposed pursuant to this Ordinance, which lien shall be superior to and have priority over all other liens on the property, except state, county, school board, and city taxes.
- b) Any Creditor that fails to register vacant residential property with the City shall be subject to a civil fine of one hundred dollars (\$100.00) payable to the City for each day of delinquency.

SECTION 6. Effective Date.

This Ordinance shall be effective upon its adoption and approval according to law.

SECTION 7. Conflicts Repealed.

All Ordinances or parts of any Ordinances in conflict herewith, to the extent of such conflict, if any, are hereby repealed.

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SECTION 8. Adoption.

The foregoing Ordinance introduced by Council Member Weber, was read, passed and adopted by the Council of the City of Alexandria, Kentucky, meeting in regular sessions on the 4th day of November, 2010, and on the 18th day of November, 2010, with 6 yes votes, 0 no votes, and 0 abstentions, and was thereafter approved by the Mayor and ordered published in summary according to law.

APPROVED:


MAYOR DANIEL M. MCGINLEY

ATTEST:


CLERK KAREN M. BARTO

PUBLISHED: 11/25/2010