

65.8811 Membership of board -- Term -- Reappointment -- Vacancy -- Removal -- Compensation.

- (1) (a) A code enforcement board shall consist of no fewer than three (3) members who shall be appointed by the executive authority of the local government, subject to the approval of the legislative body.
- (b) A joint code enforcement board shall be appointed as set out in the terms of an interlocal agreement and shall include representation on the board of all participating local governments. Two (2) or more participating local governments may share an appointment or appointments as set out in the terms of the interlocal agreement.
- (2) The initial appointments to a code enforcement board shall be as follows:
 - (a) One-third (1/3) of the membership or one-third (1/3) of the membership and one (1) member of the board shall be appointed for a term of one (1) year;
 - (b) One-third (1/3) of the membership or one-third (1/3) of the membership and one (1) member of the board shall be appointed for a term of two (2) years; and
 - (c) One-third (1/3) of the membership or one-third (1/3) of the membership and one (1) member of the board shall be appointed for a term of three (3) years.All subsequent appointments shall be made for a term of three (3) years.
- (3) (a) Each member of a code enforcement board shall have resided within the boundaries of the local government unit for a period of at least one (1) year prior to the date of the member's appointment and shall reside there throughout the term in office.
- (b) Board members serving on joint code enforcement boards shall have resided within the boundaries of the local government they represent for a period of at least one (1) year prior to the date of the member's appointment and shall reside there throughout the term in office.
- (4) A member may be reappointed, subject to approval of the legislative body or, in the case of a joint appointment, approval of the legislative bodies.
- (5) Any vacancy on a code enforcement board shall be filled within sixty (60) days by the executive authority, subject to the approval of the legislative body. Joint appointments shall require an agreement of the executive authorities and approval of the legislative bodies in filling the vacancy. If a vacancy is not filled within sixty (60) days, the remaining members of the code enforcement board shall fill the vacancy. All vacancies shall be filled for the remainder of the unexpired term.
- (6) Any member of a code enforcement board may be removed by the appointing authority or authorities for misconduct, inefficiency, or willful neglect of duty. Any appointing authority or authorities exercising the power to remove a member of a code enforcement board shall submit a written statement to the member and to the legislative body of the local government or local governments, setting forth the reasons for removal. The member so removed shall have the right of appeal to the Circuit Court.

- (7) All members of a code enforcement board shall, before entering upon their duties, take the oath of office prescribed by Section 228 of the Constitution of the Commonwealth of Kentucky.
- (8) The members of a code enforcement board may be reimbursed for expenses or compensated, or both, as specified in the ordinance creating the board.
- (9) No member of a local government code enforcement board shall hold any elected or appointed office, whether paid or unpaid, or any position of employment with the unit of local government that is subject to the jurisdiction of the code enforcement board.
- (10) Each legislative body that elects to establish a code enforcement board is encouraged to provide opportunities for education regarding pertinent topics for the members of the code enforcement board.

Effective: June 29, 2017

History: Amended 2017 Ky. Acts ch. 86, sec. 1, effective June 29, 2017. -- Amended 2016 Ky. Acts ch. 86, sec. 3, effective July 15, 2016. -- Amended 2007 Ky. Acts ch. 106, sec. 2, effective June 26, 2007. -- Amended 2006 Ky. Acts ch. 12, sec. 3, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 364, sec. 2, effective July 15, 1998. -- Created 1996 Ky. Acts ch. 177, sec. 4, effective July 15, 1996.