

§ 32.777 CERTIFICATION OF PROPERTY AS BLIGHTED.

(A) The Landbank Authority shall have the authority to determine whether a property is blighted or deteriorated when it has been referred to the Landbank Authority by the appropriate Metro Government agency as tax delinquent or in violation of local codes.

(B) Certification of property as blighted or deteriorated may be made only after the following determinations have been made:

(1) That the owner of the property or designated agent has been sent an order by the appropriate Metro Government agency to eliminate the conditions which are in violation of local codes or law;

(2) That the property is vacant;

(3) That the property is blighted and deteriorated;

(4) That the Landbank Authority has notified the property owner or designated agent that the property has been determined to be blighted or deteriorated and the time period for correction of such condition has expired and the property owner or agent and any interested parties of record have failed to comply with the notice; and

(5) That the Planning Commission has determined that the reuse of the property is in keeping with the comprehensive plan.

(C) The findings required in subsection (B) above shall be in writing and included in the report to the Metro Council.

(D) Upon making a written determination of blight or deterioration, the Landbank Authority shall notify the owner of the property or a designated agent and any interested party of record that a determination of blight or deterioration has been made and that failure to eliminate the conditions causing the blight shall render the property subject to condemnation by the Metro Government under this subchapter and KRS Ch. 99. Notice shall be mailed to the owner or designated agent and any interested party of record by certified mail, at their last known address as recorded with the Property Valuation Administration office or the Jefferson County Clerk, return receipt requested. However, if the address of the owner or a designated agent or any interested party of record is unknown and cannot be ascertained by the Landbank Authority in the exercise of reasonable diligence, copies of the notice shall be posted in a conspicuous place on the property affected. The written notice sent to the owner or his agent or any interested party of record shall describe the conditions that render the property blighted and deteriorated, and shall demand abatement of the conditions within 90 days of the receipt of such notice. If the certified notice is returned as not deliverable, the notice shall be considered delivered as of the mailing date. An extension of the original 90-day time period may be granted by the Landbank Authority at the end of that period if the owner or designated agent or any interested party of record demonstrates substantial progress toward abatement and that a specific number of additional days is needed to correct the conditions cited in the notice. In no event may the time extension go beyond an additional 90-day period.

(Lou. Metro Ord. No. 53-2017, approved 3-24-2017)