

TABLE OF CONTENTS

TITLE 1:	GENERAL PROVISIONS
TITLE 2:	GOVERNMENT ORGANIZATION AND OPERATION
TITLE 3:	PUBLIC PROPERTIES
TITLE 4:	VEHICLES AND TRAFFIC
TITLE 5:	NUISANCES AND PUBLIC HEALTH
TITLE 6:	BUSINESS REGULATION
APPENDIX A:	BUDGET ORDINANCES

TITLE 1: GENERAL PROVISIONS

Chapter 100: Code of Ordinances

- §1.101: Establishment of Code of Ordinances
 - §1.102: Organization of the Code of Ordinances
 - §1.103: Reference to Ordinances
 - §1.104: Temporary or Special Ordinances
 - §1.105: Separability of Ordinance Provisions
 - §1.121: Definitions
 - §1.131: Repeal of Prior Ordinances
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Chapter 100 - Code of Ordinances

1.101 Establishment of Code of Ordinances. There is established a compilation, to be referred to as the Strathmoor Manor Code of Ordinances, of all sections of any ordinance of the City of Strathmoor Manor of a general and permanent nature. Reference to the Code in official documents may be styled "S.M.C.O."

Ordinance Series 2004-1, Section 1, 2/26/04

1.102 Organization of the Code of Ordinances. (a) The Code shall be organized into the following Chapters: General Provisions; Government Organization and Operation; Public Properties; Vehicles and Traffic; Nuisances and Public Health; and Business Regulation. The Code shall also contain one or more Appendices which shall contain a listing of all budget ordinances and other ordinances hereafter enacted of a temporary nature not otherwise included in the Code. *Ordinance Series 2004-1, Section 2, 2/26/04*
(b) Each chapter of the Code shall be divided into sections, which may include subsections as necessary. For ease of use each section shall contain a heading, which heading shall indicate the contents of such section but which shall not have any legally binding effect nor be deemed to be a part of such section.

Ordinance Series 2004-1, Section 4, 2/26/04

1.103 Reference to Ordinances. References in any document to an ordinance may refer to the section number of that ordinance as codified herein or to the year of its enactment, which shall also be known as its series, followed by a number setting out the sequence in which such ordinance was enacted in the course of that year. *Ordinance Series 2004-1, Section 3, 2/26/04*

1.104 Temporary or Special Ordinances. Ordinances of a temporary or special nature, including ordinances setting out the city budget or amendments thereto need not be

codified herein but all such ordinances hereafter enacted shall be listed in the Appendix.

Ordinance Series 2004-1, Section 5, 2/26/04

1.105 Separability of Ordinance Provisions. It shall be deemed the intent of the Commission in enacting any ordinance, that if any part of the ordinance be held unconstitutional, the remaining parts shall remain in force, unless the ordinance provides otherwise, or unless the remaining parts are so essentially and inseparably connected with and dependant upon the unconstitutional part, or unless the remaining parts, standing alone, are incomplete and incapable of being executed in accordance with the intent of the Commission.

Ordinance Series 2004-6, Section 1, 4/22/04

1.121 Definitions. The following terms used in this Code shall be construed to have the following definitions unless expressly given a different meaning by a particular chapter or section.

(a) City – shall mean the City of Strathmoor Manor, a Kentucky municipal corporation in Jefferson County. *Ordinance Series 1996-1, Section 4(D) as amended by Ordinance Series 2004-1, Section 6(a), 2/26/04*

(b) City Agency - means any board, commission, authority, non-stock corporation, or other entity created, either individually or jointly, by this city. *Ordinance Series 1996-1, Section 4(E)*

(c) City officers and departments – Whenever reference is made to an officer or department by title, the same shall be construed as if followed by the words “of the City of Strathmoor Manor, Kentucky”. *Ordinance Series 2004-1, Section 6(b), 2/26/04*

(d) Commission – shall mean the City Commission of the City as established by Ordinance No. 2004-3. *Ordinance Series 2004-1, Section (c), 2/26/04*

(e) Employee - means any person, whether full-time or part-time, who is employed by or provides service to the city. The term “employee” shall not include any contractor or subcontractor or any of their employees. *Ordinance Series 1996-1, Section 4(F)*

(f) Federal Law - The United States Constitution, the United States Code and any caselaw interpreting same. *Ordinance Series 2006-3, Section 1(d), 7/27/06*

(g) Fiscal year – The yearly period, commencing with July 1 of each calendar year, at the end of which the City determines its financial condition.

Ordinance Series 2004-1, Section 6(d), 2/26/04

(h) Garbage - animal or vegetable waste resulting from the handling, preparation or consumption of food. *Ordinance Series 2006-3, Section 1(b), 7/27/06*

(i) KRS–The abbreviation “KRS” refers to Kentucky Revised Statutes.

Ordinance Series 2004-1, Section 6(e), 2/26/04

(j) Metro Government – Louisville/Jefferson County Metropolitan Government.

Ordinance Series 2004-1, Section 6(f), 2/26/04

(k) Occupant - the person or persons having a legal right to reside at a particular Premises. *Ordinance Series 2006-3, Section 1(f), 7/27/06*

(l) Officer - means any person, whether full-time or part-time, who is one of the following:

- (1) The Mayor.
- (2) A Commission member.

- (3) The City Clerk.
- (4) Any person who occupies a non-elected office created under KRS 83A.080.
- (5) A member of the governing body of any City Agency who has been appointed to the governing body of the agency by the City. *Ordinance Series 1996-1, Section 4(l), as amended by Ordinance Series 2004-6, Section 2, 4/22/04*
- (m) Owner - the person or entity having legal title to a particular parcel of real property or a particular item of personal property. *Ordinance Series 2006-3, Section 1(e), 7/27/06*
- (n) Person – Extends to and includes person, persons, firm, corporation, co-partnership, trustee, lessee or receiver. *Ordinance Series 2004-1, Section 6(g), 2/26/04*
- (o) Premises – As applied to property, includes land and buildings. *Ordinance Series 2004-1, Section 6(h), 2/26/04*
- (p) Property – Includes real, personal and/or mixed estates and interests. *Ordinance Series 2004-1, Section 6(i), 2/26/04*
- (q) Right of Way – real property dedicated to public use under the ownership and control of the City. *Ordinance Series 2004-1, Section 6(j), 2/26/04*
- (r) Rubbish - Waste material of any description other than Garbage, including, without limitation, ash, glass, wood, construction materials, yard trimmings, tree branches, mineral matter, appliances, furniture, metals, cans, floor covering, clothing or similar items. *Ordinance Series 2006-3, Section 1(c), 7/27/06*
- (s) S.M.C.O. – Strathmoor Manor Code of Ordinances. *Ordinance Series 2004-1, Section 6(k), 2/26/04*
- (t) State – The Commonwealth of Kentucky. *Ordinance Series 2004-1, Section 6(l), 2/26/04*
- (u) Street – Includes alleys, avenues, boulevards, lanes, roads, highways, viaducts and all other public thoroughfares within the city area. *Ordinance Series 2004-1, Section 6(m), 2/26/04*
- (v) Weeds - All grasses, annual plants and vegetation other than trees, shrubs, cultivated flowers or gardens. *Ordinance Series 2006-3, Section 1(a), 7/27/06*

1.131 Repeal of Prior Ordinances. All prior ordinances or Codes pertaining to the titles or subjects contained herein are hereby expressly repealed, except the following:

- Series 1970 No. 5
- Series 1973 No. 8
- Series 1982 No. 2, sections 1,2,4,5,6 and 8
- Series 1988 no. 6
- Series 1990 No. 1
- Series 1996 No. 1
- Series 2003 No. 1
- Series 2003 No. 2

Ordinance Series 2004-1, Section 7, 2/26/04

TITLE 2: GOVERNMENT ORGANIZATION AND OPERATION

Chapter 100: Corporate Boundaries

§2.101: Corporate Boundaries

Chapter 200: Legislative Powers

§2.201: Commission Form of Government

§2.202: Duties of the City Commission

§2.211: Eligibility to Hold Legislative Office

§2.212: Non-Partisan Election

§2.213: Compensation of Commissioners

§2.221: Regular Monthly Meeting

§2.222: Record of Meetings

Chapter 300: City Officers

§2.301: Establishment of City Offices

§2.311: Eligibility to Hold City Office

§2.321: Duties of Mayor

§2.322: Duties of the Mayor Pro-Tem

§2.323: Duties of the Treasurer

§2.324: Duties of the City Clerk

Chapter 350: City Departments and Boards

§2.351: Establishment of City Departments

§2.352: Establishment of City Forestry Board

§2.361: Department Directors

§2.362: Forestry Board Members

§2.371: Maintenance Department

§2.372: Communications Department

§2.373: Forestry Board Operations

§2.374: Public Safety Department

Chapter 400: Public Safety

§2.451: Hazardous or Damaged Trees

Chapter 500: Employees and Contractors (*Reserved*)

Chapter 600: Taxation

§2.604: Use of County Real Property Assessment

§2.605: Ad Valorem Tax Rate

§2.606: Ad Valorem Tax Due Date and Late Payment Penalties

§2.621: Insurance License Fee

- §2.622: Fee Imposed on Life Insurance Companies
- §2.623: Fee Imposed on Other Insurance Companies

Chapter 700: Financial Controls *(Reserved)*

Chapter 800: Ethics

- §2.801: Title
- §2.802: Legislative Findings
- §2.803: Purpose of Ordinance
- §2.811: Definitions
- §2.821: Conflicts of Interest in General
- §2.822: Conflicts of Interest in Contracts
- §2.823: Receipt of Gifts
- §2.824: Use of City Property, Equipment and Personnel
- §2.825: Representation of Interests Before City Government
- §2.826: Misuse of Confidential Information
- §2.827: Post-Employment Restriction
- §2.828: Honoraria
- §2.841: Who Must File Financial Disclosures
- §2.842: When to File Financial Disclosure Statements or Amended Statements
- §2.843: Form of the Disclosure Statement of Financial Interests
- §2.844: Control and Maintenance of the Disclosure Statements of Financial Interests
- §2.845: Contents of the Financial Interests Statements
- §2.846: Noncompliance with Filing Requirements
- §2.851: Nepotism Prohibited
- §2.861: Board of Ethics Created
- §2.862: Alternative Members
- §2.863: Facilities and Staff
- §2.864: Power and Duties of the Board of Ethics
- §2.871: Filing and Investigation of Complaints
- §2.872: Hearings
- §2.873: Hearing Procedure
- §2.874: Limitation of Actions
- §2.875: Reprisals Against Persons Disclosing Violations Prohibited
- §2.881: Penalties

Chapter 900: Interlocal Agreements

- §2.901: Entry into the Kentucky Municipal Risk Management Association
 - §2.902: Entry into an Interlocal Agreement with the City of Strathmoor Village for the Provision of Police Services
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Chapter 100 - Corporate Boundaries

2.101 Corporate Boundaries. The City shall include within its corporate limits all real property within the boundaries of the two(2) parcels set out below as A and B:

Parcel A

“In Jefferson County, Kentucky, BEGINNING at a point in the southwesterly line of the Bardstown Road at the intersection of the northwesterly line of Strathmoor Unit #2 as shown on plan of record in Plat and Subdivision Book No. 2, Page 318 in the office of the Clerk of the County Court of Jefferson County, Ky.; thence with said line of the Bardstown Road S. 47 degrees 08 minutes E.. 907.24 feet to the southeasterly line of said Strathmoor Unit #2; thence with said line of said Strathmoor S. 55 degrees 27 minutes W.. 716.87 feet to a corner of same; thence with another line of said Strathmoor N. 35 degrees 05 minutes W. 164.98 feet to another corner of same; thence with another line of said Strathmoor and also with a line of Strathmoor Unit #4 and being also the northwesterly line of Emerson Avenue S.. 52 degrees 35 minutes W. 897.93 feet; thence with another line of said Strathmoor Unit #4 and also with the northwesterly line of said Emerson Avenue S.. 55 degrees 31 minutes W 379.76 feet to an iron pin in the straight extension of the northeasterly line of Lakeside Drive as shown on said plan of said Strathmoor Unit #4 of record in Plat and Subdivision Book 5 pages 86 and 87 in the office aforesaid; thence with the Northeasterly lines of said Lakeside Drive as follows: N. 34 degrees 52 minutes W. 310.58 feet; N. 31 degrees 15 minutes W. 158 feet; N. 28 degrees 22 minutes W. 20.08 feet; N. 25 degrees 32 minutes W. 142.56 feet; N. 22 degrees 28 minutes W. .50.10 feet; N. 18 degrees 0 minutes W. 145.65 feet to the northerly line of said Strathmoor Unit #4 above mentioned; thence with said line of said Strathmoor Unit #4 S.89 degrees 10 minutes E. 87.33 feet to a stone corner to same; thence with the northwesterly line of said Strathmoor Unit #4 and also with the northwesterly line of Strathmoor Unit #2 N. 55 degrees 32 minutes E. 1642.48 feet to the point of beginning, containing 34.43 acres”

Parcel B

BEGINNING at the corner of the Northwest boundary of the City of Strathmoor Manor as set out in a Judgment of Court dated May 6th, 1931, with the Northeast line of Lakeside Drive; thence along an extension of said Northwest line to a point 15 feet beyond the center line of Lakeside Drive; thence South along a line 15 feet Southwest of the center line of Lakeside Drive to the Northwest line of Emerson Avenue; thence Northeast along the Northwest line of said Emerson Avenue to the present boundary of the town; thence in a Northerly direction to the point of beginning.

Ordinance Series 2004-2, 2/26/04

Chapter 200 - Legislative Powers

2.201 Commission Form of Government. The City of Strathmoor Manor shall, pursuant to KRS 83A.140, be organized as a commission form of government which shall be composed of a mayor and four commissioners. All legislative, executive and administrative power of the City is vested in the City Commission.

Ordinance Series 2004-3, Section 1, 2/26/04

2.202 Duties of the City Commission. Duties of the commission – The commission shall have all powers and duties set out therefor in the KRS, including:

- (a) shall enforce the commission plan, ordinances, orders and applicable statutes;
- (b) shall maintain liaison with other units of local government respecting interlocal contracting and joint activities;
- (c) shall supervise all departments of the city and the conduct of the officers and employees, and may require any officer or employee to submit a sworn statement regarding his performance;
- (d) shall prepare a report on the condition of the city not less than annually;
- (e) shall classify the various administrative and service functions of the city under departments and prescribe functions and duties;
- (f) shall establish all appointive offices;
- (g) shall promulgate codes, rules and regulations necessary for the public health, safety and welfare of the residents of the city;
- (h) shall provide for sufficient revenue to operate the city and appropriate such funds in an annual budget;
- (i) shall promulgate procedures to insure the orderly administration of city government;

Ordinance Series 2004-3, Section 2, 2/26/04

2.211 Eligibility to Hold Legislative Office. Eligibility of candidates for election to the commission – Pursuant to KRS 83A.040, a candidate for commissioner must be at least twenty-one (21) years of age, shall be a qualified voter in the city and shall reside in the city throughout his term of office. *Ordinance Series 2004-3, Section 3, 2/26/04*

2.212 Non-Partisan Election. Candidates for commissioner positions shall be elected in non-partisan elections pursuant to KRS 83A.170 and KRS 83A.045. *Ordinance Series 2004-1, Section 5, 2/26/04*

2.213 Compensation of Commissioners. The compensation of an individual commissioner shall be \$600.00 per year, paid in twelve (12) equal monthly installments of \$50.00. *Ordinance Series 2004-1, Section 4, 2/26/04*

2.221 Regular Monthly Meeting. The Commission shall meet on the fourth (4th) Tuesday of each month except December at 7:00 p.m. prevailing time in the second floor meeting room of First Capital Bank, 2735 Barsdstown Road, Louisville, Kentucky.. Special meetings may be called by the Mayor or a majority of the Commission. Only subjects specified in the call may be considered at a special meeting. *Ordinance Series 2004-3, Section 6, 2/26/04 as amended by Ordinance Series 2017-3, 4/27/17.*

2.222 Record of Meetings. Minutes of all meetings shall be taken and signed by the presiding officer and the city clerk pursuant to KRS 83A.140(7). *Ordinance Series 2004-3, Section 7, 2/26/04*

Chapter 300 - City Officers

2.301 Establishment of City Offices. There are established the City offices of Mayor, Mayor pro-tem, Treasurer and City Clerk. *Ordinance Series 2004-4, Section 1, 2/26/04*

2.311 Eligibility to Hold City Office. Any person holding or seeking to hold any City office, or to serve as the Director of any City Department shall be at least twenty-one (21) years of age, shall be a qualified voter in the City and shall reside in the City throughout his term of office. *Ordinance Series 2004-4, Section 2, 2/26/04 as amended by Ordinance Series 2004-6, Section 16, 4/22/04*

2.321 Duties of Mayor. (a) The Mayor shall be elected in conformity with Chapter 83A of the KRS.

(b) The Mayor shall preside at formal meetings of the commission, calling special meetings of the Commission, administering oaths and executing and signing all bonds, contracts, notes and written obligations of the City. As a member of the Commission, the Mayor is a fully participating member with the right to vote on all matters.

(c) The Mayor may not simultaneously with his service as Mayor also act as Mayor pro-tem, Treasurer or City Clerk of the City.

(d) The Mayor shall receive as a salary identical to that of any other member of the Commission.

Ordinance Series 2004-4, Section 3, 2/26/04

2.322 Duties of the Mayor Pro-Tem. (a) The Mayor pro-tem shall perform the duties of the Mayor in the event the Mayor is unavailable or otherwise unable to perform those duties.

(b) The Mayor pro tem shall be a member of the Commission and shall be annually elected Mayor pro-tem by the Commission at the first meeting of the Commission in each calendar year.

(c) The Mayor pro-tem shall not receive any compensation for service as Mayor pro-tem beyond the salary paid to him as a member of the Commission.

Ordinance Series 2004-4, Section 4, 2/26/04

2.323 Duties of the Treasurer. (a) The Treasurer shall plan for and direct the collection, receipt and disbursement of the City's taxes and public money; direct and manage the City's investment portfolio, project operating needs, consider the need for bond issues, supervise and manage the City's banking accounts, negotiate the purchase, sale and exchange of securities and consolidate the City's cash management system with other agencies.

(b) The Treasurer shall be a member of the Commission and shall be annually elected Treasurer by the Commission at the first meeting of the Commission in each calendar year. The Treasurer may not simultaneously with his service as Treasurer also act as Mayor or City Clerk.

(c) The Treasurer shall not receive any compensation for service as Treasurer beyond the salary paid to him as a member of the Commission.

Ordinance Series 2004-4, Section 5, 2/26/04

2.324 Duties of the City Clerk. (a) The City Clerk shall attend all meetings of the Commission and keep a true record of its proceedings; attend all meetings of other City boards and committees as may be required and keep true records of the proceedings; have custody of, maintain and register by number, date and contents the public records of the City, including the original copies of City ordinances, all original and other copies of contracts, deeds and certificates relative to the title of any property of the City, and any other records, papers or documents of value not required to be deposited in any other office; performance of the duties required of the "official custodian" or "custodian" pursuant to KRS 61.870 through 61.882; keep the seal of the City and affix it when required by law; attest, by his or her signature, all public instruments and official acts of the City; perform such clerical work as required by the Commission and generally receive and attend to persons having business with the City.

(b) The City Clerk may be a member of the Commission. The City Clerk shall be annually elected City Clerk by the Commission at the first meeting of the Commission in each calendar year. In the event the City Clerk is a member of the Commission the City Clerk may not simultaneously with his service as City Clerk also act as Mayor or Treasurer.

(c) The City Clerk shall receive as a salary the sum of \$600.00 per annum, payable in twelve (12) equal monthly installments of \$50.00. In the event the City Clerk is also a member of the Commission, the salary as City Clerk shall be payable in addition to any salary received by such person as a member of the Commission.

Ordinance Series 2004-4, Section 6, 2/26/04

Chapter 350 - City Departments and Boards

2.351 Establishment of City Departments. There are established the Departments of Maintenance, Communications and Public Safety. *Ordinance Series 2004-4, Section 7, 2/26/04. as amended by Ordinance 2008-5, Section 1, 7/24/08*

2.352 Establishment of City Forestry Board. There is hereby established as an agency of the City a Forestry Board, which shall consist of three (3) persons eligible to hold City Office pursuant to S.M.C.O. 2.311. *Ordinance 2004-11, Section 1, 10/28/04*

2.361 Department Directors. Department Directors shall be appointed by Municipal Order, may hold any City office in addition to their duties as Department Director and may direct more than one Department. Notwithstanding the foregoing the Director of Public Safety shall be a member of the City Commission. Department Directors shall receive no compensation solely for their services as Department Director, except that the City may reimburse such Directors for properly documented expenses incurred by such Directors in the performance of their duties. *Ordinance Series 2004-4, Section 8, 2/26/04. as amended by Ordinance 2008-5, Section 3, 7/24/08.*

2.362 Forestry Board Members. (a)The Director of the City Maintenance Department shall be an ex officio member of the Forestry Board and shall serve as Chairperson thereof. The City Clerk shall serve as secretary of the Forestry Board and shall keep and maintain all Forestry Board minutes and records. *Ordinance 2004-11, Section 2, 10/28/04*

(b) The Mayor shall appoint two (2) persons to the Forestry Board which appointment shall be for a term of two (2) years and until their successors are properly appointed. Insofar as practical, the Mayor shall seek to appoint arborists, horticulturalists or other persons having professional experience, education or training in the care and management of trees and forests. Persons so appointed by the Mayor shall assume office immediately upon passage of a Resolution by the Commission approving such

appointments. Persons so appointed may be removed from office prior to expiration of their term upon the Resolution of the Commission authorizing such removal. The Mayor shall appoint in a like manner a successor to any person removed from office or any person who resign from such office, except that any person so appointed shall hold office only for the remainder of the term of the person such appointee replaced. *Ordinance 2004-11, Section 3, 10/28/04*

(c) Members of the Forestry Board shall serve without compensation except that such members shall be entitled to reimbursement for any expenses properly incurred in the performance of their duties. *Ordinance 2004-11, Section 5, 10/28/04*

2.371 Maintenance Department. The Maintenance Department shall undertake the erection and maintenance of all public works, public properties and public facilities in the City, except for such of those works, properties or facilities operated and maintained by other properly constituted public authorities. *Ordinance Series 2004-4, Section 9, 2/26/04*

2.372 Communications Department. The Communications Department shall be responsible for communicating the affairs and efforts of the City to City residents. These duties shall not supersede, but shall be in addition to, the duties of the City Clerk. *Ordinance Series 2004-4, Section 10, 2/26/04*

2.373 Forestry Board Operations. (a) The Forestry Board shall meet not less than four times a year, each such meeting occurring immediately subsequent to the meeting of the Commission for the months of March, June, September and December and at the same location as such Commission meeting. Special or emergency meetings of the Forestry Board make occur in conformity with KRS 61.823, except that in addition to the persons named in such statute the Mayor shall be authorized to call special or emergency meetings. A majority of the members thereof shall constitute a quorum of the Forestry Board. *Ordinance 2004-11, Section 4, 10/28/04*

(b) The Forestry Board shall, subsequent to the meeting in December of any calendar year, prepare a written report to be delivered to the Commission for the calendar year then ending detailing the following:

(1) a summary report on the activities of the Forestry Board during such year, setting out in particular the means and events by which the Forestry Board: improved the health of trees in the city; promoted the planting of additional trees in the City on both public and private property; sought and received funding from public and private sources to support the efforts of the Forestry Board; educated the public on the importance of trees to the community; and, celebrated Arbor Day.

(2) a compilation of any event, natural phenomena, accident or infestation having a negative impact or which may prospectively have a negative impact on the inventory of trees within the corporate boundaries of the City, and setting out the plans of the Forestry Board to mitigate such impact.

(3) a plan for the activities of the Forestry Board in the upcoming year, including plans for the planting of trees on public property and maintenance of the inventory of trees on public property.

(4) recommended guidelines for planting of trees and foliage on private property, including among others, suggestions as to appropriate species and locations of planting in yards and utility easements.

Ordinance 2004-11, Section 6, 10/28/04

(c) The Forestry Board shall annually organize an event in commemoration of Arbor Day which event may, at the discretion of the Forestry Board, be celebrated on or about the first Friday in April, or which may be celebrated in conjunction with activities organized by the City in commemoration of Independence Day. *Ordinance 2004-11, Section 7, 10/28/04*

2.374 Public Safety Department. The Public Safety Department shall be responsible for all communication, liaison, and coordination of activities between the City and public safety agencies having jurisdiction for emergency services within the City. *Ordinance 2008-5, Section 2, 7/24/08*

Chapter 400 - Public Safety

2.451 Hazardous or Damaged Trees. Notwithstanding any other provision of the S.M.C.O., the Director of the City Maintenance Department, the Mayor, or any law enforcement or fire department official may, without prior authorization, cause any tree to be removed from public or private property if such tree is damaged by weather or other casualty and constitutes an immediate threat to lives or other property, or if a tree damaged as aforesaid obstructs traffic on City Streets or impedes firefighters or emergency personnel in the active performance of their duties. *Ordinance 2004-11, Section 11, 10/28/04*

Chapter 500 - Employees and Contractors (Reserved)

Chapter 600 - Taxation

2.604 Use of County Real Property Assessment. Pursuant to KRS 132.285 the City shall annually use the assessed value of real property in the City as prepared by the Jefferson County Property Valuation Administrator as the basis for ad valorem taxes levied by the City. *Ordinance Series 2004-10, Section 1, 10/28/04*

2.605 Ad Valorem Tax Rate. (a) The tax rate on non-exempt real property within the corporate limits of the City of Strathmoor Manor shall be 30 cents per \$100.00 valuation. *Ordinance Series 2003-1, 3/27/03 as amended by Ordinance Series 2004-7, 4/22/04, as amended by Ordinance Series 2005-1, 4/28/05, as amended by Ordinance Series 2006-2, 4/27/06, as amended by Ordinance Series 2007-1, 4/26/07. as amended by Ordinance 2008-1, 3/27/08, as amended by Ordinance 2008-3, 5/22/08. as amended by Ordinance 2009-1, 4/23/09. as amended by Ordinance 2010-1, 4/22/10. as amended by Ordinance 2011-1, 4/28/11. as amended by Ordinance 2012-1, 2/23/12. as amended by Ordinance 2013-1, 4/25/13. as amended by Ordinance 2014-1, 4/24/14, as amended by Ordinance 2014-3, 5/29/14. as amended by Ordinance Series 2015-3, Section 1.*

(b) This ordinance shall take effect with the issuance of the 2022 Property Tax Bills of the City based on valuations of real property as of January 1st, 2022 by the Jefferson County Property Valuation Administrator. *Ordinance Series 2003-1, 3/27/03 as amended by Ordinance Series 2004-7, 4/22/04, as amended by Ordinance Series 2005-1, 4/28/05, as amended by Ordinance Series 2006-2, 4/27/06, as amended by Ordinance Series 2007-1, 4/26/07. as amended by Ordinance 2008-1, 3/27/08, as amended by Ordinance 2008-3, 5/22/08. as amended by Ordinance 2009-1, 4/23/09. as amended by Ordinance 2010-1, 4/22/10. as amended by Ordinance 2011-1, 4/28/11. as amended by Ordinance 2012-1, 2/23/12. as amended by Ordinance 2013-1, 4/25/13. as amended by Ordinance 2014-1, 4/24/14. as amended by Ordinance 2014-3, 5/29/14. as amended by Ordinance Series 2015-3, Section 2. as amended by Ordinance 2016-4, 5/4/16. as amended by Ordinance 2018-2, 5/9/18. as amended by Ordinance Series 2019, Number 1, 4/23/19. as amended by Ordinance Series 2020, No. 1, 4/28/2020. as amended by Ordinance Series 2021, No. 1, 5/25/2021, as amended by Ordinance Series 2022, No. 1, 5/24/2022. as amended by Ordinance Series 2023, No. 1, 5/23/2023.*

2.606 Ad Valorem Tax Due Date and Late Payment Penalties. All ad valorem taxes levied by the City shall be due and payable on or before August 31st of each calendar year. Any such tax paid before July 31st of such year shall be discounted by 2% of the face amount. Any tax paid on or after September 1st of each calendar year shall be subject to an interest charge equal to 1.5% of the face amount per month accruing on the first day of each month beginning September 1st until paid in full. In addition to any interest charges any tax paid on or after October 1st of each calendar year shall be subject to a penalty equal to 10% of the face amount. *Ordinance Series 2004-10, Section 2, 10/28/04. as amended by Ordinance Series 2019 , Number 3, 12/10/19.*

2.621 Insurance License Fee. A licence fee shall be imposed upon insurance companies for the privilege of engaging in the business of insurance in the City of Strathmoor Manor. *Ordinance Series 1990-1, 4/21/90*

2.622 Fee Imposed on Life Insurance Companies. The license fee shall be imposed upon each company which issues life insurance policies on the lives of persons residing within the corporate limits of the City of Strathmoor Manor in the amount of 7% of the premiums actually collected within each calendar quarter by reason of the issuance of such policies. *Ordinance Series 1990-1, Section 1, 4/21/90*

2.623 Fee Imposed on Other Insurance Companies. A license fee shall be imposed upon each insurance company which issues any insurance policy that is not a life insurance policy in the amount of 7% of the premiums actually collected within each calendar quarter by reason of the issuance of such policies on risks located within the corporate limits of the City of Strathmoor Manor on those classes of business which such company is authorized to transact, less all premiums returned to policy holders; however, any license fee or tax imposed upon premium receipts shall not include premiums received for insuring employers against liability for personal injuries to their employees, or death caused thereby, under the provisions of the Workers' Compensation Act and shall not include premiums received on policies of group health insurance provided for state employees under KRS 18A.225(2). *Ordinance Series 1990-1, Section 2, 4/21/90*

Chapter 700 - Financial Controls (Reserved)

Chapter 800 - Ethics

2.801 Title. This shall be known and may be cited as the "City of Strathmoor Manor Code of Ethics." *Ordinance Series 1996-1, Section 1, 10/21/96*

2.802 Legislative Findings. The City Council of the City of Strathmoor Manor finds and declares that:

(a) Public office and employment with the City are public trusts.

(b) The vitality and stability of the government of this City depends upon the public's confidence in the integrity of its elected and appointed officers and employees. Whenever the public perceives a conflict between the private interests and public duties of a City officer or employee, that confidence is imperiled.

(c) The government of this City has a duty to provide its citizens with standards by which they may determine whether public duties are being faithfully performed, and to make its officers and employees aware of the standards which the citizenry rightfully expects them to comply with while conducting their public duties. *Ordinance Series 1996-1, Section 2, 10/21/96*

2.803 Purposes of Ordinance. (a) It is the purpose of this ordinance to provide a method of assuring that standards of ethical conduct and financial disclosure

requirements for officers and employees of the City shall be clearly established, uniform in their application and enforceable.

(b) It is the further purpose of this ordinance to meet the requirements of KRS 65.003 as enacted by the 1994 Kentucky General Assembly.

(c) This ordinance is enacted under the power vested in the City by KRS 82.082 and pursuant to requirements of KRS 65.003.

Ordinance Series 1996-1, Section 3, 10/21/96

2.811 Definitions. As used in this ordinance, unless the context clearly requires a different meaning:

(a) Board of Ethics - means the City of Strathmoor Manor Board of Ethics which is created and vested by this ordinance with the responsibility of enforcing the requirements of the City's code of ethics. *Ordinance Series 1996-1, Section 4(b), 10/21/96*

(b) Business - means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit. *Ordinance Series 1996-1, Section 4(a), 10/21/96*

(c) Candidate - means any individual who seeks nomination or election to a City office. An individual is a candidate when the individual files a notification and declaration for nomination for office with the county clerk or secretary of state, or is nominated for office by a political party, or files a declaration of intent to be a write-in candidate with the county clerk or secretary of state. *Ordinance Series 1996-1, Section 4(c), 10/21/96*

(d) Family Members - means a spouse, an unemancipated child residing in the Officer's or Employee's household, or a person claimed by the Officer or Employee, or the Officer's or Employee's spouse, as a dependent for tax purposes. *Ordinance Series 1996-1, Section 4(g), 10/21/96*

(e) Immediate Family Member - means a spouse, an unemancipated child residing in the Officer's or Employee's household, or a person claimed by the Officer or Employee, or the Officer's or Employee's spouse, as a dependent for tax purposes. *Ordinance Series 1996-1, Section 4(h), 10/21/96*

2.821 Conflicts of Interest in General. Every Officer of the City and every City Agency shall comply with the following standards of conduct:

(a) No Officer, or any Immediate Family Member of any Officer, shall have an interest in a Business or engage in any Business, transaction, or activity, which is in substantial conflict with the proper discharge of the Officer's public duties.

(b) No Officer shall intentionally use or attempt to use his or her official position with the City to secure unwarranted privileges or advantages for himself or herself or others.

(c) No Officer shall intentionally take or refrain from taking any discretionary action, or agree to take or refrain from taking any discretionary action, or induce or attempt to induce any other Officer or Employee to take or refrain from taking any discretionary

action, on any matter before the City in order to obtain a financial benefit for any of the following:

- (1) The Officer or Employee.
- (2) A Family Member.
- (3) An outside employer.
- (4) Any Business in which the Officer or any Family Member has a financial interest.

(5) Any Business with which the Officer or any Family Member is negotiating or seeking prospective employment or other business or professional relationship.

(d) No Officer shall be deemed in violation of any provision in this section if, by reason of the Officer's participation, vote, decision, action or inaction, no financial benefit accrues to the Officer, a Family Member, an outside employer, or a Business as defined in subsection (c) (4) and (c) (5) of this section, as a member of any Business, occupation, profession, or other group, to any greater extent than any gain could reasonably be expected to accrue to any member of the business, occupation, profession, or other group.

(e) Every Officer who has a prohibited financial interest which the Officer believes or has reason to believe may be affected by his or her participation, vote, decision or other action taken within the scope of his or her public duties shall disclose the precise nature and value of the interest, in writing, to the governing body of the City or City Agency served by the Officer and the disclosure shall be entered on the official record of the proceedings of the governing body. The Officer shall refrain from taking any action with respect to the matter that is the subject of the disclosure.

Ordinance Series 1996-1, Section 5, 10/21/96

2.822 Conflicts of Interest in Contracts. (a) No Officer or Employee of the City or any City Agency shall be directly or through others undertake, execute, hold, or enjoy, in whole or part, any contract made, entered into, awarded, or granted by the City or a City Agency, except as follows:

(1) The prohibition in subsection (a) of this section shall not apply to contracts entered into before an elected Officer filed as a candidate for City Office, before an appointed Officer was appointed to a City or City Agency office, or before an Employee was hired by the City or a City Agency. However, if any contract entered into by a City or City Agency Officer or Employee before he or she became a candidate, was appointed to office, or was hired as an Employee, is renewable after he or she becomes a candidate, assumes the appointed office, or is hired as an Employee, then the prohibition in subsection (a) of this section shall apply to the renewal of the contract.

(2) The prohibition in subsection (a) of this section shall not apply if the contract is awarded after public notice and competitive bidding, unless the Officer or Employee is authorized to participate in establishing the contract specifications awarding the

contract, or managing contract performance after the contract is awarded, If the Officer or Employee has any of the authorities set forth in the preceding sentence, then the Officer or Employee shall have no interest in the contract, unless the requirements set forth in subpart (3) below are satisfied.

(3) The prohibition in subsection (a) of this section shall not apply in any case where the following requirements are satisfied.

(A) The specific nature of the contract transaction and the nature of the Officer's or Employee's interest in the contract are publicly disclosed at a meeting of the governing body of the City or City Agency.

(B) The disclosure is made a part of the official record of the governing body of the City or City Agency.

(C) A finding is made by the governing body of the City or City Agency that the contract with the Officer or Employee is in the best interests of the public and the City or City Agency because of price, limited supply, or other specific reasons.

(D) The finding is made a part of the official record of the governing body of the City or City Agency before the contract is executed.

(b) Any violation of this section shall constitute a Class A misdemeanor and upon conviction, the court may void any contract entered into in violation of this section. Additionally, a violation of this section shall be grounds for removal from office or employment with the City in accordance with any applicable provisions of state law and ordinances, rules or regulations of the City.

Ordinance Series 1996-1, Section 6, 10/21/96

2.823 Receipt of Gifts. No Officer of the City or any City Agency shall directly or indirectly through any other person or business, solicit or accept any gift having a fair market value of more than two hundred dollars (\$200), whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under the circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence, the Officer in the performance of his or her public duties. *Ordinance Series 1996-1, Section 7, 10/21/96*

2.824 Use of City Property, Equipment and Personnel. No Officer or Employee of the City shall use or permit the use of any City time, funds, personnel, equipment, or other personal or real property for the private use of any person, unless the use is specifically authorized by a stated City policy; or the use is available to the general public, and then only to the extent and upon the terms that such use is available to the general public. *Ordinance Series 1996-1, Section 8, 10/21/96*

2.825 Representation of Interests Before City Government. (a) No Officer or Employee of the City or any City Agency shall represent any person or business, other than the City, in connection with any cause, proceeding, application or other matter pending before the City or any City Agency.

(b) Nothing in this section shall prohibit an Employee from representing another Employee or Employees where the representation is within the context of official labor union or similar representational responsibilities.

(c) Nothing in this section shall prohibit any Officer or Employee from representing himself or herself in matters concerning his or her own interests.

(d) No elected Officer shall be prohibited by this section from making any inquiry for information on behalf of a constituent, of no compensation, reward or other thing of value is promised to, given to, or accepted by the Officer, whether directly or indirectly, in return for the inquiry. *Ordinance Series 1996-1, Section 9, 10/21/96*

2.826 Misuse of Confidential Information. No Officer or Employee of the City or any City Agency shall intentionally use or disclose information acquired in the course of his or her official duties, if the primary purpose of the use or disclosure is to further his or her personal financial interest or that of another person or business. Information shall be deemed confidential, if it is not subject to disclosure pursuant to the Kentucky Open Records Act, KRS 61.872 to 61.884, at the time of its use or disclosure. *Ordinance Series 1996-1, Section 10, 10/21/96*

2.827 Post-Employment Restriction. No Officer or Employee of the City or any City Agency shall appear or practice before the City or any City Agency with respect to any matter on which the Officer or Employee personally worked while in the service of the City or City Agency for a period of one (1) year after the termination of the Officer's or Employee's service with the City or City Agency. *Ordinance Series 1996-1, Section 11, 10/21/96*

2.828 Honoraria. (a) No Officer or Employee of the City or City Agency shall accept any compensation, honorarium or gift with a fair market value greater than \$100 in consideration of an appearance, speech or article unless the appearance, speech or article is both related to the Officer's or Employee's activities outside of municipal service and is unrelated to the Officers or Employee's service with the City.

(b) Nothing in this section shall prohibit an Officer or Employee of the City or City Agency from receiving and retaining from the City or on behalf of the City actual and reasonable out-of-pocket expenses incurred by the Officer or Employee in connection with an appearance, speech or article, provided that the Officer or Employee can show by clear and convincing evidence that the expenses were incurred or received on behalf of the City or City Agency and primarily for the benefit of the Officer or Employee or any other person. *Ordinance Series 1996-1, Section 12, 10/21/96*

2.841 Who Must File Financial Disclosures. The following classes of Officer or Employee of the City and City Agencies shall file an annual statement of financial interests with the Board of Ethics:

(a) Elected City officials.

(b) Candidates for elected City office.

- (c) Members of the city planning and zoning commission and board of adjustment.
- (d) Members of the Board of Ethics created by this ordinance.
- (e) Non-elected Officers or Employees of the City or any City Agency who are authorized to make purchases of materials or services, or award contracts, leases or agreements involving the expenditure of more than \$1,000.00 dollars.

Ordinance Series 1996-1, Section 13, 10/21/96

2.842 When to File Financial Disclosure Statements or Amended Statements. (a) The initial statement of financial interests required by this section shall be filed with the Board of Ethics, or the administrative official designated as the custodian of its records by the Board of Ethics, no later than 5 p.m., January 1, 1998. All subsequent statements of financial interest shall be filed no later than 5 p.m., on January 1 each year, provided that:

(1) An Officer or Employee newly-appointed to fill an office or position of employment with the City or City Agency shall file his or her initial statement no later than thirty (30) days after the date of the appointment.

(2) A candidate for City office shall file his or her initial statement no later than thirty (30) days after the date on which the person becomes a candidate for elected City office.

(b) The Board of Ethics may grant a reasonable extension of time for filing a statement of financial interests for good cause shown.

(c) In the event there is a material change in any information contained in a financial statement that has been filed with the Board, the Officer or Employee shall, no later than thirty (30) days after becoming aware of the material change, file an amended statement with the Board. *Ordinance Series 1996-1, Section 14, 10/21/96*

2.843 Form of the Disclosure Statement of Financial Interests. The statement of financial interests shall be filed on the form attached hereto and enacted herewith as part hereof. The Board, or the designated administrative official, shall deliver a copy of the form to each officer and employee required to file the statement, by first class mail or hand delivery, no later than November 1 of each year. The failure of the Board, or the designated administrative official, to deliver a copy of the form to any Officer or Employee shall not relieve the Officer or Employee of the obligation to file the statement. *Ordinance Series 1996-1, Section 15, 10/21/96*

2.844 Control and Maintenance of the Disclosure Statements of Financial Interests. (a) The Board of Ethics shall be the "official custodian" of the statements of financial interests and shall have control over the maintenance of statements of financial interests. The statements of financial interests shall be maintained by the Board of Ethics, or the administrative official designated by the Board of Ethics as the "custodian" of public documents, available for public inspection immediately upon filing, during the regular office hours of the Board of Ethics upon written application signed by the applicant, describing the records to be inspected. If the requested records are not immediately available, the applicant shall immediately be notified and a date, time and

place for inspection shall be designated by the custodian not to exceed 3 days from the receipt of the request, unless a detailed explanation of the cause of further delay is given and the place, time and earliest date on which the public record will be available for inspection. The applicant shall be entitled to copies of the records for a fee of .10 per page. All requests for inspection of documents, inspection and copying thereof shall be in compliance with the Kentucky Open Records Act.

(b) A statement of financial interests shall be retained by the Board, of the designated administrative official, continually until two years after such official's termination.

Ordinance Series 1996-1, Section 16, 10/21/96

2.845 Contents of the Financial Interests Statements. (a) The statement of financial interests shall include the following information for the preceding calendar year:

(1) The name, current business address telephone number, and home address of the filer.

(2) The title of the filer's office, office sought, or position of employment.

(3) The occupation of the filer and the filer's spouse.

(4) The name and address of any business in which the filer or any member of the filer's Immediate Family had an interest of \$10,000 or more at fair market value on 5% or more ownership, which has engaged in any business with the City within the previous two years.

(5) The name and address of any business from which the filer or any Immediate Family member has received a gift or gifts aggregating the sum of \$200 dollars in a year if that business has done business with or submitted a quotation to the City within the past two years.

(b) Nothing in this section shall be construed to require any Officer or Employee to disclose any specific dollar amounts nor the names of individual clients or customers of business listed as sources of income. *Ordinance Series 1996-1, Section 17, 10/21/96*

2.846 Noncompliance with Filing Requirements. (a) The Board of Ethics, or the designated administrative official, shall notify by certified mail each person required to file a statement of financial interests who fails to file the statement by the due date, files an incomplete statement, or files a statement in a form other than prescribed by the Board. The notice shall specify the type of failure or delinquency, shall establish a date by which the failure or delinquency shall be remedied, and shall advise the person of the penalties for a violation.

(b) Any person who fails or refuses to file the statement or who fails or refuses to remedy a deficiency in the filing identified in the notice under subsection (a) within the time period established in the notice shall be guilty of a civil offense and shall be subject to a civil fine imposed by the Board in an amount not to exceed twenty-five dollars (\$25) per day, up to a maximum total civil fine of five hundred dollars (\$500). Any civil fine imposed by the Board under this section may be recovered by the City in a civil action in the nature of debt if the offender fails or refuses to pay the penalty within a prescribed period of time.

(c) Any person who intentionally files a statement of financial interests which he or she knows to contain false information shall be guilty of a Class A misdemeanor. *Ordinance Series 1996-1, Section 18, 10/21/96*

2.851 Nepotism Prohibited. (a) No Officer or Employee of the City or City Agency shall advocate, recommend or cause the:

(1) employment.

(2) appointment;

(3) promotion;

(4) transfer; or

(5) advancement of a family member to an office or position of employment with the city or a city agency.

(b) No Officer or Employee of the City or City Agency shall supervise or manage the work of a Family Member.

(c) No Officer or Employee shall participate in any action relating to the employment or discipline of a Family Member, except that this prohibition shall not prevent an elected or appointed official from voting on or participating in the development of a budget which includes compensation for a Family Member, provided that the Family Member is included only as a member of a class of persons or group, and the Family Member benefits to no greater extent than any other similarly situated member of the class or group.

(d) The prohibitions in this section shall not apply to any relationship or situation that would violate the prohibition, but which existed prior to the effective date of this ordinance. *Ordinance Series 1996-1, Section 19, 10/21/96*

2.861 Board of Ethics Created. (a) There is hereby created a Board of Ethics which shall have the authorities, duties, and responsibilities as set forth in this ordinance to enforce the provisions of this ordinance.

(b) The Board of Ethics shall consist of three (3) members who shall be appointed by the Mayor of the City, subject to the approval of the Commission. The initial members of the Board of Ethics shall be appointed within sixty (60) days of the effective date of this ordinance. No member of the Board of Ethics shall hold any elected or appointed office whether paid or unpaid, or any position of employment with the City or any City Agency. The members shall serve for a term of three (3) years: except that with respect to the members initially appointed, one (1) member shall be appointed for a term of one (1) year, one (1) member shall be appointed for a term of two (2) years, and one (1) member shall be appointed for a term of three (3) years. Thereafter, all appointments shall be for a term of three (3) years. No more than two (2) of the members shall be of the same political party. Each member of the Board of Ethics shall have been a resident of the City for at least one (1) year prior to the date of the appointment and shall reside in the City throughout the term of office. The members of the Board of Ethics shall be chosen by virtue of their known and consistent reputation for integrity and their

knowledge of local government affairs. The members may be reappointed for any number of consecutive terms.

(c) A member of the Board of Ethics may be removed by the Mayor for misconduct, inability, or willful neglect of duties.

(d) Vacancies on the Board of Ethics shall be filled within sixty (60) days by the Mayor, subject to the approval of the Commission. All vacancies shall be filled for the remainder of the unexpired term.

(e) Members of the Board of Ethics shall serve without compensation, unless otherwise approved by the Commission, but shall be reimbursed for all necessary and reasonable expenses incurred in the performance of their duties.

(f) The Board of Ethics shall, upon the initial appointment of its members, and annually thereafter, elect a chairperson from its members and that person will retain full board member voting privileges.

(g) The presence of three (3) members shall constitute a quorum and the affirmative vote of two (2) or more members shall be necessary for any official action to be taken. Any member of the Board of Ethics who has a conflict of interest with respect to any matter to be considered by the Board shall disclose the nature of the conflict, shall disqualify himself or herself from voting on the matter, and shall not be counted for purposes of establishing a quorum.

(h) Minutes shall be kept for all proceedings of the Board of Ethics and the vote of each member on any issue decided by the Board shall be recorded in the minutes. *Ordinance Series 1996-1, Section 20, 10/21/96 as amended by Ordinance Series 2004-6 Sections 3-5, 4/22/04*

2.862 Alternative Members. The Mayor of the City, with the approval of the Commission, may appoint one (1) alternative member of the Board of Ethics who may be called upon to serve when any regular member of the Board is unable to discharge his or her duties. All alternate member shall be appointed for a term of one (1) year. Alternate members shall meet all qualifications and be subject to all of the requirements of this ordinance that apply to regular members. *Ordinance Series 1996-1, Section 21, 10/21/96 as amended by Ordinance Series 2004-6, Section 6, 4/22/04*

2.863 Facilities and Staff. Within the limits of the funds appropriated by the Commission in the annual budget, the City shall provide the Board of Ethics, either directly or by contract or agreement, with the facilities, materials, supplies, and staff needed for the conduct of its business. *Ordinance Series 1996-1, Section 22, 10/21/96 as amended by Ordinance Series 2004-6, Section 7, 4/22/04*

2.864 Power and Duties of the Board of Ethics. The Board of Ethics shall have the following powers and duties:

(a) To initiate on its own motion, receive and investigate complaints, hold hearings, and make findings of fact and determinations with regard to alleged violations of the provisions of this ordinance.

(b) To issue requests in connection with its investigations and hearings requesting persons to submit in writing and under oath reports and answers to questions that are relevant to the proceedings and to take testimony by deposition before any individual designated by the Board who has the power to administer oaths.

(c) To refer any information concerning violations of this ordinance to the executive authority or the City, the City Council, the governing body of any City Agency, the County Attorney, or other appropriate person or body, as necessary.

(d) To render advisory opinions to City and City Agency Officers and Employees regarding whether a given set of facts and circumstances would constitute a violation of any provision of this ordinance.

(e) To enforce the provisions of this ordinance with regard to all Officers and Employees of the City and City Agencies who are subject to its terms by issuing appropriate orders and imposing penalties authorized by this ordinance.

(f) To control and maintain all statements of financial interests that are required to be filed by this ordinance and to insure that the statements are available for public inspection in accordance with the requirements of this ordinance and the Kentucky Open Records Act.

(g) To develop and submit any reports regarding the conduct of its business that may be required by the Mayor or Commission of the City. *Ordinance Series 1996-1, Section 23, 10/21/96 as amended by Ordinance Series 2004-6, Section 8, 4/22/04*

2.871 Filing and Investigation of Complaints. (a) All complaints alleging any violation of the provisions of this ordinance shall be submitted to the Board of Ethics, or the administrative official designated by the Board of Ethics. All complaints shall be in writing and signed by the complainant. The Board of Ethics shall acknowledge receipt of a complaint to the complainant within ten (10) working days from the date of receipt. The Board shall forward within ten (10) working days to each officer or employee of the city or city agency who is the subject of the complaint a copy of the complaint and a general statement of the applicable provisions of this ordinance.

(b) Within thirty (30) days of the receipt of a proper complaint, the Board of Ethics shall conduct a preliminary inquiry concerning the allegations contained in the complaint. The Board shall afford a person who is the subject of the complaint an opportunity to respond to the allegations in the complaint. The person shall have the right to be represented by counsel, to appear and be heard under oath, and to offer evidence in response to the allegations.

(c) All proceedings and records relating to a preliminary inquiry being conducted by the Board of Ethics shall be confidential except that the Board may turn over to the Commonwealth's Attorney or County Attorney evidence which may be used in criminal proceedings.

(d) The Board shall make a determination based on its preliminary inquiry whether the complaint is within its jurisdiction and, if so, whether it alleges a minimal factual basis to constitute a violation of this ordinance. If the Board concludes that the complaint is outside of its jurisdiction, frivolous or without factual basis, the Board shall immediately

terminate the inquiry, reduce the conclusion to writing, and transmit a copy of its decision to the complainant and to all officers or employees against whom the complaint filed and shall in a frivolous case assess costs and attorney fees against the complainant.

(e) If the Board of Ethics concludes, based upon its preliminary inquiry whether the complaint is within its jurisdiction and contains allegations sufficient to establish a minimal factual basis to constitute a violation, the Board shall notify the Officer or Employee who is the subject of the complaint and may:

(1) Due to mitigating circumstances such as lack of significant economic advantage or gain by the Officer or Employee, lack of economic loss to the City and its taxpayers, or lack of significant impact on public confidence in City government issue, in writing, a public reprimand to the Officer or Employee concerning the alleged violation and provide a copy of the public reprimand to the Mayor and governing body of the City or City Agency.

(2) Initiate a hearing to determine whether there has been a violation.

(f) Any person who knowingly or with reckless disregard for the truth or falsity of the allegation files with the Board a false complaint alleging a violation of any provision of this ordinance by an Officer or Employee of the City or any City Agency shall be guilty of a Class A misdemeanor and shall additionally pay to the defendant the cost of his defense including his reasonable attorney fees. *Ordinance Series 1996-1, Section 24, 10/21/96*

2.872 Hearings, Formal. Hearings and appeals therefrom shall comply with the requirements of KRS 13B.005 et. seq. *Ordinance Series 1996-1, Section 25, 10/21/96*

2.873 Hearing Procedure. (a) All hearings of the Board of Ethics shall be public, unless members vote to go into executive session in accordance with KRS 61 .810.

(b) After the conclusion of the hearing, the Board of Ethics shall, as soon as practicable, begin deliberations in executive session for the purpose of reviewing the evidence before it and making a determination whether a violation of this ordinance has been proven. Within thirty (30) days after completion of the hearing, the Board shall issue a written report of its findings and conclusions.

(c) If the Board concludes in its report that no violation of this ordinance has occurred, it shall immediately send written notice of this determination to the Officer or Employee who was the subject of the complaint and to the party who filed the complaint.

(d) If the Board concludes in its report that in consideration of the evidence produced at the hearing there is a violation of this ordinance, the Board may:

(1) Issue an order requiring the violator to cease and desist the violation.

(2) In writing, publicly reprimand the violator of the violation and provide a copy of the reprimand to the Mayor and governing body of the City or City Agency with which the violator serves.

(3) In writing, recommend to the Mayor and the Commission that the violator be sanctioned as recommended by the Board, which may include a recommendation for discipline or dismissal, or removal from office.

(4) Issue an order requiring the violator to pay a civil penalty for not more than \$1,000.

(5) Refer evidence of criminal violations or this ordinance or state laws to the County Attorney or Commonwealth's Attorney of the jurisdiction for prosecution.

Ordinance Series 1996-1, Section 26, 10/21/96 as amended by Ordinance Series 2004-6, Section 9, 4/22/04

2.874 Limitation of Actions. Except when the period of limitation is otherwise established by state law, an action for a violation of this ordinance must be brought within one (1) year after the violation is discovered. *Ordinance Series 1996-1, Section 27, 10/21/96*

2.875 Reprisals Against Persons Disclosing Violations Prohibited. (a) No Officer or Employee of the City or any City Agency shall subject to reprisal, or directly or indirectly use, or threaten to use, any official authority or influence in any manner whatsoever which tends to discourage, restrain, deter, prevent, interfere with, coerce, or discriminate against any person who in good faith reports, disclosed, divulges, or otherwise brings to the attention of the Board of Ethics or any other agency or official of the City or the Commonwealth any facts or information relative to an actual or suspected violation of this ordinance.

(b) This section shall not be construed as Prohibiting disciplinary or punitive action if an Officer or Employee of the City or any City Agency discloses information which he or she knows:

(1) To be false or which he or she discloses with reckless disregard for its truth or falsity.

(2) To be exempt from required disclosure under the provisions of the Kentucky Open Records Act, KRS 61 .870 to 61.884.

(3) Is confidential under any other provisions of law.

Ordinance Series 1996-1, Section 28, 10/21/96

2.881 Penalties. (a) Except when another penalty is specifically set forth in this ordinance, any Officer or Employee of the City or any City Agency who is found guilty beyond a reasonable doubt by the Board of Ethics to have violated any provision of this ordinance shall be deemed guilty of a civil offense and may be subject to a civil fine imposed by the Board of Ethics not to exceed one thousand dollars (\$1,000), which may be recovered by the City in a civil action in the nature of the debt if the offender fails to pay the penalty within 30 days from the date that the Board's action or any subsequent court order upholding the amount of the fine or any part thereof is final.

(b) In addition to all other penalties which may be imposed under this ordinance, any officer or employee of the City or any City Agency who is found beyond a reasonable

doubt by the Board of Ethics to have violated any provision of this ordinance shall forfeit to the city or the city agency an amount equal to the economic benefit or gain which the officer or employee is determined by the Board to have realized as a result of the violation. The amount of any forfeiture may be recovered by the City in a civil action in the nature of the debt, if the offender fails to pay the amount of the forfeiture within 30 days from the date that the Board's action or any subsequent court order affirming the forfeiture or any part thereof is final.

(c) In addition to all penalties which may be imposed under this ordinance, a finding by the Board of Ethics that an Officer or Employee of the City or any City Agency is guilty of a violation of this ordinance shall be sufficient cause for removal, suspension, demotion, or other disciplinary action. *Ordinance Series 1996-1, Section 29, 10/21/96*

Chapter 900 - Interlocal Agreements

2.901 Entry into the Kentucky Municipal Risk Management Association. (a) The City hereby approves the joint and cooperative program for self-insurance, insurance, and the investment of public funds as set forth in the Interlocal Agreement to Establish the Kentucky Municipal Risk Management Association (KMRMA).

(b) The Mayor and the City Clerk are hereby authorized and directed to execute the Interlocal Agreement to Establish the KMRMA on behalf of the city.

(c) The City hereby approves and ratifies the Articles of Association and Bylaws of the KMRMA, as amended.

(d) It is understood by the city that by executing the Interlocal Agreement to Establish the KMRMA the city shall incur no liability for the payment of any funds, and that it shall be necessary for the city to take further action before becoming a participating member in any of the self-insurance, insurance, or investment programs which may be created and operated by KMRMA.

(e) The city clerk shall cause this ordinance to be published in accordance with KRS 83A.060(6) and KRS Chapter 424 within ten (10) days of its enactment by the legislative body.

Ordinance Series 2004-5, 2/26/04

2.902 Entry into an Interlocal Agreement with the City of Strathmoor Village for the Provision of Police Services. (a) The City hereby approves the "Interlocal Agreement between Strathmoor Village by and through the Strathmoor Village Police Department and the City of Strathmoor Manor" dated July 1st, 2015 whereby the City of Strathmoor Village will provide police services within the City. *Ordinance Series 2007-3, section 1 16/14/07. as amended by Ordinance Series 2012-4, Section 2. as amended by Ordinance Series 2015-4, Section 3.*

(b) The Mayor is hereby authorized and directed to execute the aforesaid Interlocal Agreement on behalf of the City.

Ordinance Series 2007-3, Section 2. as amended by Ordinance 2015-4, Section 4.

TITLE 3: PUBLIC PROPERTIES

Chapter 100: Public Properties

§3.101: Trees and Plants on Public Property

Chapter 200: Parks, Recreational Areas, Traffic Circles

§3.251: Motor Vehicles Prohibited in Parks and Traffic Circles

Chapter 300: Sidewalks and Rights of Way

§3.321: Obstructing of Sidewalks Prohibited

§3.331: Excavation or Construction in Public Rights of Way

§3.371: *Ordinance recodified at S.M.C.O. 3.101*

§3.372: Property Owner Required to Maintain Right of Way

Chapter 400: Pedestrian Ways (*Reserved*)

Chapter 100 - Public Properties

3.101 Trees and Plants on Public Property. (a) No plant, shrub or tree shall be planted in any Right of Way, Traffic Circle, Park, Pedestrian Way or other public property without the prior authorization of the Forestry Board, except that the Director of the Maintenance Department shall, in the normal course of his duties have the authority, notwithstanding the foregoing, to plant on public property, without prior authorization, any plant, groundcover or shrub not reasonably expected to grow to a height in excess of eighteen (18) inches. The Director of the Maintenance Department shall regularly report to the Forestry Board any violation of this section. *Previously S.M.C.O. 3.371, Ordinance Series 1982-2, Section 5, 7/1/82, as amended by Ordinance Series 2004-6, Section 10, 4/22/04, as amended by Ordinance 2004-11, Section 8, 10/28/04*

(b) It shall be unlawful for any person or entity to commit the following acts without prior written authorization for such action from the Forestry Board:

(1) To remove, in whole or in part, or trim any tree on public property.

(2) To attach any rope, wire, chain, sign or other device, whatsoever, to any tree, shrub or other plant on public property.

(3) To remove any portion of a tree on public property, including the bark or other natural outer covering thereof, by cutting, whether by knife, ax or mechanical device or to obscure any portion of such a tree by painting or other defacement.

(4) To place or maintain any object, fill (such as soil, mulch, stone, or rock), impervious matter (such as cement or blacktop) or other substance which may impede the free passage of air, water or nutrients to the roots, of any tree on public property.

(5) To remove or damage any guard or device placed to protect any tree, shrub or other plant on public property. *Ordinance 2004-11, Section 10, 10/28/04*

(c) Any person or other entity that shall violate subsection (b) of this Ordinance shall be subject to a fine not to exceed five hundred dollars (\$500) for each separate offense. *Ordinance Series 2004-11, Section 20, 10/28/04*

Chapter 200 - Parks, Recreational Areas, Traffic Circles

3.251 Motor Vehicles Prohibited in Parks and Traffic Circles. The driving or moving of any motor vehicle through, into, over or across the park and recreational area located between the easternmost and westernmost sections of Park Drive and Lowell Avenue and Strathmoor Boulevard, and at the intersection of Eleanor Avenue and Strathmoor Boulevard, shall be prohibited. *Ordinance Series 1970-5, Section 4, 4/6/70*

Chapter 300 - Sidewalks and Rights of Way

3.321 Obstructing of Sidewalks Prohibited. (a) The parking or placing of any vehicle, motor vehicle, passenger car, truck, trailer, object, or other thing of such size and/or bulk so as to constitute an obstacle to pedestrian traffic, in such a position so as to block, obstruct, hinder, or impede, pedestrian traffic upon any of the public sidewalks located within the City, is specifically prohibited. *Ordinance Series 1973-8, Section 3, 10/2/73*

(b) Violation of this ordinance shall subject the owner/ operator of the obstructing vehicle or object to the penalties contained in S.M.C.O. 4.401. *Ordinance Series 1973-8, Sections 4 and 5, 10/2/73*

3.331 Excavation or Construction in Public Rights of Way. (a) No person shall excavate any portion of a public right of way, erect any pole, sign, fence or other object thereon or extending over or under such right of way, or construct any driveway, wall, sidewalk or other improvement of any description thereon, without first having received written permission for excavation, construction or erection from the Commission. *Ordinance Series 2015-1, Section 1*

(b) Persons seeking such authorization shall submit a written description of the proposed excavation, or improvement to the Commission not less than fifteen (15) days prior to a regularly scheduled meeting of the Commission and such person shall thereafter appear at such meeting to answer any questions which may arise in connection with such request. The Commission may require the filing of formal drawings

outlining the scope of the proposed excavation or improvement and may, as a condition of its approval, impose limitations or conditions on such excavation or improvement. *Ordinance Series 2015-1, Section 2*

(c) Nothing herein shall be construed as a limitation on the zoning authority of the Louisville/Jefferson County Metro Government, the sole purpose of this Ordinance being to control the use and improvement of publicly dedicated property in the City. *Ordinance Series 2015-1, Section 3*

(d) Subsections (a) and (b) of this Ordinance shall not apply to excavation, erection or construction undertaken by the Louisville Water Company, the Metropolitan Sewer District or the Louisville Gas and Electric Company in the ordinary course of their operations. *Ordinance Series 2015-1, Section 4*

(e) Any person undertaking any excavation, erection or construction on a public right of way, with or without written authorization as required by this Ordinance, which results in damage to public streets, sidewalks, signs, public utilities or other lawful improvements on such right of way, shall be responsible for all costs of repair or remediation resulting from such damage. *Ordinance Series 2015-1, Section 5*

(f) The City may order the removal of any improvement or excavation on a public right of way undertaken or placed there without written authorization as required by this Ordinance. *Ordinance Series 2015-1, Section 6*

3.372 Property Owner Required to Maintain Right of Way. Property owners are and shall be fully responsible for maintaining any unimproved Rights of Way abutting their premises including, but not limited to trimming and maintaining grasses or other vegetation and removal of any debris therefrom. *Ordinance Series 1982-2, Section 8, 7/1/82 as amended by Ordinance Series 2004-6, Section 11, 4/22/04, as amended by Ordinance Series 2004-11, Section 9, 10/28/04*

Chapter 400 - Pedestrian Ways (Reserved)

TITLE 4: VEHICLES AND TRAFFIC

Chapter 100: Parking

§4.101: Fire Lanes

§4.102: Parking in the Front Yards of Homes

§4.103: Parking on Public Rights of Way

§4.104: Parking Prohibited Along Recreational Properties

§4.105: Parking of Oversized Vehicles

Chapter 200: Traffic Control

§4.201: Speed Limit

Chapter 300: Vehicle Controls (*Reserved*)

Chapter 400: Penalties

§4.401: Penalties for Violation of Parking Ordinances

Chapter 100 - Parking

4.101 Fire Lanes. In order to provide a fire lane, thereby facilitating the movement of fire fighting equipment within the City of Strathmoor Manor, the parking of motor vehicles or the placement of any obstructions within the street, shall be prohibited along the southeast side of:

- a.) Emerson Avenue between Bardstown Road and Eleanor Avenue;
- b.) Strathmoor Boulevard between Bardstown Road and Lakeside Drive;
- c.) Lowell Avenue between Bardstown Road and Lakeside Drive.

Ordinance Series 1970-5, Section 1, 4/6/70

4.102 Parking in the Front Yards of Homes. The parking of any motor vehicle, any trailer or any portable container or structure in that portion of a yard in front of a line described by the main front wall of a residence erected upon a lot within the City of Strathmoor Manor if extended to the side lines of the lot wherein said improvement is erected, shall be prohibited unless same shall be parked upon a paved driveway. *Ordinance Series 1970-5, Section 2, 4/6/70. as amended by Ordinance 2010-3, Section 1, 8/26/10.*

4.103 Parking on Public Rights of Way. Parking of any motor vehicle, any trailer or any portable container or structure upon any unpaved portion of Rights of Way in the City of Strathmoor Manor, expressly including, but not limited to that portion of the Right of

Way between any public sidewalk and a Street, or upon any portion of a sidewalk shall be prohibited. *Ordinance Series 1970-5, Section 3, 4/6/70 as amended by Ordinance Series 2004-6, Section 12, 4/22/04. as amended by Ordinance 2010-3, Section 2, 8/26/10.*

4.104 Parking Prohibited Along Recreational Properties. Parking of motor vehicles, any trailer or any portable container or structure, for any purpose, shall be prohibited in the park and recreational area located between the easternmost and westernmost sections of Park Drive and Lowell Avenue and Strathmoor Boulevard, and at the intersection of Eleanor Avenue and Strathmoor Boulevard, thereby reducing the damage to said park and recreational areas and the necessary cost of maintenance thereon. *Ordinance Series 1970-5, Section 4, 4/6/70. as amended by Ordinance 2010-3, Section 3, 8/26/10.*

4.105 Parking of Oversized Vehicles. (a) The parking of any motor vehicle (including but not limited to any truck, panel truck, motor home, or other similar vehicle) trailer or other vehicle, portable container or structure, whether the same be designed to be self-propelled or drawn by, or carried upon another vehicle, on any portion of Emerson Avenue between Bardstown Road and Eleanor Avenue, Strathmoor Boulevard between Bardstown Road and Lakeside Drive, Lowell Avenue between Bardstown Road and Lakeside Drive, Park Drive West, Park Drive East, Shelley Avenue, and Eleanor Avenue between Lowell Avenue and Emerson Avenue, which vehicle is of a size or weight greater than that of a standard passenger automobile, that is, any vehicle having a gross external length in excess of 20 feet or a gross external width in excess of 84 inches or a gross external height in excess of 72 inches is specifically prohibited. *Ordinance Series 1973-8, Section 1, 10/2/73. as amended by Ordinance 2010-3, Section 4, 8/26/10.*

(b) There shall be excepted from the foregoing for a period not to exceed twenty-four (24) hours any truck or other obstructive vehicle that is actively engaged in the loading or unloading of merchandise, household goods or furnishings to or from a residence located within the City of Strathmoor Manor. *Ordinance Series 1973-8, Section 2, 10/2/73. as amended by Ordinance 2010-3, Section 4, 8/26/10.*

Chapter 200 - Traffic Control

4.201 Speed Limit. It shall be unlawful to operate any type of motor vehicle upon any street within the City limits at any speed in excess of twenty five (25) miles per hour. *Ordinance Series 2004-8, 4/22/04*

Chapter 300 - Vehicle Controls (Reserved)

Chapter 400 - Penalties

4.401 Penalties for Violation of Parking Ordinances. (a) Each instance of prohibited parking or obstruction of sidewalks shall be considered to be a separate offense and each of the small shall be considered a misdemeanor. The penalty of each said violations shall be a fine of not less than \$1.00 nor more than \$50.00 and said penalty shall be in addition to such expenses as may be incurred in the towing in or removal of each vehicle improperly parked and shall not be in lieu thereof. *Ordinance Series 1970-5, Section 5, 4/6/70, as amended by Ordinance Series 1973-8, Section 5, 10/2/73*

(b) For purposes of administration and enforcement of this ordinance and in order to expedite the movement of traffic through the City of Strathmoor Manor and in order to promote the safety of the residents of the City of Strathmoor Manor and those traveling upon the streets or public sidewalks located within the City such obstructive vehicles or objects as the same have been hereinbefore described may he towed away or otherwise removed from their place of prohibited parking and/or obstruction by such means as are deemed to be necessary, convenient and expedient and the owner and/or operator of said vehicle or object shall be responsible for all of the costs and expenses incurred as a result of the necessity of the moving of said improperly parked vehicle. *Ordinance Series 1973-8, Section 4, 10/2/73*

TITLE 5: NUISANCES AND PUBLIC HEALTH

Chapter 100: Nuisances

§5.131: Property Owners Required to Maintain Property

§5.141: Vegetation Interfering with Public Services

§5.142: Diseased or Dead Vegetation

§5.151: Public Nuisances

§5.152: Notice of Public Nuisance to Property Owner or Tenant

§5.191: *Repealed*

§5.192: Nuisance Citation Hearing Board

§5.193: Procedure for Remedying Nuisances

Chapter 200: Animal Controls (*Reserved*)

Chapter 300: Refuse (*Reserved*)

Chapter 400: Structural Safety

§5.401: Approval of Proposed Structural Changes

§5.402: Approval of Proposed Structural Construction

Chapter 500: Penalties

§5.510: Violation of a Forestry Board Order

§5.511: *Repealed*

§5.512: Failure to Abate a Public Nuisance

Chapter 100 - Nuisances

5.131 Property Owners Required to Maintain Property. Property owners must maintain their lots, buildings and improvements, keeping their property free of debris and properly trimmed, including Rights of Way abutting such property, subject to the restrictions at S.M.C.O. 3.372. *Ordinance Series 1982-2, Section 4, 7/1/82 as amended by Ordinance Series 2004-6, Section 13, 4/22/04*

5.141 Vegetation Interfering with Public Services. Any tree, shrub, or other vegetation growing or standing on private property in such a manner as to obstruct or interfere with the use of sidewalks or streets, or which obstructs the visibility of persons lawfully operating motor vehicles on streets, or which interferes with the delivery of gas, electric,

sewage or water services, shall constitute a public nuisance. *Ordinance Series 2004-11, Section 12, 10/28/04*

5.142 Diseased or Dead Vegetation. Any tree, shrub, other vegetation on private property which is diseased, dead, which shall include any tree a substantial portion of which is dead, shall constitute a threat to public safety. Any tree, shrub, other vegetation on private property which harbors insects or vermin that may carry communicable diseases or which have caused substantial damage to the tree, shrub, or vegetation shall constitute a threat to public safety. *Ordinance Series 2004-11, Section 13, 10/28/04*

5.151 Public Nuisances. It shall be deemed a public nuisance for the Owner or Occupant of any Premises within the City to:

(a) allow any Weeds to grow to a height exceeding ten (10) inches on such Premises;

(b) park, store or keep any motor vehicle on any portion of the Premises other than a hard durable surface, such as brick, concrete or asphalt within an area designated as a permissible parking area under the Land Development Code of Louisville/Jefferson County Metro;

(c) park, store or keep any inoperable or unlicensed motor vehicle on any Property or Premises unless such vehicle is i) parked, stored or kept in compliance with section b) above; and ii) is stored indoors, or within an area enclosed by approved fencing, shrubbery or other screening sufficient to keep such motor vehicle out of view of the general public. A vehicle shall be deemed inoperable if it is undergoing repair or restoration, if it is partially dismantled or disassembled, or, if it cannot legally be operated on a Street pursuant to State or Federal Law;

(d) allow rodents or vermin to infest any Premises;

(e) allow any outdoor accumulation on the Premises of Garbage or Rubbish: i) not in approved containers, or ii) which is not removed, or which is incapable of being removed, during the next scheduled ordinary trash collection. *Ordinance Series 2006-3, Section 2, 7/27/06*

(f) burn leaves or allow smoke or other noxious fumes to be emitted from the Premises;

(g) allow, create or maintain any well, pit, cistern or other open excavation on any unfenced Premises;

(h) to allow any other condition to exist on the Premises which constitutes a public nuisance under the common law or statutes of the Commonwealth of Kentucky.

Ordinance 2016-2, Section A, 2/25/16

5.152 Notice of Public Nuisance to Property Owner or Tenant. (a) It shall be unlawful for any Owner, occupant or person having control or management of real property within the City to allow any condition to exist which constitutes a public nuisance.

(b) In the event any violation of S.M.C.O. 5.151 is brought to the attention of City Officers, the Director of the City Maintenance Department shall, after investigating and determining that such a nuisance exists, issue a Notice of Violation stipulating: i) the

nature of the violation; ii) directing that such violation be abated within seven (7) days of such Notice; iii) identifying the corrective measures necessary to cause such abatement; and iv) notifying the recipient of their right to appeal the Notice pursuant to S.M.C.O. 5.193 and KRS 82.710; (v) notifying the recipient that the Notice of Violation shall constitute a final determination that a nuisance exists unless the Notice of Violation is appealed; and, (vi) notifying the recipient that should the recipient fail to abate the nuisance within the time specified in the Notice of Violation or timely appeal the Notice of Violation the City will cause the nuisance to be abated at the Owner's expense. The Notice of Violation shall be posted on the Property and mailed by certified mail to the Owner of the Premises at Owner's last known address, and if such address is different than the Property address to the Occupant at said Property address.

(c) With regard to any violation of S.M.C.O. 5.151, S.M.C.O. 5.193 shall be deemed to extend the right to request a hearing to any Occupant of any Premises to which a Notice of Violation is directed. *Ordinance Series 2006-3, Section 3, 7/27/06. as amended by Ordinance 2016-2, Section B, 2/25/16*

5.191 Procedure for Remedying Nuisances. *Ordinance Series 2004-11, Section 18, 10/28/04. Repealed by Ordinance 2016-2, Section C, 2/25/16 and superseded by S.M.C.O. §5.193.*

5.192 Nuisance Citation Hearing Board. The City Commission, acting as a whole, less that Commissioner who serves as Director of Maintenance, shall constitute the Hearing Board for any appeals of citations for public nuisances. *Ordinance Series 2016-2, Section D, 2/25/16*

5.193 Procedure for Remedying Nuisances. (a) Any Owner or occupant of real property to whom a Notice of Violation is directed alleging the presence of a public nuisance on such property may appeal the determination that such a nuisance exists by filing with the City Clerk a written notice of appeal. Such notice of appeal must be postmarked to the City Clerk not more than seven (7) days after receipt of the Notice of Violation. The Notice of Appeal does not have to be in any particular form so long as it clearly refers to the Notice of Violation and makes clear that the recipient contests the determination that a nuisance exists.

(b) Upon receipt of the notice of appeal the City clerk shall send written notice to the appealing party setting out:

- (i) the date of the next regularly scheduled meeting of the City Commission; and,
- (ii) that the appealing party or legal counsel for such party must appear in person at such hearing with all evidence such party wishes to present; and,
- (iii) that the appealing party may appear at the hearing with legal counsel; and,
- (iv) that the meeting shall be open to the public.

(c) The City Commission, acting as the Hearing Board, shall hear all appeals at the next regularly scheduled City Commission meeting following receipt of the notice of appeal. Any witness who presents evidence at such appeal hearing shall be placed under oath,

subject to penalties for perjury. The Hearing Board shall hear any testimony and receive any evidence proffered by the appealing party. The burden of proof at such hearing shall be on the appealing party to establish that the property in question is free from public nuisance. If necessary such hearing may be continued to a later time, as convenient to the Hearing Board, provided however, that no enforcement action may be taken until the appeal process is concluded and any time limitations are abated during the period the hearing is continued. Upon conclusion of the hearing the Hearing Board shall issue a determination as to whether or not the nuisance exists. Any determination of the hearing Board shall be in writing, setting out the nuisance and factual basis for the Board's determination. Such determination shall further notify the appealing party of their right to appeal the Hearing Board's determination to the Jefferson District Court in conformity with KRS 82.715, provided such appeal is filed within thirty (30) days following the Hearing Board's determination.

(d) In the event the Hearing Board determines that no nuisance exists on the property in question the Notice of Violation shall be deemed void and of no effect and the matter is concluded.

(e) In the event the Hearing Board determines that a nuisance does exist on the property in question the Hearing Board shall order that the nuisance be abated or otherwise corrected within a specified time. The order shall further direct the City Director of Maintenance to cause the nuisance to be abated in the event the appealing party fails to timely abate the nuisance as ordered. The Hearing Board, at its discretion, may also direct the City Attorney to bring an equitable action to enjoin the continuance of the nuisance.

(f) In the event the Owner or other person to whom a Notice of Violation has been directed fails to appeal the Notice of Violation, or, upon appeal there is a determination that the nuisance exists, and, such person fails to timely abate the nuisance, the City Director of Maintenance shall send persons or contractors onto the property in question and said persons or contractors shall abate the nuisance. All costs incurred by the City in abating such nuisance and all fines, penalties or other fees, including attorney fees, shall constitute a lien upon the property in question. The Affidavit of a City officer shall constitute prima facie evidence of the amount of the lien and the regularity of the proceedings giving rise thereto and shall be filed with the Jefferson County Clerk. Such lien shall be superior to and have priority over all other liens on the property except state, county, school board and city taxes in conformity with KRS 82.720. All debts secured by such lien shall bear interest at 12% per annum from the date such lien is recorded until the debt is paid. Such lien may be enforced by judicial foreclosure.

(g) In addition to the foregoing the Owner of the property where the nuisance exists and upon which a lien has been filed shall be personally liable for the debt secured by such lien and such debt may be collected by civil action against the Owner. In the event of such civil action the City may recover the secured debt and any court costs and attorney fees incurred in such civil action. *Ordinance Series 2016-2, Section E, 2/25/16*

Chapter 200 - Animal Controls (Reserved)

Chapter 300 - Refuse (Reserved)

Chapter 400 - Structural Safety

5.401 Approval of Proposed Structural Changes. The working plans and specifications of any building or roof specifications of any building or roof alteration or addition must be approved by the Commission. *Ordinance Series 1982-2, Section 1, 7/1/82 as amended by Ordinance Series 2004-6, Section 14, 4/22/04*

5.402 Approval of Proposed Structural Construction. The final specifications and building plans of any and all new construction in Strathmoor Manor must be approved by the Commission and shall follow an open hearing. *Ordinance Series 1982-2, Section 6, 7/1/82 as amended by Ordinance Series 2004-6, Section 15, 4/22/04*

Chapter 500 - Penalties

5.510 Violation of a Forestry Board Order. (a) In the event of a property owner fails to timely comply with any Order of the Forestry Board regarding a tree that is a public nuisance or a threat to public safety, the City Maintenance Department is authorized to enter, or cause its agents to enter, the private property subject to the Order and undertake such efforts as stipulated in the Order to mitigate or eliminate such nuisance or threat. All costs incurred by the City in such efforts to carry out the Order in addition to an administrative fee of two hundred dollars (\$200) shall be charged to the property owner and shall constitute a lien on the property whereupon the nuisance or threat was located. Such property owner shall also be subject to the penalties set out in subsection (b) of this ordinance. *Ordinance Series 2004-11, Section 19, 10/28/04*

(b) Any person or other entity that shall be subject to the provisions of subsection (a) of this Ordinance shall be subject to a fine not to exceed five hundred dollars (\$500) for each separate offense. *Ordinance Series 2004-11, Section 20, 10/28/04*

5.511 REPEALED. *Enacted by Ordinance Series 2006-3, Section 4, 7/27/06. Repealed by Ordinance Series 2017-1, 3/23/17.*

5.512 Failure to Abate a Public Nuisance. Any Owner of property upon which a nuisance has been determined to exist, either by failure to appeal the Notice of Violation or by determination of the Hearing Board, shall be subject to a civil penalty of \$50.00

for each day such nuisance exists, commencing eight (8) days after receipt by the Owner of the Notice of Violation. *Ordinance 2016-2, Section F, 2/25/16*

TITLE 6: BUSINESS REGULATION

Chapter 100: Utility Franchises

§6.101: Cable Television Franchise

§6.102: Communications Franchise

Chapter 200: Limitations to Business Operations

§6.201: Business Operation

§6.202: Registration of Rental Properties

Chapter 300: Signs (*Reserved*)

Chapter 400: Sale and Solicitation Within City Limits

§6.401: Hours of Door to Door Solicitation

§6.402: Registration of Door to Door Solicitors

§6.403: Procedure for Registration of Door to Door Solicitors

§6.495: Penalties

Chapter 100 - Utility Franchises

6.101 Cable Television Franchise. The non-exclusive franchise to construct, operate and maintain a community antenna television (CATV) system within the City of Strathmoor Manor pursuant to the authority and provisions of Ordinance Series 1978-10 and currently held by Insight Kentucky Partners II, L.P., doing business as Charter Communications is hereby renewed, commencing with the effective date of this ordinance and continuing for a period of ten (10) years. *Ordinance Series 1988-6, 11/27/88, as amended by Ordinance Series 2018-1, 2/27/18.*

6.102 Communications Franchise. (a) The City hereby grants to Google Fiber for a period of twenty (20) years, a non-exclusive franchise to erect, install or maintain communications facilities or provide communication services by use of said communication facilities within the boundaries of the City in conformance with and subject to the terms and conditions of the Uniform Franchise Agreement entered into on January 28th, 2016 and incorporated herein by reference as if set forth in full.

(b) The Mayor is hereby authorized to execute the Uniform Franchise Agreement, and may accept minor changes to the Uniform Franchise Agreement provided that such changes and/or modifications do not materially alter the substance of the Agreement or any term thereof. *Ordinance Series 2016-6, 6/23/16.*

Chapter 200 - Limitations on Business Operations

6.201 Business Operation. No trade or business whatever shall be permitted or maintained on the property including the practice of medicine and/or dentistry. *Ordinance Series 1982-2, Section 2, 7/1/82*

6.202 Registration of Rental Properties. (a) No real property within the corporate limits of the City may be used as Rental Property until and unless the Owner of such property has registered the property as Rental Property with the City Clerk. Failure to so register any Rental Property shall be a violation of law.

(b) For purposes of this Section the following definitions shall apply:

(1) "Owner" means any individual, fiduciary, partnership, association, corporation or other entity holding legal or equitable title to Rental Property. Where more than one individual or entity owns an interest as joint tenant or tenant in common with another individual or entity, each such individual or entity shall be deemed the Owner for purposes of this Section.

(2) "Rental Property" means any house and lot occupied in whole or in part by one or more persons pursuant to an oral or written agreement in exchange for monetary or other consideration paid to the Owner thereof, and provided the said agreement does not convey any ownership interest in the said house and lot to the Tenant.

(3) "Tenant" means any person or persons, other than the Owner, occupying any portion of Rental Property.

(c) The Owner of every Rental Property in the City shall annually register such property with the City Clerk, on a form provided by the City. Such registration shall be due on or before July 1st of each year and shall be accompanied by a registration fee of \$50.00 payable to the City of Strathmoor Manor. At a minimum such registration shall include:

(1) Address of the Rental Property;

(2) Name, residence address, business address e-mail address and phone numbers for the Owner;

(3) In the event the Owner of the property resides or has a principal office address more than twenty five (25) miles from the Rental Property the application shall also include the name, address, e-mail address and phone numbers for a person residing within twenty five (25) miles who shall serve as an Emergency Contact, responsible for addressing maintenance issues, safety concerns and nuisance complaints regarding the Rental Property. The Tenant shall not be listed as the Emergency Contact;

(4) A description of the Rental Property including: the number of bedrooms in the Rental Property, the number of off street parking spaces reserved for the occupants and a stipulation as to whether the Owner resides on the property;

(5) The registration number regarding the Rental Property from the Louisville Metro Revenue Commission;

(d) The Owner shall supplement the application for registration in writing from time to time as necessitated by any change in the information contained in the Owner's most recent application for registration. Such written supplement shall be delivered to the City Clerk within thirty (30) days after the information on the application has changed.

(e) Any Owner who shall lease Rental Property in violation of this Section shall be subject to a civil penalty of \$50.00 for each such violation. Each day such property is leased in violation of this Section shall constitute a separate violation. In the event of such a violation the Owner may be cited by written notice from the Mayor or by the City Attorney which notice shall set out the violation and the penalty imposed therefore. In the event the penalty is not paid within twenty (20) days following the Citation the City may proceed to recover such penalty by civil action in the nature of a debt. *Ordinance Series 2016-1, 2/25/16. as amended by Ordinance Series 2019, Number 4, 12/10/19.*

Chapter 300 - Signs (Reserved)

Chapter 400 - Sale and Solicitation Within City Limits

6.401 Hours of Door to Door Solicitation. It shall be unlawful for any person to conduct any form of solicitation, whether for commercial, political, religious, civic, charitable or educational purposes, by traveling from place to place within the City, without the prior permission of each respective resident, prior to 8:00 a.m. prevailing local time and subsequent to sunset or 8:00 p.m. prevailing local time, whichever first occurs. *Ordinance Series 2006-1, Section 1, 1/26/06*

6.402 Registration of Door to Door Solicitors. (a) Transient or itinerant peddlers, merchants, contractors or salespersons shall register with the City Police Department and be issued a permit before commencing any sales or marketing activities within the City. *Ordinance Series 2006-1, Section 2, 1/26/06*

(b) For purposes of this section a transient peddler, merchant, contractor or salesperson is any person acting on his own behalf or on behalf of any firm, corporation, partnership or other entity which engages in, does or transacts business by traveling from place to place within the City selling or offering for sale any of the following goods or services:

(1) Magazine subscriptions or book sales;

(2) Home Improvements, including, without limitation,
Window installation or cleaning (including storm windows),
Insulation (including installation thereof),
Painting,
Roofing installation or repair,
Gutter installation, repair, modification or cleaning,
Driveway sealing, paving or repair.

Ordinance Series 2006-1, Section 3, 1/26/06

(3) Dry cleaning or laundry services. *Ordinance Series 2007-4, 7/26/07*

- (4) Telecommunication, Entertainment and Alarm Services, including without limitation telephone or phone-based data service, cellular telephone service, cable ,internet or satellite television service, security, intruder, fire or other safety alarm service using telephone or radio transmission services. *Ordinance Series 2013-3, Section 1, 8/29/13*

(c) Any permit issued pursuant to this section shall be valid for ten (10) days subsequent to issuance, which period shall include weekends and holidays, and shall be carried on the person of the applicant at all times while engaged in sales activities in the City. *Ordinance Series 2006-1, Section 6, 1/26/06*

6.403 Procedure for Registration of Door to Door Solicitors. (a) Each individual desiring a permit pursuant to this section shall complete an application providing the following:

(1) For the applicant:

- A) name,
- B) permanent address and phone number,
- C) current address and phone number,
- D) complete criminal record,
- E) date of birth,
- F) next of kin, the relationship of that person to the applicant and an address and phone number for same,
- G) social security number,
- H) physical description,
- I) a complete description of all goods or services to be offered for sale in the event a permit is issued,
- J) detailed description of any vehicle to be used in connection with applicant's activities in the City.

(2) For the applicant's employer:

- A) name,
- B) permanent address and phone number,
- C) tax identification number,
- D) description of the employer's type of entity (e.g. corporation or partnership), state of formation and the name of the registered agent for such entity,
- E) name and current address and phone number for applicant's immediate supervisor,

b) Each such application shall be accompanied by :

(1) a \$75.00 application fee, payable by certified check or money order, which shall be deposited in the general fund of the City; *as amended by Ordinance Series 2013-3, Section 2, 8/29/13*

(2) government issued proof of the applicants age;

(3) government issued identification containing a photograph of the applicant;

(4) proof that the applicant or applicant's employer is duly registered with the Louisville/Jefferson County Metro Revenue Commission;

(5) proof that the applicant or applicant's employer is duly registered with the Kentucky Revenue Cabinet for purposes of sales tax collection if the applicant is selling goods of any description;

(6) proof that the applicant is covered by a current policy of worker's compensation insurance;

(7) If the applicant is an employee of a legal entity, proof that such entity is in good standing in the entity's state of organization.

Ordinance Series 2006-1, Section 4, 1/26/06

(c) The Chief of Police shall, within seventy two (72) hours subsequent to any application, issue a permit to any applicant under this section who complies with all of the registration requirements provided such applicant:

(1) shall be over the age of eighteen;

(2) is not a convicted felon;

(3) has not been convicted of a misdemeanor within the preceding twelve (12) months;

(4) has not violated this ordinance within the preceding twelve (12) months and is not employed by any entity whose employees have violated this ordinance within the preceding twelve (12) months; and,

(5) has answered all questions on the application truthfully.

Ordinance Series 2006-1, Section 5, 1/26/06

6.495 Penalties. Any person conducting activities in the City in violation of this Chapter shall be guilty of a misdemeanor and, upon conviction shall be subject to a fine of not more than \$250.00.

Ordinance Series 2006-1, Section 7, 1/26/06

APPENDIX A - BUDGET ORDINANCES

2003-2	Adopts Budget effective 7/1/2003.
2004-9	Adopts Budget effective 7/1/2004.
2005-2	Adopts Budget effective 7/1/2005.
2006-4	Adopts Budget effective 7/1/2006.
2007-2	Adopts Budget effective 7/1/2007.
2007-5	Amends Budget enacted in Ordinance 2007-2, effective 7/1/2007
2008-2	Adopts Budget effective 7/1/2008.
2008-6	Amends Budget enacted in Ordinance 2008-2, effective 10/23/2008
2008-7	Amends Budget enacted in Ordinance 2008-6, effective 12/4/2008
2009-2	Adopts Budget effective 7/1/2009.
2010-2	Adopts Budget effective 7/1/2010.
2011-2	Adopts budget effective 7/1/2011.
2012-2	Amends Budget enacted in Ordinance 2011-2, effective 1/26/2012
2012-3	Adopts Budget effective 7/1/2012
2013-2	Adopts Budget effective 7/1/2013
2014-2	Adopts Budget effective 7/1/2014
2014-4	Amends Budget enacted in Ordinance 2014-2, effective 9/25/14
2015-5	Adopts Budget effective 7/1/2015.
2016-3	Amends Budget enacted in Ordinance 2015-5, effective 4/28/16
2016-5	Adopts Budget effective 7/1/2016.
2017-4	Adopts Budget effective 7/1/17
2018-3	Adopts Budget effective 7/1/18
2019-2	Adopts Budget effective 7/1/19
2020-2	Adopts Budget effective 7/1/2020
2021-2	Adopts Budget effective 7/1/2021
2022-2	Adopts Budget effective 7/1/2022
2023-2	Adopts Budget effective 7/1/2023

