

City of Bellewood Ordinances (last updated January 3, 2014)

GOVERNMENT ORGANIZATION (March 2011)

1.1. BOUNDARIES

1.1.1. Incorporation Area

That a city to be known as Bellewood, Kentucky, be, and the same hereby is established as a municipal corporation of the Sixth (6th) Class city within the following described boundaries shown on the map filed with the Petition filed herein, to wit:

The City of Bellewood annex into the city the following described property, the same being adjacent to the city,

BEING located in the County of Jefferson, State of Kentucky, and more specifically described as follows:

BEGINNING at a point at the Southeast corner of Ormond Road and St. Matthews Avenue as shown on plan of Ridgeway Corner, Section 2, of record in Plat and Subdivision Book 10, page 98, in the office of the Clerk of Jefferson County, Kentucky; running thence South 52 degrees 51 minutes West along the Southeast line of Ormond Road, as as shown on said plat, 160 feet to a point in the Southeast line of of Ormond Road; running thence South 34 degrees 11 minutes East 10.45 feet to a point; thence North 52 degrees Southwest line of St. Matthews Avenue as shown on the plat aforesaid; thence running in a Northwestwardly direction along the Southeasterly line of St. Matthews Avenue, 10.67 feet to the beginning; and

BEING the same property conveyed to Barbara H. Brown, one of the parties of the first part herin, by deed dated May 29, 1942, of record in Deed Book 1827, page 326, in the office of the Clerk aforesaid.

The parties of the first part further covenant that they are lawfully seized of the estate hereby conveyed; that they have full right and power to convey same; and that said estate is free and clear of all liens and encumbrances.

PROVIDED, HOWEVER, there is excepted from the foregoing warranty and covenants of title and this conveyance is made subject to all existing restrictions, conditions and easements of record against said estate.

1.2. LEGISLATIVE BODY

1.2.1. Meetings

1.2.1.1. The legislative Body shall hold regular monthly meetings at 6:30 p.m. on the third Tuesday of each month at the home of the City Clerk or Mayor, Louisville, Kentucky 40207; there being no other suitable meeting place within the City.

1.2.1.2. If the regular meeting date falls on a legal holiday defined by Kentucky Revised Statutes KRS 2.110, the regular meeting shall be on the succeeding day that is not a legal holiday.

1.2.1.3. Special meetings may be called as provided by law.

1.2.2. Open Meetings and Records

All meetings of a quorum of the City Legislative Body shall be open to the public, and all public records of the City shall be available for inspection by any person in accordance with KRS 61.805 to KRS 61.884.

1.2.3. Form of Government

1.2.3.1. The City shall be governed under the Commission form of government as provided by KRS Chapter 83A.

1.2.3.2. The City shall be governed by an elective official who shall be called Mayor and be elected by Legislative body members who shall be called City Commissioners and which together shall be known as the City Commission and by such other officers and employees as may be provided for by statute of City Ordinance.

1.2.3.3. All legislative, executive and administrative authority of the City shall be vested in and exercised by the City Commission. The Commission shall enforce the commission plan, ordinances, and orders of the city and all applicable statutes. The Commission shall maintain liaison with related units of local government respecting inter-local contraction and joint activities. The Commission shall supervise all departments of city government and the conduct of all city officers and employees under its jurisdiction and may require each department to make such reports as it finds necessary.

1.2.3.4. The Mayor shall preside at all meetings of the commission and may vote in all proceedings. All bonds, notes, contracts and written obligations of the City authorized by ordinance or resolution shall be executed by the Mayor on behalf of the City.

1.2.3.5. Regular meetings of the City Commission shall be held at least once a month at such times and places as are fixed by ordinances. Special meetings may be called by the Mayor or a majority of the City Commissioners. In the call, the Mayor or City Commissioner shall designate the purpose, time and place of the special meeting with sufficient notice for the attendance of commission members and for compliance with the KRS Chapter 61. At a special meeting no business may be considered other than that set forth in a designation of purpose.

1.2.3.6. The Commission shall by ordinance establish all appointive offices and the duties and responsibilities of those offices and codes, rules and regulations for the public health, safety and welfare. The Commission shall by ordinance provide sufficient revenues to operate city government and shall appropriate such funds in a budget which shall provide for the orderly management of city resources. The Commission shall promulgate procedures to insure orderly administration of the functions of city government in compliance with statute, ordinance or order.

1.2.4. Creation and Supervision of Departments

1.2.4.1. Ordinance Enforcement and Financial Administration

1.2.4.2. Engineering/Roads and Grounds

1.2.4.3. Beautification

1.2.4.4. Security and Safety

1.2.4.5. Communications

1.2.5. Construction and Application of Ordinance

1.2.5.1. Whenever reference is made to “this City” or to “City Commissioner” or “Commission” or to a city officer, it shall be construed as referring to the City of Bellewood.

1.2.5.1.1. The term “ordinance” or “these ordinances” refers to the ordinances of this city.

1.2.5.1.2. The term “code” or “this code” refers to the compilation of the body of ordinances of this city.

1.2.5.1.3. All provisions of these ordinances are limited in application to the territorial boundaries of the city.

1.2.5.2. Unless otherwise provided herein, the rules of construction, application and definitions set forth in KRS Chapter 446 and KRS 83A.010 shall apply to these ordinances.

1.2.5.2.1. The words “this state” or “the state” or the “Commonwealth” shall be construed to mean the Commonwealth of Kentucky.

1.2.5.2.2. The words “statutes”, “these statutes”, “revised statutes” or “KRS” refer to the Kentucky Revised Statutes.

1.2.5.2.3. A general term following specific enumeration of terms is not to be limited to the class enumerated unless expressly so limited.

1.2.5.2.4. A word importing the singular number only may extend and be applied to several persons or things as well as to one thing, and a word importing to the plural number only may extend and be applied to one person or thing as well as to several persons or things

1.2.5.2.5. A word importing the masculine gender may extend and be applied to females as well as males

1.2.5.3. Severability – It shall be considered that it is the intent of the legislative body, in enacting any ordinance, that if any part of the ordinance be held unconstitutional, the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the legislative body would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts standing are incomplete and incapable of being executed in accordance with the intent of the legislative body.

1.2.5.4. Policy on Enforcement of Ordinances

1.2.5.4.1. Enforcement as used herein refers to legal action taken to achieve a remedy in those instances where violation or non-compliance with an ordinance is not corrected following notice of same, or to impose a penalty where such response is appropriate for the violation or non-compliance. Legal action is required as such forced remedies or penalties must rely on the power of the Courts for execution.

1.2.5.4.2. As provided for by Kentucky Revised Statute, any aggrieved party may undertake enforcement of the provisions of a municipal ordinance through legal action filed in the Jefferson District Court. In this instance the costs of and time required for such action must be borne by the filing party.

1.2.5.4.3. Alterations in Ordinances Permitted on publications

1.2.5.5. Adoption of Code of Ordinances

1.2.5.5.1. The code or composite index of ordinance is hereby adopted for the city as a new and original comprehensive ordinance, superseding and repealing all other general ordinances of the city adopted before the effective date of this code or composite index of ordinances.

1.2.5.5.2. This ordinance repeals only ordinances which are continuing and apply to the general population and no special ordinance, including any franchise ordinance, appropriation tax or levy shall be repealed or otherwise affected hereby. The repeal provided herein shall not affect any offense or act committed or any act or forfeiture incurred on any contract or right established or accruing before the effective date of this code or composite index of ordinances. The repeal provided herein shall not be construed to revive any ordinance or part thereof that has been repealed by an ordinance repealed by this ordinance.

1.2.5.5.3. Any and all additions, deletions and amendments to this code or composite index of ordinances, when enacted into law, shall be so incorporated therein that any reference to the code or composite index of the city shall be deemed to include such amendment. Any ordinance in this code or composite index of ordinances shall be numbered in accordance with Kentucky Ordinance Code topical numbering system and may be referred to by said number.

1.2.5.5.4. A copy of such code or composite index shall be kept on file in the office of the City Clerk, maintained in accordance with the guidelines of the Kentucky Department for Local Government or its successor and available as part of the public records of the city.

1.2.5.6. Permanent Records

1.2.5.6.1. The City Clerk is responsible for maintaining and safekeeping the permanent records of the city, including ordinances and municipal orders, and shall sign the official records of each meeting.

1.2.5.6.2. All ordinances adopted by the City shall be numbered in accordance with the Kentucky Ordinance Code Topical Numbering System.

1.2.5.6.2.1. The city budget, appropriations of money and tax levies shall be maintained and indexed by fiscal year.

1.2.5.6.2.2. All ordinances shall be kept in an ordinance book in the order adopted.

1.2.5.6.2.3. The text of each general ordinance shall be kept in a loose leaf binder with tabbed dividers arranged and numbered according to the Kentucky Ordinance Code Topical Numbering System with an alphabetical index.

1.2.5.6.2.4. Each month every ordinance or amendment adopted during the month shall be assigned a KOC number, listed by topic and date of passage and publication and placed in the appropriate place in the binder.

1.2.5.6.2.5. Once a year all additions and amendments shall be incorporated in the text of the code and in the Table of Contents.

1.2.5.6.2.6. At least once every five (5) years the text of the code shall be examined for consistency with state law, and with other provisions and revised to eliminate redundant, obsolete, inconsistent and invalid provisions.

1.2.5.6.3. Every action of the legislative body shall be made part of the permanent records of the city, and on passage of an ordinance, the vote of each member of the city legislative body shall be entered into the official record of the meeting.

1.3. EXECUTIVE OFFICIALS

1.3.1. Mayor

1.3.1.1. The mayor shall preside at all meetings of the Commission and may vote in all proceedings.

1.3.1.2. An appointment of all non-elected City officials shall require nomination by a Commission member and approval (majority vote) by the City Commission.

1.3.2. City Clerk

1.3.2.1. There is hereby created a non-elective city office to be known as the City Clerk.

1.3.2.2. The City Clerk shall be appointed by the Commission.

1.3.2.3. The City Clerk shall be at least twenty-one (21) years of age and of good moral character.

1.3.2.4. The duties and responsibilities of the City Clerk shall include, but not be limited to the following:

1.3.2.4.1. Maintenance and safekeeping of the records of the city;

1.3.2.4.2. Performance of all duties and responsibilities required by a city clerk by statute or ordinance;

1.3.2.5. The salary of the City Clerk is to be determined by the Commission.

1.3.3. City Treasurer

1.3.3.1. The City Treasurer shall receive and safely keep all city funds coming into his hands. She shall pay out city funds and debts of the city.

1.3.3.2. The Treasurer shall make monthly reports to the City Commission showing the state of the finances of the City, and the amounts received and spent during the month.

1.3.3.3. The City Treasurer shall be appointed by the Commission.

1.3.3.4. The salary of the City Treasurer is established at an amount as may be from time to time fixed by order of the Commission.

1.3.4. Bonds, Combinations and Oaths

1.3.4.1. Bonds of Clerk and Treasurer

The City Clerk and Treasurer shall each execute bond before entering upon the duties of their respective offices, conditioned for the faithful performance of their duties, including the duties of all offices of which he or she is ex-officio incumbent. The amount and sufficiency of such bond shall be approved by the City Commission. The bond of the Treasurer shall be filed with the City Clerk and the bond of the Clerk shall be filed with the Mayor.

1.3.4.2. Clerk and Treasurer Combined

1.3.4.2.1. The City Commission may combine the offices of City Clerk and Treasurer to be known as City Clerk/Treasurer with all the duties of each.

1.3.4.2.2. The salary of the City Clerk/Treasurer shall be specified by the Commission at any time that these offices are combined.

1.3.4.3. Oath of City Clerk and of City Treasurer

Before entering upon the duties of his office, the City Clerk and the City Treasurer shall each take the oath prescribed by Kentucky Constitution, Section 228, for city officials.

1.3.5. City Tax Collector

1.3.5.1. The duties of the City Tax Collector can be performed by the City Clerk or City Treasurer.

1.3.5.2. It shall be the duty of the City Tax Collector to proceed as authorized by law to collect all taxes and special assessments that may be due or become due the city and to keep such records pertaining to such collections as may be required by statutes, ordinance or direction of the City Commission.

1.3.5.3. The City Tax Collector shall make such reports regarding delinquent taxes as are required by statute or by the City Commission. The City Tax Collector shall make a monthly report to the Commission showing all moneys that have been received and the source thereof. Monthly reports shall show totals for all moneys received in the current fiscal year and totals for all past due moneys summarized by year(s). The Tax Collector may furnish the required report to the City Treasurer for inclusion in the Treasurer's report in lieu of a separate report. All moneys when received shall be deposited by the City Treasurer, or as directed by the City Treasurer.

1.3.5.4. The City Commission may combine the offices of City Treasurer and City Tax Collector to be known as City Treasurer/Tax Collector with all the duties of each office.

1.3.5.5. The salary of the City Treasurer/Tax Collector shall be specified by the Commission at any time that these offices are combined.

1.3.6. Compensation of Elected Officials

1.3.6.1. The compensation of the Mayor is hereby fixed at \$500.00 per month, commencing with the beginning of the Mayor's new term, January, 2011.

1.3.6.2. The compensation of the City Clerk/Treasurer is hereby fixed at \$300.00 per month, commencing with the beginning of the appointment, January, 2011. In addition, a storage and rental fee payable to the City Clerk/Treasurer is hereby fixed at \$50.00 per month commencing with the appointment, January, 2011.

1.3.6.3. The compensation of each City Commissioner is hereby fixed at \$75.00 per attended monthly meeting, commencing with the beginning of the Commissioner's new term, July, 2011, or upon joining the Commission. In addition, this amount shall be payable for any special meetings called by the Mayor.

1.3.6.4. Payments shall be paid the last day of the month quarterly in March, June, September and December of the calendar year.

1.3.6.5. The Mayor, City Clerk and Commissioners receiving compensation shall be responsible for all Federal, State and Local income taxes thereon and receive a 1099 tax form annually.

CITY CONTRACTS (September 2011)

2.1. Every contract greater than \$500 entered into by the City of Bellewood shall be authorized and approved by the Commission and signed by the Mayor and/or the authorized Commissioner in charge of that specific service which is the subject matter of the Contract

2.2. No contract shall be entered or purchase made, which is inconsistent with the annual budget and any amendments thereto, without the approval of the City of Bellewood Commission.

COMMERCIAL VEHICLES (October 2013)

3.1. It shall be unlawful for commercial trucks and buses of any capacity to travel over the public roadways of the City of Bellewood except when making deliveries and/or conducting business for the residents of the City provided, however, that the ordinance shall in no way affect the travel over the public roadways of Bellewood of trucks owned/operated by City residents and used as their primary transportation, or school buses, church or community buses when they are used for the convenience of the residents of the City.

PENALTY: The violation of Section 1 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of fifty dollars (\$50.00) per offense.

3.2. It shall be unlawful for any company or person to make any delivery or pickup in the City of Bellewood before 8:00 a.m. or after 8:00 p.m.

PENALTY: The violation of Section 2 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of fifty dollars (\$50.00) per offense.

3.3. It shall be unlawful for any commercial vehicle to park on streets over night or for extended periods of times with the exception of commercial moving vans or public utility companies such as LG&E, MSD, Louisville Water and the like.

PENALTY: The violation of Section 3 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of fifty dollars (\$50.00) per offense.

3.4. Commercial trucks other than personal/private pickup trucks, passenger vans and sports utility vehicles (SUVs) owned by residents of the City of Bellewood must be parked in private driveways so as to allow access for emergency vehicles on public roadways.

PENALTY: The violation of Section 4 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of fifty dollars (\$50.00) per offense.

3.5. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

CONSTRUCTION, ALTERATIONS (October 2013)

4.1. It shall be unlawful for any person, firm, partnership and/or corporation to construct, alter, change, erect or in any manner structurally change any building or structure or improvement upon the land in the corporate limits of the City of Bellewood without first seeking the approval and obtaining a permit from the City of Bellewood Commission. Before seeking approval, applicant must submit an outline of the plans, specifications and proposals.

4.2. Before a building permit is issued for the improvement of any property within the city limits of the City of Bellewood, it shall be the duty of any person, firm, partnership and/or corporation so constructing or erecting any such improvement and/or repairs to deposit with the City Clerk of the City of Bellewood the sum of One Thousand Dollars (\$1,000.00) as bond to be held in escrow for said depositor for the purpose of indemnifying the City of Bellewood for any damage occasioned during the construction of said improvements or structural alterations to any property owned by the City of Bellewood, including sidewalks, lighting equipment, conduit standards, roads or any other property of the City of Bellewood or upon which it is the duty of the city to maintain.

4.3. It is expressly provided that prior to the use of any money so deposited, the depositor shall be notified by first class mail to his last known address, of the intention of the City of Bellewood to utilize the funds. The city may elect to repair, replace or construct any damage for the deposit made by said depositor. Upon the satisfactory completion of the work, the City of Bellewood shall properly adjust said deposit and return any remainder to the depositor.

PENALTY: Violation of the Ordinance above shall constitute a violation and be punishable by a fine of \$250.00 and/or the issuance of a stop work order and/or the removal of the offending structure.

4.5. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

DOG ORDINANCE, LEASH LAW (October 2013)

5.1. It shall be unlawful for any owner or person in charge of a dog or other domesticated animal, to permit or allow such animal to run at large in the City and/or onto the private property of other residents within the city limits of the City of Bellewood.

5.2. It shall be unlawful for any owner in charge of a dog or other domesticated animal to permit such animal to be on the public roadways of the City unless said animal is on leash and under absolute control of the owner or his agent.

5.3. It shall be unlawful for any owner in charge of a dog or other domesticated animal to permit such animal to defecate on the property of the City of Bellewood and/or the private property owned by someone other than the owner without removing same immediately thereafter.

PENALTY: Violation of this Ordinance shall constitute a violation which is punishable by a fine of seventy-five dollars (\$75.00).

5.4. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

PET NUISANCES (October 2013)

It shall be unlawful for a person to keep, harbor, or own any dog, cat or other domesticated animal within the City limits of the City of Bellewood, which does any one of the following objectionable actions:

- 6.1.** Incessantly barks, howls, yelps, or whines loud enough to be heard beyond the premises where it is kept or harbored.
- 6.2.** Habitually goes on any property or premises not owned or occupied by the persons who keeps, harbors or owns the dog, cat or other domestic animal.
- 6.3.** Habitually turns over or gets into garbage cans or milk containers, or damages shrubbery and items of personal property, located on any premises other than those owned by the person who keeps, harbors or owns the dog, cat or other domestic animal.
- 6.4.** When not on the property of its owner or keeper, habitually runs at, jumps on, chases, barks at, bites at, or in any way frightens, molests, or scares any child or adult other than the one who keeps, harbors or owns the dog, cat or other domestic animal.
- 6.5.** Chases, attacks, or kills any dog or other animal besides those owned by the person who keeps, harbors or owns the dog, cat or other domestic animal.
- 6.6.** Bites any person on sidewalks, streets or any property other than that of its owner or keeper.
- 6.7.** Chases motor vehicles, bicycles or scooters other than those owned by the person who keeps, harbors or owns the dog, cat or other domestic animal, or his immediate family.

PENALTY: Violation of this Ordinance shall constitute a violation which carries a fine of up to two hundred fifty dollars (\$250.00).

- 6.8.** All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

DRIVEWAYS, DRAINAGE (December 2013)

7.1 Any person constructing a new driveway or landscape of an area, or replacing an existing one within 10 feet of the street must have the approval of the Commission of the City of Bellewood.

7.2 All driveway approaches and landscape areas within 10 feet of the street must be installed according to City code and must not interfere with the city's drainage. The driveway approach must be below the drainage point or have a pipe installed underneath it.

7.3 Violations of this ordinance will result in the correction (at the property owner's expense) of the driveway approach or landscape area.

PENALTY: Failure to comply with this ordinance shall constitute a violation and shall result in a fine of one hundred (\$100.00) dollars per day.

7.4. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

EASEMENTS (October 2013)

8.1. It is the duty of the property owner to maintain the front landscape easement area and utility easements behind and abutting their respective properties in a safe and acceptable condition.

8.2. Front easements/right of ways must be kept mowed, and otherwise maintained by the property owner. Plantings shall not exceed thirty inches (30”) in height from grade of yard at sidewalk level. In addition, the area shall be kept free of debris and other objects so as to not impede drainage.

8.3. Utility easements behind properties in the City of Bellewood are the responsibility of the adjoining property owner and must be kept mowed and free of any rubbish (including tree/shrub cuttings and other yard waste).

PENALTY: A violation of this ordinance shall be punishable by a fine in the amount of fifty dollars (\$50.00) per offense. In addition, the Commission may elect, upon proper notice to the homeowner, to remedy the violation and to place a lien against the property.

8.4. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

FENCES, NEW & EXISTING (October, 2013)

DEFINITION – Any enclosure constructed of wood, metal, wire mesh, masonry, or any other material, including shrubbery and plantings, erected for the purpose of privacy and/or protection:

9.1. Any person erecting, building and/or constructing a fence within the City Limits of the City of Bellewood shall be required to provide a plan, specifications and/or proposal concerning said fence to the Bellewood City Commission and receive its approval before the erecting, building and/or constructing any such structure.

9.2. No fence is permitted in front of a residence. Residences on corner lots or on lots where the side and/or back of the property fronts on a street shall not have fence above four (4) feet high and said fence must remain five (5) feet from the street or sidewalk.

9.3. In addition to the requirements as set out in paragraph 9.2 above, any proposed fencing must meet the standards and all other requirements imposed by the City of Bellewood Ordinance, i.e. a maximum of six feet (6') for side and rear yards, and made of solid materials.

PENALTY: Failure to comply with the Ordinance above shall constitute a violation and be punishable by a fine of \$250.00 and/or removal of the offending structure.

9.4. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

HOUSE NUMBERS (September 2011)

In order to have adequate and prompt fire, police and emergency medical service protection to the residents of the City of Bellewood, it is necessary for such personnel to readily identify house numbers at all times during the day and night, and the City of Bellewood encourages its residents to place their residential address in a conspicuous place which is clearly visible from the street and kept free and clear of any obstructions hindering visibility from the street passing in front of the residence.

FURTHER, for visibility purposes, the numbers should be in standard Arabic form of size of at least three (3) inches by two (2) inches and in a color distinguishable from the background and color of the residence.

INSURANCE LICENSING FEES (September 2011)

Any time you are charged a “municipal tax” on your property, casualty insurance or life insurance, this tax is due and payable to the City of Bellewood - not Metro Louisville. Please be sure to so notify your insurance agent or insurance company.

MAINTAIN PROPERTY (October 2013)

12.1. MAINTENANCE OF PREMISES AND LANDSCAPE ELEMENTS - Any owner, or his/her agent, or occupant of property located within the city limits of the City of Bellewood shall be subject to the following provisions:

12.1.1. All premises and landscape elements shall be maintained in a safe, sanitary and acceptable condition, including, but not limited to, steps, walks, driveways, fences, decks, retaining walls, shrubs, trees, grass and weeds.

12.1.2. Weeds, shrubs, grass and trees shall be kept trimmed and from becoming overgrown.

12.1.3. Trees and shrubs which have branches projecting into the public right-of-way or easements shall be kept trimmed fifteen (15) feet above the public roadways. Additionally, any tree or shrub or other plant form afflicted with decay or vegetation sickness which can be transmitted to other trees, shrubs or plants shall be treated or removed.

12.1.4. All fences, decks, retaining walls or similar structures shall be firmly anchored in the ground and maintained in good structural repair. Wooden structures subject to deterioration from weathering shall be maintained with chemicals or paint to preserve the structure and retard deterioration.

12.1.5. All yards, lots, or similar non-enclosed property shall be kept free of accumulations of trash, garbage waste, rubbish, refuse, junk and other noxious or offensive materials or substances which may cause a fire hazard or may act as a breeding place for insects, vermin or other animals.

12.1.6. Inoperable vehicles must be stored within an enclosed structure, screened from view and subject to all terms and conditions of the Jefferson County Ordinance on abandoned vehicles.

12.1.7. Public roadways shall be kept clear of all yard waste, trimmings and other lawn debris.

12.2. NOTICE AND ABATEMENT

12.2.1. It shall be unlawful for any owner or his/her agent or occupant of property within the city limits of the City of Bellewood not to remedy any violation of the provisions set out above.

12.2.2. Notice in writing may be served upon an owner, his/her agent, or occupant by hand delivery, first class mail, or by posting of it on the property. Such notice shall describe the violation and shall demand abatement within ten (10) calendar days from the date of notice, except if the violation constitutes an immediate danger to the health, safety and well being of the community, it shall be abated immediately.

12.3. LIEN RESULTING FROM ABATEMENT BY CITY

Upon failure of any owner, his/her agent, or occupant to comply with the notice by abating such violations, the City of Bellewood and/or its designated representative is authorized to enter upon the property to remedy the condition.

The City shall have a lien against the property for the reasonable value of the labor and materials used in remedying such situations. This will include the cost of cutting, clearing and removal of the violation in addition to other reasonable actions necessary to abate same. The affidavit of the Mayor of the City of Bellewood , or the responsible agent designated by the City, shall constitute prima facie evidence of the amount of the lien and the proceedings pursuant to this Ordinance, and upon the same being recorded in the office of the County Clerk of Jefferson County, Kentucky, the document shall establish and constitute a lien upon and against the property wherein such labor and materials were utilized to abate such violation. Recording of the lien shall be noticed to the public at large of the existence of a lien, and the same shall bear interest at a rate of twelve percent (12%) per annum from date of lien and thereafter until paid.

PENALTY:

12.3.1. Any owner, his/her agent, or occupant who has received notice of a violation of the provisions above and who has failed to abate the violation may be charged with a violation of this Ordinance in a criminal complaint in Jefferson District Court.

12.3.2. Any owner, his/her agent, or occupant who violates any provision of this Ordinance shall be guilty of a violation which shall be punishable by a fine of up to Two Hundred Fifty Dollars (\$250.00).

12.4. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

PARKING REGULATIONS (October, 2013)

13.1. It shall be unlawful for any person to park any vehicle in the front yard, or in any portion of the grass, or in the area between the street and sidewalk including the easement/right-of-way, other than in the driveway. An exception exists for residences with easement parking pads which were constructed prior to the effective date of this Ordinance and in compliance with Code.

PENALTY: The violation of Section 1 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of fifty dollars (\$50.00) per day until corrected.

13.2. It shall be unlawful to park any vehicle, or object in such a manner as to obstruct any sidewalk, street, or public way of the City of Bellewood, or to otherwise obstruct any public or private driveway thereof.

PENALTY: The violation of Section 2 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of fifty dollars (\$50.00) per day until corrected.

13.3. It shall be unlawful for anyone to park, stop, or allow to stand a vehicle in a designated fire lane

PENALTY: The violation of Section 3 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of two hundred fifty dollars (\$250.00) per offense.

13.4. It shall be unlawful for anyone to park in a “no parking here to corner” designated area at any time and any person, firm or corporation so doing shall be subject to penalty in addition to provisions concerning removal of vehicles and obstructions as contained herein.

PENALTY: The violation of Section 4 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of not less than fifty dollars (\$50.00) or more than two hundred fifty dollars (\$250.00) per offense.

13.5. REMOVAL OF VEHICLES AND OBSTRUCTIONS. In addition, the violation of Section 3 and Section 4 of this ordinance may result in such vehicle or object being towed or otherwise removed by the City of Bellewood, from the place of prohibited parking. The operator/owner or person placing such vehicle of object shall be responsible for all costs and expenses, including reasonable attorneys’ fees, incurred as a result of the necessity of moving said improperly parked vehicle or object.

13.6. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

RECREATIONAL VEHICLES (October 2013)

14.1. It shall be unlawful for any person to park, store or otherwise maintain a boat, tractor truck (an automotive vehicle with a driver's cab used to haul trailers), truck trailer, trailer, house trailer, disabled vehicle, recreational vehicle and/or motor home on any public or private property within the city, unless:

14.1.1. Section 1 - It is enclosed within a garage or structure and it is not occupied as a dwelling or sleeping place.

14.1.2. Section 2-The property in question is a trailer, twenty-five (25) feet or less in length, which cannot be seen from the street in front of the residence where the property is stored, or from any city street which directly borders the property where the trailer is stored.

14.2. Notwithstanding the provision of Section 1 above, a city resident may park his boat, tractor truck, truck trailer, house trailer or recreational vehicle and/or motor home in the driveway of his dwelling for a period not to exceed seventy-two (72) hours for the purpose of loading, unloading, cleaning, repairing and/or servicing.

14.3. A recreational vehicle owned by a person who is not a resident of this city, and is a guest of a resident of this city, may be parked for a period not to exceed seventy-two (72) hours in the driveway of the residence in which the recreational vehicle owner is a guest.

14.4. For purposes of this ordinance, the time period of seventy-two (72) hours need not be continuous.

PENALTY: Failure to comply with this Ordinance shall constitute a violation and is punishable by a fine of one hundred (\$100.00) dollars per day. Each day the violation continues shall be considered a separate and distinct violation.

14.5. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

SIDEWALKS (September 2011)

15.1. General Maintenance - General maintenance of sidewalks is the duty of the owner of the property abutting the sidewalk.

15.2. The cost of any qualifying sidewalk repair and/or replacement shall be shared between the City of Bellewood and the property owner – each party responsible for fifty percent (50%) of the repair/replacement costs.

15.3. Criteria for Repair/Replacement - A sidewalk will be deemed to be in need of repair and/or replacement, if the City, by and through the Commissioner in charge of sidewalks, determines such repair/replacement is needed, under the following rating scale:

Rating Scale 1-5

- 1 Sidewalk is rough, uneven, holds water, cracked, no grade difference.
- 2 Less than one inch of grade difference.
- 3 Between one and two inches of grade difference.
- 4 Between two and three inches of grade difference.
- 5 Over three inches of grade difference and/or contains serious defects.

Other Considerations to be considered in the discretion of the City Commission:

- 1 The location of the sidewalk.
- 2 Whether a tree (or its roots) is involved.

15.4. If the sidewalk is rated 3-5, it will be repaired and/or replaced as a shared responsibility between the City of Bellewood and the homeowner – each party to pay fifty percent (50%) of the costs. If the rating is 1 or 2, the homeowner shall pay for any repair/replacement.

15.5. Once the defects are ascertained, it shall be the duty of the City to notify the property owner that repair/replacement is required. The City of Bellewood will contract periodically for sidewalk work and upon completion; the property owner will be billed for fifty percent (50%) of the cost for said repair/replacement. If the bill remains outstanding after ninety (90) days, the city shall have the option of placing a lien for the repair/replacement against the property in question.

SIGNAGE, DESTRUCTION OF AND LIMITS ON USE OF SIGNS (October 2013)

16.1. It shall be unlawful for any person to damage, deface and/or destroy any sign or other property belonging to the City of Bellewood.

PENALTY: The violation of Subsection 1 of this Ordinance shall constitute a misdemeanor which carries a fine of up to five hundred dollars (\$500.00), including court costs, and twelve (12) months imprisonment.

16.2. No sign of any type, including yard, political and/or lost animal signs shall be affixed to any property owned, operated and/or controlled by the City of Bellewood, including traffic signs, street signs, light posts and easements.

PENALTY: The violation of Subsection 2 of this Ordinance shall constitute a violation and be punishable by a fine in the amount of fifty dollars (\$50.00).

16.3. No real estate signage of any type relating to the sale of real estate within the City of Bellewood shall be placed on any property owned, operated and/or controlled by the city including the entrances to the city or any traffic island bordering the entrances to the City.

PENALTY: Any violation of Subsection 3 of this Ordinance shall constitute a violation and shall be punishable by a fine in the amount of fifty dollars (\$50.00). In addition, the violation of this subsection will result in confiscation of the sign in question by the City of Bellewood.

16.4. No commercial signage of any type shall be erected or placed within the city limits of the City of Bellewood. Exception: Temporary commercial signage relating to business being conducted within the city limits of Bellewood shall be allowable for a thirty (30) day period provided the signage is no larger than 24 x 24 and is removed immediately once the business being conducted within the city is completed.

PENALTY: The violation of subsection (4) of this Ordinance shall constitute a violation and be punishable by a fine in the amount of fifty dollars (\$50.00). In addition, the violation of this subsection will result in confiscation of the sign in question by the City of Bellewood.

16.5. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

SOLICITORS, PEDDLERS (September 2011)

17.1. It shall be unlawful for any person to conduct any form of solicitation, whether for commercial, religious, civic, charitable or educational purposes, by traveling from place to place within the city.

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

SPEED LIMIT, DAMAGE TO ROADS (October 2013)

18.1. The speed limit within the city limits shall be twenty-five (25) miles per hour unless posted otherwise.

PENALTY: The penalty for failure to observe the speed limit shall be consistent with the penalties contained in Chapter 189 (and other relevant sections) of the Kentucky Revised Statutes.

18.2. It shall be unlawful for any person to operate a motor vehicle which causes damage or injury to the surface, structure and/or foundations of any public roadways of the City.

PENALTY: The violation of Subsection 2 above shall constitute a violation which shall be punishable by a fine of two hundred fifty dollars (\$250.00).

18.3. It shall be unlawful for any person to allow the spillage of gasoline or any other flammable, toxic or injurious substance to remain on the public roadway within the City of Bellewood.

PENALTY: The violation of Subsection 3 above shall constitute a violation which shall be punishable by a fine of two hundred fifty dollars (\$250.00).

18.4. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

TAX ASSESSMENT (September 2011)

Annual ordinance to adopt the Jefferson County, Kentucky ad-volorum property tax assessment for the City of Bellewood, Kentucky, and to levy an ad-volorum tax thereon for the general operation of the City. Current assessment date is January 1, for the fiscal year July 1 to June 30. (Taxes are billed the first business day of January of the assessment year, and payable with 10% discount if received by the end of the following February; face value is due up to March 31. If paid any time in April, a 15% penalty applies; 4% interest per month thereafter.) Note: Tax bills are mailed to the owner of record (or mortgage company) as of January 1 of the assessment year.

TREE REMOVAL AND REPLACEMENT IN FRONT EASEMENTS/ RIGHT-OF-WAY (October 2013)

20.1. The City of Bellewood shall pay 50 percent (50%) of the cost for the removal of any tree, including the stump, that is located in the front easement and/or right-of-way and has been declared dead, dying and/or hazardous by the City Commission after consultation with a qualified arborist. The property owner shall be responsible for payment of the remaining 50 percent (50%).

20.2. The City will pay for the partial removal of any tree that due to a storm or other natural condition has blocked a public roadway or sidewalk. This obligation shall extend only to the clearing of the public roadway or sidewalk and the remainder of the removal cost shall be borne by the homeowner.

20.3. Except as stated in Sections 1 and 2 above it shall be unlawful for any person, firm, partnership or corporation to remove any tree(s) from the easement or right-of-way in Bellewood without the prior approval of the City Commission.

PENALTY: The violation of this paragraph will result in a fine of \$250.00 for each offense.

20.4. The City of Bellewood shall pay up to \$150.00 toward the purchasing and planting of a wide range of hardwood trees planted within 15 feet of the street but not closer than 10 feet of the street or a driveway. Approved tree species include black maple, sugar maple, beech, blue ash, ginkgo, white oak and others. Contact City Clerk or Mayor for approval.

20.5. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

PORTABLE STORAGE CONTAINERS (PODS), DUMPSTERS, TEMPORARY STRUCTURES (December 2013)

21.1. It shall be unlawful to place or allow to be placed any portable on demand storage container (PODS), dumpster or temporary construction structure, including portable toilets, within 25 feet of the street, or within the city limits of the City of Bellewood for more than thirty (30) days without the written approval of the Bellewood City Clerk.

PENALTY:

21.1.1. Violation of Section 1 of this Ordinance by any person, corporation or other entity shall constitute a violation and be punishable by a fine in the amount of one hundred dollars (\$100.00) per day until such structure is removed. Each day that the violator remains in violation shall constitute a separate offense.

21.1.2. Fines issued in violation of Section 1 of this Ordinance shall be paid within ten (10) days of the issuance of the citation or a late fee of twenty-five dollars (\$25.00) shall be applied.

21.2 All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

OFFENSIVE ACTIVITY (September 2011)

22.1. No noxious or offensive activity shall be carried on upon any lot above described, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

FIREARMS (October 2013)

23.1. It shall be unlawful within the City of Bellewood for any person to use or discharge any firearm or weapon from which a projectile, metal shot or metal pellet is or may be propelled. This includes items commonly known as air rifles, air pistols or BB guns.

PENALTY: Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense; and any such weapon as described in Section 1 above found in the possession of any person convicted under the provisions of this Ordinance may be ordered by the district court of Jefferson County to be confiscated and destroyed.

23.2. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

TREES (October 2013)

24.1. It shall be unlawful for any person to trim, cut, damage or remove any shade or ornamental tree on any of the public ways of the city without having first secured a permit to do so from the Bellewood City Commission. (see tree removal request application)

24.2. It is the responsibility of the homeowner to maintain any tree or shrub on his or her property. If the tree is covered with Ivy or any other potentially hazardous vine then it is the responsibility of the homeowner to have the vine removed from the tree, as it will eventually kill the tree.

24.3. All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of fifteen dollars (\$15.00) per day shall be applied. If the violation is not resolved and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property.

ANNUAL TAX ASSESSMENT (December 2011)

An ordinance providing for an assessment of all real estate within the corporate limits of the City of Bellewood, Kentucky, and the levying of an ad-volorem tax thereon for the city purposes for the fiscal year ending June 30, 2012 and fixing the time for the payment of taxes, and providing a discount thereon and penalty and sale for non-payment.

WHEREAS, pursuant to Provisions of K.R.S. 92.280 et seq. and K.R.S. 132.285, the City of Bellewood is authorized and empowered to provide for a system for the assessment, levying, and collection of all City taxes.

25.1. The following provisions shall apply for the period from July 1, 2011 to June 30, 2012, the ending of the fiscal year for the City of Bellewood.

25.2. The Metro Assessor shall assess all real estate within the corporate limits of said City as of July 1, 2011 but effective upon the date and time of the passage of this Ordinance as provided by law, and expecting therefrom any real estate owned by any religious institutions, exempt by law, shall not be assessed.

25.3. The Assessor shall make a list of all the persons owning real estate and personal property within the City, and verify it by oath and shall deposit such list with the City Clerk on or before December 1, 2011. Said list shall contain a description of each parcel or real estate with the City, subject to taxation, the name and the address of the owner thereof, and the assessed valuation thereof as fixed by the assessor.

25.4. After the assessment books are completed in the aforementioned manner, the City Clerk shall make out the tax bill therefrom and each tax bill shall show each lot and assessment thereof separately, the name of the supposed owner, and the ad volorem tax rate of the total tax due.

25.5. Upon the delivery of such bills payment shall be made to the City Treasurer. A collection of delinquent taxes, interest and penalty thereon shall be made in the manner as prescribed by law.

25.6. Proceeds of such taxes are to be used for general operating purposes of the City, including such expenses for the operation of said municipality and the providing of municipal services and all necessary and incidental expenses attached thereto as may be necessary and proper for the municipal functions of said City.

25.7. The tax for the year of 2011-2012 is hereby levied and fixed at the rate of 19 cents per \$100.00 valuation of the property as assessed for taxation. Said tax shall be due and payable on or before March 31, 2012.

25.8. It is further specifically provided that each tax bill shall be due and payable on or before March 31st and said tax bill will be subject to a discount of 40% if paid in the months of January or February 2012. The face amount of said tax bill shall be due and payable during the month of March. All tax bills unpaid by April 1, 2012 shall be considered delinquent and be subject to a penalty of 10%, plus interest at the rate of 1.5% per month which shall be payable and due upon the face amount of each delinquent bill.

25.9. The City Clerk is ordered to prepare and mail bills covering said tax on or before January 1, 2012. Any unpaid tax as provided for herein shall remain a lien against the property in favor of the City until said tax, interest and penalties shall be fully paid.

25.10. The distraint and collection of delinquent taxes, interest and penalties shall be in the same manner as provided by law for the collection of delinquent taxes.

25.11. The tax receiver shall keep records and books for the fiscal year to show separately the moneys received from collections, including a record column of tax bill, interest and penalty thereon.