



CITY OF FRANKFORT

CODE ENFORCEMENT BOARD – BYLAWS

The City of Frankfort Code Enforcement Board, in order to carry out the general powers conferred by Chapter 65 of the Kentucky Revised Statutes and the City of Frankfort Ordinance No. 4, 2017 Series, does hereby adopt the following Bylaws to govern all proceedings before said Board.

ARTICLE I. NAME OF BOARD

The name of this organization shall be the CITY OF FRANKFORT CODE ENFORCEMENT BOARD.

ARTICLE II. AUTHORIZATION

The authorization for the establishment of the City of Frankfort Code Enforcement Board is set forth pursuant to Chapter 65 of the Kentucky Revised Statutes, and amendments and supplements thereto, and other powers as delegated to the Frankfort City Commission.

ARTICLE III. MEMBERSHIP

Section 3.1 – The entire membership of the City of Frankfort Code Enforcement Board shall be composed of Five (5) members. The method of appointing the members and filling vacancies for the terms of office shall be as provided by the Frankfort Board of City Commissioners, and as outlined in Ordinance No. 4, 2017 Series.

Section 3.2 – Disqualification, Conflict and Removal. The membership of the City of Frankfort Code Enforcement Board shall be governed by Ordinance No. 4, 2017 Series in relation to disqualification, conflict, and removal. Upon disqualification of any member, said member shall be marked in the official minutes as being absent during the discussion of the action on the particular matter in which said disqualification or conflict occurred and said member shall not be counted as part of the quorum and further said member shall be removed from the body of the Commission during the discussion of said issue.

Section 3.3 – Reimbursement. Reimbursement for meetings attended shall be determined by the Frankfort city Commission.

ARTICLE IV. OFFICERS

Section 4.1 – Number and Eligibility. The officers of the City of Frankfort Code Enforcement Board shall consist of a Chairman, Vice-Chairman and Secretary

Section 4.2 – Chairman. The Chairman shall be a member of the Code Enforcement Board not holding any other elected public office, shall preside at all meetings of the Board, and at other meetings and public hearings as called by the Board. The Chairman shall call special meetings of the Board when required, and shall transmit reports, plans and recommendations of the Board to any appropriate governmental authority.

Section 4.3 – Vice-Chairman. The Vice-Chairman shall be a member of the Board not holding any other elected public office, shall serve as Chairman during the temporary absence or disability of the Chairman. In the event of a Chairman's permanent absence, due to resignation or other causes, the Board shall elect a new Chairman. In case of the temporary absence of both the Chairman and Vice-Chairman, at any meeting, the Board shall elect a temporary Chairman for such meeting.

Section 4.4 – Secretary. The secretary shall be an individual other than a member of the board or City Code Enforcement Officer and shall not hold any other elected public office. Under the direction of the Chairman, the Secretary shall prepare, distribute and maintain the minutes and records of the Board and assume other duties as are normally carried out by a Secretary. The Secretary may delegate such duties of the office when needed for absences of scheduled meetings. The Secretary shall be compensated at a rate of \$75.00 per meeting and per hour for meetings lasting over 75 minutes (hours are to be rounded to nearest half hour increments).

ARTICLE V. ELECTION AND APPOINTMENT OF OFFICERS

The election of Chairman, Vice-Chairman, and appointment of Secretary should be made at the first regular and official meeting in each calendar year; the Board shall elect the Chairman, Vice-Chairman, and shall appoint the Secretary. Nominations shall be made from the floor and the member receiving a majority vote of the membership in attendance shall be declared elected, and shall take office at the beginning of the meeting. The Chairman, Vice-Chairman, and Secretary shall serve for a period of one year, shall be eligible for re-election, and shall serve until their successors take office. Vacancies in office shall be filled immediately by regular election procedure.

VI. EMPLOYEES

Within the limits imposed by the funds available for its use, the Board may employ such personnel and consultants as is necessary for the performance of its functions. Appointments shall be made by a majority vote of the members in attendance at an official meeting of the Board.

VII. MEETINGS

Section 7.1 – Regular meetings of the Board shall be held not less than six (6) times per year and shall be held at a time as approved by a majority of the Board members. Generally the meetings are to be held on the 4th Tuesday of the month.

Section 7.2 – Special meetings. A special meeting may be called by the Chairman. The Chairman upon calling a special meeting shall notify all members at least five (5) days in advance of the special meeting or one (1) day in advance for emergency matters not requiring legal advertisement if a majority of the membership will sign an agreement waiving the five-day notice.

Section 7.3 – Quorum. A quorum shall be necessary at any meeting in order for the Board to take official action and carry on its business and a quorum shall be three (3) members present.

Section 7.5 – Procedures. The Board may adopt such proceedings as governing the meetings of said Board.

ARTICLE VIII. ORDER OF BUSINESS

Section 8.1 – Regular Meetings. The order of business at regular meetings shall be:

- A. Attendance
- B. Approval of Minutes
- C. Appeal Cases
- D. New Business
- E. Staff Items
- F. Adjournment

Section 8.2 – Special Meetings. The order of business of a special meeting shall be determined by the Chairman.

ARTICLE IX. GENERAL PUBLIC HEARINGS

Section 9.1 – General public hearings will be held by the Board whenever the Board decides that such a hearing will be in the public interest.

Section 9.2 – Notice. Notice of the time, place and reason for a hearing may be given by one publication in a newspaper of general circulation in the community not earlier than 21 days, nor later than 14 days before the hearing; or in any other manner as may be deemed appropriate by the Board, which shall conform to the provisions of Chapter 424 of the Kentucky Revised Statutes.

Section 9.3 – Presentation. Any matter before the Board shall be presented by the City staff or such members as may be designated by the City of Frankfort, and any party directly affected by the issuance of a citation shall have an opportunity to present their response to the Board.

Section 9.4 – Records. Records shall be kept by the Secretary of those speaking before the Board at such hearings.

ARTICLE X. STANDARDS OF CONDUCT

Section 10.1 – No member of the Board or his or her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in conflict with the proper discharge of their duties in the public interest.

Section 10.2 – No Board member shall act in his official capacity in any matter where he/she, a member of his or her immediate family, or a business organization in which they have an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair their objectivity or independence of judgment.

Section 10.3 – No Board member shall undertake any employment or service, compensated or not, which might reasonably be expected to prejudice their independent judgment or impair the exercise of their official duties.

Section 10.4 – No Board member or any member of his or her immediate family shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment or other thing of value based upon an understanding that said gift, favor, loan, political contribution, service, promise or other thing of value, was given or offered for the purpose of influencing, directly or indirectly, in the discharge of their duties.

Section 10.5 – No Board member shall intentionally take or refrain from taking any discretionary action, or induce or attempt to induce any other officer or employee to take or refrain from taking any discretionary action, on any matter before the Board in order to obtain a financial benefit for the Board member, a member of the immediate family of the Board member, an employer of the Board member, any business in which the Board member has a financial interest, or any business in which the Board member or any family member is negotiating or seeking perspective employment or other business or professional relationship.

Section 10.6 – Every Board member who has a prohibited financial interest which the officer or employee believes, or has reason to believe, may be affected by his or her participation, vote, decision, or other action taken within the scope of his or her public duties shall disclose the precise nature of interest, in writing or on the record, to the entire Board, and the disclosure shall be entered on the official record of the proceedings of the governing body. The Board member shall refrain from taking any action with respect to the matter that is the subject of the disclosures.

ARTICLE XI. RECEIPT OF GIFTS

No Board member shall directly or indirectly through any person or business or family member, solicit or accept any gift of any money whatsoever, for any action or inaction as a part of the duties of the City of Frankfort Code Enforcement Board.

ARTICLE XII. MISUSE OF CONFIDENTIAL INFORMATION

No Board member shall intentionally use or disclose information acquired in the course of his or her official duties, if the primary purpose of the use or disclosure is to further his or her personal financial interest of that of another person or business. Information shall be deemed confidential, if it is not the subject of disclosure pursuant to Kentucky Open Records Act, KRS 61.872 at the time of its use or disclosure.

ARTICLE XIII. DEFINITIONS

“Business” means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, limited liability company, limited liability partnership, or any other legal entity through which business is conducted for profit.

“Business associate” means and shall include a private employer, a general or limited partnership, or general or limited partner within the partnership, a corporation that is family owned or in which all the shares are closely held, and the owners, shareholders, and officers of such corporation. A corporation, business association, or other entity in which the Board member serves as a compensated agent or representative.

“Family member” means a spouse, parent, child, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, grandchild, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, and shall include relatives by half-blood or adoption.

ARTICLE XIV. AMENDING BYLAWS

The Bylaws may be amended, as required, by a simple majority vote of the members of the Board and may be adopted without a meeting if all members entitled to vote shall consent in writing to such Board action.