

City Commission of Bellemeade, KY

Contains local legislation current through Ordinances passed by the Commission as of
January 13, 2019 and Amended August 10, 2020

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107 N Chadwick Rd

Louisville, KY 40223

www.bellemeade-ky.gov

Title I: General Provisions

Chapter 10: General Provisions

§10.01 Title of Code

The general ordinances of Bellemeade, Kentucky as revised, amended, related, codified, and now copied in code form shall constitute the "Code of the City of Bellemeade, Kentucky." Said Code shall consist of the following permanent titles:

Title I : General Provisions

Title II: Administration

§10.02 Publication of Code

- (A) At least one copy of the Code is filed in an "Ordinance Book" and kept by the City Clerk and shall remain with the clerk for use and examination by the Public.
- (B) A digital copy of the Code shall be kept by the City Clerk and shall be distributed on written request by the Public, within a reasonable period of time.
- (C) The City Commission shall be responsible for updating the Code and providing those updates to the City Clerk for keeping.

§10.03 Ordinances that Amend or Supplement Code.

- (A) If the Bellemeade City Commission shall desire to amend any existing chapter or section of this Code, the chapter or section shall be specifically repealed and a new chapter or section, containing the desired amendment, substituted in its place.
- (B) Any ordinance which is proposed to add to the existing Code a new chapter or section shall indicate, with reference to the arrangement of this Code, the proper number of such chapter or section. In addition to such indication thereof as may appear in the text of the proposed ordinance, a caption or title shall be shown in concise form above the ordinance.

§10.04 Authority of Code

Said Code shall be in full force and effect upon receipt by the City Clerk from the Commission, and said Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded and approved and that any notice thereof as required by law have been given.

(Bellemeade Ord. 2020-02 approved on 1/13/2020)

Title II: Administration

Chapter 20: City Employees

§20.01 City Employees

- (A) The City Treasurer and City Clerk are hereby designated as part time employee positions of the City of Bellemeade, Kentucky.
 - (B) A City Attorney shall be retained on a "for fee" basis and shall not be considered as a City employee.
 - (C) Method of hire shall include public notice of vacancy and interview by the mayor and one Commissioner who shall then present a recommendation to hire to the full Commission.
 - (D) Compensation of employees shall be determined and ordered by vote of the City Commission.
 - (E) The City Clerk shall perform duties as prescribed by KRS 83A.085. Additionally, the Clerk shall publish quarterly the Neighborhood News in collaboration with the mayor and one designated Commissioner.
 - (F) The City Treasurer shall be the chief financial officer of the City and shall be bonded and subject to audit in accord with Kentucky Revised Statutes. The Treasurer shall present a monthly accounting of city revenue received and monies expended to the Commission, shall assist in budget preparation, and shall perform other duties as established by vote of the City Commission. The Treasurer shall be authorized to expend monies after receipt of an invoice approved for payment by signature of a Commissioner or the mayor. Payment shall first be by City credit card where accepted or second by check signed by the mayor and the Treasurer.
 - (G) City Treasurer and City Clerk are authorized to seek legal assistance through Kentucky League of Cities or Bellemeade City Attorney as necessary.
- (Bellemeade Ord. 2019 – 9 passed July 8, 2019)

Chapter 30: Elected Officials

§30.01: Commission Roles

- (A) A Commission Member shall be appointed by the Commission upon recommendation by the mayor to direct each area of City Government with executive authority as follows:
- (B) The mayor shall be responsible for City administration, response to emergency activity, budget, contracts, and signing articles for payment of City payroll and approved expenditures and other duties as prescribed by Kentucky Revised Statute.
- (C) The mayor pro tempore shall be responsible for assuming the duties of the mayor when necessary.
- (D) Public Events Commissioner shall be responsible for City events.
- (E) Public Lands Commissioner shall be responsible for land owned by the City and all maintenance and improvements thereon to include regulation of the posting of signs on said property.
- (F) Public Safety Commissioner shall be responsible for code enforcement and public safety in the City.

- (G) Public Works Commissioner shall be responsible for matters of public sanitation to include, but not limited to, trash, recycle, and yard waste collection and for streets and street lights within the City.

§30.02: General Responsibilities

- (A) Responsibility shall include generation of required activity, public notice and/or advertisement where required, procurement, logistical application, personal supervision, and submission of signed invoice for payment for services and/or products.
- (B) Authority to administer activity in area of responsibility shall be restricted only by Kentucky Revised Statute, budgetary limitations, vote of the full Commission, and/or existing or future Bellemeade Ordinance.
- (C) Commission Members are authorized to conduct interviews and/or meetings open to the public concerning issues within area of responsibility. Public Notice shall not be required for said public meetings in which a quorum of Commission members is not present. Records shall be kept documenting action taken at and by such meeting and forwarded in a timely manner to the City Clerk for inclusion in City records.
- (D) Commission members shall observe the statutory stipulations governing open meetings when collaborating on any matter concerning more than one City service.
- (E) Each Commission Member shall inform the full Commission of activity in area of responsibility on a quarterly basis in writing.
- (F) Commission Members are authorized to seek legal assistance through Kentucky League of Cities or Bellemeade City Attorney as necessary.
- (G) Vacancies on the Commission shall be filled by according to the provisions of Kentucky Revised Statute 83A.040 with first consideration given to the non-elected candidate with highest votes in the last past election provided that the candidate is still a resident of the City, still available to serve, and eligible to be appointed.

(Bellemeade Ord. 2019-8 approved on September 9, 2019)

§30.03: Code of Ethics

(A) Definitions.

1. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit.
2. "Board of Ethics" or "Board" means the City of Bellemeade Board of Ethics which is created and vested by this .. ordinance with the responsibility of enforcing the requirements of the City's code of ethics.
3. "City" refers to the City of Bellemeade, Kentucky.

4. "Employee" means any person, whether full-time or part-time, and whether paid or unpaid, who is employed by or provides service to the city. The term "employee" shall not include any contractor or subcontractor or any of their employees.
5. "Immediate family member" shall mean a spouse, children, grandchildren and their spouses, parents and parents of spouse, brother and sister and their spouses or a person claimed by the officer or employee as a dependent for tax purposes.
6. "Officer" means any person, whether full-time or part-time, and whether paid or unpaid, who is one of the following:
 - a. Mayor.
 - b. Commissioner.
 - c. Clerk.
 - d. Treasurer.
 - e. A member of the governing body of any city agency who has been appointed to the governing body of the agency by the city.

(B) Standards of Conduct.

1. No officer or employee, or any immediate family member of any officer or employee, shall have an interest in a business or engage in any business, transaction, or activity, which is in substantial conflict with the proper discharge of his or her public duties.
2. No officer or employee shall intentionally use or attempt to use his or her official position with the city to secure unwarranted privileges or advantages for him or herself or others.
3. No officer or employee shall intentionally take or refrain from taking any discretionary action, or agree to take or refrain from taking any discretionary acting, or induce or attempt to induce any other officer or employee to take or refrain from taking any discretionary action, on any matter before the city in order to obtain a financial benefit for any of the following:
 - a. The officer or employee.
 - b. An immediate family member.
 - c. An outside employer.
 - d. Any business in which the officer or employee, or any family member has a financial interest.
 - e. Any business with which the officer or employee, or any family member is negotiating or seeking prospective employment or other business or professional relationship.
4. No officer or employee shall be deemed in violation of any provision of this section if, by reason of the officer's or employee's participation, vote, decision, action or inaction, no financial benefit accrues to the officer or employee, an immediate family member, an

outside employer, or a business as defined in subsection (C)(4) and (C)(5) of this section, as a member of any business, occupation, profession, or other group, to any greater extent than any gain could reasonably be expected to accrue to any other member of the business, occupation, profession, or other group.

5. Every officer or employee who has a prohibited financial interest which the officer or employee believes or has reason to believe may be affected by his or her participation, vote, decision or other action taken within the scope of his or her public duties shall disclose verbally to the governing body of the city or city agency served by the officer or employee, his/her interest. The officer or employee shall refrain from taking any action with respect to the matter that is the subject of the disclosure.
6. No officer or employee of the city or any city agency shall directly or through others undertake, execute, hold, or enjoy, in whole or in part, any contract made, entered into, awarded, or granted by the city or a city agency, except as follows:
 - a. The prohibition in subsection (6) of this section shall not apply to contracts entered into before an elected officer filed as a candidate for city office, before an appointed officer was appointed to a city or city agency office, or before an employee was hired by the city or a city agency. However, the prohibition shall apply for renewal of such contracts after he or she becomes an employee or officer.
 - b. The prohibition in subsection (6) of this section shall not apply if the contract is awarded after public notice and competitive bidding, unless the officer or employee is authorized to participate in establishing the contract specifications, awarding the contract, or managing contract performance after the contract is awarded.
7. Any violation of this section shall constitute a Class A misdemeanor, and upon conviction, the court may void any contract entered into in violation of this section. Additionally, a violation of this section shall be grounds for removal from office or employment with the city in accordance with any applicable provisions of state law and ordinances, rules or regulations of the city.

(C) Receipt of Gifts.

No officer or employee of the city or any city agency shall directly, or indirectly through any other person or business, solicit or accept any gift or honoraria having a fair market value of more than One Hundred (\$100.00) Dollars, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence, or could reasonably be expected to influence the officer or employee in the performance of his or her public duties.

(D) Use of City Property, Equipment, and Personnel.

No officer or employee of the city shall use or permit the use of any city time, funds, personnel, equipment, or other personal or real property for the private use of any person, unless:

1. The use is specifically authorized by a majority vote of the commissioners and mayor (in case of a tie vote).
2. The use is available to the general public, and then only to the extent and upon the terms that such use is available to the general public.

(E) Representation of Interests before City Government.

1. No officer or employee of the city or any city agency shall represent any person or business, other than the city, in connection with any cause, proceeding, application or other matter pending before the city or any city agency.
2. Nothing in this section shall prohibit any officer or employee from representing himself or herself in matters concerning his or her own interests.
3. No elected officer shall be prohibited by this section from making any inquiry for information on behalf of a constituent, if no compensation, reward or other thing of value is promised to, given to, or accepted by the officer, whether directly or indirectly, in return for the inquiry.
4. No officer or employee shall use or disclose confidential information concerning property, government, legal, personnel or other affairs of the City.

(F) Post-Employment Restriction.

No officer or employee of the city or any city agency shall appear or practice before the city or any city agency with respect to any matter on which the officer or employee personally worked while in the service of the city or city agency for a period of one (1) year after the termination of the officer's or employee's service with the city or city agency.

(G) Honoraria.

No officer or employee of the city or a city agency shall accept any compensation, honorarium or gift with a fair market value greater than \$100 in consideration of an appearance, speech or article unless the appearance, speech or article is both related to the officer's or employee's activities outside of municipal service and is unrelated to the officer's or employee's service with the city.

(H) Financial Disclosure.

1. All elected City officials, non-elected officers, and employees of the city who are authorized to make purchases of materials or services involving expenditure of more than Five Hundred Dollars (\$500), shall file an annual statement of financial interests with the Board of Ethics.
2. Any City official, or employee, who has or shall have a private financial interest, directly or indirectly, in any contract or matter pending before or within the City government shall disclose such private interest to the Board of Ethics and shall disqualify him or herself from participating in any decision or vote relating thereto.

(I) When to File Statements; Amended Statements.

1. All statements of financial interest shall be filed no later than 5:00 p.m. on March 1 each year, provided that:
 - a. An officer or employee newly-appointed to fill an office or position of employment with the city, or a city agency shall file his or her initial statement no later than thirty (30) days after the date of the appointment.
2. The Board of Ethics may grant a reasonable extension of time for filing a statement of financial interests for good cause shown.
3. In the event there is a material change in any information contained in a financial statement that has been filed with the Board, the officer or employee shall, no later than thirty (30) days after becoming aware of the material change, file an amended statement with the Board.

(J) Form of the Statement of Financial Interests.

The statement of financial interests shall be filed on a form prescribed by the Board of Ethics. The Board shall deliver a copy of the form to each officer and employee required to file the statement, by first class mail or hand delivery, no later than February 1 of each year. The failure of the Board to deliver a copy of the form to any officer or employee shall not relieve the officer or employee of the obligation to file the statement.

(K) Control and Maintenance of the Statements of Financial Interests.

1. The Board of Ethics shall be the "official custodian" of the statements of financial interests and shall have control over the maintenance of the statements of financial interests. The statements of financial interests shall be maintained by the Board of Ethics, as public documents, available for public inspection immediately upon filing.
2. A statement of financial interests shall be retained by the Board, for a period of three (3) years after filing, and then destroyed.

(L) Contents of the Financial Interests Statement.

1. The statement of financial interests shall include the following information for the preceding calendar year:
 - a. The name, current business address, business telephone number, and home address of the filer.
 - b. The title of the filer's office or position of employment.
 - c. The occupation of the filer and the filer's spouse.
 - d. Information that identifies each source of income of the filer and filer's spouse exceeding ten thousand dollars (\$10,000) during the preceding calendar year (excluding Social Security benefits), and the nature of the income (e.g., salary, commission, dividends, retirement fund distribution, etc.).

- e. The name and address of any business located within or outside the state in which the filer or filer's spouse had at any time during the preceding calendar year an interest of ten thousand dollars (\$10,000) or more at fair market value or five percent (5%) ownership interest or more.
- f. A designation as commercial, residential, or rural, and the location of all real property within the county, other than the filer's primary residence, in which the filer or filer's spouse had during the preceding calendar year an interest of ten thousand dollars (\$10,000) or more
- g. Nothing in this section shall be construed to require any officer or employee to disclose any specific dollar amounts nor the names of individual clients or customers of businesses listed as sources of income, nor be required to disclose his or her personal or family financial records, statements or documents of financial nature except as provided herein.

(M) Noncompliance with Filing Requirement.

1. The Board of Ethics shall notify by certified mail each person required to file a statement of financial interests who fails to file the statement by the due date, files an incomplete statement, or files a statement in a form other than that prescribed by the Board. The notice shall specify the type of failure or delinquency, shall establish a date by which the failure or delinquency shall be remedied, and shall advise the person of the penalties for a violation.
2. Any person who fails or refuses to file the statement or who fails or refuses to remedy a deficiency in the filing identified in the notice under subsection (1) within the time period established in the notice shall be guilty of a civil offense and shall be subject to a civil fine imposed by the Board in an amount not to exceed five dollars (\$5) per day, up to a maximum total civil fine of five hundred dollars (\$500). Any civil fine imposed by the Board under this section may be recovered by the city in a civil action in the nature of debt if the offender fails or refuses to pay the penalty within a prescribed period of time.
3. Any person who intentionally files a statement of financial interests which he or she knows to contain false information or intentionally omits required information shall be guilty of a Class A misdemeanor.

(N) Nepotism.

No immediate family member shall be employed to a position in City government, PROVIDED, HOWEVER, such immediate family member may occupy a voluntary position for which there is no remuneration.

(O) Board of Ethics.

1. The Board of Ethics shall consist of three (3) members who shall be appointed by the mayor of the city, subject to the approval of the commissioners. No member of the Board of Ethics shall hold any elected or appointed office, whether paid or unpaid, or any position of employment with any city agency. If there is one (1) member, he/she shall serve for a term of three (3) years. If there are three members, one (1) member

shall be appointed for three (3) years, one member shall be appointed for two (2) years, and one member shall be appointed for one (1) year. Thereafter, all appointments shall be for a term of three (3) years. Each member of the Board of Ethics shall have been a resident of the city for at least one (1) year prior to the date of the appointment and shall reside in the city throughout the term in office. The members may be reappointed for any number of consecutive terms.

2. A member of the Board of Ethics may be removed by the mayor, subject to the approval of the commissioners, for any reason. Before any member of the Board of Ethics is removed from office under this section, the member shall be afforded the opportunity for a hearing before the mayor and the commissioners.
3. Vacancies on the Board of Ethics shall be filled within sixty (60) days by the mayor, subject to the approval of the commissioners. All vacancies shall be filled for the remainder of the unexpired term.
4. Members of the Board of Ethics shall serve without compensation, but shall be reimbursed for all necessary and reasonable expenses incurred in the performance of their duties.
5. The Board of Ethics shall, upon the initial appointment of its members, and annually thereafter, elect a chairperson from among the membership. The chairperson shall be the presiding officer and a full voting member of the Board.
6. Meetings of the Board of Ethics shall be held, as necessary, upon the call of the chairperson or at the written request of a majority of the members.
7. Two (2) members shall constitute a quorum and the affirmative vote of two (2) members shall be necessary for any official action to be taken.
8. Minutes shall be kept for all proceedings of the Board of Ethics and the vote of each member on any issue decided by the Board shall be recorded in the minutes.
9. The Board of Ethics shall:
 - a. Require any inquiry or complaint concerning ethical issue to be submitted in written form and signed by complainant.
 - b. Receive, hear, investigate written complaints concerning violations of the Code of Ethics, hold hearings, and make decisions on complaints.
 - c. Render advisory opinions to city and city agency officers and employees regarding ethics and ethics violations.
 - d. In hearing and investigating complaints, the Board of Ethics shall have the power to subpoena witnesses, administer oaths, take testimony, and require other production of evidence.
 - e. Control and maintain all statements of financial disclosures required by this ordinance, and all materials and information relating to complaints, records,

and testimony. Such materials and information shall be kept in strict confidence except as required by this ordinance and the Kentucky Open Records Act.

- f. Within fourteen (14) calendar days, the Board shall notify the subject of the complaint and of the nature of the complaint.
- g. Within fourteen (14) calendar days of the receipt of complaint, the Board shall notify the initiators of the complaint, the subject of the complaint, Mayor, and Commissioners of the receipt of the complaint.
- h. Within thirty (30) calendar days of the complaint's receipt, the Board shall conduct a preliminary inquiry of the complaint. The Board shall afford the subject of the complaint an opportunity to respond to the complaint's allegations, and the person shall have the right to be represented by counsel, to appear and be heard under oath, and to offer evidence.
- i. All proceedings and records relating to the preliminary inquiry shall be confidential until the Board makes a final determination.
- j. If the Board of Ethics concludes, based upon its preliminary inquiry, that the complaint is legitimate, the Board shall notify the complaint's subject that (i) a hearing will be held to determine if there is a violation or (ii) due to the lack of seriousness or lack of significant economic advantage, or gain to the complaint's subject, issue a confidential reprimand and provide a copy of such reprimand to Mayor and Commission. If the Board concludes, based on the preliminary inquiry, that the complaint is without merit, it shall notify within fourteen (14) calendar days the complainant and the subject of the complaint their decision and the reason.
- k. If the Board determines a hearing is necessary, the Board shall set a hearing date within forty-five (45) calendar days of the preliminary inquiry, unless the alleged violator petitions for and the Board consents to a later date. The Board shall notify immediately the alleged violator of the hearing date, but no later than thirty (30) days before the hearing date.

10. (10) Any person who knowingly files a false complaint with the Board of Ethics against an officer or employee of the City shall be guilty of Class A misdemeanor.

(P) Hearing Procedure.

(1) The Kentucky Rules of Civil Procedure and the Kentucky Rules of Evidence shall not apply to hearings conducted by the Board of Ethics: however, the hearings shall be conducted in accordance

- 1. with this section and in accordance with any additional rules and regulations adopted by the Board so as to afford all parties the full range of due process rights required by the nature of the proceedings.
- 2. Prior to the commencement of the hearing, the alleged violator, or his or her representative, shall have a reasonable opportunity to examine all documents and records obtained or prepared by the Board in connection with the matter to be heard.

The Board shall inform the alleged violator, or his or her representative, of any exculpatory evidence in its possession.

3. All testimony in a Board hearing shall be taken under oath, administered by the presiding officer. All parties shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine witnesses, to submit evidence, and to be represented by counsel. All witnesses shall have the right to be represented by counsel.
4. Any person whose name is mentioned during the hearing and who may be adversely affected thereby may appear personally before the Board, with or without counsel, to give a statement regarding the adverse mention, or may file a written statement regarding the adverse mention for incorporation into the record of the proceeding.
5. All hearings of the Board of Ethics shall be public, unless the members vote to go into executive session in accordance with KRS 61.810.
6. After the conclusion of the hearing, the Board of Ethics shall, as soon as practicable, begin deliberations in executive session for the purpose of reviewing the evidence before it and making a determination whether a violation of this ordinance has been proven. Within thirty (30) days after completion of the hearing, the Board shall issue a written report of its findings and conclusions.
7. If the Board concludes in its report that no violation of this ordinance has occurred, it shall immediately send written notice of this determination to the officer or employee who was the subject of the complaint and to the party who filed the complaint.
8. If the Board concludes in its report that in consideration of the evidence produced at the hearing there is clear and convincing proof of a violation of this ordinance, the Board may:
 - a. Issue an order requiring the violator to cease and desist the violation.
 - b. In writing, publicly reprimand the violator for the violations and provide a copy of the reprimand to the mayor and the commissioners of the city or city agency with which the violator serves.
 - c. In writing, recommend to the mayor and Commissioners that the violator be sanctioned as recommended by the Board, which may include a recommendation for discipline or dismissal, or removal from office.
 - d. Issue an order requiring the violator to pay a civil penalty of not more than \$500.00.
 - e. Refer evidence of criminal violations of this ordinance or state laws to the county attorney or commonwealth's attorney of the jurisdiction for prosecution.

(Q) Appeals.

Any person who is found guilty of a violation of any provision of this ordinance by the board of Ethics may appeal the finding to the circuit court of the county within thirty (30) days after the

date of the final action by the Board of Ethics by filing a petition with the court against the Board. The Board shall transmit to the clerk of the court all evidence considered by the Board at the public hearing.

(R) Advisory Opinions.

1. The Board of Ethics may render advisory opinions concerning matters under its jurisdiction, upon its own initiative, or when requested by any officer or employee of the city or a city agency who is covered by this ordinance.
2. An advisory opinion shall be requested in writing and shall state relevant facts and ask specific questions. The request for an advisory opinion shall remain confidential unless confidentiality is waived, in writing, by the requestor.
3. The Board of Ethics shall give an advisory opinion in writing to the written request. The opinion is strictly advisory and the requestor cannot use the opinion as a defense of his action or future action.

(Q) Reprisals Against Persons Disclosing Violations Prohibited.

No officer or employee of the city or any city agency shall subject to reprisal, or directly or indirectly use, or threaten to use, any official authority or influence in any manner whatsoever which tends to discourage, restrain, deter, prevent, interfere with, coerce, or discriminate against any person who in good faith reports, discloses, divulges, or otherwise brings to the attention of the Board of Ethics or any other agency or official of the city or the Commonwealth any facts or information relative to an actual or suspected violation of this ordinance.

(S) Penalties.

1. Except when another penalty is specifically set forth in this ordinance, any officer or employee of the city or any city agency who is found by the Board of Ethics to have violated any provision of this ordinance shall be deemed guilty of a civil offense and may be subject to a civil fine imposed by the Board of Ethics not to exceed one thousand dollars (\$1,000) which may be recovered by the city in a civil action in the nature of debt if the offender fails to pay the penalty within a prescribed period of time.
2. In addition to all other penalties which may be imposed under this ordinance, any officer or employee of the city or any city agency who is found by the Board of Ethics to have violated any provision of this ordinance shall forfeit to the city or the city agency an amount equal to the economic benefit or gain which the officer or employee is determined by the Board to have realized as a result of the violation. The amount of any forfeiture may be recovered by the city in a civil action in the nature of debt if the offender fails to pay the amount of the forfeiture within a prescribed period of time.
3. In addition to all other penalties which may be imposed under this ordinance, a finding by the Board of Ethics that an officer or employee of the city or any city agency is guilty of a violation of this ordinance shall be sufficient cause for removal, suspension, demotion, or other disciplinary action by the executive authority of the city or city agency, or by any other officer or agency having the power of removal or discipline. Any action to remove or discipline any officer or employee for a violation of this ordinance shall be taken in accordance with all applicable ordinances and regulations of the city and all applicable laws of the Commonwealth.

(Bellemeade Ord. 1994-3 on November 14th 1994)

Chapter 40: Officer Education

§40.01: Definitions

As used in this section, the terms below shall have the following meanings:

1. "Training unit" means fifteen (15) clock hours of attendance or participation in qualifying courses during a calendar year.
2. "Excess hours" means credit hours earned beyond fifteen (15) during a single calendar year.
3. "Administrator" shall mean the Kentucky League of Cities City Officials Training Center.
4. "Qualifying course" shall mean any training, seminar, educational or learning event that provides instruction or information that is relevant to the duties and functions of city government and city officials and that has been approved by the administrator.

§40.02: Adoption of a City Officials Training Program; Application.

In accordance with House Bill 119 of the 2011 General Assembly, as codified in KRS Chapter 64, the City of Bellemeade hereby adopts and establishes a City Officials Training Program to make available incentive payments as specified by this ordinance to the elected city officials, including the mayor, and all members of the city council as well as the city clerk and city treasurer, for obtaining education and training as required under the provisions of this ordinance.

§40.03: Incentive Payment Amount; Required Training Participation

1. Each city official eligible for participation in the City Officials Training Program shall receive training incentive payments of **\$300** for completion of each training unit during his or her continuous service as a city official within the city. The city official shall only receive training incentive payments for a maximum of four (4) training units. The city official shall not be awarded more than one (1) training unit per calendar year.
2. The city official may continue to receive training incentive payments for four (4) training units in each calendar year following the fourth year, provided that the officer continues to earn a training unit each subsequent calendar year.
3. The failure of a city official to obtain a training unit during any calendar year shall disqualify the officer from receiving any training incentive payments for the calendar year and the city official shall lose any previously accumulated training units earned during previous calendar years.
4. Any city official earning excess hours during a calendar year shall be permitted to carry forward a maximum of ten (10) hours to apply to the earning of a training unit in the following calendar year.

5. Training incentive payments shall be made to a city official presenting proof of completion of a training unit for a calendar year within sixty (60) days of the conclusion of the calendar year.

§40.04: Policy regarding payment or Reimbursement for training courses

Subject to the constraints and appropriations established by the city's annual budget, the city shall consider reimbursing a city official for the cost of attendance or participation in a qualifying course

upon presentation of proof to the mayor that the official has received credit for the course.

Subject to the constraints and appropriations established by the city's annual budget, the city will consider reimbursing all necessary and reasonable expenses incurred during training including, but not limited to, travel and hotel costs.

§40.05: Administration of City Officials Training Program

6. The City Officials Training Program for the City of Bellemeade shall be administered by the Kentucky League of Cities City Officials Training Center, which shall be responsible for approving courses as qualifying under the terms of this ordinance, shall maintain records of attendance and participation, and shall notify the city when a city official earns a training unit and the number of training units earned by a city official during his or her continuous service as a city official within the city.
- 7.
8. The administrator shall evaluate and approve courses as qualifying for credit based on the relation of the course to the operation of city government. In addition to other courses which may be approved as qualifying courses by the administrator, courses that provide instruction on the statutory duties of cities and city officials, intergovernmental relationships, municipal finance and budgeting, municipal taxation, ethics, open records, open meetings, economic development, or municipal police powers shall be approved as qualifying courses under this ordinance. The administrator shall require the submission of the course or conference agenda, curriculum, name of the provider, and other course materials to determine whether a course should be approved as a qualifying course.
- 9.
10. A city official shall submit proof of attendance or participation in a qualifying course to the administrator. A city official shall submit the course name, date, location, name of the instructor or provider, and sufficient proof of attendance or participation in the qualifying course before the administrator shall award credit. The administrator shall not award credit to a city official for attendance or participation in a qualifying course that is not, in the administrator's opinion, substantially different from another course the city official attended or participated in during the same calendar year.
- 11.
12. The administrator shall maintain records that reflect each of the courses and hours completed by the city official and shall provide it to each city official upon request. The administrator shall, within thirty (30) days of the close of the calendar year, provide written or electronic certification to each participating city official of completed courses and hours, and shall, if applicable, certify the completion of a training unit and total number of accumulated training units. Upon receipt, a city official shall present a copy

of the certification of the completion of the training unit and the total accumulated training units to the city in order to receive his or her training incentive payments.

§40.06: Status of Incentive Payments

Training incentive payments do not constitute wages under KRS Chapter 337, creditable compensation under the County Employees Retirement System under KRS Chapter 78, or compensation for the purposes of setting maximum compensation or modification of compensation under KRS Chapter 83A, and may be repealed or modified by the city at any time.

Chapter 50: Meetings

§50.01: Regular Monthly Meetings

Bellemeade, Kentucky, City Commission Regular Monthly Meetings shall be open to the public at 7:00 PM on the Second Monday of each month at The Steel Technologies Building, 1st Floor, 700 North Hurstbourne Parkway, Louisville, KY 40222.

(As amended by Bellemeade Ord. 2020-07 on August 10, 2020.)

§50.02: Working Meetings

1. In addition to the regular meeting previously fixed by ordinance, the City Commission of the City of Bellemeade will hold informal monthly Working Meetings. Attendance at these meetings shall not be mandatory and these meetings will be open to the public.
2. The monthly Working Meetings will be held on the first Monday of each month, if not a legal holiday, at 7PM at The Steel Technologies Building, 1st Floor, 700 North Hurstbourne Parkway, Louisville, KY 40222. If the meeting would fall on a legal holiday then the meeting will not be held that month.
3. No final action will be taken at Working Meetings and therefore minutes will not be required, unless the Working Meeting also qualifies as a special meeting of the City Commission pursuant to KRS 61.805 et seq.

(As amended by Bellemeade Ord. 2020-07 on August 10, 2020.)

§50.03 Meeting Rules

1. Order of business shall be limited to those items on the original agenda or an amended agenda excepting where a unanimous vote of the commission would put this rule aside.
2. Discussion on any ordinance shall be held only after a proper written proposal has been presented in the form of a motion for passage and seconded. The motion then shall be discussed, passed as presented, passed as amended, rejected, or tabled for further study and consideration.

3. Statutes require that meetings and the records thereof be open to the public, but no statute currently guarantees any person who is not a member of the body or an employee thereof the right to speak at such meetings. Therefore, the decision to allow comments or questions from a nonmember shall rest in the hands of the Commission.
4. Minutes of the meeting shall be limited to a report of the action taken, to include the commission members who made the motions and seconds with the exception that specific questions related to the proposal and the answers thereto must be reported verbatim in the minutes along with the names of the questioners and respondents.

(Bellemeeade Ord. 2020-1 on January 13th 2020.)

Chapter 60: Peddlers Ordinance

§60.01 Purpose

The purpose of this ordinance is to protect, maintain and enhance the public health, safety, and general welfare by regulating peddling, itinerant traders, traveling salesmen, and other door-to-door salesmen, generally known as peddlers. Such persons typically market magazines, appliances, house wares, security systems, home improvement product, and other goods and services by going door to door in neighborhoods. The citizens of Bellemeeade are subject to unregulated peddling by sometimes questionable organizations or individuals, with illegitimate products, or no intent to deliver. It is the purpose of this Ordinance to regulate peddling in the city, to protect the public health, safety and welfare. To achieve this end, this Ordinance requires peddlers seek licenses and peddle under certain limitations. However, it is not the intent of this Ordinance to require persons who have already made appointments with, or already have a legitimate business relationship with the property owner, to need licensing. Neither is it the intent of this Ordinance to infringe free speech rights or require licensing for persons going door-to-door for political campaigns, religious proselytizing, or other social cause reasons.

§60.02 Definitions

1. **Applicant** shall mean the person seeking a license.
2. **Goods** shall mean any sort of personal property, wares or merchandise that can be sold, including, but not limited to, brushes, cleaners, vacuums, magazines, newspapers, luggage, house wares, electronics, computers, security systems, home improvements, furniture, food, agricultural products, flowers, tools, clothing, decorative accessories, rugs, paintings, sculpture, dishes, and so forth.
3. **License** shall mean a permit to peddle.
4. **Official photo identification** shall mean a driver's license or identification card issued by Kentucky, another U.S. State, or the U.S. Military; or a U.S. Passport.
5. **Peddling or to Peddle** shall mean traveling from place to place or door to door on foot or in a vehicle and exhibiting, offering to sell, or selling goods or services, to households, businesses or passers-by. It shall also mean traveling from place to place or door to door taking orders for the sale of goods or services for delivery at another time or place. The solicitation of orders combined with a separate transaction to make delivery to the

purchaser as a part of a scheme or design to evade the provisions of this Ordinance shall be deemed peddling. Visits by sales representatives pursuant to previously-arranged appointments with a specific business or person, or as a part of an on-going business relationship, shall not be deemed peddling.

6. **Peddler** means any person who engages in peddling.
7. **Person** shall mean any natural person, organization, corporate entity or other business entity.
8. **Services** means the provision of any sort of professional or trade service to another, including for example, general maintenance, construction, painting, lawn service, house cleaning, mending, sharpening, motor repair, appliance repair, and so forth.
9. **Bellemeade Code Enforcement** means any Bellemeade city commissioner or any person who has been assigned to perform the duties as an Bellemeade Code Enforcement Officer by the City of Bellemeade Commission.

§60.03 License Required.

It shall be unlawful for any person to engage in peddling in Bellemeade without first obtaining a license. Licenses shall be for a period of six months, and may be renewed. Each employee, agent, or contractor of a business or corporation engaging in peddling shall have a separate license.

§60.04 License Requirements

1. **License Application.** All requests for a license must be provided to the Bellemeade City Commissioner for Public Safety via email at publicsafety@bellemeade-ky.gov. Within 2 business days of receipt of the application, the Commissioner for Public Safety will email the applicant to confirm receipt of the application and supply the applicant with the address where the applicable fees may be sent. The Bellemeade City Commissioner for Public Safety shall issue a decision within ten (10) business days of the application being filed.
2. **Individual Licenses Required.** Each individual person seeking to peddle must obtain a license. If the applicant is working for another individual or corporation or other business entity, that information must be disclosed on the application and the license, if granted.
3. **Required Information.** All applications for licenses must include at a minimum the following information, and shall be signed by the applicant:
 - a) Name and address of the applicant, including a local address where the applicant will be staying while peddling;
 - b) Applicant's height, weight, age, sex, race, and social security number for background check purposes;
 - c) Photocopy of driver's license or other official photo identification of the applicant;
 - d) Proposed peddling activity including identification of the type of business, and the goods or services to be sold;
 - e) If a vehicle is to be used, a description of the vehicle together with the license plate;
 - f) The desired duration of the license (maximum six months);

- g) The application shall contain a statement that the submission of the application shall be considered to be consent that a background check may be run by the Bellemeade City Commissioner for Public Safety or his/her designee on the applicant, and a statement that all information contained therein is true and correct.
- 4. **License and Identification Carried.** The signed license is to be kept on-site in the possession of a peddler at all times that peddling is underway. Licenses shall be displayed at the request of any citizen, commissioner, or law enforcement personnel. Official photo identification shall also be kept on the person of a peddler at all times he or she is peddling, and shall be presented upon request of any citizen, commissioner, or law enforcement personnel. It shall be a violation of this Ordinance to fail or refuse to display a license or official photo identification when requested.
- 5. **Duration, Renewal.** A peddler license shall be valid for the period specified thereon, up to a maximum of six months. A peddler license may be renewed upon submission of an application for renewal, accompanied by a \$25 investigation fee and a \$25 license fee. Upon application for renewal the Bellemeade City Commissioner for Public Safety shall check to insure no complaints or criminal charges have been made against the peddler, and shall apply the same criteria as applies to the grant of a license to renew the license.
- 6. **Fees.** An application shall be followed by an investigation fee of \$50 to cover the cost of investigation and an additional \$50 license fee (\$100 total). If the license application is denied, the \$50 license fee shall be refunded, but the investigation fee shall not be refunded. These fees may be raised from time to time by the City of Bellemeade Commission.

§60.05 Investigation and Issuance

- 1. **Investigation.** The Bellemeade City Commissioner for Public Safety shall review the application for completeness and compliance with the terms of this Ordinance. The Bellemeade City Commissioner for Public Safety shall determine whether there are any records of complaints against the applicant, by requesting that the city clerk determine in the clerk's records whether any complaints have been received. The Bellemeade City Commissioner for Public Safety, at their discretion may conduct a background check or make additional inquiries they deem necessary for the investigation of the applicant.
- 2. **Decision.** The Bellemeade City Commissioner for Public Safety may grant or deny a license. The Bellemeade City Commissioner for Public Safety shall issue a license as provided in this Ordinance from a consideration of the application which must comply with the following areas of inquiry and procedures:
 - a) Did the applicant or the employer provide the name of the company he/she is working for;
 - b) Did the applicant or the employer provide what vehicles are to be used;
 - c) Has the applicant or employer provided proper identification;
 - d) Does the applicant or employer have a history of criminal convictions;
 - e) Has the applicant or employer paid required fees; or

- f) Is the application for license complete and in full compliance with the requirements of this Ordinance?

The Bellemeade City Commissioner for Public Safety shall indicate on the application review form all reasons for rejection of the application. The approved or rejected application and a copy of the license (if issued) shall be emailed to the applicant and to city clerk at clerk@bellemeade-ky.gov. The clerk shall keep a copy of all such records for period of 3 years along with any citizens complaints concerning alleged peddling.

§ 60.06 – Appeals

1. **Appeals.** Any person aggrieved by the denial or restriction of a license shall have the right to appeal the denial or restriction to the City of Bellemeade Mayor or his Designee and should file a written appeal with the Mayor of Bellemeade via email at mayor@bellemeade-ky.gov.
2. **Procedure.** The Bellemeade City Commissioner for Public Safety shall appear and present his case and evidence as to why the application was denied. The applicant shall have the opportunity to present his case and evidence in support of the application.
3. **Standard of Review.** The City of Bellemeade Mayor or his designee, shall serve as a Hearing Officer. The Hearing Officer shall enter an order providing guidance as to the location, time, persons, and other criteria of this Ordinance.

§ 60.07 – Peddling Regulations; Prohibited Locations & Times

1. **Prohibited Times.** No peddling shall be allowed during the following times:
 - a) At any time after sunset or before sunrise.
 - b) On any Sunday.
 - c) Before 9:30 a.m. or after 6:00 p.m. Monday through Friday;
 - d) Before 11:00 a.m. or after 5:00 p.m. on Saturday;
 - e) On any state, local, or national holiday;
 - f) Derby Day, Oaks Day, Thunder Over Louisville Day; and
 - g) During any declared state of emergency or pandemic;
2. **Prohibited Locations.** It shall be unlawful for any peddler to enter upon any private premises when the same are posted with a sign stating "No Peddlers Allowed" or "Keep Out" or "No Solicitations Allowed" or other words to such effect.
3. **Peddlers Under 18.** Applications for peddlers under age 18 must be signed by a parent or other legal guardian, and the adult must provide their address and relationship to the applicant.
4. **Exceptions.** Stationary stands located on private property with the express permission of the private property owner shall not require a license or be subject to any of the restrictions in this ordinance. This exception includes, but not limited to, lemonade stands, girl scout cookie stands, car wash fundraisers, and yard sales.

§ 60.08 – Violation, Enforcement

1. Persons peddling without a license or in violation of the license shall be cited with a citation for prosecution in the Jefferson County District Court, in accordance with the requirements of law for such citations. Any law enforcement officer or deputy shall be authorized to issue such citations.
2. Any person, organization, business or entity ruled to be in violation of the provisions of this Ordinance are subject to an offense, fine of not less than twenty-five (\$25) nor more than fifty dollars (\$50) per day per individual participant.
3. Any violation of this Ordinance shall immediately revoke the license. The Bellemeade City Commissioner for Public Safety shall also have the discretion to suspend and confiscate a the license upon charge of violation being made, or upon awareness of illegal or unauthorized activity until a determination is made by a court as whether a violation has taken place.
4. Any person, organization, business or entity found guilty of violating this Ordinance is not eligible for a license for a three-year period from the date of the violation. Upon second offense, the person, organization, business or entity found guilty of violating this Ordinance shall be banned from further peddling in the City of Bellemeade.
5. The City Attorney shall be authorized to seek injunctive relief and other relief in a Court of proper jurisdiction if necessary to effectuate the intent of this Ordinance.
6. The City shall be entitled to seek fines in the amounts specified above, and shall be entitled to its attorney's fees for any successful action.

§ 60.09 – Severability

If any paragraph, subparagraph, sentence, clause, phrase or any portion of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, or if any provision of any part of this Ordinance as applied to any particular situation or set of circumstances be declared invalid, or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Ordinance not so held to be invalid, or the application of this Ordinance or other circumstances not so held to be invalid. It is hereby declared to be the intent of the City of Bellemeade to provide for separable and devisable parts and it does hereby readopt any and all parts hereof as may not be held invalid for any reason.

§ 60.10 – Disposition of Fees and Fines

Fees and fines collected by the Bellemeade City Commissioner for Public Safety pursuant to this Ordinance shall be deposited by the City in its general fund to be budgeted as part of the City general fund.

(Bellemeade Ord. 2021-04 passed June 14, 2021)

Chapter 70: Overnight Parking Prohibited Ordinance

§70.01 Purpose

The purpose of this ordinance is to protect, maintain and enhance the public health, safety, and general welfare by regulating overnight parking on our narrow streets which do not have sidewalks.

§70.02 Overnight Parking Prohibited

- A. No person shall park a vehicle on any street in the City between the hours of 2:00 a.m. and 6:00 a.m. of any day.
- B. The City of Bellemeade Code Enforcement may approve exceptions to the above under certain circumstances as provided for below. Bellemeade Code Enforcement means any Bellemeade city commissioner or any person who has been assigned to perform the duties as a Bellemeade Code Enforcement Officer by the City of Bellemeade Commission

§70.03 Parking Permits

Permits shall be applied for in the following manner:

A. Permit requirements.

[1] When a resident believes it is necessary to obtain a permit for on-street parking on the street where the resident resides because said resident believes that there is insufficient off-street parking for his or her vehicle, the resident shall obtain an application from the City Clerk's office.

[2] Said application shall be made on the form as approved by the Bellemeade City Commissioners and shall be submitted to Bellemeade Code Enforcement accompanied by the following:

[a] Evidence of insurance which is current and paid to date for the motor vehicle for which a permit is sought.

[b] A current, valid motor vehicle registration issued for the motor vehicle for which the permit is sought.

[c] The applicant's current Kentucky driver's license exhibiting a Bellemeade address or if the applicant just recently moved into Bellemeade, the applicant's motor vehicle license with a stipulation that the applicant will present his Kentucky driver's license exhibiting a Bellemeade address to the Bellemeade Code Enforcement within 60 days.

[d] Such other evidence as is requested by the Bellemeade Code Enforcement that is reasonably necessary to show that the applicant has a valid driver's license, is a permanent resident of Bellemeade and of the premises which is the subject of the application, and the

vehicle for which the permit is sought is insured and legally registered in Kentucky, and that a hardship exists requiring the necessity for the issuance of said permit.

B. Permit approval. The Bellemeade Code Enforcement shall conduct an investigation and approve the issuance of said permit if the Bellemeade Code Enforcement is satisfied that:

[1] There is insufficient off-street parking on the person's property.

[2] There is not presently existing another valid permit for other residents of the property.

[3] The area in front of the property does not present line of sight concerns such that parking will make it difficult for passing traffic.

C. Permit issuance. The Bellemeade Code Enforcement shall complete its investigation as soon as possible. If the applicant qualifies for a permit, the Bellemeade Code Enforcement shall immediately refer its approved application to the Clerk who shall immediately issue a permit to any applicant who qualifies. Approved permits may be obtained from the Clerk after payment of a fee of \$25 for each vehicle issued a permit.

D. Permit display. The permit issued shall be displayed and visible at all times on the back side of the inside rearview mirror of the motor vehicle for which the permit is issued, for ease of visibility.

E. Permit duration and renewals. All parking permits will be in force for the duration of one year and will expire on December 31 of the year displayed on the permit. All permit holders seeking renewals of their permits shall make a new application for overnight parking between September 1 and December 31 of the year of expiration.

F. Permit parking conditions. A motor vehicle with a valid permit affixed to the back side of the inside rearview mirror shall be allowed to park on the street where the owner and/or operator of said vehicle lives in front of the owner and/or operator's residence between the hours of 2:00 a.m. and 6:00 a.m. Parking on any other streets or in any other areas shall be prohibited.

G. Temporary overnight parking.

(1) The Bellemeade Code Enforcement shall have the authority to permit temporary overnight parking. Temporary parking permission for a single night may be obtained by a system set up by the Bellemeade Code Enforcement.

(2) An individual may call and request single night temporary parking permission up to seven times per month.

(3) Additional on-street parking permission for more than one night or more than two times per month may be granted by the Bellemeade Code Enforcement, due to exceptional circumstances.

§ 70.04 – Appeals

1. **Appeals.** Any person aggrieved by the denial or restriction of a permit shall have the right to appeal the denial or restriction to the City of Bellemeade Mayor or his Designee and should file a written appeal with the Mayor of Bellemeade via email at mayor@bellemeade-ky.gov.
2. **Procedure.** The Bellemeade City Commissioner for Public Safety shall appear and present his case and evidence as to why the application was denied. The applicant shall have the opportunity to present his case and evidence in support of the application.
3. **Standard of Review.** The City of Bellemeade Mayor or his designee, shall serve as a Hearing Officer. The Hearing Officer shall enter an order providing guidance as to the location, time, persons, and other criteria of this Ordinance.

§ 70.05 – Violations, Enforcement

1. Persons parking without a permit or in violation of this ordinance shall be cited with a citation for prosecution in the Jefferson County District Court, in accordance with the requirements of law for such citations. Any law enforcement officer or deputy shall be authorized to issue such citations.
2. Any person, organization, business or entity ruled to be in violation of the provisions of this Ordinance are subject to an offense, fine of not less than twenty-five (\$25) nor more than fifty dollars (\$50) per day per individual participant.
3. The City Attorney shall be authorized to seek injunctive relief and other relief in a Court of proper jurisdiction if necessary to effectuate the intent of this Ordinance.
4. The City shall be entitled to seek fines in the amounts specified above, and shall be entitled to its attorney's fees for any successful action.

§ 70.06 – Severability

If any paragraph, subparagraph, sentence, clause, phrase or any portion of this Ordinance be declared invalid or unconstitutional by a court of competent jurisdiction, or if any provision of any part of this Ordinance as applied to any particular situation or set of circumstances be declared invalid, or unconstitutional, such invalidity shall not be construed to affect the remaining portions of this Ordinance not so held to be invalid, or the application of this Ordinance or other circumstances not so held to be invalid. It is hereby declared to be the intent of the City of Bellemeade to provide for separable and devisable parts and it does hereby readopt any and all parts hereof as may not be held invalid for any reason.

§ 70.07 – Disposition of Fees and Fines

Fees and fines collected by the Bellemeade City Commissioner for Public Safety pursuant to this Ordinance shall be deposited by the City in its general fund to be budgeted as part of the City general fund.

(Bellemeade Ord. 2021-06 passed October 11, 2021)

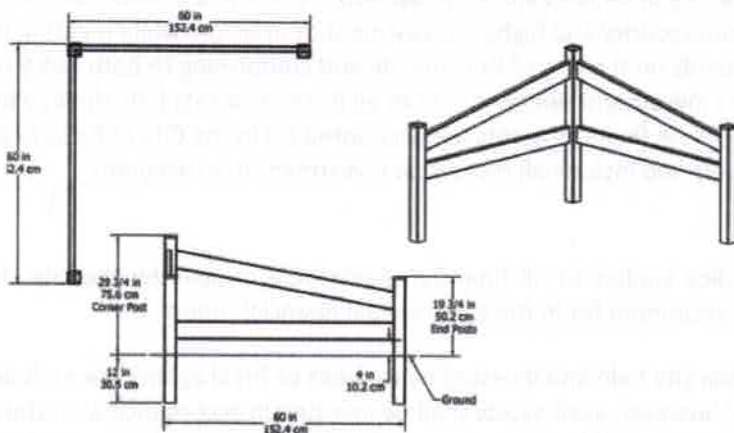
Chapter 80: Front Yard Fencing Prohibited

§80.01 Front Yard Fencing Prohibited

- A. Fencing is prohibited in all Front Yards unless the fence meets the definition of a Decorative Feature.
- B. Fences constructed prior to November 8, 2021 are not subject to this ordinance.

§80.02 Definitions

Decorative Feature: Shall mean any fence no more than 30 inches high and no more than 14 ft in length, so long as it is not intended for the purpose of preventing persons and/or animals, from crawling or passing through the fence except at established gateways. A Decorative Feature shall not include a fence constructed of chain link material or any other type of woven fence. By way of example only, an unenclosed fence corner as diagramed below would be considered a Decorative Feature.



Fence: A structure serving as an enclosure, barrier or boundary including but not limited to posts, boards, wire, vinyl, or gates. Shrubs or bushes which form a barrier or boundary are considered fences. However, "Fence" as used in this ordinance shall not include a "Decorative Feature."

Front yard. An open, unoccupied space on a lot facing a street and extending from the front of the lot to the front of the principal building, between the side lot lines.

Rear yard. A space unoccupied by the principal structure extending for the full width of the lot between a principal structure and the rear lot line.

Side yard. An open unoccupied space on the same lot with the building, situated between the building and the side line of the lot, and extending from the front yard to the rear yard.

§80.03 Penalty

Any person found to be in violation of this chapter shall be subjected to a fine of not less than \$50 nor more than \$500 for each offense, plus the cost to the city for removal of that fence. Each 24-hour period during which a fence stands in violation of this chapter shall constitute a separate offense. This chapter is subject to enforcement by the Commissioner for Public Works or Public Lands.

(Bellemeade Ord. 2021-08 passed December 13, 2021)

Chapter 90: Bellemeade Kentucky Investment Policy

BELLEMEADE KENTUCKY INVESTMENT POLICY

(1) GENERAL INVESTMENT POLICY

It is the policy of the City of Bellemeade to invest public funds in a manner which will provide the maximum security and highest investment of principle while meeting the daily cash flow demands on the City of Bellemeade and conforming to both KRS 91A.060 and KRS 66.480. This investment policy applies to all financial assets held directly by the City of Bellemeade. These financial assets are accounted for in the City of Bellemeade annual financial report and include all moneys in investment fund accounts.

(2) SCOPE

This investment policy applies to all financial assets held directly by the city. These financial assets are accounted for in the city's annual financial report.

Financial assets of the city held and invested by trustees or fiscal agents are excluded from these policies; however, such assets shall be invested in accordance with state laws applicable to the investment of local government funds and in accordance with the City of Bellemeade's primary investment objectives.

(3) INVESTMENT OBJECTIVES

The City of Bellemeade's primary investment objectives, in order of priority, are the following:

3.1 Safety

Safety of principle is the foremost objective of the City of Bellemeade's investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The goal is to mitigate credit risk and interest rate risk

3.2 Liquidity

The City of Bellemeade's investment portfolio shall remain sufficiently liquid to enable the City of Bellemeade to meet all operating requirements which might be reasonably anticipated.

3.3 Return on Investment

The City of Bellemeade's investment portfolio shall be designed with the objective of attaining a market rate of return throughout the budgetary and economic cycles, taking into account the City of Bellemeade's investment risk constraints and the cash flow characteristics of the portfolio.

(4) INVESTMENT AUTHORITY

Management's responsibility for the City of Bellemeade's investment program is the joint responsibility of the Designated Officials which shall be the Mayor and the City Treasurer. Both shall share the authority, subject to the approval of the governing body, to establish additional specific written procedures for the operation of the investment program that are consistent with this investment policy. The procedures shall include explicit delegation of authority, if any, to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Designated Officials. These Designated Officials shall be ultimately responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and employees. The controls shall be designed to prevent and control losses of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets or imprudent actions by officers and employees. The Designated Officials shall maintain all records related to the entity's investment program.

(5) STANDARDS OF CARE

5.1 Prudence

The actions of the Designated Officials in the performance of their duties as manager of the City of Bellemeade's funds shall be evaluated using the "prudent person" standard. Investments shall be made with judgment and care under prevailing circumstances which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital, as well as, the probable income to be derived.

The Designated Officials, acting in accordance with written procedures, this investment policy, and exercising due diligence, shall be relieved of personal responsibility for an individual security's performance, provided that deviations from expectations are reported in a timely fashion to the governing body and appropriate action is taken to control adverse developments.

5.2 Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose any material

interests in financial institutions with which they conduct business. Disclosure shall be made to the governing body. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking any personal investment transactions with the same individual with whom business is conducted on behalf of the city.

5.3 Delegation of Authority

a) Governing Body

The governing body will retain ultimate fiduciary responsibility for the portfolios. The governing body will receive monthly reports, designate Designated Officials and review the investment policy making any changes necessary by adoption.

b) Designated Officials

Authority to manage the investment program is granted to the Mayor and the City Treasurer, hereinafter referred to as Designated Officials as designated by this city ordinance. Responsibility for the operation of the investment program is hereby delegated to the Designated Officials who shall act in accordance with established written procedures and internal controls for the operation of the investment program consistent with this investment policy.

Designated Officials will prepare monthly investment reports and other special reports as may be deemed necessary. All participants in the investment process shall seek to act responsibly as custodians of the public trust. No officer or designee may engage in an investment transaction except as provided under the terms of this policy and supporting procedures.

c) Investment Adviser

The city may engage the services of one or more external investment managers to assist in the management of the entity's investment portfolio in a manner consistent with the city's objectives. Such external managers may be granted discretion to purchase and sell investment securities in accordance with this investment policy. Such managers must be registered under the Investment Advisers Act of 1940.

(6) AUTHORIZED FINANCIAL INSTITUTIONS, DEPOSITORIES, AND BROKERS/DEALERS

A list will be maintained of financial institutions and depositories authorized to provide investment services. In addition, a list will be maintained of approved security broker/dealers selected by conducting a process of due diligence. These may include "primary" dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule).

6.1 The Designated Officials shall determine which financial institutions are authorized to provide investment services to city. Institutions eligible to transact investment business with city include:

- Primary government dealers as designated by the Federal Reserve Bank;
- Nationally or state-chartered banks;

- The Federal Reserve Bank;
- Direct issuers of securities eligible for purchase; and
- Kentucky League of Cities Investment Pool Plus.

6.2 Selection of financial institutions and broker/dealers authorized to engage in transactions with the City of Bellemeade shall be at the sole discretion of the city.

6.3 All brokers/dealers who desire to become qualified for investment transactions must supply the following (as appropriate):

- Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines;
- Proof of state registration;
- Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties);
- Certification of having read and understood and agreeing to comply with the entity's investment policy; and
- Evidence of adequate insurance coverage.

6.4 All financial institutions who desire to become depositories must supply the following (as appropriate):

- Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines;
- Proof of state registration; and
- Evidence of adequate insurance coverage.

6.5 A periodic review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the Designated Officials.

a) Minority, Emerging and Community Financial Institutions

From time to time, the Designated Officials may choose to invest in instruments offered by minority, emerging, and community financial institutions. All terms and relationships will be fully disclosed prior to purchase and will be reported to the appropriate entity on a consistent basis and should be consistent with Kentucky law and city ordinance.

b) Competitive Transactions

(1) The Designated Officials shall obtain competitive bid information on all purchases of investment instruments purchased on the secondary market. A competitive bid can be executed through a bidding process involving at least three separate brokers/financial institutions or through the use of a nationally recognized trading platform.

(2) If the city is offered a security for which there is no readily available competitive offering on the same specific issue, then the Designated Officials shall document quotations for comparable or alternative

securities. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities as the same original issue price.

- (3) If the city hires an investment adviser to provide investment management services, the adviser must provide documentation of competitive pricing execution on each transaction. The investment adviser will retain documentation and provide upon request.

(7) SAFEKEEPING AND CUSTODY

7.1 Delivery vs. Payment

All trades of marketable securities will be executed (cleared and settled) on a delivery vs. payment (DVP) basis to ensure that securities are deposited in the entity's safekeeping institution prior to the release of funds.

7.2 Third-Party Safekeeping

Securities will be held by an independent third-party safekeeping institution selected by the City of Bellemeade. All securities will be evidenced by safekeeping receipts in the name of the City of Bellemeade. The safekeeping institution shall annually provide a copy of its most recent report on internal controls - Service Organization Control Reports (formerly 70, or SAS 70) prepared in accordance with the Statement on Standards for Attestation Engagements (SSAE) No. 16 (effective June 15, 2011).

7.3 Internal Controls

Management shall establish a system of internal controls, which shall be documented in writing. The internal controls shall be reviewed by the investment committee, where present, and with the independent auditor. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the city.

(8) SUITABLE AND AUTHORIZED INVESTMENTS

8.1 Investment Types and Credit Guidelines

Consistent with the GFOA Policy Statement and Kentucky laws and city ordinances concerning investment practices, only investments as defined by KRS 66.480(d) and (j) which are found in bold below, are allowed unless and until this ordinance is amended. KRS 66.480 (2) restricts overall investment in (e), (f), (g), (k), and (l) of the following types of securities to 20% of total local government investments:

- a) U.S. government obligations and instrumentalities including obligations subject to repurchase, if delivery of these obligations is taken directly or through an authorized custodian. KRS 66.480(1)(a).
- b) U.S. Treasury and other U.S. government obligations that carry the full faith and credit guarantee of the United States for the payment of principal and interest. KRS 66.480(1)(b).
- c) Federal Agency or U.S. government-sponsored enterprises (GSE) obligations, participations or other instruments. KRS 66.480(1)(c).
- d) **CDs issued by or other interest-bearing accounts of any bank or savings**
- e) **and loan institution having a physical presence in Kentucky and that are insured by the Federal Deposit Insurance Corporation or similar entity or that**

are collateralized by any obligations, including surety bonds, permitted by KRS 41.240. KRS 66.480(1)(d).

- f) Uncollateralized CDs issued by any bank or savings and loan having a physical presence in Kentucky rated in one of three highest categories by a competent rating agency. KRS 66.480(1)(e).
- g) Bankers' acceptances, which must be rated in one of the three highest categories by a competent rating agency. KRS 66.480(1)(f).
- h) Commercial paper, rated in the highest tier (e.g., A-1, P-1, F-1, or D-1 or higher) by a competent rating organization. KRS 66.480(1)(g).
- i) Bonds or certificates of indebtedness of this state and of its agencies and instrumentalities. KRS 66.480(1)(h).
- j) Investment-grade obligations of state or local governments or instrumentality thereof rated one of three highest categories by a competent rating agency. KRS 66.480(1)(i).
- k) **Shares of mutual funds and exchange traded funds as identified by KRS 66.480(1)(j) but only as part of the Kentucky League of Cities Investment Pool (KLCIP) S & P 500 Index Equity Fund.**
- l) Individual equity securities if the funds are managed by a professional investment manager regulated by a federal regulatory agency and are included within the S&P 500 pursuant to KRS 66.480(1)(k).
- m) Individual high-quality corporate bonds managed by a professional investment manager pursuant to KRS 66.480(1)(l).

The Designated Officials shall invest 50 % or more of Bellemeade's current assets in whichever money market accounts that the Designated Officials locate which they jointly believe offer a sufficient rate of return in their sole discretion. The money market accounts must comply with the requirements found in KRS 66.480(1)(d) meaning that that they shall be interest-bearing accounts of any bank or savings and loan institution having a physical presence in Kentucky and that are insured by the Federal Deposit Insurance Corporation or similar entity or that are collateralized by any obligations, including surety bonds, permitted by KRS 41.240.

The Designated Officials shall invest up to 30% of Bellemeade's current assets in the Kentucky League of Cities Investment Pool S & P 500 Index Equity Fund. If the amount invested in the KLCIP S&P 500 Index Equity Fund grows in value such that it exceeds 40% of the total assets of the city, the Designated Officials shall rebalance the invested amount so that it is returned to approximately 30% of city assets by placing the excess funds in other interest-bearing accounts of any bank or savings and loan institution having a physical presence in Kentucky and that are insured by the Federal Deposit Insurance Corporation or similar entity or that are collateralized by any obligations, including surety bonds, permitted by KRS 41.240.

IMPORTANT NOTE: If the credit rating of a security is subsequently downgraded below the minimum rating level for a new investment of that security, the Designated Officials shall evaluate the downgrade on a case-by-case basis in order to determine if the security should be held or sold. The Designated Officials will apply the general objectives of safety, liquidity, yield and legality to make the decision.

8.2 Collateralization

Where allowed or required by Kentucky law full collateralization will be required on all demand deposit accounts, including checking accounts and negotiable (as authorized by respective state statutes) and non-negotiable certificates of deposit. Acceptable collateral for bank deposits and repurchase agreements shall include only:

- Obligations of the U.S. government, its agencies and GSEs, including mortgage-backed securities; or

Obligations of any state, city, county or authority rated at least AA by two nationally recognized statistical rating organizations.

(9) INVESTMENT PARAMETERS

Credit risk is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. The city shall mitigate credit risk by adopting the following:

- It is the policy of the City of Bellemeade to diversify its investment portfolios within the restrictions of state and federal law. KRS 66.480(2)(a) limits local government investment in securities to 20% of total investment with no more than 5% of total investment in a single issuer absent exceptions in KRS 66.480(2)(d)(1-4). Furthermore, local governments are restricted from investing 40% of allowed securities investment total in mutual funds and exchange traded funds, individual equity securities, and individual high-quality corporate bonds by KRS 66.480(2)(b).

(10) PERFORMANCE STANDARDS/EVALUATION

The city's investment management portfolio shall be designed with the levels of risk appropriate to conform to performance benchmarks while meeting cash flow demands and comply with state law.

(11) REPORTING/DISCLOSURE

The Designated Officials shall submit, at least, quarterly an investment report that summarizes recent market conditions, economic developments and anticipated investment conditions. The report shall summarize the investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment securities, maturities, risk characteristics and other features. The report shall explain the quarter's total investment return and compare the return with budgetary expectations. The report shall include an appendix that discloses all transactions during the past quarter. The report shall be in compliance with Kentucky law and shall be distributed to the investment committee and others as required by law. Each quarterly report shall indicate any areas of policy concern and suggested or planned revision of investment strategies. Copies shall be transmitted to the independent auditor. Within 40 days of the end of the fiscal year, the Designated Officials shall present a comprehensive annual report on the investment program and investment activity. The annual report shall include both 12- month and quarterly comparisons of return and shall suggest policies and improvements that might be made in the investment program. Alternatively, this report may be included within the annual Comprehensive Annual Financial Report.

(12) POLICY CONSIDERATIONS

12.1 Exemption

Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

12.2 Amendments

This policy shall be reviewed on an annual basis. Any changes must be approved by the Designated Officials and any other appropriate authority, as well as the individuals charged with maintaining internal controls.

(13) APPROVAL OF INVESTMENT POLICY

The investment policy and any modifications to that policy shall be formally approved and adopted by the governing body of the City of Bellemeade.

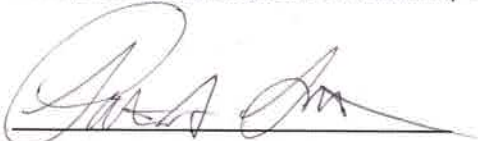
(14) MISCELLANEOUS

The following documents, as applicable, are attached to this policy. This will be city specific and many cities will not have some of the below documents:


- Listing of authorized personnel
- Relevant investment statutes and ordinances
- Listing of authorized broker/dealers and financial institutions
- Internal controls
- Investment Guidelines Manual

(Bellemeade Ord. 2021-07 passed December 13, 2021)

I Patricia A. Scott, City Clerk, Certify that this is an Accurate and Complete Copy of the Code of the City of Bellemeade, Kentucky, originally passed and approved on January 13, 2020; first amended on August 10, 2020; second amendment on February 14, 2022.



Patricia A. Scott, City Clerk



Stephen Porter, City Attorney