

**CITY OF BELLEMEADE, KY
ORDINANCE # 2023-01**

AN ORDINANCE OF THE CITY OF BELLEMEADE, KENTUCKY ADOPTING NEW COMMISSIONER ROLES

WHEREAS, the City of Bellemeade and the Commission of the City of Bellemeade is authorized to adopt ordinances and resolutions necessary for the exercise of its powers and prescribe fines and penalties for the violation of ordinances in accordance with law; and

WHEREAS, it is in the best interests of the City of Bellemeade and the Commission of the City of Bellemeade to have a well-documented and readable set of ordinances

WHEREAS, ordinances are easier to reference by code number and line than by ordinance number and date of enactment

WHEREAS, the commission wishes to modify the roles for various commissioners to combine some duties of the public safety commissioner with the public works commissioner and create a separate commissioner solely responsible for code enforcement.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BELLEMEADE

That Section 5. of the Ordinance ENACTING AND ADOPTING A CODE OF ORDINANCES OF THE CITY OF BELLEMEADE, KENTUCKY enacted on January 13, 2020 is hereby amended as follows:

NOW THEREFORE, BE IT ORDAINED, and IT HEREBY IS ORDAINED, pursuant to Kentucky law and the powers vested in the City, that the Bellemeade Peddler Ordinance is adopted as follows:

The Bellemeade Code of Ordinances will modified and amended to read as follows with underlined text being added and struck through text being removed in the current ordinances shown below. All other portions of the code shall remain unchanged:

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 & Public Works 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 as well as trash, recycle, and yard waste collection and for streets and street lights
- (F) Public Safety Code Enforcement Commissioner shall be responsible for code enforcement ~~and public safety in the City.~~
- (G) ~~Public Works~~ Public Safety Commissioner shall be responsible ~~for matters of public street repairs, traffic, sanitation to include, but not limited to, trash, recycle, and yard waste collection and for streets and street lights within the City, as well as~~ and public safety and security patrols in the City.

Chapter 60: Peddlers Ordinance

§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.

Chapter 70: Overnight Parking Prohibited Ordinance

§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~~ the Bellemeade City Code Enforcement Commissioner or any person who has been assigned to perform the duties of the Bellemeade Code Enforcement Commissioner as a Bellemeade Code Enforcement Officer by the City of Bellemeade Commission

§ 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~~ Code Enforcement 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.

§ 70.07 – 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.

Chapter 80: Front Yard Fencing Prohibited

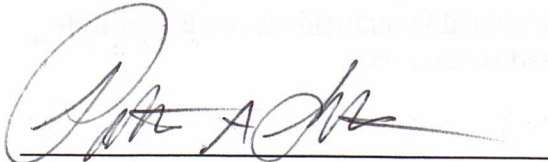
§80.03 Penalty

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 and Public Safety, Code Enforcement, or Public Lands.

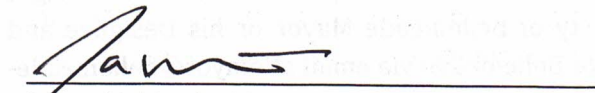
First Reading the 23rd day of January, 2023.

Second Reading passed and approved this 13th day of February, 2023.

All those voting in favor: JAMES MARTIN, HALLE BRUMLEVE, SANDRA WALKER,
BEN ZICKEL, CINDY OPPEL



Patricia Scott, City Clerk



James N. Martin, Mayor