



City of Sycamore

██████████
Mayor

██████████
502-245-3766

January 2018

SUBJECT: ORDINANCE NO. 51

The enclosed documents represent your copy of Ordinance No. 51, Series 2017 which was adopted by the City of Sycamore Board of Commissioners at the November 13, 2017 regular meeting. This ordinance pertains to the maintenance of streets and regulation of parking and abandoned vehicles.

This ordinance replaces Ordinance No. 18, Series 1995 and mainly updates the definition of commercial vehicles.

Please review and if you have any questions or require additional information, leave a message on the office phone or in the office mailbox.

Sincerely,

James E Barr, Mayor

CITY OF SYCAMORE
ORDINANCE NO. 51 SERIES 2017
AN ORDINANCE PERTAINING TO THE
MAINTENANCE OF STREETS AND THE
REGULATION OF PARKING AND
ABANDONED VEHICLES

WHEREAS. The Board of Commissioners of the City of Sycamore, Kentucky has found that it would be in the best interest of the public health and safety of the residents of the City to adopt the following Ordinance, which Ordinance is intended to replace City of Sycamore Ordinance No. 18, Series 1995, the said Ordinance No. 18, Series 1995 being hereby Repealed.

THEREFORE, the Board of Commissioners of the City of Sycamore, Kentucky does Ordain as follows:

SECTION 1. The City hereby assumes the responsibility of maintaining and regulating the use of the streets, parking areas and sidewalks of the City of Sycamore.

SECTION 2. DEFINITIONS. For the purpose of this Ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- A. **Vehicle.** This term is to be liberally construed and is to include, but is not to be limited to, automobiles, vans, campers, trucks of any nature whatsoever, or recreational vehicles, motorcycles, mopeds, or any other type of device designated to operate under its own power or to be pulled or pushed by any means whatsoever.
- B. **Automobile Parts.** Any portion or parts of any motor driven vehicle if detached from the vehicle as a whole.
- C. **Inoperative Condition.** Unable to move under its own power due to defective or missing parts, and which has remained in such condition for a period of not less than ten (10) consecutive days.
- D. **Motor Vehicle.** Any style or type of motor driven vehicle used for the conveyance of persons or property.
- E. **Nuisance.** Public nuisance.
- F. **Scrap Metal.** Pieces or parts of steel, iron, tin, zinc, copper, aluminum, or any alloy thereof, whether covered with porcelain or any other material, whether intact or in parts, which has served its usefulness in its original form and can no longer be used for its originally intended purpose.
- G. **Unfit for Further Use.** In a dangerous condition; having defective or missing parts; or in such a condition generally to be unfit for further use as a conveyance.
- H. **Commercial Vehicle.** A truck or any other motor vehicle bearing a commercial license; or having ladder or utility racks, mounted; multiple boxes, tools or liquid containers, designed or used for construction, repair, maintenance, transport hauling or delivery; designed or used to transport more than eight (8) passengers (including the driver); cannot exceed a gross weight of 10,000 lbs.
- I. **Junked Vehicle.** Any vehicle which is inoperative or reasonably appears to be inoperative; wrecked; dismantled; partially dismantled; or discarded. Conditions which may indicate that a motor vehicle is "junked" include, but not limited to extensively rusted, or without all properly inflated tires; windshields, window glass, major chassis components, brake lights,

or without any other vehicle component required by law or with an expired license plate or registration tag or without a license plate or registration tag.

- J. **Recreational Vehicles.** Included in this definition are boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and similar vehicles. Pick-up trucks with campers attached, or similar vehicles, which are used for normal work-day transportation are excluded from the definition while in regular use for such purposes. (A "visitor permit" permitting the parking of a recreational vehicle in a parking spot to be designated by the issuing authority, valid for not more than fourteen (14) days, may be obtained for a fee of five to twenty (\$5.00 to \$20.00) dollars.

SECTION 3. GENERAL.

- 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 in or upon any street, drive, court, parking lot, public way or sidewalk within the City at any time.
- B. All commercial vehicles are strictly forbidden except for normal pick-up and delivery to the residents of the City and for the service and maintenance of City and Condominium facilities including the collection of refuse.

SECTION 4. MANNER OF PARKING.

- A. The City hereby adopts the present parking arrangement and designated parking areas presently in use by the City of Sycamore. However, nothing herein shall forbid the City to change the present parking arrangement.
- B. The City may post and designate certain parking areas for a particular use such as for the parking of guests, visitors, and residents of the City and for the parking of particularly designated vehicles including, but not limited to all trucks, vans, trailers, campers and recreational vehicles. All vehicles that fall within any particular class of vehicle covered by this section are required to park in the areas so designated. Failure to comply with this section is a violation of this Ordinance.
- C. "Double Parking" is strictly forbidden at any time.
- D. It shall be unlawful for any person to stop or park any vehicle so as to totally or partially block or obstruct any parking place or to block or obstruct the access thereto.
- E. It shall be unlawful for any person to stop or park any vehicle closer than ten (10) feet on either side of a fire hydrant.
- F. It shall be unlawful for any person to stop or park any vehicle within any no parking or restricted parking zone. A "No Parking" or "Restricted Parking" zone or area may be designated by, but not limited to, a yellow curb, sign or notice, whether temporary or permanent in nature, or by any other device that designates a particular area, curb or zone as a "no parking" or a "restricted parking" zone or area.
- G. Nothing herein contained shall restrict the City from either temporarily or permanently designating any particular area, curb, zone, parking space(s) as a "No Parking" or a "Restricted Parking" zone or area.

SECTION 5. PARKING ON LAWNS, COMMON AREAS AND IN YARDS IS STRICTLY FORBIDDEN. It shall be unlawful for any vehicle to be parked any other place than in the street, public way, driveway, parking lot or space, or any other area designated by the City for the purpose of parking vehicles. No vehicle

shall be parked, stored, stopped or left standing in any yard, lawn, common or limited common element area, immediately to the front, rear or either side of any residence, building or accessory structure within the City which does not actually constitute a street, public way, driveway, parking lot or space or any other area specifically designated for the parking of vehicles.

SECTION 6. ABANDONED VEHICLES.

- A. DEFINITION. A vehicle is deemed 'abandoned' when:
 - 1. It does not carry current Kentucky registration as required by KRS 186.020; or
 - 2. It is not covered by liability insurance as required by KRS 187.290, et. Seq. (Financial Responsibility Law); or
 - 3. It is parked in any one place on any of the public ways, streets, or driveways, parking lots or spaces of the City for a period of thirty (30) days or longer; or
 - 4. It is unlawfully parked in any other place within the City for a period of forty-eight (48) hours or more.
- B. It shall be unlawful for any person to permit a vehicle to be parked in any such manner as to have that vehicle deemed abandoned as defined by this Ordinance.
- C. PENALTY FOR VIOLATION OF SECTION 6.
 - 1. Any violation of this Section shall cause the subject vehicle to be towed by some person engaged in the business of storing or towing of vehicles at the owner's expense. Further, the subject vehicle is to be impounded and the owner of the vehicle shall be charged for the storage of the vehicle in addition to the towing charge and any other penalties imposed. No vehicle is to be released from impoundment without all towing, impoundment, storage fees, fines and penalties being first paid in full.
 - 2. The provisions of KRS 376.275 (Lien on Motor Vehicles for Storage or Towing Charges) shall apply in disposing of such vehicle. Any money obtained in disposing of a vehicle that is in excess of any liens shall be paid by the seller to the owner and if the owner cannot be located, the excess money shall be paid to the City and is to be used to maintain the public ways, drives and streets of the City. Such vehicle shall be registered or transferred in the county where the sale is conducted upon an affidavit by the seller that the provisions of KRS 376.275 have been met.
 - 3. If any such vehicle is, in the opinion of the City, or its duly designated agent, unfit for further use, the City may dispose of it immediately in such manner as it deems appropriate.
 - 4. In addition to the penalties and charges imposed by any sub-section of this Section 6, there shall be an additional penalty of seventy-five (\$75.00) dollars for each violation of this Section 6. Each day of continued violation shall constitute a separate offense.

SECTION 7. THE FOLLOWING SHALL BE UNLAWFUL IF THE CONDITION PERSISTS UNABATED FOR FORTY-EIGHT (48) HOURS OR LONGER.

- A. Parking a motor vehicle in an inoperative condition;
- B. Parking a motor vehicle unfit for further use;
- C. Parking a junked vehicle;
- D. Keeping or maintaining automobile parts, or scrap metal within parking areas unless authorized by the City for such purpose;
- E. Parking any boat, trailer, recreational vehicle or commercial vehicle in any parking place except in a parking place designated for that particular purpose.

- F. All vehicles parked within the City shall be owned or solely driven by (1) a resident of the City or (2) an invited guest of a resident of the City.

SECTION 8. OWNER RESPONSIBILITY. If any vehicle is found to be in violation of any provision of this Ordinance or any other Ordinance, rule or regulation of the City and the identity of the person responsible for any such violation cannot be determined, then, in that event, the owner other person or entity in whose name such vehicle is registered or who owns the vehicle shall be held responsible for each such violation.

SECTION 9. ENFORCEMENT.

- A. If, after informal contact from an official of the City, the offense remains without resolution, the City, through its duly elected and/or appointed officials, will give written notice by regular U. S. Mail to the offending owner or occupant of the property in question of the existence of the offending condition.
- B. If the owner occupant fails to remove or abate the condition within ten (10) days from the date the notice is mailed, the City may proceed to remove or abate the condition and add the cost of same, together with interest thereon at 12% per annum, to the next property tax bill and/or place a lien on the property in question to secure the payment thereof.
- C. Neither the City nor any of its agents or employees shall be responsible for any damage done to any vehicle that is towed or stored pursuant to this Ordinance. Further, neither the City nor any of its agents or employees shall be responsible for any item of property that may be in the vehicle.

SECTION 10. FINES

- A. Any person or persons violating any of the provisions of Sections Three through Eight hereof shall be fined not less than five (\$5.00) dollars nor more than two hundred (\$200.00) dollars for each offense.
- B. Each day of continued violation shall constitute a separate offense.

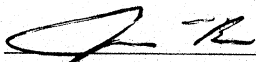
This ordinance shall be effective upon its passage, approval and publication as required by law.

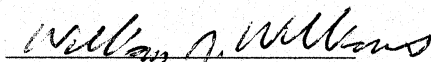
GIVEN FIRST READING ON: October 9, 2017

GIVEN SECOND READING ON: November 13, 2017

ADOPTED: November 13, 2017

ATTEST:


James E. Barr, Mayor


William Williams, City Clerk

PUBLISHED: Delivered to the resident and non-resident owners of the City of Sycamore by first class mail in lieu of newspaper publication.