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CITY OF BARBOURVILLE, KENTUCKY
ORDINANCE NO. 2026-8

AN ORDINANCE OF THE CITY OF BARBOURVILLE, KENTUCKY REQUIRING
PROPERTY OWNERS TO PREVENT REFUSE AND FURNITURE FROM BEING
PLACED ON THE CURB FOLLOWING TENANT MOVE-OUTS, AND PROVIDING
FOR ENFORCEMENT AND COST RECOVERY

WHEREAS, the City of Barbourville, Kentucky, under KRS 82.082, is empowered to enact ordinances in furtherance of public health, safety, and welfare; and, the accumulation of trash, discarded furniture, and refuse left on curbs after tenants vacate rental property creating public health hazards, degrading neighborhood appearance, and imposing costs on the city; and there are increased refuse volume and accumulation of refuse rate associated with multi-unit apartment complexes that require more frequent collection service than for residential units. This increased frequency has resulted in higher costs for the city in the form of costs of collection, disposal and equipment maintenance.

The city finds that refuse removal from multi-unit apartment complexes impose higher operational costs due to greater refuse volume, increased frequency of collection and increased maintenance costs due to increased wear and tear on equipment and increased health hazards to city employees who collect and remove the refuse. The fees established herein are reasonably related to the additional costs incurred by the city in providing refuse removal services.

It is in the public interest to hold property owners responsible for ensuring that such materials are properly removed and disposed of in a lawful manner;

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

SECTION 1. DEFINITIONS

For the purposes of this ordinance:

“Refuse” means discarded trash, garbage, animal excreta; carcasses of animals; appliances, furniture, bedding, or other household items, tree or shrub trimmings; dirt, wood, stone, brick, plaster, or materials resulting from the demolition, alteration, or construction of buildings, structures, or other improvements; accumulated waste materials; or substances which may become nuisances, any or all of which are placed on or near a curb, sidewalk, street, or alley for disposal.

“Owner” means the record owner of real property, as reflected in the Knox County property valuation administrator’s records.

“Tenant Move-Out” means the vacating of residential or commercial premises by a lessee, whether by expiration of lease, eviction, or abandonment.

“Residential Unit” means a single-family dwelling, duplex, or townhouse designed for occupancy by one family, and not operated as a commercial rental enterprise with seven (7) or fewer units on the same parcel.

“Multi-Unit Apartment Complex” means any property containing eight (8) or more dwelling units under common ownership or management, operated as a commercial rental enterprise, and located on a single parcel or contiguous parcels.

SECTION 2. OWNER RESPONSIBILITY

A. Owners shall ensure that refuse resulting from a tenant move-out is properly contained, removed, and disposed of in accordance with city solid waste regulations.

B. It shall be unlawful for an owner to permit or allow refuse from a tenant move-out to remain on the curb, street, sidewalk, or alley beyond the city’s scheduled solid waste collection for that property.

C. If refuse from tenant move-out is placed on the curb, street, sidewalk or alley the owner shall remove the refuse itself or contact the City’s garbage contractor, Mills Brothers Garbage, Inc. to arrange proper removal of the refuse.

D. The presence of refuse on the curb, street, sidewalk or alley for 7 days shall constitute prima facie evidence that the property owner has committed a violation of this section.

SECTION 3. FEES FOR COLLECTION AND DISPOSAL, AUTHORITY TO DENY SERVICES

A. Authority to Set Rates. The city council shall, by ordinance, establish, and may from time to time, amend the fees applicable under this section.

B. Authority to deny refuse collection. The city shall have the option to deny refuse collection, removal, or disposal service to any owner who has not contacted the city’s garbage contractor to arrange pickup or whose refuse requirements are sufficiently abnormal or different, in the determination of the Superintendent of the street department, as to justify handling, in which case a charge shall be made as established from time to time by the city. This shall include those buildings or dwellings not readily accessible to refuse collectors or where refuse is not found in standard containers, or where users require service more frequently than regularly scheduled.

C. Residential Units. Owners of residential units shall be charged the standard refuse collection and disposal fee as established by the city council.

D. Multi-Unit Apartment Complexes. Owners of multi-unit apartment complexes shall be charged at a higher commercial rate, as established above by the city council, to reflect the greater volume of refuse generated and the increased service demands placed on the city. Regardless of the volume of refuse to be collected from a multi-unit apartment complex, the minimum fee the city will charge will be One Thousand dollars (\$1,000.00).

E. Collection of Fees. The city has the discretion to demand pre-payment of the fee prior to removal of the refuse or to demand payment of the fee after removal of the refuse. If the city elects to demand payment from the owner after the refuse is removed, then the city will send an invoice to the owner and payment from the owner to the city shall be due upon mailing of the invoice. Service of the invoice shall be deemed sufficient if mailed to the mailing address for the owner of the property as provided by the Knox County Property Valuation Administrator’s records. Unpaid fees shall constitute a lien against the property in accordance with KRS 91.200 et seq. or other applicable law.

A. This ordinance shall be enforced as a civil offense pursuant to KRS 65.8801 to 65.8839 and the City’s Code Enforcement Ordinance.

B. Any person, firm, or corporation found to be in violation of this ordinance shall be subject to the civil penalties established in the City’s Code Enforcement Ordinance, as may be amended from time to time.

C. Each day that refuse remains constitutes a separate offense. Unpaid fines shall constitute a lien against the property.

D. In addition to civil penalties, the city may, at its discretion, remove and dispose of the refuse. The cost of removal and disposal shall be billed to the owner at the mailing address provided by the Knox County Property Valuation Administrator. If unpaid after thirty (30) days, such costs shall constitute a lien against the property, enforceable in the same manner as provided in KRS 65.8801 to 65.8839 and the City’s Code Enforcement Ordinance, and other applicable law.

E. The owner shall be personally liable for the fees of Section 3 and the penalties incurred as described in Section 4. The owner shall be personally liable for all costs incurred by the city in this section, including all enforcement fees incurred by the city, including but not limited to attorney fees and costs incurred by the city.

SECTION 5. SEVERABILITY

If any section or provision of this ordinance is found invalid by a court of competent jurisdiction, the remainder shall not be affected and shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE

This ordinance shall take effect upon passage, approval, and publication as required by law.

Adopted this the 10th day of September, 2026.

David Thompson, Mayor

ATTEST:
Helen Strong, City Clerk

8/6/2026
Date of First Reading

9/15/2026
Date of Second Reading

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ORDINANCE NO. 2026-11

A SUMMARY ORDINANCE OF THE CITY OF BARBOURVILLE, KENTUCKY
REPEALING ORDINANCE 2025-2 AND ADOPTING ORDINANCE NO. 2026-11,
“FOR PAWN BROKERS AND SECOND-HAND DEALERS”

Whereas, the City Council of the City of Barbourville, Kentucky has determined that the interests of the City of Barbourville and the citizens of Barbourville, Ky. would be best met by repealing the current ordinance and replacing it with a newly enacted ordinance relating to pawn brokers and second-hand dealers within the City Limits of Barbourville, Kentucky, and

NOW THEREFORE BE IT ORDAINED BY THE CITY OF BARBOURVILLE, COMMONWEALTH OF KENTUCKY THAT ORDINANCE 2025-2 IS REPEALED AND ORDINANCE NO. 2026-11 IS ENACTED AS FOLLOWS:

The title of the Ordinance is **AN ORDINANCE OF THE CITY OF BARBOURVILLE, KENTUCKY REPEALING ORDINANCE NO. 2025-2 AND ADOPTING ORDINANCE NO. 2026-11, “FOR PAWN BROKERS AND SECOND-HAND DEALERS,”**

This Ordinance regulates anyone operating as a pawnbroker, pawn shop or anyone operating a business involving the sale of previously used personal property, referred to as a second-hand dealer.

The ordinance imposes the following fees (the full text of which is reproduced):

SECTION 2: Every pawnbroker and secondhand dealer shall annually pay to the City of Barbourville, Kentucky a license fee of \$1,500.00. The license fee shall be due on July 1 of each year. The purpose of the license fee is to reimburse the City for the cost and expense of the following: maintaining a subscription with the LEADS online service, investigations, processing fees and any other expense incurred in the enforcement of this Ordinance.

SECTION 3: Every person to whom a city license is granted to carry on the business of a pawnbroker or secondhand dealer shall annually enter into bond to the city, with good and sufficient surety, to be approved by the city legislative body, in the penal sum of one thousand dollars (\$1,000). The bond shall be conditioned that the pawnbroker or secondhand dealer will observe the provisions of KRS 226.030 to 226.050, and the ordinances and laws in force in the city not inconsistent with KRS 226.030 to 226.050.

SECTION 10:

(1) Any pawnbroker or secondhand dealer who violates any of the provisions of Sections 2 through 5 shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), and his license may be forfeited. Each day the violation of this ordinance continues shall be a separate and distinct offense.

(2) Any pawnbroker or secondhand dealer who violates any of the provisions of Section 6 shall be fined not less than twenty dollars (\$20) nor more than one hundred dollars (\$100). Each

day the violation continues shall be considered a separate violation which shall incur an additional fine under this subsection. Each day the violation of this ordinance continues shall be a separate and distinct offense.

(3) Any pawnbroker or secondhand dealer who violates any of the provisions of Sections 7 or 8 shall be subject to the penalties provided in subsection (1) of this section.

(4) After a violation has occurred the City will send the offender a citation for the violation of this ordinance. The citation shall be delivered by the following methods: a.) personal service to the offender; or b.) by posting a copy of the citation in a conspicuous place on the premises and by mailing a copy of the citation to the offender by regular, first-class mail to the offender. The citation will contain the following information: the date and time of issuance, the name and address of the person to whom the citation is issued, the facts constituting the offense, the civil fine that will be imposed, the procedure for the offender to follow to pay the civil fine and license fee and a notification that if the civil fine and license fee remain unpaid for 15 days after the date of the citation that the business must be closed immediately and future licenses will be denied until all delinquent license fees and civil fines are paid.

(5) Any violations herein shall subject the offender to a civil penalty as provided in subparagraphs 1 and 2 above, to be recovered by the city in a civil action in the nature of debt if the offender does not pay the fine within.

(6) Any person or business entity that has violated this ordinance shall be personally liable for all amounts owed under this ordinance and for all charges, attorney fees, court costs and expenses incurred by the city in connection with the enforcement of the ordinance and collection of amounts due under this ordinance. If a business entity has violated this ordinance, then the owners of said business entity are also personally liable for all amounts owed under this article and for all charges, attorney fees, court costs and expenses incurred by the city in connection with the enforcement of this ordinance and collection of amounts due under this ordinance. The city may bring a civil action against the person or business entity and shall have the same remedies as provided for the recovery of a debt.

The ordinance establishes the following:

- 1.) record keeping and reporting requirements for property received by pawnbrokers, pawn shops or second-hand dealers;
- 2.) the charges pawnbrokers and pawn shops may charge for loans made on property received; and
- 3.) property retention requirements and transaction limits and restrictions, including but not limited to restrictions on transactions with minors;

This Ordinance is effective upon final reading and publication.

Adopted this 15th day of September, 2026.

David Thompson, Mayor

ATTEST:

Helen Strong, City Clerk

9/10/2026
Date of First Reading

9/15/2026
Date of Second Reading

CERTIFICATION

This summary ordinance was prepared under the supervision of Samuel G. Davies, Attorney at Law, and does hereby conform to the provisions of KRS 83A.010(12) and KRS 83A.060.

Samuel G. Davies, Attorney at Law

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9/15/26
Date