

Section

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§ 158.01 INTENT.

(A) Purpose. In order to promote the economic and general welfare of the people of the city and to ensure the complementary, orderly, and efficient growth of the community, the city deems it essential that the qualities relating to the history of the community and a harmonious outward appearance of structures be preserved. The federal government and Commonwealth of Kentucky have passed laws to protect historic districts and landmarks. Historic preservation and appropriate design will attract both tourists and residents and improve property values. It is the finding of the city that the unique character and appearance of this community cannot be enhanced unless its distinctive historic structures, districts and sites are preserved and unless the design and appearance of structures within the downtown area are preserved and/or enhanced.

(B) Policies. In furtherance of these objectives, this chapter provides for the mandatory review by a Board of Architectural Review of any and all public and private projects involving permanent construction, demolition, alteration, repairs, maintenance or rehabilitation to properties in a designated historic district that would change the exterior appearance of buildings or property sites visible from public rights-of-way. The Board of Architectural Review shall endeavor to support and reinforce all laws that protect and preserve historic properties and implement the design guidelines adopted herein, while striving to provide assistance and information to property owners in the downtown area concerning historic design concepts, tax incentives and other development strategies. Through these regulations, the city seeks to foster civic pride in the value of accomplishments of the past, while enhancing the aesthetic character that serves as a reminder of the history and heritage of this community.

(Ord. 05:2002, passed 4-8-02)

§ 158.02 APPLICATION REGULATIONS.

The historic and design classifications and regulations hereunder shall be established in addition to the zone classifications and regulations as shown on the zoning map atlas for the subject areas. These regulations are intended to preserve and protect historic or architecturally worthy districts, landmarks, sites, neighborhoods, areas, places, structures, improvements, geological and archaeological sites. The use, dimensions and other requirements for said zones as

provided in the Zoning Code shall apply. Where there are conflicts between procedures and regulations within the Zoning Code, the more restrictive shall apply.

(Ord. 05:2002, passed 4-8-02)

§ 158.03 DEFINITIONS.

For the purpose of this chapter, certain terms are defined as follows:

"ALTERATION." Any construction, replacement or change to the exterior of a building or structure when it is visible to the public. An alteration shall include a proposed sign or changes to an existing sign. Painting and ordinary maintenance and repairs shall not be considered alterations.

"BOARD." Board of Architectural Review.

"BUILDING." Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

"CERTIFICATE OF APPROPRIATENESS." The permit, issued by the Board of Architectural Review, which gives its approval for work or demolition to be done in a historic district or on a landmark.

"CITY." Morehead, Kentucky, Board of City Council.

"COMMISSION." Planning and Zoning Commission.

"DEMOLITION." Any act that destroys in whole or in part a landmark or a building or structure in a historic district.

"DESIGNATED PROPERTY." A landmark or a building or structure in a historic district. Designated property shall include all lots within a historic district and the entire lot containing a landmark.

"HISTORIC DISTRICT." An area of architectural, historical or cultural significance that meets one or more of the criteria contained in § 158.04 of this chapter and which has been designated by the city.

"LANDMARK." A building or structure of architectural, historical or cultural significance which meets one or more of the criteria contained in § 158.04 of this chapter and which has been designated by the city .

"MAJOR STRUCTURAL CHANGE." Structural alterations and structural repairs made within any twelve-month period costing in excess of 50% of the physical value of the structure as determined by comparison of the extent/value of the alternations involved and the replacement value of the structure at the time the plans for the alteration are approved using the Building Officials Conference of America (BOCA) chart for construction cost.

"NEW CONSTRUCTION." An addition to an existing building or structure or the construction of a new building or structure.

"ORDINARY MAINTENANCE AND REPAIRS." Any work the purpose of which is to correct deterioration or to prevent deterioration of a designated historic property. The work shall restore the property to its appearance prior to deterioration or shall result in the protection of its present appearance. The work shall involve the use of the same building materials or available materials that are as close as possible to the original. Work that changes the external appearance of a property shall be considered an alteration for purposes of this chapter.

"STRUCTURE." Anything constructed or erected, the use of the ground including (but without limiting the generality of the foregoing) barns, smokestacks, advertising signs, billboards, backstops for tennis courts, bridges, fences, pergolas, gazebos, radio and television antennae, solar collectors, microwave antennae including the supporting towers, roads, ruins or remnants (including foundations), swimming pools or walkways. (Ord. 05:2002, passed 4-8-02)

§ 158.04 BOARD OF ARCHITECTURAL REVIEW.

(A) Establishment and composition.

(1) There is hereby established a Board of Architectural Review. The Board shall consist of five members appointed by the mayor with the approval of the city. The members shall have demonstrated interest in urban planning and historic preservation, and at least two members shall have training or experience in the fields of real estate, architecture, construction, history, planning or related disciplines. The mayor shall appoint at least one member who owns property within the historic district.

(2) When one or two professional members are not available, the Mayor may appoint other persons interested in historic preservation to serve. When the Board reviews an issue that is normally evaluated by a professional member and that member is not represented on the Board, the Board shall seek expert advice before rendering its decision.

(3) Members of the Board shall serve without compensation.

(B) Terms of office.

(1) The terms of office of the members shall be three years, except the terms of two members of the original Board shall expire after two years, and the terms of two other members of the original Board shall expire after one year.

(2) Each member shall serve until the appointment and qualification of his successor, and when a vacancy occurs during a term of office, it shall be filled by nomination of the Mayor within sixty (60) days, and the person selected shall be appointed for the unexpired portion of the term.

(C) Officers. The Board shall each year elect members to serve as Chairman, Vice-Chairman and Secretary. The Chairman shall preside at

the meetings of the Board and shall be the spokesman for the Board. In his absence, the Vice-Chairman shall perform these duties. The Secretary shall prepare the minutes of the Board's meetings which shall be available for public inspection.

(D) Votes affecting personal interest. No member of the Board of Architectural Review shall vote on any matter that may affect the property, income or business interest of that member.

(E) Powers and duties of the Board of Architectural Review.

(1) Specific duties. In addition to the powers and duties stated elsewhere, the Board of Architectural Review shall take action necessary and appropriate to accomplish the purpose of this chapter. These actions may include, but are not limited to, the following:

(a) Conducting a survey of historic buildings and areas and preparing a plan for their preservation;

(b) Soliciting public input for the purpose of collecting information to assist in making recommendations to the Planning and Zoning Commission and city;

(c) Recommending to the City Zoning Adjustment Board and the Planning and Zoning Commission designation of historic districts and individual landmarks;

(d) Adopting written guidelines for making exterior changes to designated property and for undertaking new construction on designated property;

(e) Regulating alterations visible to the public that are proposed for designated property; regulating demolitions, relocations and new construction involving designated property;

(f) Working with and advising the federal, state and county governments and others parts of city government;

(g) Advising and assisting property-owners and other persons and groups including neighborhood organizations who are interested in historic preservation; and

(h) Conducting educational programs including the preparation of publications and the placing of historical markers.

(2) Rehabilitation of buildings.

(a) The Board of Architectural Review may initiate and encourage plans for the preservation and rehabilitation of individual historic buildings.

(b) The Board shall on a regular basis give recognition to owners and tenants who maintain or rehabilitate their structures with care and thus contribute to the preservation of the history and the appearance of our downtown area.

(3) Survey of historic buildings.

(a) In making its survey of historic buildings and areas, the Board of Architectural Review shall conduct this work in accordance with the guidelines of the Kentucky Heritage Council.

(b) The Board shall provide that its survey and preservation plan shall be maintained and continued.

(c) The Board shall use the preservation plan to assist the city and the Planning and Zoning Commission in their overall planning efforts.

(F) Meetings of the Board. The Board shall adopt and make public rules for the transaction of its business and shall hold monthly public meetings and special public meetings, when necessary. All meetings shall have a previously available agenda and shall comply with the Kentucky Open Meeting Statute, KRS 61.805. A simple majority of the membership shall be required for decisions involving historic districts and landmarks.

(G) Annual report. The Board shall prepare and keep on file available for public inspection a written annual report of its activities, cases, decisions, qualifications of members and other work.

(H) Right to receive and spend funds. The Board, in addition to any appropriations made by the city, shall have the right to receive, hold and spend funds which it may legally receive from any and every source both in and out of the Commonwealth of Kentucky for the purpose of carrying out the provisions of this chapter.

(I) Assistance for the Board. The Board shall receive regular assistance in the performance of its responsibilities from the city staff and from Morehead Tomorrow. If necessary, the Board may secure the services of professional consultants with the approval of the city.
(Ord. 05:2002, passed 4-8-02)

§ 158.05 NOMINATIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES.

(A) Initiation of nominations.

(1) The city must initiate all local nominations to the National Register of Historic Places. The city and the Board of Architectural Review shall submit recommendations on each proposed nomination to the National Register. The Board shall obtain comments from the public that shall be included in their National Register recommendations.

(2) Within sixty (60) days of the receipt of a nomination from a private individual or the initiation of a nomination by the city, the city shall inform the Kentucky Heritage Council and the owner of the property of the two recommendations regarding the eligibility of the property. If the Board and the city do not agree, both opinions shall be forwarded in the city's report. If both the Board and the city do not agree that a property should be nominated, the Kentucky Heritage Council

will inform the property-owner, the Kentucky Historic Preservation Review Board and the State Historic Preservation Officer, and the property will not be nominated unless an appeal is filed with the State Historic Preservation Officer.

(B) Review of nomination. If the Planning and Zoning Commission and the Board agree that a property should be nominated or if either of them feels that a property should be nominated, the nomination will receive a preliminary review by the Kentucky Historic Preservation Review Board. The Kentucky Historic Preservation Review Board shall make a recommendation to the State Historic Preservation Officer who decides whether to forward the nomination to the U.S. Secretary of the Interior, who shall make the decision on listing the property on the National Register. The Commission, the Board or the property-owner may appeal the final decision by the State Historic Preservation Officer.
(Ord. 05:2002, passed 4-8-02)

§ 158.06 DESIGNATION OF HISTORIC DISTRICTS AND LANDMARKS.

(A) Recommendations and designation. The Board shall recommend to the city the designation of historic districts and individual landmarks, and the city may make these designations by the enactment of chapters. In addition, a property-owner, any resident or any organization may ask the Board to study a property or an area and then to vote on whether or not to start the process for designating it as historic.

(B) Public hearing and notice. To start the designation process, the Board shall assemble information about the district or property being considered for designation and shall schedule a public hearing on the proposed designation. Advertised notice of the hearing shall be given in local newspapers and local radio stations, including conspicuous posting in the proposed district or on the lot of the proposed landmark or property for 15 consecutive days immediately prior to the public hearing. Written notice shall be given by first-class mail to the owners of property under consideration and the owners of all adjoining property. The Secretary of the Board or other officer of the Board shall certify that the notices were mailed. Written notice shall be considered sufficient when it is mailed to the person listed on the tax rolls of the city. Owners and any interested person may present testimony and evidence at the public hearing on the designation. The record on the designation may also include letters received by the Board.

(C) Guidelines. Before its first public hearing on a designation, the Board shall adopt general guidelines that will assist owners in the preservation and rehabilitation of their property. The guidelines shall be submitted to the Planning and Zoning Commission and the city for their approval. The guidelines will be based on the Secretary of the Interior's Standards for Rehabilitation Historic Buildings and may include other guidelines that will apply to all buildings and structures within the designated historic district. In its guidelines and in its decisions the Board shall not limit new construction to any one architectural style but shall seek to preserve the character and integrity of the historic districts and landmarks or properties. The guidelines shall suggest changes that would be appropriate for landmarks

or for property in the designated historic district. The Board may expand or amend the guidelines it has adopted, provided it holds a public hearing on the changes and contacts the city for comments and approval.

(D) Criteria for designation. A historic district or a landmark or property shall qualify for designation when it meets one or more of the following criteria:

(1) Its character as an established and geographically-definable residential neighborhood, united by culture, architectural styles or physical plan and development;

(2) Its character as a geographically-definable area possessing a significant concentration of buildings or structures united by past events or by its plan or physical development;

(3) Its value as a reminder of the cultural or archaeological heritage of the city, Commonwealth or nation;

(4) Its location as a site of a significant local, state or national event;

(5) Its identification with a person or persons who significantly contributed to the development of the city, Commonwealth or nation;

(6) Its identification as the work of a master builder, designer or architect whose individual work has influenced the development of the city, Commonwealth or nation;

(7) Its value as a building that is recognized for the quality of its architecture and that retains sufficient elements showing its architectural significance; or

(8) Its distinguishing characteristics of an architectural style valuable for the study of a period, method of construction or use of indigenous materials.

(E) Report to the city. After evaluation of the testimony at its public hearing, survey information and other material it has assembled, the Board shall make its recommendation to the city with a written report on the area or property under consideration. The report shall also contain information about the buildings which have been identified for inclusion in the proposed designation. The recommendation and the report shall also be sent to the Planning Commission.

(F) Report by the Planning Commission.

(1) The Planning Commission shall hold a public hearing after which it shall report on the relationship between the proposed historic district designation and existing and future plans for the development of the city.

(2) If the Planning Commission recommends the approval of the proposed historic district designation, it shall prepare a proposed overlay for the zoning map showing said historic district. The Planning Commission shall forward its comments and overlay addition to the city.

(3) If the Planning Commission does not approve of the proposed designation, it shall forward its comments to the city in the form of a recommendation.

(G) Action by the city. The city shall approve, modify or disapprove the proposed designation and the map amendment within sixty (60) days after receiving the recommendation for the proposed overlay from the Planning Commission. If approved, official zoning map shall be so marked.

(H) Notification of designation. The Board shall notify each owner of the decision relating to his property and shall arrange that the designation of a property as a landmark or as a part of a historic district be filed by the County Clerk in the land records by owners name and tax district lot block number. The Board shall also give notice of the designation to the government offices in the city and county, which shall retain them for future reference.

(I) Amendment or rescission of a designation. The amendment or rescission of any designation shall be accomplished through the same steps as were followed in the original designation.
(Ord. 05:2002, passed 4-8-02)

§ 158.07 CERTIFICATE OF APPROPRIATENESS.

(A) Requirement for Certificate of Appropriateness.

(1) A Certificate of Appropriateness will be required for all planned new construction, demolition, relocation, or exterior alterations involving buildings or structures within a designated historic district or any designated historic landmark.

(2) A Certificate of Appropriateness is required even when the proposed work does not require a building permit. When seeking a building permit for a project involving a designated property or a property within the historic district, a person must submit a Certificate of Appropriateness approving any of the work listed in this subsection.

(B) Application to the Board.

(1) The Building Inspector shall refer a person to the Board when he wants to undertake an exterior alteration visible to the public, new construction, a demolition or relocation affecting a landmark or a property in a historic district.

(2) The person shall supply the Board with the information it requests in order to reach a decision on his application for a Certificate of Appropriateness. The applicant shall provide, where applicable, drawings of the proposed work, photographs of the existing building or site and adjacent properties, and information about the building materials to be used. A forty-dollar (\$40) fee shall accompany the application for a Certificate of Appropriateness.

(C) Stop Work order; injunction.

(1) In the event work is being performed without the required Certificate of Appropriateness, the Board of Architectural Review shall

direct the Building Inspector to issue a Stop Work Order. All work shall cease on the designated property. No additional work shall be undertaken as long as such Stop Work Order shall continue in effect.

(2) The Board shall meet with the owner or his agent to resolve the problem.

(3) The City Attorney may seek in Circuit Court an injunction and any other appropriate relief in order that the intent of this chapter shall be carried out. The procedures authorized in this subsection may also be used in the event work is being performed which is not in accordance with the Certificate of Appropriateness issued by the Board.

(D) Action by the Board of Architectural Review; Notice.

(1) The Board of Architectural Review shall hold a public hearing on each Certificate of Appropriateness within thirty (30) days after a completed application is received by the Board. The Board shall make a decision on the application within thirty (30) days after the receipt of a completed application provided that the Board may extend the time for decision an additional sixty (60) days when the application is for a demolition or new construction.

(2) The Board shall approve or disapprove each application and it shall give its reasons for its decision using the criteria contained in this section and in its guidelines.

(3) The Board may suggest modifications to an application and, where agreed upon by the owner or his agent, may then approve a Certificate of Appropriateness providing for revisions in the plans submitted.

(4) If the Board fails to decide on an application within the specified time period, the application shall be deemed approved.

(E) Notice. Applicants shall be given notice of the public hearings and meetings relating to their application and shall be informed of the Board's decision. When an application has been approved, the applicant shall be given a Certificate of Appropriateness. Advertised notice of the public hearing shall be given, including conspicuous posting on the property for five consecutive days immediately prior to the hearing.

(F) Criteria. In making a decision on an application, the Board shall use its guidelines. The Board shall consider:

(1) The effect of the proposed work on the landmark or the property in the historic district upon which such work is to be done, and

(2) The relationship between such work and other adjacent or nearby buildings and property.

(3) In evaluating the effect and the relationship, the Board shall consider historical and architectural significance, architectural style, design, texture, materials and color.

(G) The Certificate from the Board shall not relieve the applicant from complying with the requirements of other State and local laws and regulations.

(H) Consultation with applicants. Before an applicant prepares his plans, he may bring a tentative proposal to the Board for its comments. The Board shall be aware of the importance of finding a way to meet the current needs of the applicant. The Board shall also recognize the importance of approving plans that will be reasonable for the applicant to carry out.

(I) Ordinary maintenance and repairs.

(1) The Board may prepare a list of routine alterations that may receive immediate approval without a public hearing, when an applicant complies with the written guidelines of the Board. At each meeting the Board shall be informed of the Certificates of Appropriateness that have been issued under this provision. The Board shall not regulate the color of paint used on designated property, but it may prepare and distribute material on paint colors appropriate for different types and styles of buildings.

(2) Ordinary maintenance and repairs may be undertaken without a Certificate of Appropriateness provided this work on a landmark or a property in a historic district does not change its exterior appearance that is visible to the public.

(a) Every person in charge of a landmark or a property in a historic district shall keep it in good repair:

(b) All of the exterior portions of such buildings or structures; and

(c) All interior portions thereof which, if not so maintained, may cause such buildings or structures to deteriorate or to become damaged or otherwise to fall into a state of disrepair. The purpose of this provision is to prevent a person from forcing the demolition of his building by neglecting it and by permitting damage to the building because of weather or vandalism.

(J) No provision in this chapter shall be interpreted to require an owner or tenant to undertake an alteration or to restore his building to its original appearance. The provisions of this section shall be in addition to the provisions of the Kentucky Building Code requiring buildings and structures to be kept in good repair.

(K) Meetings with owners about condition of buildings. The Board shall request a meeting with a property-owner when his landmark or his building in a historic district is in poor repair, and the Board shall discuss with the owner ways to improve the condition of his property. After this step, the Board may request the Building Inspector to take action the require correction of defects in any building or structure designated under this chapter so that such building or structure shall be preserved in accordance with the purposes of this chapter. Action taken by the city may include boarding up the doors, windows and other parts of the building and additional steps to stabilize walls, roofs and other parts of the building or structure.

(L) Emergency situations. In any case where the Building Inspector determines that there are emergency conditions dangerous to life, health or property affecting a landmark or a property in a historic district, he may order the remedying of these conditions without the approval of the Board. When it is possible, he shall consult with the Chairman or Vice-Chairman of the Board about the action being taken. If consultation is not possible, the city shall notify the Board of the action taken after the completion of the work.

(M) Demolition of a landmark or a building or structure in a historic district. When an applicant wishes to demolish a landmark or a building or structure in a historic district, the Board shall negotiate with the applicant to see if an alternative to demolition can be found. The Board may ask interested individuals and organizations for assistance in seeking an alternative to demolition and in obtaining estimates on rehabilitation costs for the threatened building.

(1) After its public hearing, the Board may decide that a building or structure in a historic district may be demolished because it does not contribute to the historic district.

(2) On all other demolition applications, the Board shall study the question of economic hardship for the applicant and shall determine whether the landmark or the property in the historic district can be put to reasonable beneficial use without the approval of the demolition application. In the case of an income-producing building, the Board shall also determine whether the applicant can obtain a reasonable return from his building. The Board may ask applicants for additional information to be used in making these determinations.

(3) If economic hardship or the lack of a reasonable return is not proved, the Board shall deny the demolition application unless the Board finds grounds to grant the demolition application under the points contained in division (F), above.

(N) Moving a landmark or a building or structure in a historic district. When an applicant wishes to move a landmark or a building or structure in a historic district or when an applicant wishes to move a building or structure to a lot containing a landmark or to a property in a historic district, the Board shall consider:

(1) The contribution the building or structure makes to its present setting;

(2) Whether there are definite plans for the site to be vacated;

(3) Whether the building or structure physical integrity; and

(4) The compatibility of the building or structure to its proposed site and adjacent properties.

(5) These considerations shall be in addition to the points contained in division (F), above.

(O) Length of validity of Certificate of Appropriateness. A Certificate of Appropriateness shall remain valid for one year after it

is issued. Work is required to start before the end of the one-year period. Actual work is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where excavation or demolition is required preparatory to rebuilding, such excavation or demolition shall be deemed to be actual work provided that it shall be carried out diligently.

(P) Appeal of the Board's decision. The applicant shall have an appeal to the Circuit Court from a decision of the Board on an application for a Certificate of Appropriateness within thirty (30) days of the action of the Board.

(Q) Conformity with the Certificate of Appropriateness.

(1) All work performed pursuant to a Certificate of Appropriateness shall conform to the provisions of such Certificate. It shall be the responsibility of the Building Inspector to inspect from time to time any work being performed to assure such compliance.

(2) In the event work is being performed which is not in accordance with such Certificate, the Board shall direct the Building Inspector to issue a Stop Work Order. All work shall cease on the designated property.

(3) No additional work shall be undertaken as long as such Stop Work Order shall continue in effect. The Board shall meet with the owner or tenant to resolve the problem.

(4) The City Attorney may seek in Circuit Court an injunction and any other appropriate relief in order that the intent of this Chapter shall be carried out.

(Ord. 05:2002, passed 4-8-02)

§ 158.08 ENFORCEMENT.

(A) The Code Enforcement Officer is responsible for enforcing this chapter. He shall continuously inspect all property within the downtown area for violations as defined in this chapter and the downtown design guidelines.

(B) Upon discovery of a violation, the Code Enforcement Officer shall issue the owner and occupant or person having control of the property a Notice of Violation allowing the offender five days to remedy the violation without a fine. The Notice of Violation shall state specifically the situation which must be remedied and the action the city will take for non-compliance.

(C) The Code Enforcement Officer shall inform the Code Enforcement Board at their regular meeting of any notice that has been sent and the status of the notice.

(Ord. 05:2002, passed 4-8-02)

§ 158.99 PENALTIES.

(A) If the owner of the property upon which the violation exists fails to comply with the Notice of Violation, the Code Enforcement

Officer shall issue a citation. If the citation is not contested by the owner, occupant or person having control charged with the violation, the following penalties shall apply; however, the Code Enforcement Board may waive any and all portion of the monetary penalty, in its discretion, if the Code Enforcement Board determines that such waiver will promote compliance:

(1) Structure and building violations.

- (a) First offense: Compliance and \$100 fine
- (b) Second offense: Compliance and \$125 fine
- (c) Third offense: Compliance and \$150 fine

(2) Weeds, junk, garbage violations.

- (a) First offense: Compliance and \$10 fine
- (b) Second offense: Compliance and \$25 fine
- (c) Third offense: Compliance and \$50 fine

(B) If the citation is contested and a hearing before the Code Enforcement Board is required, the following maximum penalties may be imposed at the discretion of the Code Enforcement Board:

(1) Structure and building violations.

- (a) First offense: Compliance and \$500 fine
- (b) Second offense: Compliance and \$750 fine
- (c) Third offense: Compliance and \$1,000 fine

(2) Weeds, junk, garbage violations.

- (a) First offense: Compliance and \$75 fine
- (b) Second offense: Compliance and \$125 fine
- (c) Third offense: Compliance and \$200 fine

(C) If the owner, occupant, or person in control does not remedy the violation after being issued a citation and appearing before the Code Enforcement Board, the Code Enforcement Officer is authorized to send city employees or a private contractor upon the property to bring the property into compliance. The city has the power to demolish or repair any structure which remains in violation of this chapter or the downtown design guidelines.

(D) If this action becomes necessary, a fee for correction, as well as the fine, shall be assessed to the property owner in the form

of a lien against the property. The fee shall be a cost of \$100 plus the actual cost of labor, materials, and machinery used in bringing the property into compliance.

(E) The Code Enforcement Officer shall prepare an affidavit asserting compliance with the notice requirements of this chapter and the amount expended by the city to bring the property into compliance and shall set forth all other relevant information concerning the abatement of the specific violation. The Code Enforcement Officer shall attach to this affidavit copies of all relevant receipts.

(F) The affidavit of the Code Enforcement Officer shall constitute prima facie evidence of the amount of the lien against and the regularity of the proceedings under this chapter and shall be recorded in the office of the Rowan County Clerk as a lien against the subject real estate. The lien shall be a notice to all persons from the recording time and shall bear interest at 6% per annum thereafter until paid.

(G) The Code Enforcement Officer shall inform the Code Enforcement Board at their regularly scheduled meeting of any and all action that has been taken to correct any violation.
(Ord. 05:2002, passed 4-8-02)