

CITY OF MEADOW VALE

Ordinance #3, Series 2002-2003

AN ORDINANCE REPEALING AND REPLACING ALL CITY ORDINANCES RELATING TO

- (1) TRAFFIC CONTROL AND VEHICULAR PARKING;
- (2) PUBLIC NUISANCES;
- (3) JUVENILE CURFEW;
- (4) DISCHARGE OF WATER ONTO PUBLIC ROADWAYS; AND
- (5) ANIMALS

WHEREAS, the City of Meadow Vale desires to repeal and replace the ordinances most often utilized by the Meadow Vale Police Department in day to day enforcement,

AND WHEREAS, the City of Meadow Vale has reviewed those ordinances most often enforced by the Police Department, namely, all those involved with Traffic Control and Parking; Nuisance, Animals and Juvenile Curfew and has re-drafted same,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF MEADOW VALE, KENTUCKY:

SECTION I: All City of Meadow Vale ordinances concerning Traffic Control and Parking; Nuisances and Juvenile Curfew are hereby repealed and replaced as follows:

CHAPTER 1 - Traffic Control and Vehicular Parking

SECTION 1: Definitions

- (a) Intersection: the portion of the public way located within the extensions of the street curbs or pavement edges of two or more streets which meet at any angle, regardless of whether or not the streets cross each other.
- (b) Park: to leave a vehicle in a stationary position, whether occupied or unoccupied, for a time period longer than that required to load or discharge passengers or property.
- (c) Public Way: the entire area between property lines of every street set aside for public travel.
- (d) Sidewalk: that portion of the public walkway between the curb or pavement edge and property lines intended for pedestrian travel.
- (e) Back yard: the area located behind the rear exterior wall of the dwelling.
- (f) Hard surface: concrete, asphalt or paver blocks.
- (g) Stop: to allow the vehicle to remain stationary longer than required to load and unload passengers.
- (h) Street: public ways, including alleys intended for vehicular travel.

- (i) Vehicle: the use of the term "vehicle": as found herein includes, but is not limited to, automobiles, vans, tractors (including garden tractors), trailers, trucks, campers, and all types of recreational vehicles, motorcycles, mopeds, or any other type of device designed to operate under its own power or to be pulled or pushed by any other type of vehicle.
- (j) Inoperable Vehicle: Any vehicle which remains unable to operate, and unregistered for a period of seven (7) days or longer.
- (k) Special Vehicle: Includes van, housecar or mobile home exceeding 6,000 pounds gross vehicle weight; airplane, boat, boat trailer, work trailer, other trailers, camper, tractor, work truck or any part of such aforementioned vehicles.
- (l) Abandoned vehicle: A vehicle that is:
 - 1. parked in any one place on any of the public ways and streets of the City for a period of seventy-two (72) consecutive hours or more; or
 - 2. parked in any other place, including, but not limited to, any parking lot, lawn or yard within the City for a period of seventy-two (72) hours or more: or
 - 3. parked in a designated fire lane for two (2) hours or more.

SECTION 2: Special Vehicle Parking

- (a) No Special vehicle or part of such vehicle of any weight shall be parked or stored on any property zoned single family residential (R1-through R-5), or on the side of any street adjacent to such property in the city unless the special vehicle:
 - 1. Is stored in a garage, or, if the lot does not contain an adequate garage, then;
 - 2. Is stored in the back yard on a hard surface, or if the lot does not have a back yard suitable for parking then;
 - 3. Is stored on the driveway of the home, provided the vehicle does not extend past the front wall of the house; or
 - 4. Was exempted by previous action of the City Commission as provided by previous legislation. *The grandfathered exemption is void and of no effect to any subsequent non-conforming vehicles owned by such exempt.

SECTION 3: Parking Inoperable Vehicles

- (a) No vehicle or special vehicle, which is inoperable, shall be parked or kept on any lot (except in garage), or on any street in the city.

SECTION 4: Parking Time Limits

- (a) Notwithstanding the provisions of the foregoing sections, nothing in here shall prohibit the temporary parking of a vehicle, described in Section 1 above, on a legal drive or street, (a) for cumulative periods of twelve (12) days or less during any calendar year, or (b) for continuous periods of 72 hours or less of a motor

vehicle being used in connection with improvements to or maintenance of the residence served during the periods of construction or maintenance, or while such vehicle is inoperable and awaiting removal by a commercial towing contractor.

SECTION 5: Vehicle Parking

- (a) No work vehicles over 6000 pounds gross vehicle weight shall be left on any premises except in a garage, or parked behind the rear wall of the residence and no more than five (5) vehicles (owned by the resident) of any type may be present on any premises at any one time. In addition, no vehicle (other than a vehicle grandfathered under Section 2 above) which is longer than 21 feet is allowed to be parked anywhere in the city.

SECTION 6: Responsibility for Vehicle When Parked

- (a) If any vehicle is found to be in violation of any provision of the ordinances, rules or regulations of the City and the identity of the person responsible for the violation cannot be determined, the owner or person or entity in whose name the vehicle is registered shall be held responsible for each such violation.
- (b) The fact that any vehicle, which is illegally parked, is registered in the name of a person, firm or corporation shall be considered prima facie proof that such person was in control of the automobile at the time of such parking.
- (c) The owner of the property on which there is any vehicle parked in violation of this ordinance shall be subject to the same penalties as the owner of the vehicle or person illegally parking or storing the vehicle.

SECTION 7: Abandoned Vehicles

- (a) No person shall abandon a vehicle on any public street, parking lot, lawn or yard within the City of Meadow Vale.
- (b) Any person who violates the provisions of this section shall be subject to the penalties set forth in Chapter Six (6).

SECTION 8: Stopped Vehicles

- (a) No person shall stop a vehicle, leave it standing or cause it to stop or to be left standing upon the main traveled portion of a road or street.
- (b) Whenever a police officer finds a vehicle standing upon such a road or street in violation of this Section, said officer may remove the vehicle, at the owner's expense, or require the operator or other person in charge of the vehicle to remove it.
- (c) No vehicle shall be left unattended with the keys in the ignition or in plain sight in the vehicle.

SECTION 9: Vehicle Operating Speed

- (a) It shall be unlawful to operate any vehicle or to drive on any street in the City at a speed in excess of twenty (20) miles per hour, unless posted otherwise.

SECTION 10: Vehicle Operation

- (a) The operator of any vehicle upon the streets of the City shall operate said vehicle in a careful manner, with regard for the safety and convenience of pedestrians and other vehicles upon the streets.

SECTION 11: Traffic Control Devices

- (a) It shall be unlawful for the driver of any vehicle to disobey the signal of any official traffic control device or sign erected in the City by the authority of the City Commissioners, or to disobey the personal direction of a police officer. Such sign, signal, marking or barrier shall be held to have the same authority as the personal direction of a police officer.

SECTION 12: Vehicle Weight

- (a) It shall be unlawful to operate any vehicle over the gross weight of 7 tons upon the streets and ways of the City. Those vehicles traveling within the City of Meadow Vale being used in connection with improvements to or maintenance of a residence located in the City, are hereby exempt from this provision.

SECTION 13: Vehicle Working Order

- (a) No person shall operate any vehicle on the streets or ways of the City unless it is in good working order and in such safe mechanical condition, including a properly functioning sound control device, and emergency lighting such as brake lights, so as to not endanger the driver or other occupants or any person using said streets and ways.

SECTION 14: Valid Driver's License

- (a) Every person operating a vehicle on the streets and ways of the City shall have a valid driver's license in his/her immediate possession at all times and shall display it upon the demand of any City police officer.

SECTION 15: Vehicle License Plates

- (a) It shall be unlawful to operate a vehicle upon the City streets and ways, that does not have displayed, thereon, the proper Motor Vehicle License Plate and a renewed registration tag.

SECTION 16: Vehicle As Nuisance or Obstruction

- (a) It shall be unlawful for any person to leave any type of vehicle in such a manner as to cause or constitute a nuisance, obstruction or hindrance upon any public way or sidewalk within the City at any time.

SECTION 17: Parking Near Fire Hydrant

- (a) It shall be unlawful for any person to stop or park a vehicle closer than-WP on either side of a fire hydrant.

SECTION 18: Parking on Sidewalk

- (a) It shall be unlawful for any person to park a vehicle on a sidewalk, or park in such a manner as to block a sidewalk or a driveway.

SECTION 19: Parking on Lawns and Yards

- (a) It shall be unlawful for any vehicle to be parked on any other place except an area specifically and properly designed for the purpose of parking vehicles and constructed of asphalt blacktop, concrete or paver blocks. No vehicle shall be parked, stopped or left standing in any yard or lawn immediately to the front, rear, or either side of any house, garage or structure within the City which does not actually constitute an area specifically and purposely designed for the parking of vehicles. Any vehicle parked on a street or public way in a manner such that one or more wheels rest in a yard, lot or lawn more than twelve inches (12") from the curb or pavement edge shall be deemed to be in violation of this paragraph.

SECTION 20: Exceptions to Parking Code

- (a) If a resident's driveway is completely full to the extent that no other vehicle can physically park in it with all four tires resting in the resident's driveway, then it is permissible to park on one side of the street subject to other limitations set forth by this Chapter. Parking must be limited to the side of the street where the private social occasion is taking place. Parking on both sides is prohibited in order to maintain access to emergency vehicles.
- (b) Except in the event of an emergency, any citizen of the City must notify the Police Chief of his or her intent to park vehicles in locations otherwise prohibited under the provisions of this chapter. Notice must be submitted to the Chief before the date on which exceptions are to be made. Parking must be limited to the side of the street where the event is taking place. Parking on both sides is prohibited in order to maintain access to emergency vehicles.

SECTION 21: Handicapped Parking Regulations

- (a) Provision for handicapped parking spaces: All owners of off-street parking facilities intended for public use shall have a number of level parking spaces, and each space shall be identified by above ground signs as a reserved parking space shall be not less than twelve (12) feet wide.
- (b) Forbidden parking: No person or owner of a vehicle shall park in an authorized "Handicapped Only" parking space.
- (d) Exceptions to section 24: Owners of vehicles that have special parking permits, that have not expired, issued by the Jefferson County Clerk, and owners of vehicles that have a handicapped license plate are exempt from the provisions of Section 23.

SECTION 22: VIOLATIONS

- (a) Violators of any Section of this Chapter will be subject to the penalties set forth in Chapter Six (6) of this ordinance.

CHAPTER 2 - PUBLIC NUISANCES

SECTION 1: Grass and Weed Control

- (a) It shall be unlawful for the owner or occupant of any property within the City of Meadow Vale to permit weeds or grass to grow greater than six (6) inches in height on their property.

SECTION 2: Yard Waste

- (a) It shall be unlawful for the owner or occupant of any property in the City of Meadow Vale to dump rubbish, leaves, branches, grass clippings, shrubbery pruning, or any other trash in the drainage areas or ditches within the common areas, easements and/or public areas in the City of Meadow Vale, other than as permitted by sanitation services.

SECTION 3: Tree and Shrub Maintenance

- (a) It shall be unlawful for the owner of any property in the City of Meadow Vale to allow tree branches, plants or shrubs to hang lower than eight (8) feet above any sidewalk or street within the City of Meadow Vale, within the City right-of-way or easement.
- (b) It shall also be unlawful to allow tree branches, plants or shrubs to grow up or to extend onto any street, sidewalk or traffic sign or street sign which will obstruct the passage or view of vehicular or pedestrian traffic.

SECTION 4: Rodent Control

- (a) It shall be unlawful for the owner or occupant of any property in the City of Meadow Vale to permit any growth, refuse, trash, garbage or scrap material which attracts rodents or otherwise is a nuisance to the public to accumulate and remain upon any property within the City of Meadow Vale.

SECTION 5: Property Maintenance

- a.) It shall be unlawful for an owner of residential real property in the City to allow the exterior of such a residential property to remain in an unfinished condition for an unreasonable length of time, which is to be determined by the City considering the circumstances, but in any event no longer than a period of six (6) months.
 - 1.) Unfinished condition hereby means that the residential property has not been completely sided with a commonly used wood, metal, plastic, brick or stone exterior siding product. Specifically, tar paper, or other insulating or underlayment materials does not constitute a commonly used exterior siding material and is specifically prohibited as permanent exterior siding.

SECTION 6: Business Signs

- (a) It shall be unlawful for any person, firm or corporation, owning a business property in the City, in person, or by its authorized agent, to cause, allow or permit the placing of electric or non-electrical, lighted or unlighted, mechanical or non-mechanical, portable, outdoor signs on any public property or property

owned, occupied or under the control of such person. This section permits the temporary placement of small yard signs in residential property for a period up to 30 consecutive days.

- (b) Any person, firm or corporation found in violation of this ordinance shall be liable to the City of Meadow Vale for any and all expenses, losses or damages to the city as a result of such violation, including the cost of removal of said signs.

SECTION 7: Unlawful Noises

It shall be unlawful for any person within the City of Meadow Vale to:

- (a) make, continue or cause to be made or continued any loud, unnecessary or unusual noise, repose, health, or safety of others unless the making and continuing of the same be necessary for the protection and preservation of property or the health, safety, life or limb of said person;
- (b) sound any horn or signal device on any vehicle not in motion, except as a danger warning, if another vehicle is approaching apparently out of control;
- (c) sound any horn or signal device on any vehicle in motion, except as a danger warning after or as an attempt is made to decelerate the vehicle by application of the brakes;
- (d) sound any horn or signal device on any vehicle for an unnecessary or unreasonable length of time or in such a manner as to create an unreasonably loud or harsh sound; use any vehicle so out of repair, or so loaded with material as to cause any loud and unnecessary grating, grinding, rattling, or other loud and excessive noise;
- (e) discharge into the open air the exhaust of any vehicle except through a muffler or other device which will effectively prevent loud or explosive noises there from;
- (f) create any loud and excessive noises in connection with loading and unloading any vehicle;
- (g) use any mechanical loud speaker amplifiers on any moving or standing vehicle for advertising or other purposes.

CHAPTER 3 - JUVENILE CURFEW

SECTION 1: Definitions

The following words, terms and phrases when used in this Ordinance shall have the meaning ascribed to them in this Ordinance, unless the context clearly indicates or requires a different meaning:

- (a) "MINOR" Any person under the age of eighteen (18), or as may otherwise phrased, any person of seventeen (17) or under.
- (b) "PARENT" Any person having legal custody of a minor:
 - i. As a natural or adoptive parent;
 - ii. As a legal guardian;

- iii. As a person who stands ' in loco parentis" or; iv. As a person whom legal custody has been given by order of court.
- (c) "REMAIN" To stay behind, tarry, linger, congregate, move about, wander, stroll, or stay unnecessarily upon or in any public assembly, building, place, street, or highway.
- (d) "ALLOW" Either permit or neglect to prevent. It requires actual or constructive knowledge on the part of the parent or legal guardian, that is, the parent or guardian must actually know about the minor violating this section, or the circumstances must be such that a reasonably prudent parent or guardian should have known the minor was violating this section.

SECTION 2: Curfew Schedule

- (a) It shall be unlawful for any person under the age of eighteen (18) to be or remain in or upon any public assembly, building, place, street, or highway within the City of Meadow Vale at night during the following periods:
 - 12:00 a.m. to 6:00 a.m. Saturday
 - 12:00 a.m. to 6:00 a.m Sunday
 - 11:00 p.m. Sunday to 6:00 a.m. Monday
 - 11:00 p.m. Monday to 6:00 a.m. Tuesday
 - 11:00 p.m. Tuesday to 6:00 a.m. Wednesday
 - 11:00 p.m. Wednesday to 6:00 a.m. Thursday
 - 11:00 p.m. Thursday to 6:00 a.m. Friday
- (b) It shall be unlawful for any parent or guardian having legal custody of a minor to allow such minor to be or remain in or upon a public assembly, building, place, street, or highway in the City of Meadow Vale under circumstances not constituting an exception as enumerated in Section 3 during the time periods contained in Section 2.

SECTION 3: Exceptions

- (a) In the following exceptional cases a minor observed in or upon any public assembly, building, place, street, or highway in the City of Meadow Vale during nocturnal hours provided for in Section 2(a) shall not be considered in violation of this ordinance:
 - 1. When the minor is accompanied by a parent or guardian;
 - 2. When accompanied by an adult authorized by a parent or guardian of such minor;
 - 3. When exercising first amendment rights protected by the United States Constitution, such as free exercise of religion, freedom of speech, and the right of assembly, provided that written notice signed by the minor and countersigned by the parent is in the possession of said minor specifying when, where and in what manner said minor will be exercising such First Amendment rights;

4. In the case of reasonable necessity but only after such minor's parent has communicated, in writing, the Department of Police the facts establishing said necessity;
5. When the minor is on the sidewalk continuous to the place where the minor resides, or on the sidewalk contiguous with the next door neighbor who has not communicated an objection to the police officer or the department of police;
6. When returning home, by a direct route from, and within one (1) hour of termination of a school activity or an activity of a religious or other voluntary association, provided that justification indicating the place and time of termination of said event can be given to any investigating officer of the division of police;
7. When authorized by permit issued by the Mayor or his designee in cases of reasonable necessity involving more minors than may be reasonably dealt with on an individual basis. Such regulation should be issued sufficiently in advance to enable the use of publicity through news media and through other agencies such as the schools. The regulation shall define the activity, the scope of the use of the public assembly, building, place, street, or highway permitted, and the time involved not to extend more than one (1) hour beyond the time of termination of said activity, and the reason for deeming that such regulation is reasonably necessary. The commissioner of public safety shall notify the Chief of Police of said information.
8. When engaged in a business or occupation which laws of Kentucky authorize a person under eighteen (18) years to perform with satisfactory evidence of such is provided to the Department of Police.
9. When the minor, who is a duly authorized and licensed driver, is operating a motor vehicle within the City of Meadow Vale for the purpose of passing through, by direct route, from one location to another either within or out of the county, including all minors that may also be in the vehicle;
10. When the minor is, with parental consent, in a motor vehicle with a lawfully authorized driver;
11. When a minor is married in accordance with the law or had disability of non-age removed by court of competent jurisdiction.

SECTION 4: Police Procedure Regarding Suspected Curfew Violations

- (a) A police officer upon finding or being notified of any minor in or upon any public assembly, building, place, street or highway whose parent is believed to be in violation of Section 2 of this ordinance may stop and question such minor and request such information as his or her name, and age and the names and addresses of his or her parent(s), guardian(s) or person(s) having legal custody.
- (b) If the police officer determines or has reasonable cause to believe that the curfew violation has occurred, the police officer may obtain from the minor the

information necessary to issue a citation to the minor's parent, guardian, or person having legal custody.

- (c) Any minor found in violation of Section 2 of this Ordinance shall be:
 - 1. Directed to proceed immediately to his or her home by the law enforcement officer; or
 - 2. Under the authority of KRS 630.303, may be taken into custody by any peace officer: i. Pursuant to an order of the court for failure to appear before the Court for a previous status offense; or ii. If there are reasonable grounds to believe that the child has been a habitual runaway from his or her parent(s) or person(s) exercising custodial control or supervision of the child.

CHAPTER 4 - STREETS AND ROADWAYS, DISCHARGE OF WATER

SECTION 1: Definitions

- (a) City: The City of Meadow Vale, Kentucky, a municipal corporation in the fifth class, located in Jefferson County, Kentucky.
- (b) Public Ways: Any street or sidewalk built or maintained by the City for public use.
- (c) Discharge: Water caused to be placed on said public ways by means of a pump, ditch or other means other than natural flow.
- (d) Purpose: The purpose of this ordinance is to prohibit the discharge, or cause the accumulation of, water on any public way in the City.

SECTION 2: Discharge Pumps

- (a) It shall be unlawful for the owner, the owner's agent or occupant of any property which abuts a public way in the City of Meadow Vale, Kentucky, to install, permit or allow the installation of any pump or other device which discharges water on the public way.

SECTION 3: Natural and Unaided Flow of Water

- (a) The provision of this ordinance shall not apply to the natural or unaided flow of water from abutting property on or to the public way of said City.

SECTION 4: Pool Drainage

- (a) It shall be unlawful for any resident to drain a swimming pool into any catch basin or storm sewer along city streets.
- (b) Swimming pools must be discharged into the sanitary sewer, but only after the chlorine is dissipated before discharge. Chlorine will dissipate under normal conditions if allowed to stand for forty-eight (48) hours without any additional chemicals added.

SECTION 5: Violation Procedure

- (a) Any person, firm or corporation violating the provisions of this ordinance shall be notified by certified mail, return receipt requested, of said violation. Notice to owner, owner's agent or occupant of said premises shall constitute notice to the owner.

CHAPTER 5 - ANIMALS

SECTION 1: Definitions

Whenever used in this ordinance chapter, the following terms shall be interpreted as herein defined:

- (a) Domestic Pets: Any animal whose physiology has been determined or manipulated through selective breeding, and any animal which may be vaccinated against rabies with an approved rabies vaccine, and any animal which has an established rabies quarantine observation period. This includes, but is not limited to dogs, cats, hamsters, gerbils, mice, woodchucks, or similar rodents which are kept as domesticated or tamed animals and which are kept caged or within doors at all time.
- (b) The term "dog" shall mean and include all members of the canine species, regardless of age.
- (c) The term "owner" shall mean and include all persons having a right of property in the animal, or who keeps or harbors an animal or who has it in his care, or who acts as its custodian, or who permits a animal to remain on or about any premises occupied by him/her.
- (d) Pet Birds: All domesticated fowl and game birds which are legally kept in captivity.
- (e) Farm animals: Horses, stallions, colts, geldings, mares, fillies, ponies, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, swine, and domesticated hares and rabbits.
- (f) Exotic animals: Any animal born or whose natural habitat is outside the continental United States excluding non-venemous reptiles and fish.
- (g) An animal shall be deemed to roam loose if it:
 - 1.) is not confined in a secure location on its owner's premises, or
 - 2.) is off the owner's property and not restrained by a leash, or some other restraining device under the control of the owner.

SECTION 2: Noise or Odors

- (a) It shall be unlawful for any person, firm, or corporation to keep or cause to be kept any animal or animals in such manner or such number as to interfere with the quiet enjoyment of the property of another. This ordinance shall apply to excessive noise, offensive odors, unsightliness or any other way, which may diminish the value or enjoyment of the property of another.
- (b) It shall be unlawful for the owner or occupant of a property within the City of Meadow Vale to have one or more pets that continually bark, howl, whine or

make loud noise or threaten to attack persons or other animals, roam loose, chase cars or other vehicles, including bicycles, or get into residents' garbage, whether open or otherwise.

- (c) It shall be unlawful for any person to keep or maintain within the corporate limits of the city, any animal which may constitute a danger or nuisance to the residents of the city.

SECTION 3: Animals Running At Large

- (a) It shall be unlawful for the owner or person in charge of an animal to permit such animal to be on the streets of the city, or to permit or allow such animal to run at large in the city, unless said animal is on a leash, or otherwise under the absolute control, of the owner or agent.
- (b) It shall be unlawful for the owner or keeper of any animal to allow such animal to be off leash, or beyond the confinement of an enclosure from which it cannot escape at all times.
- (c) It shall be unlawful for anyone walking a pet to allow that pet to defecate on property of another without cleaning up and properly disposing of the defecation.
- (d) It shall be unlawful for the owner or keeper of any female animal to permit her to go beyond the premises of such owner or keeper at any time she is in heat, unless she is properly on a leash.

SECTION 4: Noxious Animal Activity

- (a) It shall be unlawful for any person to raise, breed or keep any animals, livestock or poultry of any kind on any private property in the City except that dogs, cats and other household pets may be kept provided they are not kept, bred or maintained for any commercial purpose.

SECTION 5: Third Conviction

- (a) Any person, who violates any provisions of this ordinance, shall on their third conviction, dispose of such animal from the city.

CHAPTER 6 - PENALTIES

SECTION 1: Criminal

- (a) Any person who shall violate any provision of this ordinance shall be fined not less than \$ 35 or more than \$100.
- (b) Where Kentucky Revised Statutes mandates a fine higher than that stipulated herein the fine contained in Kentucky Revised Statutes shall apply.
- (c) Any continuing violation of this Ordinance shall be considered a separate and distinct offense for each day on which a violation occurs or continues, and a separate penalty may be imposed therefor.

SECTION 2: Civil

- (a) Any person who shall violate any provision of this ordinance shall subject the offender to a civil penalty in an amount equal to two times the minimum fine prescribed in this ordinance, with a minimum penalty of \$35 for each violation.
- (a) The civil penalty provided herein may be recovered by the City in a civil action in the nature of a debt if the offender does not pay the penalty within twenty (20) days after the offender has been cited for the ordinance violation. As herein, cited shall mean notified of the violation and penalty in writing by an elected or appointed official of the City or the official attorney of the City. The civil penalty may be used as an alternative to or in conjunction with the criminal penalties authorized herein.

SECTION 3: Towing

- (a) Any vehicle found in violation of the traffic control and parking provisions herein is subject to towing and impoundment, at the owner's cost. Prior to impoundment the City must attempt to ascertain the identity of the owner of such vehicle through the State transportation Cabinet and within ten (10) business days of the removal shall, by certified mail, attempt to notify the registered owner of said vehicle of the location of the vehicle the specific violation, the intended action of the City and the requirements to secure the release of said vehicle if impounded. Any person engaged in the business of storing or towing said vehicles shall have a lien on the motor vehicle for the reasonable or agreed upon charges for storing or towing.
- (b) The following procedures shall be followed for impounding a vehicle:
 - 1.) The first violation will result in a written warning issued by the Chief of Police or his or her designated agent to the registered owner of the vehicle.
 - 2.) The second violation of the same provision will result in the fine and/or civil penalty set forth by this ordinance, issued by the Chief of Police or his or her designated agent to the registered owner of the vehicle.
 - 3.) The third violation of the same provision will result in the fine and/or civil penalty set forth by this ordinance, issued by the Chief of Police or his or her designated agent, and the vehicle will be towed at the expense of the owner of the vehicle.
 - i. Each subsequent offense by the same vehicle will have the same result as that referenced in Paragraph 3.
- (c) The Chief of Police or his or her designated agent shall release a vehicle to its legal owner without fine if the city police have determined that the vehicle was stolen.
- (d) Any vehicle remaining in the possession of the contracted tow lot to which it has been delivered and with which it has remained for a period of sixty (60) days without being reclaimed by the rightful owner thereof, and without the payment of

the towing and storage charges thereon, may after authorization of the Chief of Police or his or her designated agent, be sold to pay the towing and storage. The advertisement of the proposed sale shall be published once a week for three (3) successive weeks as set forth in K.R.S. 424.130(3). The last advertisement shall be made at least seven (7) days before sale is held. Notice of the sale shall be sent by registered mail to the owner of the motor vehicle, and to any other person known to have any interest therein, addressed to the person at their last known address at least ten (10) days before the sale is held.

- 1.) The owner of any motor vehicle may sign a waiver of notice of sale and waiting period and permit the tow lot to sell the motor vehicle whenever he or she deems it proper and necessary.
- (e) No vehicle shall be released by the tow lot except on written order from the Chief of Police or his or her designated agent.

SECTION 4: Enforcement

- (a) Any violation of any of these ordinance shall subject the offender to fines, penalties, and forfeitures that may be imposed by law, and the City may secure injunctions and abatement orders, when appropriate, to insure compliance with its ordinances as authorized by KRS 83A.065.
- (b) This ordinance may be enforced by Meadow Vale Police Officers or in combination of the remedies authorized by this ordinance.