

**CITY OF MIDDLETOWN**  
**ORDINANCE NO. 06-26-2025-A**  
**AN ORDINANCE OF THE CITY OF MIDDLETOWN, KENTUCKY**  
**RELATING TO UPDATING CHAPTER 31 OF THE CODIFIED ORDINANCE**

**WHEREAS** the City of Middletown Ordinance Chapter 31 contains references and positions that have been superseded or changed, and

**AND WHEREAS**, the City Commission desires to update Chapter 31 to correct the assignment of the duties of the ABC Administrator and also to update the position of Director of Operations and the position of Citation Officer to reflect the fact that the city has created a Code Enforcement Board and Code Enforcement Officer,

**NOW THEREFORE, BE RESOLVED.**

Section 1: The following section of City ordinance Chapter 31 shall hereby be amended as follows:

**§ 31.42 DIRECTOR OF OPERATIONS.**

The Director of Operations shall be involved in supporting and helping the City of Middletown maintain daily, weekly tasks, and special events to help maintain the city's works and, whenever possible, enrich and beautify the city. The Director of Operations is responsible for the regular supervision and management of all the physical assets of the city, including, but not limited to, all buildings, roads and park. The Director of Operations shall also be the Code Enforcement Officer for the City and supports the City Mayor and Commission in communication with the citizenry.

**§ 31.38 CODE ENFORCEMENT OFFICER.**

- (A) There is hereby created a nonelected city office to be known as Code Enforcement Officer.
- (B) (1) No person shall be appointed as a Code Enforcement Officer unless he or she is:
  - a. At least 21 years of age;
  - b. A high school graduate or has received a General Equivalency Diploma (GED); and
  - c. Sober, moral and sagacious
  - d. No person who has been convicted of a felony is eligible for appointment.
- (C) Before entering upon his or her duties of office, a Code Enforcement Officer shall take the oath as prescribed by Kentucky Constitution, § 228.
- (D) If required by the City Commission, a bond in an amount that may be fixed by the City Commission, shall be filed with the City Clerk.
- (E) The office or position shall be classified as full or part-time and paid as determined by the City Commission.
- (F) The appointment shall be made by the Mayor with the approval of the City Commission. The Code Enforcement Officer shall serve at the pleasure of the Mayor and City Commission. The Code Enforcement Officer shall file a monthly report with the Mayor on the first day of each month reporting on activities for the previous month. The Mayor may delegate to the Chief of

Police or other officer or employee of the city the superintendence over the Code Enforcement Officer position.

- (G) The Code Enforcement Officer shall not have the powers of peace officers to make arrests or to carry deadly weapons, but may issue citations unless otherwise restricted by the City Commission upon observance of:
- a. Non-moving motor vehicle offenses;
  - b. Violations of ordinances except for moving motor vehicle offenses and except for offenses which constitute a violation of the State Penal Code; and
  - c. Any other duties prescribed by the City Commission and not contrary to law.
- (H) The procedure for citations issued by a Code Enforcement Officer shall be as provided in KRS 431.015.
- (I) The Code Enforcement Officer shall have those powers and perform those duties as set out in KRS 65.8801 to KRS 65.8839.
- (J) Nothing contained herein shall limit the power of a Code Enforcement Officer to make an arrest as a private person as provided in KRS 431.005.
- (K) Acting under an Interlocal Cooperation Act Agreement, the city may jointly appoint a Code Enforcement Officer with another party to the agreement.

**§ 31.39 ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR.**

- (L) Pursuant to KRS 241.160, the statutory duties of City Alcoholic Beverage Control Administrator are hereby assigned to the duly appointed and qualified City Clerk.

Section 2. This Ordinance shall take effect upon its passage, approval and publication as required by law.

First Reading: 6/26/25  
Second Reading: 7/15/25  
Passed and approved: 7/15/25

  
J. Byron Chapman, Mayor

ATTEST:

  
Brittany Veto, City Clerk

Those in favor: 5  
Those opposed: 0