

TITLE XV: LAND USAGE

Chapter

150. BUILDING AND HOUSING REGULATIONS

(Residential Building Design Standards)

CHAPTER 150: BUILDING AND HOUSING REGULATIONS

(Residential Building Design Standards)

Section

General Provisions

150.001 Compliance requirement

150.002 Definitions

150.003 Purpose

150.004 Exemptions

150.005 Scope of building regulations

150.006 Limitations upon fences

150.007 Lot subdivision

150.008 Building limits

150.009 City Architect

150.010 Variances

Building Permits

150.020 Permit required

150.021 Application for permit

150.022 Permit fee

150.023 Issuance of permit

150.024 Responsibilities of permit applicant

150.025 Inspections

150.026 Completion of project; refund of deposits

Minimum Building Standards and Regulations

150.030 Character of buildings; conformity with existing structures

150.031 Location of buildings; appurtenances

150.032 Exterior materials and colors

150.033 Additions and modifications

150.034 Accessory buildings

#### Housing Regulations

150.045 Scope of housing regulations

150.046 Pest infestations and extermination

150.047 Wild or undomesticated animals

150.048 Prohibited conditions

150.049 External maintenance and repair

150.050 Responsibilities of owner or landlord

150.051 Responsibilities of occupants

150.052 Vacant dwellings; procedure for securing

#### Swimming Pools

150.065 Swimming pool restrictions

150.066 Permit required

150.067 Permit application

150.068 Issuance of permit

150.069 Fences around swimming pools

#### Pull-Offs; Street Curbs

150.080 Permit for pull-offs

150.081 Permit for street curb

#### Floodlights

150.095 Permit required

150.096 Permit application

150.097 Issuance of permit

#### Fences

150.100 Permitted and prohibited fences

150.101 Maximum fence height

150.102 Fence locations

150.103 Fence orientation and adjoining fences

150.104 Permit required

#### Solar Energy Systems

150.200 Applicability

150.201 Appearance and materials

150.202 Location

150.203 Ancillary solar equipment

150.204 Abandonment and removal

150.205 Permit required

150.206 Permit application

150.207 Issuance of permit

#### Nuisances

150.220 Authorization

150.221 Initial determination

150.222 Notice of violation

150.223 Creation of Property Committee

150.224 Right to appeal and hearing

150.225 Conduct of hearings

150.226 Abatement of nuisance

150.227 Lien and liability for costs of abatement

#### Code Enforcement Board

150.235 Code Enforcement Board

150.236 Creation and membership

150.237 Authority

150.238 Members; appointments, terms, removals, and oath

150.239 Board organization; meetings and quorum; alternate members

150.240 Conflict of interest

150.241 Jurisdiction

150.242 Powers and duties

- 150.243 Enforcement proceedings
- 150.244 Hearing; notice; final order
- 150.245 Legal counsel
- 150.246 Appeals; final judgment
- 150.247 Ordinance Fine Schedule
- 150.248 Liens; fines, charges, and fees
- 150.249 Lienholder notification system
- 150.250 Liens

150.999 Penalty

## GENERAL PROVISIONS

### § 150.001 COMPLIANCE REQUIREMENT.

(A) Property owner responsibility. Any permanent or semi-permanent building, deck, patio, driveway, or other constructed site improvement in the city is affected by certain legal restriction of the State of Kentucky, Jefferson County, and Louisville Metro. Each property owner who is making an improvement to their property is responsible for compliance with these requirements.

(B) Regulation of all buildings. All structures for human use or occupancy are subject to the regulation of the Louisville Metro Ordinance 150.001, as promulgated by the Board of Housing, Buildings and Construction, Commonwealth of Kentucky. This includes all houses, garages, sheds, additions, porches, decks, retaining walls, swimming pools and also commercial structures. Interpretation, enforcement and review of structures occurs at the local government level.

(Ord. 7, 2019, passed - - )

### § 150.002 DEFINITIONS.

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

**ACCESSORY BUILDING.** A subordinate building or structure, the use of which is incidental to that of the main building or to be used on the premises.

**ALTER or ALTERATION.** Any change or modification in the construction or occupancy.

ARCH. A structural method of spanning an opening, usually with masonry, whereby curved, pointed or flat upper edges of the opening are formed.

ARCHITECTURAL DRAWINGS. A set of detailed drawings which are used to convey different types of information to the contractor(s). These documents are drawn to scale, and will include floor plans, elevations of all affected sides of the building, wall sections to identify all building materials and details.

AREA. As applied to the dimensions of a building, the maximum horizontal projected area of the building at grade.

AWNING. A light weight temporary shade structure usually build over a window or door, or sometimes over an entire deck or patio. AWNINGS are usually constructed of weather resistant fabric, but may also be metal or wood. **Only fabric awnings are permitted on front or side of house Non-fabric awning should not be visible from street.**

AWNING WINDOW. A window which is hinged at the top and swings outward from the bottom.

BUILDING. A structure for the shelter, support, or enclosure of persons, materials, or property of any kind, having a roof supported by columns or walls, and when separated by a division or party wall without opening, each portion of the build so separated shall be deemed a separate building The term BUILDING shall be construed as if followed by the words "or part thereof."

BUILDING SETBACK AREA. The area of a lot or parcel of land lying between the front property line and the future widening line of an existing street or highway or the area of a lot or parcel of land lying between the boundary lines of a proposed street or highway.

CASEMENT WINDOW. A window which is hinged on one side and swings open outward. This window is typically opened by a crank handle.

CEMENT FIBER SIDING. A horizontal board lap siding that looks like wood siding, either standard lap or colonial beaded lap style. The siding is made from a chemical mixture of wood fibers and cement. It is paintable, nailable, and is highly weather resistant.

CHIMNEY. A primary vertical structure containing one or more flues, for the purpose of carrying gaseous products of combustion and air from a fuel burning appliance to the outside atmosphere that extends above the roof line and is supported by an approved foundation.

CHIMNEY, BAY. A chimney with a cantilever base that does not extend above the roof line. Also known as SHED HOUSE or DOG HOUSE STYLE CHIMNEY.

COMPOSITION BOARD (HARDBOARD). A board made up of wood fibers and resins to form a sheet or simulated board to be used as an exterior siding.

CORBEL. A course or unit of masonry that projects beyond the course below. A CORBEL may be used entirely for decoration, or for a ledge to support a load from above.

CORNER BOARDS. Vertical boards installed on the comers of sided homes to cover the ends of the siding.

**CORNICE.** An exterior ornamental trim at the meeting of the roof and wall. This type of cornice usually includes a bed molding, a soffit, a fascia, and a crown molding.

**DENTIL MOLDING.** Square tooth-like blocks used as ornamentals under a cornice.

**DORMER WINDOW.** Vertical window which projects from a sloping roof, placed in a small enclosed projection.

**DOUBLE-HUNG WINDOW.** Window with two vertically operating sashes sliding in two directions to enclose the opening.

**DWELLING.** Any building which contains a dwelling unit as hereinafter defined; provided, however, temporary housing as hereinafter shall not constitute a DWELLING for purposes of this chapter.

**DWELLING, SINGLE-FAMILY.** A building designed for or occupied by one family, wherein not more than two roomers or lodgers other than members of the family, are provided with shelter or meals.

**DWELLING UNIT.** Any room or group of rooms or other part of a building which forms a single housekeeping unit with facilities which are used or are designed for living, sleeping, cooking and eating.

**EASEMENT.** A right afforded a person, or entity, to make limited use of another person's real property such as a right-of-way through a lot established for utilities access.

**EAVE.** The lower edge of a sloping roof which projects beyond the wall.

**ELEVATION.** Exterior face of a structure (front, side, and rear).

**EYEBROW WINDOW.** A low dormer on the slope of a roof formed by the roofing material being carried over the opening in a wave line.

**FACADE.** Exterior face in a building which is the formal front.

**FENCE.** Any construction of wood, metal, wire mesh, masonry, or other material, erected for any purpose.

**FLOOD PLAIN.** Land which borders a body of water which may be subject to flooding.

**FLOOR PLAN.** A drawing showing the layout of the enclosing walls of a structure, its doors and windows, and the arrangements of the interior spaces as viewed from above.

**FOOTPRINT.** Outline of a structure as viewed from above.

**FOUNDATION.** The structural base whereby all of the load from the building is transmitted to the ground. The foundation wall is usually constructed out of concrete material. The footing runs under the foundation wall and is typically concrete.

**GABLE.** The vertical triangular portion of the end of a structure having a double-sloping roof from the level of the eave to the ridge of the roof.

**GRADE.** The average elevation of the finished ground surface touching the outside walls of a building or structure.

**JACK ARCH.** Also called **FLAT ARCH** or **STRAIGHT ARCH**. A horizontal row of wedge cut brick over an opening.

**KEYSTONE.** The usually wedge-shaped uppermost, hence last, set stone or similar member of an arch, whose placement not only completes the arch but also binds or locks its other members together. May be used above a door or window in a horizontal lintel for decoration.

**LOT.** A parcel of land occupied, or to be occupied, by one main building, together with the accessory buildings and used customarily incidental to it, and including such open spaces, dimensions, and area as are required in this chapter, and have its principal frontage on a public street or road.

**LOT, CORNER.** The abutting on two or more streets at their intersections.

**LOT, INTERIOR.** A lot other than a corner lot.

**MULTIPLE DWELLING.** Any dwelling containing more than one dwelling unit.

**OCCUPANT.** Any person living, sleeping, cooking, or eating in, or having actual possession of a dwelling unit.

**OWNER.** Any person who alone, jointly, or with several other persons shall:

(1) Have all or part of the legal title to any dwelling unit, with or without accompanying actual possession thereof, or shall have all or part of the beneficial ownership of any dwelling or dwelling unit and a right to present use and enjoyment thereof, including a mortgage in possession; or

(2) Have charge, care, or control of any dwelling or dwelling unit as owner, or as executor, administrator, trustee, or guardian of the estate of the owner. Any person thus representing the actual owner shall be bound to comply with the owner's obligations under this chapter.

**PARKING AREA.** An open, unoccupied space permitted or required for use for parking of motor-driven vehicles.

**PEDIMENT.** A gabled element used primarily over entrances.

**PILASTER.** A non-structural rectangular or semicircular column applied to the wall simulating supports for a decorative pediment or arch above.

**PRE-FINISHED MATERIAL.** Material that has received a factory finish and is ready to install upon delivery to the construction site.

**PROPERTY.** Any interest of record or otherwise held by persons in land or building located within the city.

**RAKE BOARD.** A board or molding along the sloping edge of a gable which conceals the rafter.

**RIDGE VENT.** A linear ventilating cap installed along the ridge of a gabled roof.

**RIGHT-OF-WAY.** A strip of land (ground surface, underground, or above ground) which has been granted by deed or easement for the construction or maintenance of a roadway.

**ROOF PITCH.** The height (rise) that a sloped roof goes up to from its eave over a given horizontal distance (run). This is usually expressed as "rise/run."

**ROWLOCK COURSE.** A course of brick units set on side with the short, narrow face vertical on the wall face.

**SCALE.**

(1) A system of proportions used in architectural drawings so that the actual size of an item to be drawn can be reduced to a size small enough to fit on a sheet of paper.

(2) Term used to relate to the proportional balance of all elements of a building.

**SEGMENTED ARCH.** An arch which is composed of parts of a circle (less than half).

**SHINGLES, DIMENSIONAL.** Asphaltic/fiberglass roofing material manufactured in laminated layers to achieve the depth and dimension variation that simulates the look of wood shingles or slate.

**SHINGLES, SLATE.** A roof shingle made from a fine-grained metamorphic rock or composite shingle made from slate and resin.

**SHINGLES, STANDARD (THREE-TAB).** A roof covering made from asphalt or asphalt/fiberglass generally 36 inches wide, and consisting of three 12-inch non-dimensional tabs.

**SINGLE-FAMILY RESIDENCE.** A structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it is a SINGLE-FAMILY RESIDENCE if it has direct access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any other essential facility or service with any other dwelling unit.

**SITE PLAN.** A plan of a lot indicating property lines, the accurate location and size of structures shown with dimensions to property lines.

**SLIDE-BY WINDOW (GLIDER).** A window which is divided vertically in the center with each sash panel having the capacity to slide horizontally.

**SOFFIT.** The underside of a part or member of a structure, such as a beam, stairway, or arch.

**SOFFIT BOARD.** A board that forms the soffit of a cornice.

**SOLDIER COURSE.** A course of brick units set on end with the long, narrow face vertical on the wall face.

**SOLAR COLLECTOR.** A solar PV cell, panel, or array, or solar thermal collector device, that relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.



**SOLAR ENERGY.** Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

**SOLAR ENERGY SYSTEM.** An arrangement of solar collectors and other electrical and/or mechanical devices capable of collecting and converting solar radiation into heat or mechanical or electrical energy and transferring these forms of energy by a separate apparatus to storage or to point of use, including, but not limited to, water heating, space heating or cooling, electric energy generation, or mechanical energy generation.

**SOLAR ENERGY SYSTEM, GROUND MOUNTED.** A solar energy system that is structurally mounted to the ground and is not roof mounted. These systems are typically installed directly onto specialized solar racking systems, which are attached to an anchor in the ground and wired to connect to an adjacent home or building. Ground mount systems may be advisable when insufficient space, structural and shading issues, or other restrictions prohibit rooftop solar.

**SOLAR ENERGY SYSTEM, POLE MOUNTED.** A solar energy system that is directly installed on specialized solar racking systems, which are attached to a pole, which is anchored and firmly affixed to a concrete foundation in the ground, and wired underground to an attachment point at the building's meter. Unlike ground mount systems, pole mount systems are elevated from the ground. Pole mounted systems can be designed to track the sun (with single-axis or dual-axis tracking motors) and maximize solar output throughout the year.

**SOLAR ENERGY SYSTEM, ROOF MOUNTED (a/k/a ROOFTOP MOUNTED, BUILDING MOUNTED).** A solar energy system that is structurally mounted to the roof of a building or structure. These systems typically consist of solar panels installed directly on the roof of a home, commercial building, and/or an accessory structure, such as a garage, pergola, and/or shed. Solar panels are mounted and secured using racking systems specifically designed to minimize the impact on the roof and prevent any leaks or structural damage. Roof mount systems can be mounted flush with the roof or tilted toward the sun at an angle.

**SOLAR GLARE.** The potential for solar panels to reflect sunlight, with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

**SPLIT LEVEL HOUSE.** A building divided vertically so that the floor level of rooms in one part is approximately midway between the levels of two successive stories in an adjoining part

**STANDING SEAM ROOF.** A seam, in sheet metal and roofing, made by turning up two adjacent edges and folding the upstanding parts over themselves.

**STORY (TWO-STORY HOUSE).** The space in a building between two adjacent floor levels or between a floor and the roof. A two-story house refers to a building with two separate levels one above the other.

**STREET.** Any public thoroughfare which has been dedicated or deeded to the public for public use.

**STREET LINE.** A lot line dividing a lot from a street.

STRUCTURE. Anything constructed or erected, the use of which required location on the ground or attached to something having a location on the ground. All regulations appertaining to a building shall be equally applicable to a structure. The term STRUCTURE shall be construed as if followed by the words "or part thereof."

SUNROOM, FULLY GLAZED. Any room with sides whose exterior walls, at the first floor level, consist of (1) posts and glazed openings (windows and/or doors) on all exposed sides, or (2) sided walls with windows on all exposed sides occupying a minimum of 60% of the wall length on each side and the sills (bottom) of which are no higher than 24 inches above the floor and heads (top) are a minimum of 80 inches above the floor.

SURFACE. The outermost layer or superficial area of the interior of a dwelling or dwelling unit, including but not limited to the outermost layer or superficial area of walls, ceiling, floors, stairs, windows, window sills, window frames, window sashes, doors, door frames, baseboards, and wood work of a dwelling or dwelling unit.

SYNTHETIC STUCCO (EIFS or DRYVIT). A pre-manufactured exterior finish material resembling cement stucco with smooth or textured surfaces which can be applied over the exterior sheathing of a building.

TOPOGRAPHY. A description of the vertical variations of land.

TRIM. Trim materials are used to trim various components of a residential structure, such as window and doors. They are not the dominant siding material on a building elevation.

UNFINISHED MATERIAL. Material that does not receive a special coating to alter the natural appearance but may be treated with a preservative to prevent decay.

VALUE or VALUATION. The estimated cost to replace the building in kind.

VINYL SIDING. A PVC siding that is **not permitted** as a building material in Seneca Gardens.

WINDOW, ARCHITECTURAL. A window that by its design add an ornamental feature to the home. These windows will be accented by such elements as an arch, circle, flex frame (angles), elliptical, stained or beveled glass, shutters, or grid work.

WINDOW, STANDARD. Square or rectangular frame with no features mentioned in the architectural window definition.

WINDOW AND DOOR TRIM. Board or molding installed around perimeter of a window or a door to conceal the joint.

WINDOW SASH. The framework of a window that holds the glass.

WOOD FIBER COMPOSITES. See COMPOSITION BOARD.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

§ 150.003 PURPOSE.

The residential development building design standards and criteria are hereby established for the following purposes:

(A) To establish and enforce a set of criteria applicable to all residential developments that ensure that future residents are provided a minimum level of quality for their city.

(B) To provide clear policy direction and standards to the community that ensures that the city improves its quality of life through a set of consistent standards.

(C) To enhance the value of private property and a sound investment climate through the establishment of consistent design criteria.

(D) To protect the public's health, safety, and general welfare through a set of design criteria that encourage a consistent quality.

(E) To allow architectural creativity and compatibility with surround housing conditions is recognized and encouraged.

(F) Exception to the standards set forth in this chapter shall be considered by the City Commission.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### § 150.004 EXEMPTIONS.

Buildings, fences, lights and pools in existence prior to December 17, 1990 are exempted from compliance in terms of their architectural style and placement. Otherwise, they are subject to all sections of this chapter.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### § 150.005 SCOPE OF BUILDING REGULATIONS.

(A) General. The provisions of this chapter shall apply to the location, design, materials and equipment, removal, construction and demolition of every building or any appurtenance connected or attached to buildings located within the corporate boundaries of the city. In the event there is an apparent difference in the materials, methods of construction, or other requirements specified in different sections of this code, or between the requirements of this chapter and of any other applicable law, or deed restrictions the more restrictive shall govern.

(B) New buildings. New buildings hereinafter erected within the city shall comply with the requirements of this chapter. Under no circumstances shall a multifamily building be permitted.

(C) Existing buildings. Except as otherwise specifically provided, buildings to which additions, alterations, or repairs are made, and all additions, alterations, or repairs, shall comply with the requirements of this code for new buildings. Under no circumstances shall

a single family residence be altered in such a way so as to be capable of use as a multifamily residence.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### § 150.006 LIMITATION UPON FENCES.

(A) It shall be unlawful for any person to erect or maintain a fence on any part of the front or side yard of any lot within the city extending forward of the dwelling's outermost rear comers to which it runs.

(B) All fences on side and rear lot lines shall not exceed limitations of the Louisville Metro planning and zoning regulations pertaining to the building lot where fence is to be erected, shall not be greater in height than six feet from ground level and the fence shall be of a design and material to conform with the existing harmony of the surrounding area as determined by the City Commission.

(Ord. 90-09, passed 12-17-90; Am. Ord. 92-06, passed 2-15-93; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.007 LOT SUBDIVISION.

No lots or areas platted within the city and recorded in the office of Jefferson County Clerk as of the date this chapter becomes effective shall be subdivided, altered or changed without the prior written approval of the City Commission.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.008 BUILDING LIMITS.

No house, building or structure may be erected so more than 30% of the area of any lot is occupied by houses, buildings or structures.

(Ord. passed 1-25-40; Am. Ord. passed 8-17-92; Am. Ord. passed 9-21-92; Am. Ord. 2013-01, passed 2-18-13; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.009 CITY ARCHITECT.

Appointment of City Architect. The City Commission shall appoint a qualified individual, who need not be a resident of the city, to the position of City Architect which appointment may be terminated at will by the City Commission. Every effort should be made to appoint individuals who are graduates of accredited schools of architecture and have had experience with building or construction work. If this position is unfilled at any time, the City Commission will act in the place of the City Architect.

(A) Duties. The City Architect is authorized and directed to enforce all provisions of this code as herein provided.

(B) Deputies. The City Architect, with the approval of the City Commission, may designate deputies who shall exercise during the absence or disability of the City Architect, by whom they were appointed all powers of the City Architect.

(C) Inspectors. The City Architect, with the approval of the City Commission, may appoint inspectors and assistants to help carry out the provisions of this code for which they are directly responsible. No person shall be appointed as an inspector who has not been found by the City Commission to have some experience as an architect, engineer, builder, or in some other phase of construction work.

(D) Right of entry. Upon the presentation of the proper credentials, the Director of Building or their duly authorized representatives may enter at reasonable times any building, structure or premise within the city to perform any and all duties imposed upon them by this chapter.

(E) Liability. Any person charged with the enforcement of this code, acting in good faith and without malice for the city in the discharge of their duties, shall not thereby render him or herself personally liable and he or she is relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission performed by him or her in the enforcement of any provisions of this chapter, and shall have the right to be defended by the City Attorney until final determination of any proceedings pending against him or her.

(F) Specific duties. The City Architect is authorized and directed to:

- (1) Enforce all provisions of this chapter;
- (2) Review plans and specifications;
- (3) Recommend to the City Commission the issuance or denial of building permits and certificates;
- (4) Conduct inspections;
- (5) Recommend to the City Commission the issuance of rules and regulations consistent with this chapter;
- (6) Maintain records and make reports; and
- (7) Perform other services as may be necessary to execute the provisions of this chapter and be consistent therewith.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### § 150.010 VARIANCES.

(A) General. Any party in interest may request that the City Commission grant a variance to the provisions of this code when the City Commission finds that the provisions of this

chapter impose undue and unwarranted hardships or injustices upon the party requesting a variance and that the granting of the variance will most nearly accomplish and not defeat the purpose and intent of this chapter, or the Louisville Metro planning and zoning regulations. In which case the variance will have to be granted by the Louisville Metro Planning Commission.

(B) Procedure. Upon receipt of a request for the granting of a variance to this chapter, the City Commission shall, at their next regularly scheduled meeting, following receipt of the request, establish a time and place for a hearing to be held on the request. The parties requesting the variance shall give ten days' notice to the hearing by registered mail, return receipt requested, to the owners of all property adjacent to the area for which the variance is being requested. The City Commission shall, at the time the date of the hearing is established, determine the meaning of the word "adjacent" so as to give reasonable notice to all parties who may reasonably be expected to be affected by the variance.

(C) Hearing. During the course of the hearing, the City Commission shall require proof that a good faith effort has been made to notify those parties, as determined by said body, at the time the hearing was scheduled, to have an interest in the property adjacent to that property for which the variance is being requested. The party requesting the variance shall make a presentation to the City Commission as to why the section of this chapter from which it is requesting a variance causes undue and unwarranted hardship or injustices to it, and as to why the granting of the variance will not defeat the purpose and intent of this chapter. All parties in interest will be given the opportunity to question the applicant and to present information both in support of or against the granting of the variance. The City Commission may require submission of additional evidence of proof to substantiate the position of the applicant, and may require additional data and tests which, in the opinion of the City Commission, is necessary for adequate consideration of the request. The City Commission may schedule additional hearings, if in the body's opinion, they are necessary for adequate consideration of the request.

(D) Decision. The City commission shall vote at its next regularly scheduled meeting body upon the granting of the variance and a majority of the whole body vote in favor of the variance.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

## BUILDING PERMITS

### § 150.020 PERMIT REQUIRED.

(A) No persons shall erect, construct, enlarge, alter, repair, or move a building or make, install, alter, or repair improvements thereto, or construct or install any fence, within the city without first making application and obtaining a permit therefor from the City Commission.

(B) Ordinary upkeep, maintenance and minor repairs, alterations involving no change in character or use and construction of a detached building of 100 square feet or less may be

made without filing an application or obtaining a permit, provided the repairs or construction shall not violate any of the provisions of this chapter.

(Ord. 90-09, passed 12-17-90; Am. Ord. 95-02, passed 4-17-95; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.021 APPLICATION FOR PERMIT.

(A) Form. An application for a permit, signed by the owner or their authorized agent, shall be filed with the City Commission. The application shall be accompanied by the plans and specifications required by this section and shall provide information as may reasonably be required by the City Architect for an intelligent understanding of the proposed work.

(B) Registered architects and engineers. Design for the construction or substantial remodeling of any building allowed by zoning regulation within the corporate limits of the city, shall be entrusted only to an architect or professional engineer acting within the scope of his or her professional registration under KRS Chapters 322 and 323. Single-family dwellings, and accessory buildings or structures thereto, are hereby exempted from this division (B).

(C) Plans and specifications.

(1) Two copies of plans and specifications shall accompany each application, unless submitted electronically, then only one copy is required.

(2) Plans shall be drawn to scale with sufficient clarity to indicate the nature and extent of work proposed.

(3) The plans and specifications together shall contain information sufficient to indicate that the work proposed will conform to the provisions of this chapter and all relevant deed restrictions, laws, ordinances, rules, and regulations.

(4) The information shall be specific, and this chapter shall not be cited in whole or in part, nor shall the term "legal" or its equivalent be used as a substitute for specific information.

(5) Each set of plans and specifications shall give the address of the work, the name and the business and home address of the owner and, and the name and business address of the person who prepared and is responsible for them.

(6) The City Architect shall require drawings showing the location of the proposed building or structure and of every existing building or structure on the site or lot.

(7) All plans submitted for approval shall contain a drawing or plat showing the lot plan, the location of the building on the lot, accurate dimensions of the build and lot, and other information as may be required by the City Architect.

(D) Time limitation. An application for a permit for any proposed work shall be deemed to have been abandoned six months after date of issuance; provided that, for cause, one or

more extensions of time, for periods not exceeding 120 days each, maybe be allowed by the City Commission.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### § 150.022 PERMIT FEE.

No permit shall be issued for building additions, external renovations or new construction until the applicant shall have paid to the City Treasurer a permit fee of \$750, \$350 of which shall be refunded to the applicant upon completion of the proposed work in compliance with this chapter.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.023 ISSUANCE OF PERMIT.

(A) Examination of application. The City Architect shall examine or cause to be examined each application or a permit and the plans, specifications, and computations filed therewith and shall ascertain by the examination whether the construction indicated and described will not adversely affect the public safety, health, convenience, comfort, and general welfare of the residents of the city. Is in accordance with the requirements of this chapter and all other pertinent laws, ordinances and deed restrictions. Is in uniformity and harmony of exterior design with existing structures on the lot on which the work is proposed and surrounding lots, and is so located so as to not adversely affect adjoining structures, uses, and operations.

(B) Action on application.

(1) Approval. The City Architect shall act upon an application for a permit without unreasonable or unnecessary delay. If the City Architect is satisfied that the work described in an application or a permit and the plans and specifications filed therewith will not adversely affect the public safety, health, convenience, comfort, and general welfare of the residents of the city, conforms to the requirements of this chapter and all other pertinent laws, ordinances and deed restrictions, is in uniformity and harmony of exterior design with existing structures on the lot on which the work is proposed and surrounding lots, and is so located so as to not adversely affect adjoining structures, uses and operations, he or she shall so report to the City Commission which, if it concurs in the City Architect's report, shall issue a building permit.

(2) Disapproval. If the application for a permit and the plans and specifications filed therewith, described work which does not conform to the requirements of this chapter or other pertinent law, ordinances or deed restriction, or does not contain sufficient information, the City Architect shall so report to the City Commission, and, if the report of the City Architect is concurred in by the City Commission, no permit shall be issued. In such event the plans and specification shall be returned to the applicant with the refusal to issue a permit. When requested by the applicant, the refusal shall be in writing and shall contain the reasons therefor.



(C) Disposition of plans. One set of approved plans, specification, and computations shall be retained by the City Architect, and one set of the approved plans and specifications shall be returned to the applicant. The latter set shall be kept at the site of work at all times during which the work authorized thereby is in progress and shall be open to inspection at all reasonable times by the City Architect or their authorized representatives.

(D) Conditions of the permit. A permit issued shall be construed to be a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of this chapter or any other pertinent laws, ordinances or deed restrictions, not shall the issuance of a permit prevent the City Architect from thereafter requiring a correction of errors in plans or in construction, or of violations of this chapter or any other applicable laws, ordinances, or deed restrictions. Any permit issued shall become invalid unless the work authorized by it shall have been commenced within six months of issuance, or, if after the work is commenced, such work is not completed within four months; provided that, for cause, one or more extensions of time, for periods not exceeding 30 days each, may be allowed in writing by the City Commission.

(E) Posting of permit. No building operations requiring a permit shall be commenced until the permit holder or their authorized agent shall have posted a building permit card, in a conspicuous place, near the front of the premises, protected from the weather, and in a position as to permit the City Architect to make entries thereon requesting inspection of the work. The card shall be preserved and shall remain posted until completion of the work.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.024 RESPONSIBILITIES OF PERMIT APPLICANT.

(A) The applicant shall be responsible for seeing that adequate provisions are made for drainage, both during the period of construction and after construction is completed. He or she assumes the responsibility for assuring the city that water will not be diverted from its natural flow to the detriment of the land surrounding the building or structure which he or she is or has constructed, modified, or demolished.

(B) The applicant is charged with the responsibility of seeing that no debris, waste, or rubbish from the project for which this permit is issued is discarded or abandoned within the boundaries of the city, either during, upon or after the completion of the project.

(C) At all times, it shall be the duty of the applicant to maintain the streets in a vicinity of the permit location in a clean condition. The street shall not be allowed to become cluttered or covered with dirt or debris as a result of the construction, and the like activities.

(D) Temporary storage facilities, portable toilets and dumpsters may be utilized only if a permit has been granted therefor, and at no time may a temporary storage facility be located other than on an impervious surface. Such facilities at no time are permissible in the right of way or verge of a property. Such facilities at no time may be utilized for more than 30 calendar days.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

## § 150.025 INSPECTIONS.

(A) Existing building. Before issuing a permit, the City Architect may examine or cause to be examined all building for which an application has been received for a permit to enlarge, alter, or repair, move or demolish the building.

(B) At site. The City Architect may inspect or cause to be inspected all building and structures from time to time during the completion of the work for which a permit was issued. He or she shall make a record of every examination and inspection and of all violations of this chapter and of any other applicable law, ordinance, and deed restriction.

(C) Procedure. The City Architect may make, or cause to be made, the inspections called for by this section. He or she may accept reports of inspectors of recognized inspection organizations, provided that after investigation he or she is satisfied as to their qualifications and reliability. No other approval called for by this section shall be based on the reports unless the same is in writing and certified by a responsible officer of such organizations.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

## § 150.026 COMPLETION OF PROJECT; REFUND OF PERMIT FEE.

Upon completion of a project and the satisfaction of all sections of this chapter and all other pertinent laws, ordinances and deed restrictions, those funds on deposit with the city under § 150.022 of this chapter shall be refunded to the holder of the building permit. No building shall be occupied or used until final approval of the project by the City Architect.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

## MINIMUM BUILDING STANDARDS AND REGULATIONS

### § 150.030 CHARACTER OF BUILDINGS; CONFORMITY WITH EXISTING STRUCTURES.

(A) No building shall be constructed, enlarged, or altered (including painted, landscaped, or trimmed) within the city unless the color, design, and materials are in conformity and harmony of external color, design and materials with the existing structures on the lot in which the work is located and on other lots in the surrounding area and is so located as not to adversely affect surrounding structures, uses, and operations.

(B) No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the city shall at any time be used as a residence, temporarily or permanently.

(C) Exterior walls, planes, and masses shall be of a residential scale with sufficient openings for light, view, and air consistent with the residential scale of the surrounding

area. The City Architect reserves the right to require that large planes be broken up with additional windows, or offsets to maintain appropriate scale.

(D) The City Architect reserves the right to reject highly stylized houses, additions, or remodels with overstated eclectic design elements, overly mixed styles, or with insufficient stylistic theme or treatment.

(E) All exterior finish materials and colors shall meet the requirements specified in § 150.032 of these standards. Use of a material that is not specified as either approved or not approved in § 150.032, must submit to the City Architect, sample, product literature, or any other supporting information which fully describes the material and its physical properties.

(F) All visible portions of exterior foundations shall be constructed of an approved foundation material.

(1) Only one material on the entire foundation unless otherwise approved by the City Architect.

(2) Foundation walls on houses with sloping grades shall not step down from the first floor level unless approved by the City Architect.

(3) The height of a foundation wall above grade shall be the minimum required to meet code and achieve a proper visual "base" for the house.

(4) Excessive foundation heights to permit the construction of a walk-out basement, or for other purposes, will not be approved.

(G) Fireplaces, chimneys and flues.

(1) Cantilevered frame chimneys will not be approved.

(2) The width and depth of chimneys shall be appropriately sized in proportion to the size and height of the house.

(3) For direct venting gas fireplace boxes which protrude beyond the exterior plane of the house, the frame structure must have a foundation to match the house foundation. All exterior materials and finishes used to enclose the fireplace boxes must match natural materials used on a conventional chimney.

(4) Unenclosed metal flues shall be located on the rear or side roof planes only, not including side roof planes that face the front yard. Metal flues shall be a minimum of eight inches in diameter and shall be painted black. Metal flues shall not extend higher than required by code.

(H) All exposed portions of a house above the foundation shall be of finished materials, painted, stained, or pre-finished, as specified in § 150.032. Exterior architectural detailing shall be consistent with the overall design theme of the house. Eaves, cornices, rakes, columns, pilasters, corner boards, vents, window and door trim shall be consistent with the style of the house or addition, and sized appropriately to the scale of the house or addition.

(I) All windows and doors shall be of a style and size that is appropriate to the design of the home. Aesthetic design consideration shall be given to the location of all windows and

doors which face the front of the house, or any other street. The City Architect reserves the right to require different styles, sizes or location of windows when, in their opinion, these changes are necessary to maintain the aesthetic quality of the facade.

(J) Storm windows shall be compatible with the units that they cover and with the style and color of the house. Excess ornamentation not consistent with other ornamentation on the house is prohibited.

(K) Sun control devices such as awnings and trellises must be compatible with the architectural style, character, and color of the house. The use of such devices on the front of any home is prohibited.

(L) Where shutters are used, they shall be compatible with the style, materials, and colors of the house and should be of proper proportions to the windows they adjoin.

(M) Garage door design and detailing shall be consistent with the architectural style of the house.

(N) Roof and roof accessories.

(1) Gutters and downspouts shall be pre-finished to match the adjacent building material color.

(2) Highly visible roof flashing, shall be copper or pre-finished aluminum to match the adjacent building material color.

(3) Attic ventilators and other roof penetrations shall be low profile designs and shall be pre-finished to match the adjacent roof color.

(4) No roof penetrations, metal ridge vents, or accessories shall be visible above the ridge of the roof nor shall they be located on the front roof planes of the house. Fireplace chimneys are not regulated by this provision.

(5) Dormer windows and eyebrow windows are permitted as consistent with the style of the house.

(6) Skylights will not be approved for the front roof plane.

(O) All front entry stoops and extended front porches shall be constructed of finished materials to match the house.

(1) Band boards, handrails, and railings shall be painted wood, metal, or composite railing of a design to match the character and style of the house.

(2) Brick porches with concrete floors will be approved if the concrete is surrounded by brick.

(3) Wood steps to porches facing a street shall have closed and painted risers.

(4) Stoops and extended front porches shall be supported on either continuous foundations or on a minimum of 12-inch by 12-inch brick piers.

(5) Open areas under extended front porches of 12 inches or greater in height above grade shall be concealed with lattice.

(P) Open porches and screened porches are permitted within setbacks on the sides or rear of a home.

(Q) Patios and decks shall be located only in the rear of the house. Exceptions to this may be granted by the City Architect if the requested location is not highly visible from neighboring lots or the street. Decks shall be constructed of approved materials as specified in § 150.032.

(R) Where a ramp is required for accessibility in accordance with the Americans with Disabilities Act (ADA), the City Architect will approve ramps that are consistent with the design and materials of the adjacent porch or stoop. Like all exterior structures, these must be approved as to design and location by the City Architect. The city reserves the right to require removal of the ramp when the need no longer exists for that property.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.031 LOCATION OF BUILDINGS; APPURTENANCES.

(A) The building setbacks are for all building and appurtenances thereto, shall conform to the current restriction of Louisville Metro planning and zoning regulations at that location. Porches extending beyond the front wall of the residence or in the building line, shall not be enclosed in any manner 24 inches above the floor of the same.

(B) Garages and carports attached to a dwelling shall become a part of the dwelling and shall have the same zoning restrictions the dwelling. Unattached garages must be located at least 15 feet from the dwelling and may be located within two feet of the side property line.

(C) No structure may be erected on any lot easement.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.032 EXTERIOR MATERIALS AND COLORS.

(A) Foundations.

(1) Approved brick includes standard "modular" brick and oversize brick in the red, red-orange, and brown color ranges. Other colors must be approved by the City Architect. Other brick sizes or shapes will not be permitted. Exposed concrete brick and concrete block, including decorative block, are not permitted. Mortar colors shall be natural or tan. Other colors must be approved by the City Architect.

(2) Stone foundations are permitted. Stone type, style, color range, and sizes must be approved by the City Architect. Mortar shall be a natural color.

(3) Where permitted, parged foundations shall consist of a smooth cement coating applied over concrete block or concrete foundation walls. The parging may be left unpainted.

(4) Other foundation materials will be considered on the bases of their compatibility with approved materials. Synthetic stucco (exterior insulation finish system) will not be permitted.

(5) Wood walls, piers, exposed concrete or concrete block, are not approved for foundation walls, unless otherwise accepted by the City Architect.

(B) Siding and trim.

(1) Wood lap siding. Cedar, cypress, redwood, or similar decay resistant wood sawn and planed smooth.

(2) Rough sawn cedar siding.

(3) Hardboard lap siding. A manufactured board siding in either smooth or woodgrain finish.

(4) Cement fiber siding. A nailable cement fiber board siding in either smooth or woodgrain finish.

(5) Vinyl siding. **All vinyl siding is not approved or permitted.**

(6) Panel (plywood) siding, also referred to T-111 **composite plywood siding is not approved or permitted.**

(7) Partial masonry fronts (brick fronts, etc.) are permitted for detached garages and accessory structures.

(8) All other siding materials will be considered on the basis of their quality and compatibility with approved materials.

(C) Windows and doors.

(1) Painted wood windows and doors are permitted on all houses and additions in styles consistent with the architecture of the house or addition.

(2) Aluminum and vinyl clad windows and doors are permitted on all houses and additions in styles consistent with the architecture of the house or addition.

(3) Pre-finished aluminum storm windows and doors are permitted on houses or additions where the color can be integrated into the overall color scheme.

(4) Solid vinyl windows may be permitted pending approval by the City Architect. The City Architect has the right to request pictures and/or samples of the requested window in order to judge its visual compatibility with other windows in the house or neighborhood. Vinyl windows should be designed in profiles that are similar to wood windows.

(5) Aluminum or steel windows and doors will be reviewed on a case-by-case basis.

(6) Fabric covered awnings may be permitted on side or rear windows at the discretion of the City Architect.

(D) Roofing and flashing.

(1) Cedar shake roofs are permitted on all houses and additions in styles consistent with the architecture of the house or addition.

(2) Cedar shingle roofs are permitted on all houses and additions in styles consistent with the architecture of the house or addition.

(3) Dimensional asphalt shingle roofs are permitted on all houses and additions in styles consistent with the architecture of the house or addition.

(4) Standard asphalt shingle roofs (three-tab shingles) are permitted on all houses and additions in styles consistent with the architecture of the house or addition.

(5) Hand-formed copper or metal standing seam roofing is permitted for incidental roofs such as stoops, small porches, eyebrows, curved dormer roofs, or similar conditions. If a standing seam or other metal roofing is desired for the main or accessory building, a variance is required.

(6) Membrane roofing is permitted for incidental flat roof area in non-visible locations, or for a terrace above a room or porch area.

(E) Decks.

(1) Preservative treated southern yellow pine is permitted for all decks.

(2) Redwood and cypress is permitted for all decks in lieu of treated southern pine.

(3) Composite fiber decks are permitted in lieu of wood decks. Boards shall be in similar size and general color to new or weathered wood decking.

(4) Raised (supported) concrete decks, metal decking, and untreated wood (except as noted above) **are not permitted.**

(5) The city does not regulate deck construction including required foundations, support posts, bracing, beams and joists. A permit from Louisville Metro is required. The City Architect reserves the right to require minimum visible structure sizes or spacing for aesthetic reasons. If the area under a deck is used for storage of any type, it shall be enclosed by lattice or other screening material as approved by the City Architect.

(6) Railing design and construction is regulated by the state building code.

(Ord. 7, 2019, passed - - )

§ 150.033 ADDITIONS AND MODIFICATIONS.

(A) Lot development.

(1) Each structure or site improvement shall be sited to create a proper setting within each lot, consistent with the density and setback of the city, so as not to compromise the privacy of any other lot below the general level enjoyed by other member of the community.

(2) Siting requirements.

(a) No addition shall extend beyond the setback limits established.

(b) The siting of additions shall not create a breach of privacy between neighboring houses.

(c) New windows or access created by the addition or modification shall not create a breach of privacy between neighboring houses.

(B) Architectural guidelines.

(1) All structures shall be of a size and use that is consistent with the standards of the community. All structures and site improvements shall be designed in styles, shapes, sizes, and massing to be of good proportions, well balanced, and of good quality workmanship.

(2) To ensure consistency in the design of the house and minimize visual disruption of the neighborhood, additions and modifications must match the design characteristics of the house.

(a) The architectural style shall match the style of the house.

(b) The massing of the addition shall be similar in the use of shapes to that of the house, but proportionately small to not overpower the house.

(c) Foundations for the additions shall match the house foundation, except for foundations of screen porches and fully glazed sunrooms that maybe on wood or masonry piers.

(d) Roof styles and slopes shall be similar. Roof materials shall match the house roof. Attic ventilators and other roof penetrations shall be low profile designs and shall be pre-finished to match the adjacent roof color.

(e) Openings shall be required in additions, including windows, and doors, in a similar fashion and extent as the original house.

(f) Windows and doors in additions shall be of matching material as those in the house. Exceptions may be permitted at the discretion of the City Architect.

(g) Architectural elements such as corner and rake boards, soffits, eaves, window and door trim, and shutters shall match the style of the same elements on the house.

(h) Gutters and downspouts shall match the adjacent building material color.

(i) All exterior finish materials and colors shall match the house. Siding shall be the same profile and color as the house siding.

(j) Skylights **will not be approved** for the front roof plane of a house.



(k) Specific requests for such will be considered on a case-by-case basis.

(l) All materials and construction, including any not noted above, shall meet the standards as specified in §§ 150.030 and 150.032.

(C) Solarium additions shall be constructed of finished wood framing or of a pre-finished metal consistent with the colors of the house.

(D) Room additions constructed from pre-finished, manufactured and/or pre-assembled parts may be permitted if consistent with the exterior construction and finish requirements in these standards. Standard factory plans and details alone are not acceptable. Submittals must include drawings of the addition as it will be constructed on the applicant's home, and showing the facade of the home to which, the addition will be attached.

(Ord. 7, 2019, passed - - )

#### § 150.034 ACCESSORY BUILDINGS.

(A) Each structure or site improvement shall be sited to create a proper setting within each lot, consistent with the density and setbacks of the city, so as not to unduly restrict the view, light, or breeze to or from neighboring properties, and so as not to compromise the privacy of any other lot below the general enjoyed by other members of the city. A temporary storage facility that is being utilized solely for the purpose of moving into or out of a residence may be utilized for a period not to exceed 72 hours without permit, or 30 days with a permit, and any such facility must at all times be situated on an impervious surface, and not within the right-of-way or verge, or forward of the front corner of the house, if possible.

(B) Siting requirements.

(1) Accessory buildings, such as sheds and garages, are permitted on all lots. These structures may be in no case larger than 600 square feet, and be no higher than one-story tall unless otherwise approved by the City Architect.

(2) The architectural style shall match the style of the house.

(3) Roof styles shall be similar and slopes shall be of a lower pitch than the principal structure.

(4) Windows must be located on at least one side of the accessory structure.

(5) Windows and doors in accessory buildings shall be similar in style to those in the house.

(6) Architectural elements such as corner and rake boards, soffits, eaves, window and door trim, and shutters shall be similar in style of the same elements on the house.

(7) All exterior finish materials and colors shall match the appearance of the house. Where the exact same siding or roofing cannot be used, the profile (size and shape) of the proposed exterior siding shall match the profile of the house siding. **Note: plastic, metal and solid vinyl sheds are not permitted.**

(8) Small sheds may be set on piers on horizontal timbers and leveled as required. Open areas under sheds should be screened from view with lattice or landscaping.

(9) Larger accessory buildings shall be constructed on foundations to match the house foundation.

(10) Greenhouses designed for growing plants in controlled conditions must be approved by the City Architect in locations not generally visible from the street or neighboring properties as the interior is visible from the exterior and cannot always be controlled. The design and materials of such structures shall meet the standards set in § 150.032 for solariums.

(Ord. 7, 2019, passed - - )

## HOUSING REGULATIONS

### § 150.045 SCOPE OF HOUSING REGULATIONS.

The provisions of this chapter shall apply to all buildings or any appurtenance connected or attached to such buildings located within the city including, but not limited to fences, driveways, private roads, sidewalks, and swimming pools.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

### § 150.046 PEST INFESTATIONS AND EXTERMINATION.

It shall be unlawful for any dwelling or dwelling unit within the city to be infested with rats, mice, roaches or other pests, or infected with any contagious disease. Pest infestations which develop subsequent to the initiation of human occupancy within a dwelling unit shall be eradicated and all pests exterminated in accordance with the applicable regulations prescribed by the City Commission and the Director of the Louisville Metro Health and Wellness.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

### § 150.047 WILD OR UNDOMESTICATED ANIMALS.

Wild or undomesticated animals are prohibited. No owner, occupant, or person having control or management of any land within the city shall permit or maintain on any premises or adjacent right-of-way as pets, or for profit, any livestock, poultry, ducks, fowl or wild or undomesticated animals.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

Cross reference:

Animals, see Ch. 90

§ 150.048 PROHIBITED CONDITIONS.

(A) Internal.

(1) The interior of every dwelling and dwelling unit, within the city, including habitable and non-habitable rooms, halls, basements, cellars, attics, closets, and storage spaces shall be kept clean and free from accumulations of dirt, filth, rubbish, garbage, or similar matter and shall be kept from vermin and rodent infestation.

(2) The occupant or occupants shall have the responsibility for meeting the obligation created herein with respect to all interior areas within his or her or their exclusive control.

(B) External.

(1) The exterior of every dwelling and dwelling unit within the city, including all courts, yards, and conterminous property, shall be kept clean and free from accumulation of dirt, filth, leaves, rubbish, garbage, uncontained trash, scrap or abandoned building materials or similar matter, dead and decaying trees, stumps of trees previously felled, and shall be kept free from vermin and rodent infestation. The occupant or occupants shall have the responsibility for meeting the obligation created in this division (B) with respect to all exterior areas within his or her or their exclusive control.

(2) All dwellings, fences, gates and outbuildings or other structures in a dilapidated or unsafe condition shall be removed or repaired. All sheds and auxiliary structures attached to dwellings which create blind rooms or which overcrowd the land shall be removed. All year structures, fences, and rubbish which obstruct light and air, harbor rats and vermin, or create an undesirable environment shall be removed. All courts, yards, and conterminous property around every dwelling or dwelling unit shall be properly graded and drained to keep surface water from draining into or beneath the dwelling or dwelling unit. Water shall not be allowed to stand in drainless pools anywhere about the premises.

(3) No owner, occupant or person having control or management of any land within the city shall permit or maintain on any premises or adjacent -rights-of-way any excessive growths of grass or wild or noxious weeds to a greater height than ten inches on the average; nor any accumulations of dead weeds, grass, brush, or leaves.

(A) No owner, occupant or person having control or management of any land within the city shall permit or maintain on any premises or adjacent -rights-of-way any **compost pile**.

(4) Open or inadequately protected holes in the ground of sufficient size to risk injury to humans or pets are prohibited.

(5) The Federal Telecommunications Act of 1996 contain provisions that void certain prohibitions regarding antennas. Certain types of antennas are permitted as listed below as well as locations.

(a) An antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter (39 inches) or less in diameter.

(b) An antenna that is designed to receive video programming services via multi-point distribution services, including multi-channel, multi-point distribution services, instructional television fixed services, and local multi-point distribution services, and that is one meter (39 inches) or less in diameter or diagonal measurement.

(c) An antenna that is designed to receive television broadcast signals.

(d) An antenna should be mounted directly on the rear of the house, on a roof plane facing the rear, or on the back side of a chimney, to the extent feasible that the antenna is not visible from the street.

(e) Mounted on the ground in the rear yard, to the extent feasible that the antenna is not visible from the street.

(f) Mounted on a pole, an existing other structure, or a tree in the rear yard, to the extent feasible that the antenna is not visible from the street.

(g) If no clear signal may be obtained in any of the above locations, an antenna may be mounted on the ground or, if necessary, on a pole in the front yard, or on the front plane of the house.

(Ord. 90-09, passed 12-17-90; Am. Ord. 93-01, passed 4-19-93; Am. Ord. 96-01, passed 6-17-96; Am. Ord. 7, 2019, passed - - )

#### § 150.049 EXTERNAL MAINTENANCE AND REPAIR.

(A) External maintenance.

(1) All foundations, exterior walls, floors, and roofs of every dwelling within the city shall be free of holes, large cracks, and any loose and deteriorated material, and shall be maintained so as to be weather-tight and rodent-proof.

(2) All exterior walls, woodwork, and exposed metal portions of every dwelling that are inadequately protected against the weather due to lack of paint, or other approved protective coating, shall be painted or otherwise protected against decay, corrosion, or deterioration.

(B) Gutters and downspouts.

(1) All roofs of every dwelling shall be equipped with gutters and downspouts which ensure the storm water shall be disposed of on the property, in such a manner as to not adversely affect the adjoining property.

(2) All gutters, downspouts, and connecting drains shall be kept free of the accumulation of material which would tend to impede or obstruct the normal flow of water therein.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

§ 150.050 RESPONSIBILITIES OF OWNER OR LANDLORD.

(A) General obligations. Except as specifically provided in other section of this chapter all the obligations set forth in this chapter are the responsibility of the owner, regardless of whether the owner is also the occupant of the property subject to this chapter.

(B) Pest extermination. Every owner of a dwelling containing one or more dwelling unit shall be responsible for the extermination of any insects, rats, or other pests therein or on the premises when the infestation extends to stairways, halls, basements, yards, or other common areas.

(C) Nothing in this section shall be construed to eliminate the responsibility of an occupant, as provided in § 150.051 of this chapter, unless the infestation extends to two or more dwelling units within the building.

(Ord. 90-09, passed 12-17-90; Am. Ord. 2008- , passed - - ; Am. Ord. 7, 2019, passed - - )

§ 150.051 RESPONSIBILITIES OF OCCUPANTS.

Every occupant of a dwelling within the city containing a single dwelling unit shall be responsible for the extermination of any insects, rats, or other pests there in or on the premises; and every occupant of a dwelling unit in multiple dwellings shall be responsible for the extermination if his or her dwelling unit is the only one infested.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

§ 150.052 VACANT DWELLINGS; PROCEDURE FOR SECURING.

(A) When any dwelling or dwelling unit within the city becomes vacant and unoccupied, the owner thereof shall immediately cause it to be securely locked to prevent the entrance there in of unauthorized persons, and the owner shall keep such structure securely locked until it is again let for occupancy. If the dwelling or dwelling unit thereafter becomes open, so that any unauthorized person may enter, the owner shall cause the structure to be closed at all outside openings by securely covering all such openings with a type of covering approved by the City Architect, in such a manner as to preclude entrance by unauthorized persons or animals. Provided, however, one door facing the street may remain uncovered, so long as it shall be securely locked, to allow the owner or persons authorized by him or her to enter.

(B) If any dwelling or dwelling unit is found to be vacant, unoccupied, and open so that it may be entered freely by unauthorized persons or animals, the City Commission may order and direct the owner of the structure to close it securely in the manner provided for in division (A) of this section by delivering to the owner a written notice requiring him or her to securely close the structure within five days of the date of the notice. The mailing of the notice to the owner at his last known address shall be deemed notice to him or her. If the owner fails to complete the closing of any such dwelling or dwelling unit within the five-day period, the City Commission may, without further notice to the owner, cause the

dwelling unit to be securely closed; and the cost of the closing shall be a lien against the property.

(C) If the full amount of the cost of any closing carried out by the City Commission pursuant to division (B) of this section is not paid to the city by the owner within 30 days after the closing is completed, the city shall have prepared and cause to be signed and sworn to by the City Architect an affidavit showing the cost and expense incurred for the work and the date, place, or property on which said work was done. The affidavit shall be recorded in the office of the Jefferson County Clerk and shall constitute a lien upon the property, which shall remain in full force and effect for the amount due as principal, plus accrued interest at the rate of 8% per annum from the date of the completion of the work, plus any court costs necessary or the collection thereof, until full payment is made.

(D) All affidavits recorded in accordance with this section shall be prima facie evidence that all legal formalities have been complied with and that all the work involved has been properly and satisfactorily done; and this shall be full notice to all persons concerned that the amount of the statement, plus interest, constitutes a charge against the property designated and described therein and that the same is due and collectible as provided by law.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

## SWIMMING POOLS

### § 150.065 SWIMMING POOL RESTRICTIONS.

(A) It shall be unlawful for any person to construct or maintain a swimming pool, hot tub, whirlpool, or spa in the front or side yards of any lot within the city.

(B) There shall be allowed in the city only permanent in-ground swimming pools, constructed in a rear yard and subject to the limitation hereinafter set forth.

(C) No inflatable domes, covers, or other raised structures over a swimming pool shall be permitted.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

### § 150.066 PERMIT REQUIRED.

(A) No person shall construct or maintain a swimming pool or outdoor hot tub, whirlpool, or spa as provided for herein without first making application and obtaining a permit therefor from the City Commission.

(B) No swimming pool shall be constructed nor shall a permit therefor be granted unless there is a provided drain in the pool which drain shall be connected underground directly to the sanitary sewer system.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.067 PERMIT APPLICATION.

An application for a permit, signed by the owner or his authorized agent, shall be filed with the City Architect, or Commissioner responsible for that function. It shall provide information as may be reasonably required for a clear understanding of the proposed work and its effect on the surrounding properties. The written application shall contain at least the following information:

(A) The kind of pool, outdoor hot tub, whirlpool or spa, herein referred to as "pool" to be constructed;

(B) The pool's overall dimensions of length, width, and depth, and a description of any proposed exterior lighting, including provisions for the shielding of the lighting;

(C) A plat, drawn to scale, showing the installation's location in relation to existing structures, easements, boundary lines and existing or proposed fences. The plat shall also show the location of any proposed exterior lighting;

(D) Its effect, if any, on adjacent properties which can be reasonably expected to result from the construction;

(E) The provisions to be made for supplying the pool with potable water and for the drainage thereof;

(F) The substance which will be used as fill and the anticipated disposition of any earth-removed;

(G) When construction is expected to begin and length of time it will take before it is completed.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### § 150.068 ISSUANCE OF PERMIT.

(A) Other requirements. Any person requesting a permit must, prior to requesting a permit from the city, obtain all other permits which may be required.

(B) Examination of application. The City Architect shall examine or cause to be examined each application and the information furnished in connection therewith; shall ascertain by such examination that the construction of the pool will not adversely affect the public safety, health, convenience comfort and general welfare of the city and will be in accordance with the requirements of this chapter and all other pertinent laws, ordinances and deed restrictions.

(C) Action on application.

(1) Approval. The City Architect shall act upon the application for a permit without unreasonable or unnecessary delay. If satisfied that the pool, hot tub, whirlpool, or spa as described in the application and information furnished in connection therewith will not adversely affect the public safety, health, convenience, comfort and general welfare of the residents of the city; conforms to the requirements of this chapter and all other pertinent laws, ordinances, and deed restrictions, he or she shall so report to the City Commission which, if it concurs, shall issue a permit therefor.

(2) Disapproval. If the application for a permit and the information filed therewith describe work that does not conform to the requirements of this chapter or all other pertinent laws, ordinances and deed restrictions, or does not contain sufficient information, the City Architect shall so report to the City Commission, and, if the report is concurred in by the City Commission, no permit shall be issued and the applicant shall be so notified. The refusal shall be in writing and shall contain the reasons therefor.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### § 150.069 FENCES AROUND SWIMMING POOLS.

All pools or pool areas within the city shall be enclosed by fence at least 48 inches in height or as prescribed the latest edition of Kentucky Residential Building Code. Any gate or other entry through the fence must be capable of self-closing and self-locking.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### PULL-OFFS; STREET CURBS

#### § 150.080 PERMIT FOR "PULL-OFFS."

(A) No person shall construct or permit any paved or gravel "pull-offs," parking areas, curved or circular drive to be constructed or maintained in the front yard of any residential lot within the city without first obtaining a permit therefor from the City Commission.

(B) No permit referred to in division (A) of this section shall be issued until a plan of the "pull-off," parking area, or curved or circular drive showing the size, location, and type of construction is delivered to and approved by the City Commission and the body determines that the construction will improve the free passage and flow of traffic on the roadway adjacent thereto; is essential to the use and enjoyment of the property which the "pull-off," parking area or curved or circular drive are designed to serve; and is in keeping with and does not detract from the surrounding neighborhood.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

#### § 150.081 PERMIT FOR STREET CURB.



(A) No person shall construct or permit any curb to be constructed or maintained at the edge of any paved portion of any street within the city without first obtaining a permit therefor from the City Commission.

(B) No permit referred to in division (A) of this section shall be issued until a plan of the curb showing the location and material, or preapproved curb and type of construction is delivered to the City Commission and the Commission determines that the curb will be not more than six inches in height; is located in line with existing curbs at or near the location; will not impede surface water drainage; and will be in keeping with and will not detract from the surrounding neighborhood.

Seneca Gardens has preapproved a detail of a limestone curb that is acceptable everywhere in the city such that it complies with the conditions in (B) above. (C) Upon failure of any person to comply with these regulations, the City Commission may send city employees or agents of the city upon the property to remedy the situation and the city shall have a lien against the property for the reasonable value of labor and materials used in so doing.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

## FLOODLIGHTS

### § 150.095 PERMIT REQUIRED.

It shall be unlawful for any person to install or permit any permanent flood, mercury vapor, or similar light exceeding 150 watts per bulb to be installed on any lot within the city without first making application and obtaining a permit therefor from the City Commission.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - ) Penalty, see § 150.999

### § 150.096 PERMIT APPLICATION.

Any application for a permit, signed by the person desiring to install a permanent flood, mercury vapor, or similar light shall be filed with the City Commission, together with the information as may be required by the City Commission, including:

(A) A plat showing the location of the proposed light in relation to existing structures on the lot;

(B) The type, name, manufacturer and candle power of the proposed light as well as a picture or likeness of the proposed light;

(C) The written consent of all occupants of premises adjoining the lot on which the light is to be installed, indicating when the consent is conditioned upon adequate "shielding" of the light; and

(D) What provisions are to be made from "shielding" the light from adjoining premises, when appropriate.

(E) The height of the light above ground immediately below the light location and in relation to street elevation at the side of the house closest to the street.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### § 150.097 ISSUANCE OF PERMIT.

(A) Approval. If the City Commission is satisfied that the proposed light will not adversely affect the safety, health, convenience, comfort and general welfare of the city and the premises adjoining the lot on which the light is to be located, it shall issue a permit for the light, which permit shall specify what "shielding" of the light, if any, shall be supplied by the applicant.

(B) Disapproval. If the application is incomplete or the City Commission determines that the proposed light would adversely affect the safety, health, convenience, comfort, and general welfare of the city or the premises adjoining the lot on which the light is to be located or that the owners of all adjoining premises have not consented to the installation of the light, the City Commission shall disapprove the permit and inform the applicant of the decision along with the reasons for disapproval.

(Ord. 90-09, passed 12-17-90; Am. Ord. 7, 2019, passed - - )

#### FENCES

##### § 150.100 PERMITTED AND PROHIBITED FENCES.

The general styles of fences permitted and prohibited are defined in (A) through (E) below:

(A) LANDSCAPE FENCES. These are lower fences of an open design allowing visibility through them. They utilize natural, unfinished wood and are designed to run along distances with the contours of the land. Common examples: wood split rail fences, board rail fences, picket and convex picket fences. Picket style fences made of iron, powder-coated aluminum, and vinyl will be considered. The pickets may be spaced no more than two inches apart.

(B) PRIVACY FENCES. These are generally higher fences of a closed design, limiting or preventing visibility through them. They are typically made of natural unfinished wood, but finished wood and vinyl fences will be considered. Designs include solid board fences, board-on-board fences and lattice fences.

(C) PATIO (GARDEN) WALLS. These are actually house wall extensions constructed as a free-standing wall with matching material as the house. These walls are typically trimmed with a cap and a solid end.

(D) MULTIPLE FENCE STYLES. Using more than one style of fence in the same yard is generally not permitted. Exceptions may be considered by the City Commission for special circumstances.

(E) PROHIBITED FENCE TYPES. The following fences are not permitted: chain link, barbed wire, utility wire fences with metal posts, stockade fences (pointed wood picket privacy fence made from split untreated pine or other soft wood), and post and wire fences (fences with wood posts and rectangular mesh wire.)

(Ord. 7, 2019, passed - - )

#### § 150.101 MAXIMUM FENCE HEIGHT.

The maximum permitted height for each type of fence is shown below. Maximum heights relate to the top of the pickets, top of the framed lattice, or the top of the rails in a rail fence.

(A) Landscape fences. Forty-eight inches. Top of convex picket may extend to 54 inches and black iron or black aluminum fences may extend up to 60 inches.

(B) Privacy fences. Seventy-two inches.

(C) Patio walls. No limit in height, but must integrate appropriately with the architecture of the house.

(Ord. 7, 2019, passed - - )

#### § 150.102 FENCE LOCATIONS.

(A) In any rear yard, a fence may enclose a portion of the yard or the entire rear yard. A REAR YARD is defined as that portion of the lot beginning at the rear corners of the house and extending to the side and rear property lines.

(B) In any yard, the City Commission may allow limited extensions for fences directly adjacent to a house wall up to a side door located not more than halfway between the rear and front corners.

(C) On flag lots, pie-shaped lots or any lot where the house is located substantially farther back than adjacent houses on either side, the City Commission may, at its discretion, use the rear plane of the adjacent houses to define the acceptable front setback for the fence on either side of the subject house; but in no case as far forward as the front corners of the subject house.

(Ord. 7, 2019, passed - - )

#### § 150.103 FENCE ORIENTATION AND ADJOINING FENCES.

Fences with supporting structure on one side shall be oriented with the finished board side facing out from the yard. Where a new fence is constructed on a lot with an adjacent

fence already in place at a property line, the new fence shall abut the end of the existing fence, using the existing fence as a portion of the yard enclosure.

(Ord. 7, 2019, passed - - )

#### § 150.104 PERMIT REQUIRED.

The permit required by § 150.020 shall be required in order to construct any fence.

(Ord. 7, 2019, passed - - )

### SOLAR ENERGY SYSTEMS

#### § 150.200 APPLICABILITY.

The City of Seneca Gardens intends to allow for the use of solar energy systems in the community, whether an accessory to principal uses, or integrated with principal uses. Solar energy systems shall be compatible in character and appearance with the principal structure and surrounding neighborhood, particularly as seen from public roads.

(Ord. 7, 2019, passed - - )

#### § 150.201 APPEARANCE AND MATERIALS.

Solar collectors shall be neutral in color and generally matching the roof color of the principal or accessory structure. All such devices shall have the following characteristics:

- (A) Not be plastic or other non-UV stable material.
- (B) Include frames, where applicable, or anodized aluminum or painted steel.
- (C) Where devices are encased in glass, the glass shall be non-reflective tempered glass.

(Ord. 7, 2019, passed - - )

#### § 150.202 LOCATION.

Solar collectors shall be subject to the following requirements in regards to their location. Solar collectors should be situated to minimize or negate any solar glare onto nearby properties or roadways, without unduly impacting the functionality or efficiency of the solar energy system.

- (A) Yards.

(1) Ground or pole mounted solar collectors are permitted in the rear yard and side yards, and are prohibited from being located in the front yard.

(2) Ground or pole mounted solar collectors are permitted to encroach the setbacks and shall be located at least two feet from the property line.

(3) Ground or pole mounted solar collectors shall not exceed an overall height of ten feet when oriented at maximum tilt, from the ground level to the top of the top edge of the tallest panel.

(4) Ground or pole mounted solar collectors will count against the total lot coverage. The footprint of the structure will be determined by the horizontal plane at the ground generated by extending all parts of the structure vertically down.

(5) All power transmission lines from a ground or pole mounted solar collector to any building or other structure, shall be located underground and/or in accordance with the state building code or electrical code, as appropriate.

(B) Roof mount.

(1) Roof mounted solar collectors are permitted to be located on principal or accessory structures.

(2) Roof mounted solar collectors shall be located in a manner that cannot be seen from public roads.

(3) Roof mounted solar collectors shall be considered part of the building for the purpose of yard setbacks, lot coverage and building height restrictions.

(4) All power transmission lines from a roof mounted solar collector to any building or other structure, shall be located in a manner that screens it from public view, and shall be in accordance with the state building code or electrical code, as appropriate.

(Ord. 7, 2019, passed - - )

#### § 150.203 ANCILLARY SOLAR EQUIPMENT.

Ancillary solar equipment shall be located inside of a building or screened from public view from a public right-of-way. All ancillary solar equipment shall be screened without compromising the effectiveness of the solar collectors. Solar storage batteries that are included as part of the solar energy system shall be placed in a secure container or enclosure that complies with the requirements of the building code, and when no longer in use, shall be disposed of in accordance with the applicable laws and regulations.

(Ord. 7, 2019, passed - - )

#### § 150.204 ABANDONMENT AND REMOVAL.

A ground or pole mounted solar energy system is considered to be abandoned if it has not been in operation for a period of 12 months, in which case the solar energy system shall be removed by the owner within 120 days from the expiration of that 12-month period. If the owner fails to remove the abandoned solar energy system within 120 days, the city may pursue a legal action to have the system removed at the owner's expense.

(Ord. 7, 2019, passed - - )

#### § 150.205 PERMIT REQUIRED.

The permit required by § 150.020 shall be required in order to install a solar energy system.

(Ord. 7, 2019, passed - - )

#### § 150.206 PERMIT APPLICATION.

An application for a permit, signed by the owner or his authorized agent, shall be filed with the City Architect, or Commissioner responsible for that function. It shall provide information as may be reasonably required for a clear understanding of the proposed work and its effect on the surrounding properties. The written application shall contain at least the following information:

(A) The kind of solar energy system (ground mounted, pole mounted, or roof mounted) to be installed.

(B) The solar energy system's overall dimensions of length, width, and depth.

(C) A plat (ground or pole mounted) or roof plan (roof mounted) drawn to scale, showing the installation's location in relation to existing structures, easements, boundary lines and existing or proposed fences as applicable.

(Ord. 7, 2019, passed - - )

#### § 150.207 ISSUANCE OF PERMIT.

(A) Other requirements. Any person requesting a permit must, prior to requesting a permit from the city, obtain all other permits which may be required.

(B) Examination of application. The City Architect shall examine or cause to be examined each application and the information furnished in connection therewith; shall ascertain by such examination that the construction of the solar energy system will not adversely affect the public safety, health, convenience comfort and general welfare of the city and will be in accordance with the requirements of this chapter and all other pertinent laws, ordinances and deed restrictions.

(C) Action on application.

(1) Approval. The City Architect shall act upon the application for a permit without unreasonable or unnecessary delay. If satisfied that the solar energy system as described in the application and information furnished in connection therewith will not adversely affect the public safety, health, convenience, comfort and general welfare of the residents of the city; conforms to the requirements of this chapter and all other pertinent laws, ordinances, and deed restrictions, he or she shall so report to the City Commission which, if it concurs, shall issue a permit therefor.

(2) Disapproval. If the application for a permit and the information filed therewith describe work that does not conform to the requirements of this chapter or all other pertinent laws, ordinances and deed restrictions, or does not contain sufficient information, the City Architect shall so report to the City Commission, and, if the report is concurred in by the City Commission, no permit shall be issued and the applicant shall be so notified. The refusal shall be in writing and shall contain the reasons therefor.

(Ord. 7, 2019, passed - - )

## NUISANCES

### § 150.220 AUTHORIZATION.

This chapter is also adopted pursuant to the authority granted by KRS 381.770 in order to establish procedures for the abatement of public nuisances, including but not limited to dilapidated buildings and structures.

(Ord. passed - -11)

Editor's note:

KRS 381.770 repealed 2016 Ky. Acts ch. 86, sec. 18, effective January 1, 2017.

### § 150.221 INITIAL DETERMINATION.

Potential violations of KRS 381.770 initially shall be investigated and determined by the City Commission. The City Commission is authorized to consult with and seek the counsel and assistance of such certified building inspectors, engineers and other experts as the City Commission may deem reasonably necessary in order to determine the existence of a violation of KRS 381.770. Further, the City Commission and its designees hereby are authorized to enter upon any property on which it reasonably suspects a violation to exist in order to determine and confirm the relevant facts.

(Ord. passed - -11)

Editor's note:

KRS 381.770 repealed 2016 Ky. Acts ch. 86, sec. 18, effective January 1, 2017.

#### § 150.222 NOTICE OF VIOLATION.

In the event and at such time as the City Commission may deem a violation of KRS 381.770 to exist within the city, the Mayor shall notify the responsible party or parties (as identified in KRS 381.770) of the violation, in writing, delivered personally to the responsible party or mailed by first class mail, postage prepaid, to the current address of such party as same appears upon the available official records of the city and/or the records maintained by the Jefferson County Property Valuation Administrator. In the event the alleged violation pertains to a structure or building which has become unfit or unsafe for human habitation, occupancy, or use, or permitting conditions to exist in the structure which are dangerous to the health or safety of the occupants of the structure, the occupants of neighboring structures, or other residents of the city, such notice shall identify the violation and instruct the responsible party to remedy the violation or make adequate provision therefor by written agreement with and to the satisfaction of the City Commission, within 30 days following the date of personal delivery or postmark of the notice. The notice further shall state that, in the absence of such remedy or adequate provision for same, demolition or other appropriate steps will be scheduled immediately thereafter (unless a request for a hearing before the Property Committee is filed in accordance with the procedures set forth below). In all other cases, the notice shall identify the nature of the violation and shall require the responsible party to remedy the violation or make adequate provision for same by written agreement with and to the satisfaction of the City Commission, within seven days of the date of personal service or the postmark of such notice. All written notices by the Mayor pursuant to this section clearly shall apprise the responsible party of their right to a hearing before the Property Committee, as set forth below.

(Ord. passed - -11)

Editor's note:

KRS 381.770 repealed 2016 Ky. Acts ch. 86, sec. 18, effective January 1, 2017.

#### § 150.223 CREATION OF PROPERTY COMMITTEE.

There is hereby created the Seneca Gardens Property Committee, the purpose and function of which is to hear and determine all appeals taken with reference to violations arising under § 150.221. The Committee shall be comprised of not less than three or more than five individual residents of Seneca Gardens, who shall not be sitting City Commissioners or the Mayor. Members of the Committee shall be appointed by the Mayor subject to the approval of a majority of the City Commission, and may be removed by a vote of not less than 60% of the City Commission, including the vote of the Mayor. The Mayor and the City Commission may attend and participate in all meetings of the Committee, but may not vote. The City Attorney shall be an ex-officio, non-voting member of the Committee, who is authorized to chair Committee meetings at the Committee's request, and rule upon evidentiary matters. The City Commission may fix a reasonable amount of



compensation for Committee members, and may reimburse reasonable and necessary costs incurred by the Committee.

(Ord. passed - -11)

#### § 150.224 RIGHT TO APPEAL AND HEARING.

In all cases involving potential demolition of structures, the responsible party may request an appeal hearing before the Seneca Gardens Property Committee for purposes of contesting the City Commission's determination of such violation. Such request for appeal and hearing must be made in writing, must specify the grounds thereof, and must be delivered to the City Clerk and the Mayor prior to the expiration of 30 days following the receipt or postmark of the written notice of such violation. In all cases not involving the potential demolition of structures, such hearing may be requested at any time prior to 15 days following the receipt or postmark of the written notice of such violation.

(Ord. passed - -11)

#### § 150.225 CONDUCT OF HEARINGS.

All hearings before the Property Committee pursuant to this subchapter shall be conducted within 60 days following the request for same at either a regular or special called meeting of the Committee, scheduled for a reasonable time. The Committee shall give public notice in accordance with KRS Chapter 424, as well as written notice to the responsible party and the mayor at least one week prior to the hearing and shall decide the issues within 60 days following the hearing. The mayor shall forthwith transmit to the Property Committee all papers and reports constituting the record upon which the action was taken. At the hearing, the City Commission, or its designee, shall present to the Property Committee such testimony and other evidence as the City Commission shall deem pertinent and appropriate to allow the Board to adequately review and consider the City Commission's initial determination. The responsible party, or his attorney, may present such relevant evidence as he or she may wish, subject to control by the Property Committee with regard to issues of admissibility. Further, any interested party may appear and enter their appearance, and all shall be given an opportunity to be heard. Hearsay testimony may be admissible for purposes of this hearing. The ruling of the Property Committee may be appealed to the Jefferson Circuit Court in accordance with the provisions of KRS 100.347.

(Ord. passed - -11)

#### § 150.226 ABATEMENT OF NUISANCE.

In the event that the responsible party shall fail to request an appeal and hearing upon the City Commission's ruling within the period allowed, or upon final confirmation of the City Commission's ruling by the Property Committee, the Jefferson Circuit Court or any

other court properly exercising jurisdiction over a proper appeal of the City Commission's ruling, the City Commission shall, as soon as practicable thereafter, proceed with the demolition or other abatement, either directly or by means of contract with qualified third parties.

(Ord. passed - -11)

#### § 150.227 LIEN AND LIABILITY FOR COSTS OF ABATEMENT.

The city shall have a lien against the subject property for the reasonable value of labor and materials used in abating the nuisance, as provided in KRS 381.770(6). The owner of the property shall be personally liable to the city for the amount of the lien, including all interest and other charges, and the city may bring a civil action against such owner and shall have the same remedies as provided for the recovery of a debt owed, in accordance with KRS 831.770(7).

(Ord. passed - -11)

Editor's note:

KRS 381.770 repealed 2016 Ky. Acts ch. 86, sec. 18, effective January 1, 2017.

#### CODE ENFORCEMENT BOARD

#### § 150.235 CODE ENFORCEMENT BOARD.

(A) Definitions. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**CODE ENFORCEMENT BOARD.** An administrative body created and acting under the authority of the Local Government Code Enforcement Board Act.

**CODE ENFORCEMENT OFFICER.** A city police officer, safety officer, citation officer, or other public law enforcement officer with the authority to issue a citation.

**ORDINANCE.** An official action of a local government body, which is a regulation of a general and permanent nature and enforceable as a local law and shall include any provision of a code of ordinances adopted by the city legislative body which embodies all or part of an ordinance.

(Ord. -, 2016, passed - -16)

#### § 150.236 CREATION AND MEMBERSHIP.

There is hereby created, pursuant to KRS 65.8801 through 65.8839, within the city a Code Enforcement Board which shall be composed of five members, all of whom shall be at least

21 years of age and a resident of the city for a period of at least one year prior to the creation of the Board and shall reside there throughout the term in office.

(Ord. -, 2016, passed - -16)

#### § 150.237 AUTHORITY.

The Code Enforcement Board shall have the power to issue remedial orders and impose civil fines as a method enforcing city ordinances when a violation of the ordinance has been classified as a civil offense. The Code Enforcement Board shall not have the authority to enforce any ordinance the violation of which constitutes an offense under any provision of the Kentucky Revised Statutes, including, specifically, any provision of the Kentucky Penal Code and any moving motor vehicle offense.

(Ord. -, 2016, passed - -16)

#### § 150.238 MEMBERS; APPOINTMENTS, TERMS, REMOVALS, AND OATH.

(A) Members of the Code Enforcement Board shall be appointed by the executive authority of the city, subject to the approval of the legislative body.

(B) (1) The initial appointment to a five-member Code Enforcement Board shall be as follows:

- (a) One member appointed to a one-year term;
- (b) Two members appointed to a two-year term; and
- (c) Two members appointed to a three-year term.

(2) All subsequent appointments shall be for a term of three years. A member may be reappointed, subject to the approval of the legislative body.

(C) The executive authority may appoint, subject to the approval of the legislative body, two alternate members to serve on the Code Enforcement Board in the absence of regular members. Alternate members shall meet all of the qualifications and shall be subject to all of the requirements that apply to regular members of the Code Enforcement Board.

(D) Any vacancy on the Board shall be filled by the executive authority, subject to approval of the legislative body, within 60 days of the vacancy. If the vacancy is not filled within that time period, the remaining Code Board members shall fill the vacancy.

(E) (1) A Code Board member may be removed from office by the executive authority for misconduct, inefficiency, or willful neglect of duty.

(2) The executive authority must submit a written statement to the member and the legislative body setting forth the reasons for removal.

(F) All members of the Code Enforcement Board must, before entering upon the duties of their office, take the oath of office prescribed by § 228 of the Kentucky Constitution.

(G) Members of the Code Enforcement Board shall serve without compensation.

(H) No member of the Code Enforcement Board may hold any elected or nonelected office, paid or unpaid, or any position of employment with the city.

(Ord. -, 2016, passed - -16)

#### § 150.239 BOARD ORGANIZATION; MEETINGS AND QUORUM; ALTERNATE MEMBERS.

(A) The Board shall annually elect a Chair from among its members. The Chairperson shall be the presiding officer and a full voting member of the Board.

(B) Regular meetings of the Code Enforcement Board shall be held on the second Tuesday of each month, if needed. Meetings other than those regularly scheduled shall be special meetings held in accordance with the requirements of the Kentucky Open Meetings Act.

(C) All meetings and hearings of the Code Enforcement Board shall be held in accordance with the requirements of KRS 65.8815(5) and the Kentucky Open Meetings Act.

(D) The affirmative vote of a majority of a quorum of the Board shall be necessary for any official action to be taken.

(E) Minutes shall be kept for all proceedings of the Code Enforcement Board and the vote of each member on any issue decided by the Board shall be recorded in the minutes.

(Ord. -, 2016, passed - -16)

#### § 150.240 CONFLICT OF INTEREST.

Any member of the Code Enforcement Board who has any direct or indirect financial or personal interest in any matter to be decided shall disclose the nature of the interest and shall disqualify himself or herself from voting on the matter in which he or she has an interest and shall not be counted for purposes of establishing quorum; the member shall be recused prior to any discussion of the matter.

(Ord. -, 2016, passed - -16)

#### § 150.241 JURISDICTION.

The Code Enforcement Board shall have jurisdiction to enforce and shall enforce any city ordinances and code provisions.

(Ord. -, 2016, passed - -16)

#### § 150.242 POWERS AND DUTIES.

The City of Seneca Gardens Code Enforcement Board shall have the following powers and duties:

- (A) To adopt rules and regulations to govern its operations and the conduct of its hearings;
- (B) To conduct hearings to determine if there has been a violation of an ordinance over which it has jurisdiction;
- (C) To subpoena alleged violators, witnesses, and evidence to its hearings. Subpoenas issued by the Code Enforcement Board may be served by any Code Enforcement Officer;
- (D) To take testimony under oath. The Chairperson shall have the authority to administer oaths for the purpose of taking testimony;
- (E) To make findings of fact and issue orders necessary to remedy any violation of a city ordinance or code provision which the Board is authorized to enforce; and
- (F) To impose civil fines, as authorized, on any person found to have violated an ordinance over which the Board has jurisdiction.

(Ord. -, 2016, passed - -16)

#### § 150.243 ENFORCEMENT PROCEEDINGS.

The following requirements shall govern all enforcement proceedings before the Board.

- (A) Enforcement proceedings before the Code Enforcement Board shall only be initiated by the issuance of a citation by a Code Enforcement Officer.
- (B) (1) Except as provided in division (C) below, if a Code Enforcement Officer believes, based on their personal observation or investigation, that a person has violated a city ordinance, he or she shall issue a verbal warning requiring immediate remediation, or issue a notice of violation to the offender allowing the offender a specified period of time to remedy the violation without fine.
  - (2) If the offender fails or refuses to remedy the violations within the time specified, the Code Enforcement Officer is authorized to issue a citation.
- (C) Nothing in this chapter shall prohibit the city from taking immediate action to remedy a violation of its ordinances when there is reason to believe that the violation presents a serious threat to the public health, safety, and welfare, or, if in the absence of immediate action, the effects of the violation will be irreparable or irreversible.
- (D) The citation issued by the Code Enforcement Officer shall contain the following information:
  - (1) The date and time of issuance;
  - (2) The name and address of the person to whom the citation is issued;
  - (3) The date and time the offense was committed;

- (4) The facts constituting the offense;
  - (5) The section of the code or the number of the ordinance violated;
  - (6) The name of the Code Enforcement Officer;
  - (7) The civil fine that will be imposed for the violation if the person does not contest the citation;
  - (8) The maximum civil fine that may be imposed if the person elects to contest the citation;
  - (9) The procedure for the person to follow in order to pay the civil fine or to contest the citation; and
  - (10) A statement that if the person fails to pay the civil fine set forth in the citation, or contest the citation, within the time allowed, the person shall be deemed to have waived the right to a hearing before the Code Enforcement Board to contest the citation and that the determination that the violation was committed shall be final.
- (E) After issuing a citation to an alleged violator, the Code Enforcement Officer shall notify the Code Enforcement Board by delivering the citation to the City Clerk/Treasurer.
- (F) The person to whom the citation is issued shall respond to the citation within seven days of the date of issuance by either paying the civil fine or requesting, in writing, a hearing before the Code Enforcement Board to contest the citation. If the person fails to respond to the citation within seven days, the person shall be deemed to have waived the right to a hearing and the determination that a violation was committed shall be considered final.
- (G) If the alleged violator does not contest the citation within the time prescribed, the Code Enforcement Board shall enter a final order determining that the violation was committed and impose the civil fine set forth in the citation. A copy of the final order shall be served on the person guilty of the violation.

(Ord. -, 2016, passed - -16)

#### § 150.244 HEARING; NOTICE; FINAL ORDER.

- (A) When a hearing has been requested, the Code Enforcement Board shall schedule a hearing. The hearing shall be conducted at the next regularly scheduled meeting of the Code Enforcement Board unless the Board and the party agree to a different time.
- (B) Not less than seven days before the date of the hearing, the Code Enforcement Board shall notify the requester of the date, time, and place of the hearing. The notice may be given by first class mail; by personal delivery; or by leaving the notice at the person's usual place of residence with any individual residing therein who is 18 years of age or older and who is informed of the contents of the notice.
- (C) Any person requesting a hearing before the Code Enforcement Board who fails to appear at the time and place set for the hearing shall be deemed to have waived the right to

a hearing to contest the citation and the determination that a violation was committed shall be final. The Code Enforcement Board shall enter a final order determining the violation as committed and shall impose the civil fine set forth in the citation. A copy of the final order shall be served upon the person guilty of the violation.

(D) All testimony shall be taken under oath and recorded. Testimony shall be taken from the Code Enforcement Officer, the alleged violator, and any witnesses to the violation offered by the Code Enforcement Officer or alleged violator. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

(E) The Code Enforcement Board shall, based on the evidence, determine whether a violation was committed. If it determines that no violation was committed, an order dismissing the citation shall be entered. If it determines that a violation was committed, an order shall be issued upholding the citation and either imposing a fine up to the maximum authorized by subchapter or other ordinance, or requiring the offender to remedy a continuing violation, or both.

(F) Every final order of the Code Enforcement Board shall be reduced to writing, which shall include the date the order was issued. A copy shall be furnished to the person named in the citation. If the person named in the citation is not present when the final order is issued, the order shall be delivered in accordance with the procedures set forth in division (B) above.

(Ord. -, 2016, passed - -16)

#### § 150.245 LEGAL COUNSEL.

(A) Each case before the Code Enforcement Board shall be presented by an attorney selected by the city or by a Code Enforcement Officer for the city.

(B) The City Attorney may either be counsel to the Code Enforcement Board or may present cases before the Code Enforcement Board, but in no case serve in both capacities.

(Ord. -, 2016, passed - -16)

#### § 150.246 APPEALS; FINAL JUDGMENT.

(A) (1) An appeal from any final order of the Code Enforcement Board may be taken to the Louisville Metro District Court within 30 days of the date the order is issued.

(2) The appeal shall be initiated by the filing of a complaint and a copy of the Code Enforcement Board's order in the same manner as any civil action under the Kentucky Rules of Civil Procedure.

(B) If no appeal from a final order of the Code Enforcement Board is filed within the time period set in division (A) above, the Code Enforcement Board's order shall be deemed final for all purposes.

(Ord. -, 2016, passed - -16)

§ 150.247 ORDINANCE PERMIT FEE AND FINE SCHEDULE.

Permit Fee and Civil Fine Schedule

| Ordinance Reference | Description                             | Fee / Refund                       | First Offense | Second Offense | All Others   |
|---------------------|---|------------------------------------|---------------|----------------|--------------|
| 71.41               | Parades                                 | Default to Louisville Requirements |               |                |              |
| 91.10               | Excavation and Construction             |                                    |               |                |              |
| 93.20               | Blasting Permit                         |                                    |               |                |              |
| 93.02 (A)           | Fireworks                               |                                    |               |                |              |
| 95.01               | Tree Removal in Right of Way            | \$0 / \$0                          |               |                | up to \$2000 |
| 150.006             | Fences                                  | \$0 / \$0                          | 50            | 50             | 100          |
| 150.007             | Lot Subdivision                         | \$0 / \$0                          | 500           | 500            | 500          |
| 150.008             | Building Limit                          | \$0 / \$0                          | 500           | 500            | 500          |
| 150.02              | Building Addition / Exterior Renovation | \$750 / \$350                      | 200           | 200            | 200          |
| 150.022             | Permit Fee                              | See above                          |               |                |              |
| 150.023 (E)         | Posting Permit                          | \$0 / \$0                          | 50            | 50             | 50           |
|                     | Driveway / Patio add or replace         | \$0 / \$0                          |               |                |              |
|                     | Deck                                    | \$0 / \$0                          |               |                |              |
| 150.024 (D)         | Temporary Storage                       | \$0 / \$0                          | 50            | 50             | 50           |
| 150.024 (D)         | Dumpster                                | \$0 / \$0                          | 50            | 50             | 50           |
| 150.024 (D)         | Portable toilet                         | \$0 / \$0                          | 50            | 50             | 50           |
| 150.026             | Building Occupancy                      | \$0 / \$0                          | 200           | 200            | 200          |
| 150.030 (R)         | ADA Ramps                               | \$0 / \$0                          | 50            | 50             | 50           |
| 150.031             | Construction on Lot Easement            | \$0 / \$0                          | 200           | 200            | 200          |



|                    |   |               |     |     |     |
|--------------------|---|---------------|-----|-----|-----|
| 150.047            | Wild or undomesticated Animals                      | \$0 / \$0     | 50  | 50  | 50  |
| 150.065<br>150.066 | Swimming Pool, Hot Tub, Spa, Etc.                   | \$200 / \$100 |     |     |     |
| 150.069            | Fence around Pool                                   | \$0 / \$0     | 100 | 100 | 100 |
| 150.08             | Front Yard Parking Pads (Pull Offs), Circular Drive | \$500 / \$100 | 100 | 100 | 100 |
| 150.081            | Street Curbing                                      | \$0 / \$0     | 50  | 50  | 50  |
| 150.095            | Floodlights   | \$0 / \$0     | 50  | 50  | 50  |
| 150.205            | Solar Collection System                             | \$500 / \$250 | 100 | 100 | 100 |

Violations of ordinances that are enforced by the City Code Enforcement Board shall be subject to the following schedule of civil fines:

(A) (1) If a citation for a violation of an ordinance is not contested by the person charged with the violation, the penalties set forth in this division (A) shall apply.

(2) However, the Board may waive all or any portion of a penalty for an uncontested violation, if in its discretion the Board determines that the waiver will promote compliance with the ordinance in issue.

| Violation             | First Offense | Second Offense | All Others |
|-----------------------|---------------|----------------|------------|
| Animals               | \$25          | \$50           | \$100      |
| Building Codes        | \$100         | \$125          | \$150      |
| Nuisance              | \$10          | \$25           | \$50       |
| Licensing             | \$50          | \$75           | \$100      |
| Signage               | \$10          | \$25           | \$50       |
| Littering             | \$10          | \$25           | \$50       |
| Parking               | \$10          | \$25           | \$50       |
| Streets and Sidewalks | \$10          | \$25           | \$50       |

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

| Violation             | First Offense | Second Offense | All Others |
|-----------------------|---------------|----------------|------------|
| Animals               | \$100         | \$200          | \$300      |
| Building Codes        | \$500         | \$750          | \$1,000    |
| Nuisance              | \$75          | \$150          | \$250      |
| Licensing             | \$500         | \$750          | \$1,000    |
| Signage               | \$50          | \$100          | \$700      |
| Littering             | \$50          | \$100          | \$200      |
| Parking               | \$50          | \$100          | \$200      |
| Streets and Sidewalks | \$50          | \$100          | \$200      |

(Ord. -, 2016, passed - -16)

#### § 150.248 LIENS; FINES, CHARGES, AND FEES.

(A) The city shall possess a lien on property owned by the person found by a final, nonappealable order of the Code Enforcement Board, or by a final judgment of the court, to have committed a violation of a city ordinance for all fines assessed for the violation and for all charges and fees incurred by the city in connection with the enforcement of the ordinance.

(B) The lien shall be recorded in the office of the County Clerk. The lien shall be notice to all persons from the time of its recording and shall bear interest until paid.

(C) The lien shall take precedence over all other subsequent liens, except state, county, school board, and city taxes, and may be enforced by judicial proceedings.

(D) In addition to the remedy prescribed in division (A) above, the person found to have committed the violation shall be personally responsible for the amount of all fines assessed for the violation and for all charges and fees incurred by the city in connection with the enforcement of the ordinance. The city may bring a civil action against the person and shall have the same remedies as provided for the recovery of a debt.

(Ord. -, 2016, passed - -16)

#### § 150.249 LIENHOLDER NOTIFICATION SYSTEM.

The city shall obtain and maintain priority over previously filed liens, as provided in § 150.248, in accordance with the following provisions:

(A) Individuals and entities, including but not limited to lienholders, may register with the city to receive electronic notification of final orders entered pursuant to this subchapter.

(B) In order to receive the notification, the registrant shall submit the following information to the City Clerk:

- (1) Name;
- (2) Mailing address;
- (3) Phone number; and
- (4) Electronic mailing address.

(C) A registrant may use the electronic form provided on the city web site to submit the information required by division (B) above. It shall be the responsibility of the registrant to maintain and update the required contact information with the city. The city shall inform a registrant of any evidence received that the electronic mailing address is invalid or not functional so that the registrant may provide an updated electronic mailing address.

(D) Once per month the city shall send electronic mail notification of all final orders entered pursuant to this subchapter since the last date of notification to each party registered pursuant to this section. The notification shall provide an electronic link to the city code enforcement database located on the city web site. The database shall include the following information regarding each final order:

- (1) The name of the person charged with a violation;
- (2) The physical address of the premises where the violation occurred;
- (3) The last known mailing address for the owner of the premises where the violation occurred;
- (4) A copy of the full citation;
- (5) A copy of the full final order; and
- (6) The status of the final order regarding its ability to be appealed pursuant to this subchapter.

(E) If an appeal is filed on a final order pursuant to this ordinance, the city shall send electronic mail notification to all registrants.

(F) Within ten days of the issuance of a final order pursuant to this subchapter, the city shall update its code enforcement database to reflect the issued final order, and shall post the notification required by division (D) above containing an updated link to the code enforcement database on the city web site.

(G) The city shall maintain the records created under this section for ten years following their issuance.

(Ord. -, 2016, passed - -16)

§ 150.250 LIENS.

(A) A lienholder of record who has registered pursuant to § 150.249(B) may, within 45 days from the date of issuance of notification under § 159.249(D):

(1) Correct the violation, if it has not already been abated; or

(2) Pay all civil fines assessed for the violation, and all charges and fees incurred by the city in connection with enforcement of the subchapter, including abatement costs.

(B) Nothing in this section shall prohibit the city from taking immediate action, if necessary, under § 150.243.

(C) The lien provided by § 150.248 shall not take precedence over previously recorded liens if:

(1) The city failed to comply with the requirements of § 150.249 for notification of the final order; or

(2) A prior lienholder complied with division (A) above.

(D) A lien that does not take precedence over previously recorded liens under division (C) above shall, if the final order remains partially unsatisfied, continue to take precedence over all other subsequent liens except liens for state, county, school board and city taxes.

(E) The city may record a lien before the 45-day period established in division (A) above expires. If the lien is fully satisfied prior to the expiration of the 45-day period, the city shall release the lien in the county clerk's office where the lien is recorded within 15 days of satisfaction.

(F) Failure of the city to comply with § 150.249 and this section, or failure of a lien to take precedence over previously filed liens as provided in division (C) above, shall not limit or restrict any other remedies the city has against the property of the violator.

(Ord. -, 2016, passed - -16)

§ 150.999 PENALTY.

Any person who violates any provision of the state codes adopted in § 150.001, or any provision of this chapter, shall be subject to the following penalties:

(A) See attached schedule of permit fee / refund (if applicable) and penalties for non-compliance.

(B) If any work is done within Seneca Gardens City limits that damages city property or city owned infrastructure the property owner having the work done, or entity performing work within the City shall be responsible for repair or replacement cost.

(Ord. 90-09, passed 12-17-90; Am. Ord. passed 1-21-08; Am. Ord. 7, 2019, passed - - )

PASSED AND ADOPTED by the City Legislative Body of the City of Seneca Gardens  
this 17th day of July, 2023.

\_\_\_\_\_  
Robert Kaufman, Mayor

First Reading: June 17, 2023

Second Reading: July 17, 2023

Date of Adoption and Publication: July 17, 2023

ATTEST: \_\_\_\_\_  
Margaret Jones, City Clerk