

**CITY OF HURSTBOURNE ACRES  
ORDINANCE NO. 01, SERIES 2021**

**AN ORDINANCE ESTABLISHING A RENTAL PROPERTY REGISTRY IN THE CITY OF HURSTBOURNE ACRES, KENTUCKY.**

WHEREAS, the City of Hurstbourne Acres has authority pursuant to KRS 83A.060(5) to adopt and incorporate by reference the ordinance of another jurisdiction.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HURSTBOURNE ACRES, KENTUCKY AS FOLLOWS:

SECTION ONE: The City Commission of the City of Hurstbourne Acres, Jefferson County, Kentucky, does hereby adopt and incorporate by reference Title XI Chapter 119 of the Louisville Metro Government's Code of Ordinances.

SECTION TWO: A copy of Title XI Chapter 119 and Ordinance No. 01 Series 2021 shall be maintained as a permanent City record by the City Clerk and posted on the City's website, [www.hurstbourneacres.org](http://www.hurstbourneacres.org).

SECTION THREE: As used herein, the term "Owner" shall mean an owner of rental property and the term "Rental Property" shall mean real property rented by its owner located within the City.

SECTION FOUR: Every July, no earlier than July 1 and no later than July 31, and when a rental property is leased, the Owner shall complete a Rental Property Registration Form (hereinafter "Form") for each of Owner's rental properties to the City along with payment of \$150 per Form.

SECTION FIVE: For each Form not submitted within ten days of the City's non-compliance letter, Owner shall be fined up to \$100 per day until Owner submits said Form and pays said fee.


SECTION SIX: Should any section, clause, line, paragraph, or part of this ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this ordinance.

SECTION SEVEN: This Ordinance shall take effect upon publication.

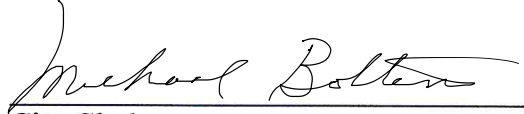
SECTION EIGHT: Any ordinance or part of ordinance in conflict with this ordinance or any part of this ordinance is hereby repealed.

**First Reading: March 11, 2021**

**Second Reading: April 8, 2021**

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

## CHAPTER 119: REGISTRATION OF RENTAL HOUSING UNITS

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### Section

- 119.01 Definitions
- 119.02 Applicability
- 119.03 Registration required
- 119.04 Confidentiality
- 119.05 Enforcement
  
- 119.99 Violations and penalties

#### **Editor's note:**

*Pursuant to Section VII of Metro Ord. No. 174-2016, this chapter shall take effect 60 days after its passage and approval with registration required for applicable rental housing units and apartment complexes by March 1, 2017.*

#### **§ 119.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APARTMENT COMPLEX.** Rental housing unit that contains more than four housing units in the same building or buildings managed under the same owner.

**HOUSING UNIT.** Any structure or part of a structure that is used or may be used by one or more persons as a home, residence, dwelling, or sleeping place, including but not limited to single-family residences, duplexes, multi-family dwellings, condominium units, boarding and lodging house units, single-room occupancy units, accessory dwelling units, and any other structure or part of a structure having similar living accommodations.

**LET FOR OCCUPANCY or LET.** To permit, provide or offer possession or occupancy of a housing unit by a person who is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**MANAGING OPERATOR.** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

**OWNER.** An individual, corporation, partnership, trustee, lessee, agent or assignee or any equitable title in real property.

**RENTAL HOUSING UNIT.** Any housing unit that is or may be available for rent, or is occupied or rented by a tenant or subtenant in exchange for any form of consideration.

**TENANT.** A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

(Lou. Metro Ord. No. 174-2016, approved 10-5-2016)

#### **§ 119.02 APPLICABILITY.**

The registration provisions of § 119.03 shall apply to all rental housing units with the exception of:

- (A) Housing units required to register with Louisville Metro Government under another provision of the Louisville Metro Code of Ordinances, including but not limited to short-term rentals and boarding and lodging houses;
- (B) Hotels, motels, inns, bed and breakfasts, or similar accommodations that provide lodging for transient guests;
- (C) Hospitals, hospice facilities, assisted living facilities, nursing homes, and residential care facilities meeting the definition of KRS 100.982;
- (D) Convents, monasteries, or other facilities occupied exclusively by religious order or congregation;
- (E) Transitional housing, homeless shelters, rehabilitation homes, and other emergency or temporary shelters;
- (F) Housing units owned, operated, or managed by a major educational or medical institution or by a third party for the institution;
- (G) Housing units that a governmental entity or housing authority owns, operates, or manages, or those exempted by federal, state, or local law;
- (H) Accessory apartments and dwelling units, when the principal dwelling unit located on the same property is occupied by the owner of record.

(Lou. Metro Ord. No. 174-2016, approved 10-5-2016)

### **§ 119.03 REGISTRATION REQUIRED.**

(A) The owner of any rental housing unit, other than those exempted under §119.02, shall register all housing units with Louisville Metro in accordance with the provisions of this section. An owner of an apartment complex is not required to register individual rental housing units and may register the apartment complex as a whole.

(B) The registration shall be available online through the Louisville Metro Department of Codes and Regulations, and shall include the following information:

- (1) A description of the rental housing unit by street address;
- (2) The name, mailing and physical address(es), telephone number, and email address of the owner of the property;
- (3) The name, mailing and physical address(es), telephone number, and email address of the responsible managing operator, if other than the owner;
- (4) If the owner is a corporation, limited partnership, limited liability company, or similar entity, the organization shall furnish the name, mailing and physical address(es), telephone number, and email address of a responsible individual partner or officer;
- (5) If the owner is a partnership or similar entity, the entity shall furnish the name, mailing and physical address(es), telephone number, and email address of a responsible individual partner or officer.

(C) Whenever ownership for a rental housing unit changes, the new owner shall register the rental housing unit within 30 days of the transfer of ownership. Whenever the contact information changes for an owner and/or managing operator, the registration statement shall be updated within 30 days to provide the new contact information.

(Lou. Metro Ord. No. 174-2016, approved 10-5-2016) Penalty, see §119.99

### **§ 119.04 CONFIDENTIALITY.**

*Confidentiality of Information.* All rental registration information collected by Louisville Metro hereunder shall be maintained as confidential and not disseminated or released to the public except as provided herein, required by law, or in the event the property is cited for violations of the Louisville Metro Code of Ordinances. If a rental registry property is cited for a violation, rental registry information may become part of the property maintenance case file, which is maintained by Louisville Metro Government and available for public inspection.

(Lou. Metro Ord. No. 174-2016, approved 10-5-2016)

### **§ 119.05 ENFORCEMENT.**

Any person or entity that violates the provisions of this chapter shall be subject to citation issued by any law enforcement officer and/or code enforcement officer. Citations shall be enforced through the Code Enforcement Board as provided in §§ 32.275 et seq., or as it may be amended.

(Lou. Metro Ord. No. 174-2016, approved 10-5-2016)

### **§ 119.99 VIOLATIONS AND PENALTIES.**

(A) The failure to register a rental housing unit or apartment complex in accordance with §119.03 shall be classified as a civil offense with a penalty of up to \$100 per rental housing unit or apartment complex. The owner or managing operator will be sent a ten day notice of violation with a warning of the failure to comply with the rental registry. Failure to comply at the end of ten days will result in a fine of up to \$100 per rental housing unit or apartment complex. Thereafter, each day of such violation(s) shall constitute a separate offense.

(B) Metro Government shall possess a lien on the property of the owner of the property on which the rental housing unit or apartment complex is located for all civil penalties assessed for the violation and for all costs and fees incurred by Metro Government in connection with the enforcement of § 119.03.

(Lou. Metro Ord. No. 174-2016, approved 10-5-2016)