

CITY OF SILVER GROVE, KENTUCKY
ORDINANCE NO. 26-0901

AN ORDINANCE OF THE CITY OF SILVER GROVE
CREATING A NEW SECTION 92.08 TO PROHIBIT THE
PLANTING OF INVASIVE SPECIES AND REQUIRING THE
CONTAINMENT AND/OR REMOVAL OF SAME.

WHEREAS, the citizens of the city of Silver Grove, Kentucky have expressed concern with the ecological impact of invasive plant species; and

WHEREAS, invasive species create a threat to the health, safety, and welfare to the native ecological systems of the Commonwealth; and

WHEREAS, it is the desire of the city council of the city of Silver Grove, Kentucky to protect species native to the Commonwealth;

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF SILVER GROVE,
CAMPBELL COUNTY, KENTUCKY AS FOLLOWS:

Section I

A new section of the Code of Ordinances for the City of Silver Grove is hereby created as follows:

§ 92.08 INVASIVE SPECIES PROHIBITED; CONTAINMENT AND REMOVAL

No owner, tenant, or occupant of a property, or person, corporation, or other entity shall plant, install, or cause or permit the planting of any known invasive trees, shrubs or other vegetation, as set forth in the Kentucky Invasive Plant Council List, including any species of bamboo, including but not limited to the genus Phyllostachys, shall be planted within the City of Silver Grove.

- (A) Any invasive which has been planted, installed, or otherwise continues to grow prior to the effective date hereof is subject to the following containment requirements:

(1) The property owner shall be responsible to ensure that any such preexisting invasive plant does not encroach or grow upon any adjoining public or private property, or public right of way. In lieu of confining the invasive, the property owner may elect to totally remove same from the property and any affected properties or right of ways. The cost of said removal shall be at solely the responsibility of the property owner of the originating invasive.

(2) Any preexisting invasive shall not be replanted or replaced once such invasive is or has become, for any reason, dead, destroyed, uprooted, eradicated or otherwise removed.

(B) In the event that any invasive grows or invades upon any adjoining property or properties, if the Code Enforcement Officer, after observation and /or inspection determines that there is an invasion or encroachment on the adjoining public or private property or right of way, shall notify the offending property owner of the invasion or encroachment and that the property owner is responsible for its removal. The property owner shall have 30 days in which to undertake remedial measures or thereafter shall be considered in violation hereof and, upon citation, shall be subject to the penalty provision set forth herein. In the event the City shall be required to remove said invasive from any public rights-of-way or City owned or controlled property or easement, the property owner shall be liable to the City, upon invoice, for the cost of removal.

The definitions set forth in KRS 65.8805 and KRS 65.8840 are incorporated as though set forth fully herein and shall include the following terms:

Section II

This ordinance shall be in full force and effect from and after its adoption, approval and publication as is required by law.

PASSED by City Council of the City of Silver Grove, Campbell County, Kentucky assembled in regular session.

First Reading: _____

Second Reading: _____

MAYOR NEAL BEDEL

ATTEST:

RONDA SANDFOSS
CITY CLERK