

TITLE VII: TRAFFIC CODE

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CHAPTER 70: GENERAL PROVISIONS

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GENERAL PROVISIONS

' 70.01 DEFINITIONS.

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED EMERGENCY VEHICLES. Vehicles of the Fire Department or Police Department when on official business and ambulances on an authorized emergency run.

BOULEVARD. Any legally designated street at which cross traffic is required to stop before entering or crossing the boulevard.

BUSINESS DISTRICT. Any portion of any street between two consecutive intersections in which 50% or more of the frontage on either side of the street is used for business purposes.

CROSSWALK. The portion of the roadway included within the extension of the sidewalk across any intersection and other portions of the roadway between two intersections, as may be legally designated as crossing places and marked by stanchions, paint lines or otherwise.

CURB. The boundary of a portion of street used for vehicles whether marked by curbstones or not.

INTERSECTION. The part of the public way embraced within the extensions of the street lines of two or more streets which join at an angle whether or not one street crosses the other.

OFFICIAL TRAFFIC-CONTROL DEVICES. All signs, signals, warnings, directions, markings and devices placed or erected or maintained by authority of the Chief of Police.

ONE-WAY STREET. A street on which vehicles are permitted to move in one direction only.

OPERATOR. Every person who is in actual physical control of the guidance, starting and stopping of a vehicle.

PARK. When applied to vehicles, to leave a vehicle standing, whether occupied or not, for a period of time longer than is necessary to receive or discharge passengers or property.

PEDESTRIAN. Any person afoot.

POLICE DEPARTMENT. The Police Department or other persons or agency authorized to perform the duties of ' 70.03 or any other acts necessary to implement and enforce this traffic code.

PUBLIC WAY. The entire width between property lines of every way, dedicated passway or street set aside for public travel, except bridle paths and foot paths.

REVERSE TURN. To turn a vehicle on any street in such a manner as to proceed in

the opposite direction.

RIGHT-OF-WAY. The privilege of the immediate and preferential use of the street.

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ROADWAY. The portion of any street, improved, designated or ordinarily used for vehicular travel.

SIDEWALK. The portion of the street between the curb and the property line intended for the use of pedestrians.

STOPPING. As applied to vehicles, to stop a vehicle longer than is actually necessary to receive or discharge passengers.

STREET. Every public way, including alleys.

TRAFFIC. Pedestrians, ridden or herded animals, vehicles, buses and other conveyances, individually or collectively, while using any street for the purpose of travel.

VEHICLE. Every device in, on or by which any person or property is or may be transported or drawn on any street, except devices moved by human power or used exclusively on stationary rails or tracks.

' 70.02 REQUIRED OBEDIENCE TO TRAFFIC DIRECTIONS.

(A) It shall be unlawful for any person to fail or refuse to comply with any lawful order, signal or direction given by a uniformed police officer, or to fail or refuse to comply with any of the traffic regulations of this traffic code.

(B) The provisions of this traffic code shall apply to the driver of any vehicle owned or used in the service of the United States government, the state, county or city, and it shall be unlawful for any driver to violate any of the provisions of this traffic code, except as otherwise permitted in this traffic code or by state statute.

(C) Every person propelling any pushcart or riding a bicycle or an animal on any roadway, and every person driving any animal on any roadway, and every person driving any animal-drawn vehicle shall be subject to the provisions of this traffic code applicable to the driver of any vehicle, except those provisions of this traffic code which by their very nature can have no application.

Penalty, see ' 70.99

' 70.03 POWERS AND DUTIES OF POLICE DEPARTMENT.

It shall be the duty of the Police Department to direct all traffic in conformance with this traffic code and to enforce the traffic regulations as set forth in this

traffic code, to make arrest for traffic violations, to investigate accidents and to cooperate with other officers of the city in the administration of the traffic laws, and in developing ways and means to improve traffic conditions.

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' 70.04 AUTHORITY FOR ENFORCEMENT.

Authority to direct and enforce all traffic regulations of the city in accordance with the provisions of this traffic code and to make arrests for traffic violations is given to the Police Department, and, except in case of emergency, it shall be unlawful for any other person to direct or attempt to direct traffic by voice, hand, whistle or any other signal.

Penalty, see ' 70.99

' 70.05 TEMPORARY REGULATIONS.

When required for the convenience and safety of the public and to alleviate unusual traffic problems, the Chief of Police or other authorized city official shall, at his or her discretion, have authority to impose traffic regulations as he may deem necessary for temporary periods not to exceed two weeks. If these temporary regulations are necessary for a period longer than two weeks, the City Clerk shall be notified in writing of the extended order.

' 70.06 TRAFFIC DIVISION CREATED; CONTEST OF VIOLATION.

(A) (1) There is hereby created a division to be known as the Traffic Division, which shall be in charge of traffic and parking situations and which shall be a branch of the Police Department.

(2) The Traffic Division shall consist of the Chief of Police, who shall be Clerk of the Division, the City Manager and the Public Works Director.

(B) (1) The Clerk of the Traffic Division shall establish a hearing board empowered to conduct hearings pursuant to KRS 82.605 to 82.640.

(2) The hearing board shall be composed of one police captain, one police lieutenant and one police sergeant.

(3) Members shall be appointed by the Chief of Police and shall serve terms for one year each.

(C) All penalties prescribed hereby to which no defense is made shall be payable to the Clerk of the Traffic Division, who shall give to the payer of the penalty or fine a receipt for same, retaining a duplicate receipt which shall be filed with his or her weekly report to the Finance Department.

(D) All fines or penalties assessed and collected by the Traffic Division shall be placed in and become a part of the general fund of the city.
(>70 Code, ' 10.20.040) (Ord. 10-92, 1992, passed 10-12-92)

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TRAFFIC-CONTROL DEVICES

' 70.15 SIGNAL LEGENDS.

Whenever traffic is regulated or controlled exclusively by a traffic-control sign or signs exhibiting the words *AGo*, *ACaution* or *AStop* or exhibiting different colored lights for purposes of traffic control, the following colors only shall be used, and these terms and lights shall indicate and be obeyed as follows:

(A) *Green alone or AGo*. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at the place prohibits either turn. However, vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time the signal is exhibited.

(B) *Steady yellow alone or ACaution* when shown following the green or *AGo* signal. Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection. Vehicular traffic facing a steady yellow signal may enter and clear the intersection.

(C) *Red alone or double red or AStop*. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at other point as may be indicated by a clearly visible line, and shall remain standing until green or *AGo* is shown alone.

(D) *Flashing red alone*. Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at other point as may be indicated by a clearly visible line, and shall not again proceed until it can do so without danger.

(E) *Flashing amber alone*. Vehicular traffic facing the signal shall reduce its speed and proceed cautiously across the intersection controlled by the signal.

(F) *AYield Right-of-Way*. Vehicular traffic facing the *AYield Right-of-Way* sign shall bear the primary responsibility of safely entering the primary intersecting or merging right-of-way. All traffic facing the sign shall yield the right-of-way to all vehicles and pedestrians within the primary intersecting or merging right-of-way. No vehicle facing a *AYield Right-of-Way* sign shall enter the merging or intersecting right-of-way at a speed in excess of 15 miles per hour, except that this speed limit shall not apply to vehicles entering an expressway.

(G) *Lane lights*.

(1) When lane lights are installed over any street for the purpose of controlling the direction of flow of traffic, vehicular traffic shall move only in traffic lanes over which green arrows appear.

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However, when flashing amber lights appear above a lane all left turns shall be made from that lane. Where red arrows appear above the lanes, vehicles shall not move against them.

(2) If flashing amber lights show above a lane, that lane shall be used only for passing and for left turns unless a sign at the place prohibits the turn.

Penalty, see ' 70.99

Statutory reference:

Traffic-control signals, see KRS 189.338

' 70.16 ESTABLISHMENT AND MAINTENANCE OF TRAFFIC-CONTROL DEVICES.

The city shall establish and maintain all official traffic-control devices necessary within the city that are on city streets. All traffic-control devices, including signs, shall be employed to indicate one particular warning or regulation, shall be uniform and, as far as possible, shall be placed uniformly. All traffic-control devices and signs shall conform to required state specifications.

' 70.17 OBEDIENCE TO SIGNALS.

(A) It shall be unlawful for the driver of any vehicle to disobey the signal of any official traffic-control device placed in accordance with the provisions of this traffic code or of a traffic barrier or sign erected by any of the public departments or public utilities of the city, or any electric signal, gate or watchman at railroad crossings unless otherwise directed by a police officer. However, the type and the right to or necessity for the barrier or sign must be approved by the city.

(B) The sign, signal, marking or barrier shall have the same authority as the personal direction of a police officer.

Penalty, see ' 70.99

' 70.18 INTERFERENCE WITH SIGNALS.

No person shall without authority attempt to or in fact alter, deface, injure, knock down or remove any official control device or any railroad sign or signal, or any inscription, shield or insignia thereon, or any part thereof.

Penalty see ' 70.99

' 70.19 UNAUTHORIZED SIGNALS OR MARKINGS.

(A) (1) It shall be unlawful for any person to place, maintain or display on or in view of any street any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles

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an official traffic device or railroad sign or signal which attempts or purports to direct the movement of traffic, or which conceals or hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal.

No person shall place or maintain, nor shall any public authority permit on any street, any traffic sign or signal any commercial advertising.

(2) Nothing in this section shall be construed as restricting any public department or public utility of the city in any emergency or temporarily from marking or erecting any traffic barrier or sign whose placing has been approved by the city.

(B) Every prohibited sign, signal or marking is declared to be a public nuisance and the city is empowered forthwith to remove it or cause it to be removed.

Penalty, see ' 70.99

' 70.20 DEVICE TO BE LEGIBLE AND IN PROPER POSITION.

No provision of this traffic code for which signs or any other traffic-control device is required shall be enforceable against an alleged violator if at the time and place of the alleged violation the required device was not in proper position and sufficiently legible to be seen by an ordinarily observant person.

' 70.21 TEMPORARY DISREGARD OF DEVICES BY POLICE OFFICERS.

In an emergency any police officer may, at his or her discretion, disregard traffic-control lights or signals or established regulations in order to facilitate the movement of traffic.

' 70.99 GENERAL PENALTY.

Any person who violates any provision of this traffic code where no other penalty is specifically provided shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500.

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CHAPTER 71: TRAFFIC RULES

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OPERATION GENERALLY

' 71.01 OBSTRUCTING TRAFFIC.

(A) It shall be unlawful to operate any vehicle or permit it to remain standing in any street in a manner as to create an obstruction thereof.

(B) It shall be unlawful for the operator of any vehicle to enter any intersection or crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle without obstructing the passage of other vehicles or pedestrians, notwithstanding the indication of any traffic-control signal which may be located at the intersection or crosswalk.

(C) Any intersection deemed by the city to be of special or critical importance to the movement of traffic shall be marked in a distinctive manner in order to indicate its importance. Should the operator of any vehicle enter any intersection so marked when there is insufficient room on the other side of the intersection to accommodate the vehicle, the indication of any traffic-control signal notwithstanding, he or she shall be deemed to have violated this division rather than division (B) above.

Penalty, see ' 71.99

' 71.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

HIGHWAY. Any public road, street, avenue, alley or boulevard, bridge, viaduct or trestle and the approaches to them.

VEHICLE. All agencies for the transportation of persons or property over or upon the public highways of the commonwealth and all vehicles passing over or upon the highways, excepting road rollers, road graders, farm tractors, vehicles on which power shovels are mounted, other construction equipment customarily used only on the site of construction and which is not practical for the transportation of persons or property upon the highways, the vehicles as travel exclusively upon rails, and the vehicles as are propelled by electric power obtained from overhead wires while being operated within any municipality or where the vehicles do not travel more than five miles beyond the city limits of any municipality.

(>70 Code, ' 10.04.020)

' 71.03 SCHOOL SAFETY ZONES.

(A) (1) There is hereby established a safety zone for each street tangent to school property upon which a school building exists in the city.

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(2) The boundaries of any safety zone within the city shall be indicated by signs, either stationary or nonstationary, posted at each and every approach of the zone.

(B) Drivers of vehicles when operating within a properly marked school zone shall operate their vehicles in a reasonable and prudent manner at all times and shall not pass any other vehicle proceeding in the same direction within the school zone and shall not exceed a speed limit of 15 miles per hour while in the zone. Where school zones are located along public highways which are maintained by the commonwealth, the speed limit shall be 25 miles per hour.

(C) The speed limits indicated in division (B) above shall be mandatorily enforced upon all drivers between the hours of 7:00 a.m. and 3:30 p.m. (EST) on every day from Monday through Friday of each week during any school term.
(>70 Code, ' 10.04.080) Penalty, see ' 71.99

' 71.04 RAILROAD CROSSINGS.

(A) The railroad company or companies owning and operating tracks in the city across High Street and Ann Street are hereby authorized to erect and maintain electric flasher light signals at the intersections of the tracks with High Street and Ann Street. The flasher light signals shall be erected in accordance with the specifications shown and set out in print or map, revised January 16, 1950, on file in Contract Book, and the flasher light signals shall be maintained by the railroad company or companies in accordance with the specifications in good working order at all times. The flasher light signals shall be erected at the intersection of Ann Street and Broadway Street at the northwest and southeast corners of that intersection and on the property of the railroad company, and at the intersection of High Street and Broadway Street at the southeast corner of the intersection and in the west line of High Street at the northeast corner of the property of the railroad company as shown on the map or print, and the railroad company or companies shall commence erecting the signal lights within 90 days from the date the ordinance codified herein became effective, and shall erect the signal lights at their own expense.

(B) It shall be unlawful for any person, firm or corporation to operate any railroad locomotive engine, train, hi-rail car or other vehicle on railroad tracks in the city in a manner, when stopped, as to block vehicular traffic at the crossing of Taylor Avenue, Washington, Ann and High streets or any of them for more than five consecutive minutes at any time.

(>70 Code, ' 10.04.130) (Ord. 12-79, 1979, passed 5-14-79) Penalty, see ' 71.99

' 71.05 APPLICATION TO BUSES.

All buses operating through the streets of the city shall be subject to the restrictions hereof and shall only stop at street intersections for the purpose of taking on or discharging passengers, except in residential sections when the stop is made near the curbing.

(>70 Code, ' 10.04.180)

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*PROHIBITIONS***' 71.30 SPILLING RUBBISH; HAULING TRASH.**

(A) (1) The spilling of rubbish, rocks or refuse from vehicles transporting same is hereby deemed a menace and nuisance.

(2) Any driver of any vehicle spilling rubbish, rocks or refuse or allowing same to spill from any vehicle which he or she is driving, shall immediately stop his or her vehicle and remove the rubbish, rocks or refuse from the street.
(>70 Code, ' 10.04.040)

(B) It is unlawful to haul slop, garbage or refuse along and through the streets and alleys of the city, except in sealed or leak-proof containers, so constructed that no slop, garbage or refuse will seep or spill therefrom, and no vehicle containing slop, garbage or refuse will be permitted to park on any street or alley for a longer period than is absolutely necessary to receive and load the slop, garbage or refuse into their containers. (>70 Code, ' 10.04.060)
Penalty, see ' 71.99

' 71.31 SPEED LIMITS.

(A) It shall be unlawful for any person, firm or corporation to operate any railroad locomotive engine, train, high-rail car or other vehicle operating on railroad track at a speed in excess of ten miles an hour on and in the vicinity of Broadway Street, commencing at the westerly edge of Buttimer Avenue and extending to the westerly portal of the railroad tunnel east of High Street. (>70 Code, ' 10.04.240) (Ord. 10-70, 1970, passed 4-13-70; Am. Ord. 4-75, 1975, passed 2-10-75)

(B) (1) The speed limits over streets in the city, except those streets which are part of the state highway system and school zones, shall be 25 miles per hour unless a different limit is designated and marked by the Traffic Committee.

(2) When a determination is made by the Traffic Committee and signs or markers are installed, the determination shall be as effective as if set out by ordinance. (>70 Code, ' 10.04.250) (Ord. 29-74, 1974, passed 8-9-74; Am. Ord. 16, 2012, passed 8-27-12)
Penalty, see ' 71.99

Cross-reference:

Railroad crossings, see ' 71.07

School safety zones, see ' 71.06

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PARADES

' 71.50 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FESTIVAL. A special event held in a fixed location that will affect the ordinary use of public property, streets, rights-of-way, or sidewalks.

MINIMUM PACE (RACES). The minimum pace for all foot races shall be 18 minutes per mile (example: 5K Race - 3.1 miles x 18 minutes = 55.8 minutes from start of race). Race organizers will be responsible for ensuring participants adhere to this pace by providing a pacer at this time limit in the race.

PARADE. A special event consisting of a moving procession of any kind, or any similar activity, consisting of persons, animals or vehicles or a combination thereof, in, along or upon any street, sidewalk, park or other public place in the city.

RACE. A special event consisting of a timed procession on foot, bike or other mode of transportation for a designated distance (example: 5 kilometers) on an approved route.

ROUTE. The predetermined route established by this subchapter, negotiated routes (other than predetermined established routes), or the agreed upon location of a special event.

SPECIAL EVENT. Any activity which occurs upon private or public property that will affect the ordinary use of the public property, public streets, rights-of-way, on street parking, or sidewalks. This includes, but is not limited to, festivals, parades, races, and street closures, as defined in this section.

SPECIAL EVENT PERMIT. A permit required by this subchapter.

STREET CLOSURE. The temporary barricading of a side street or alleyway in conjunction with an event, requiring a special event permit.
(Am. Ord. 3-2008, passed 1-28-08, Am. Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20)

' 71.51 PERMIT REQUIRED.

(A) No person or persons shall engage in, participate in, aid, form or start any special event unless the required permit has been obtained from the City Manager.

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(B) This subchapter shall not apply to:

(1) Funeral processions; or

(2) A governmental agency acting within the scope of its functions.

(Am. Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20) Penalty, see ' 71.99

' 71.52 APPLICATION FOR PERMIT.

(A) A person seeking issuance of a special event permit shall file an application with the City Manager, or his or her designee.

(1) The application for a special event permit shall be filed not less than 30 days before the date on which it is proposed to conduct the parade or special event. Applications filed less than 30 days prior to the event shall incur a nonrefundable late fee of \$500 (excluding first-time events) and shall require special permission from the City Manager in accordance with Paragraph (C) of this section, The late fee shall remain nonrefundable regardless of whether the City Manager grants permission for the event.

(2) Except for applications filed for events to be held during January, applications may be filed beginning January 1 for events during that calendar year, but dates shall not be reserved until permit fees have been received and permit applications are approved. Applications filed for events to be held during January shall be filed at least 30 days prior to the event date. The City Manager may approve up to three separate events for one group during the calendar year, and any subsequent events will be approved at the City Manager's discretion.

(3) All applications require approval by the City Manager or his or her designee. Prior to approval, the City Manager or designee shall send the application to appropriate City staff, community partners, and/or other regulatory entities for review and comment. Any feedback received by the City Manager may result in rejection of the application, at the City Manger's discretion.

(4) If two permit applications are made that will create an overlap which is not manageable, the permit will be issued on a first come, first serve basis. Events will be entered on City Website calendars as they are approved.

(B) Applicants shall not advertise an event which would require a permit under this subchapter in advance of approval. Prior advertisement shall not ensure that the permit will be approved. Any cost to an applicant resulting from advertisement in

advance of permit approval shall be the sole responsibility of the applicant regardless of whether or not the permit is approved.

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(C) Upon payment of the \$500 nonrefundable late fee established in Paragraph (A) of this section, the City Manager may waive the minimum filing period and accept a permit filed within a shorter period if, after due consideration of the date, time, place and nature of the parade or special event, the anticipated number of participants and the City services required in connection with the parade or special event, and all other standards set forth in ' 71.58, the City Manager and applicable City staff, community partners, and/or other regulatory entities determine that the waiver will not present a hazard to public safety.

(D) The application for a special event permit shall set forth at a minimum the following information:

(1) The name, address and telephone number of the person seeking to conduct the special event;

(2) The applicant will provide, by picture identification, proof that the applicant is at least 18 years of age;

(3) If the special event is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;

(4) The name, address and telephone number of the person who will be the Special Event Chairperson and who will be responsible for its conduct;

(5) The date when the special event is to be conducted;

(6) The selected route to be traveled, if negotiated, the starting point and the termination point, or the desired special event location;

(7) The approximate number of persons, animals and vehicles which will participate in the special event, the type of animals, if any, and the description of the vehicles;

(8) The hours when the special event will start and terminate;

(9) A statement as to whether the special event will occupy all or only a portion of the width of the streets, sidewalk, park or other public place proposed to be traversed;

(10) The location, by street, of any assembly area for the special event;

(11) The time at which units of the special event will begin to assemble at any

assembly area or areas;

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(12) If the special event is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his or her behalf and must provide proof of age (see item (2) above);

(13) The applicant shall file with the application a site plan that provides a detailed layout of the event showing locations of all stages, tents, power and water sources, rides, food vendors, retail vendors, alcohol sales, portable toilets, blocked streets, proposed parking, and fire lane; and

(14) Any additional information reasonably necessary to a fair determination as to whether a permit should be issued.

(E) There shall be paid, at the time of filing an application for a special event permit, a fee in the amount applicable according to the following fee schedule payable to the City Finance Department. If multiple event permits are being requested, such as events in a series, a separate special event permit fee is due for each requested event.

<i>Permit Type</i>	<i>Fee</i>
Special Event Permit	\$100
Special Event Permit/Barricaded Street Closure (for side streets/alleyways only)	\$50

(Am. Ord. 4, 2008, passed 1-28-08; Am. Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 9, 2018, passed 4-30-18; Am. Ord. 4, 2020, passed 3-23-20) Penalty, see ' 71.99

' 71.53 PRE-DETERMINED ROUTES.

In the interest of uniformity in planning and City personnel needs to staff various routes, the following pre-determined routes must be used. Deviation from these routes will require review and approval, and may result in an increased reimbursement requirement from the hosting party to the City. The City Manager shall have authority to allow street closures or a variance to the route based upon the nature of the event.

(A) *Capital Avenue Parade Route*: Estimated eight officers needed.

§ Begin and assemble in parking lot behind the Old State Office Building on
Clinton Street

- § Left onto High Street
- § Left onto Main Street
- § Right onto Capital Avenue
- § Finish and disband at the Capitol

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(B) *Downtown 3K Race Route*: Estimated 12 officers needed.

- \$ Begin in front of Kentucky History Center on Broadway and run toward Ann Street
- \$ Right on Ann Street toward Clinton
- \$ Right on Clinton to High Street
- \$ Right on High Street toward West Main Street
- \$ Left on Main Street toward Capital Avenue Bridge
- \$ Right across Capital Avenue Bridge and up Capital Avenue
- \$ Run loop in front of Capitol steps
- \$ Back down Capital Avenue and across Capital Avenue Bridge
- \$ Left on Main Street
- \$ Right on High Street
- \$ Left on Broadway and finish in front of Kentucky History Center

(C) *Downtown 5K Race Route*: Estimated 17 officers needed.

- \$ Start in front of Kentucky History Center and run to Ann Street
- \$ Right on Ann Street toward Clinton
- \$ Right on Clinton to High Street
- \$ Left on High Street toward Holmes Street
- \$ Right on Holmes toward Reagan
- \$ Right on Reagan, run the loop around State Stadium back to High Street
- \$ Left on High toward West Main
- \$ Left on Main Street toward Capital Avenue Bridge
- \$ Right across Capital Avenue Bridge and up Capital Avenue
- \$ Run loop going behind Capital Annex coming back out on Capital Avenue at State Street
- \$ Back down Capital Avenue and across Capital Avenue Bridge
- \$ Left on Main Street
- \$ Right on High Street
- \$ Left on Broadway and finish in front of Kentucky History Center

(Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20)

71.54 MINIMUM PACE REQUIREMENTS (FOOT RACES).

The permittee shall advertise and make known to all race participants that the event will be held to a 18 minute per mile pace. If any participants remain on the course past the designated completion time of the race, the permittee and City personnel shall direct those participants to the sidewalks and the race course will be opened to traffic. Once notification has been made that the race course will be

opened, any participants who have been directed to the sidewalk will be considered pedestrian traffic and must comply with the laws applicable to such traffic.
(Ord. 18, 2015, passed 12-21-15)

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' 71.55 INSURANCE.

The permittee shall obtain and present evidence of comprehensive liability insurance naming the City as an additional insured in an amount set forth in ' 71.58(L) and from an insurance company satisfactory to the City.
(Ord. 18, 2015, passed 12-21-15)

' 71.56 SECURITY PLAN AND REIMBURSEMENT.

The permittee shall cooperate with the Office of Emergency Management in implementing and adhering to the security/emergency response plan for the special event. The decision to use City police officers, whether on-duty or off-duty, part-time police officers, cadets (recruits and explorers), or Police Department personnel, shall be within the sole discretion of the Chief of Police, or his or her designee. The City shall be reimbursed the cost of providing police officers at the percentage set forth below.

(A) Private (for profit) and post-secondary education institutions: 100%;

(B) Non-profit organization and schools located in the City: 50%;

(C) Police services shall be provided at no cost for the following parades:

(1) Gubernatorial inauguration;

(2) Annual Christmas Parade;

(3) Frankfort High School Homecoming Parade;

(4) Kentucky State University Homecoming Parade;

(5) Governor's Derby Breakfast.

(Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20)

' 71.57 NOTICES.

The permittee shall advertise the special event on at least two occasions, with one advertisement being published in the local newspaper no less than 14 days prior to the event. The second advertisement may be made by newspaper, radio, television, or

the City's social media no less than seven days prior to the event. If utilizing City social media, event applicants must submit event advertisement information, including event fliers and description, to the City no less than 14 days prior to the event. (Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20)

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' 71.58 STANDARDS FOR ISSUANCE OF PERMIT.

The City Manager or designee shall issue a permit when, from a consideration of the application and from other information obtained, he or she finds that:

(A) The conduct of the special event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

(B) The conduct of the special event will not require the diversion of so great a number of police officers of the City to properly police the line of movement and the areas contiguous thereto or the special event as to prevent normal police protection to the City;

(C) The conduct of the special event will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the City other than that to be occupied by the proposed line of march and areas contiguous thereto of the special event;

(D) The concentration of persons, animals and vehicles at assembly points of the special event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas;

(E) The conduct of the special event will not interfere with the movement of firefighting equipment en route to a fire;

(F) The special event is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;

(G) The special event is not to be held for the sole purpose of advertising any product goods or event and is not designated to be held purely for private profit;

(H) The special event, if it takes the form of cruising, has the approval in writing of the owner or an authorized agent of the owner for the use of the parking lot which is the site of the special event;

(I) The applicant provides proof that it will provide notice to the public by newspaper, radio, television, social media and/or flyers delivered to properties along the special event route no less than 14 days prior to the date of the special event, of the date and time a special event will be held and the route of the special event;

(J) The applicant has made full payment of permit fees and has accepted the terms of reimbursement to the City Finance Department for the manpower costs set forth in ' ' 71.52, 71.56, and 71.57 above;

(K) The applicant shall be required to provide proof of comprehensive liability insurance that includes limits of no less than \$1,000,000. The City Manager may require higher insurance limits based on the activities of the special event;

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(L) If the event requires the restriction of parking, the City will install the "No Parking" signs 24 hours in advance of the event. Upon completion of the event, the permit holder shall coordinate the removal and return of all signs and associated supplies to the Frankfort Police Department. Any signs or other supplies that are returned damaged will be the financial liability of the permit holder;

(M) The special event shall be open to the public;

(N) The applicant has complied with any additional requirements set forth in written guidelines provided by the City.

(Am. Ord. 5, 2008, passed 1-28-08; Am. Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20) Penalty, see ' 71.99

' 71.59 SANITATION, CLEAN-UP AND DAMAGE DEPOSIT.

(A) A special event permit may be issued only after adequate waste disposal facilities have been identified and obtained by permittee.

(B) Permittee will clean the right-of-way or other public property of rubbish and debris, returning it to its pre-event condition immediately at the conclusion of the event.

(C) The permittee shall be responsible for any damage caused to rights-of-way, sidewalks, streets, light poles, signs or any other property.

(D) The permittee must provide a damage deposit. The damage deposit or portions thereof may be retained to cover clean-up costs, damage to public right-of-way or other property, or loss or damage to City equipment. Damages exceeding the amount of the deposit shall be billed directly to the permittee. City staff shall check the site after the event and if no damage is found or clean-up is required, the damage deposit will be refunded. Damage deposits shall consist of \$250 for any event. If a permittee is applying for several events in a series, one damage deposit may be accepted and retained for application at all events, pending no damages are found. If damage is incurred at one of the events in a series, a new \$250 damage deposit will need to be issued for subsequent events.

(Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20)

' 71.60 OTHER PERMITS REQUIRED.

Permittee shall obtain all other permits that may be required from all City and

non-City departments prior to the date of the special event. This would include, but is not limited to, alcoholic beverage licenses and permits, permits from any State Agency with roadway oversight authority, Historic Properties for any event that seeks to utilize the grounds of the Capitol Building(s), and County Roads.
(Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20)

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' 71.61 NOTICE OF REJECTION OF PERMIT.

The City Manager or his or her designee shall act on the application for a special event permit within 30 days, Saturdays, Sundays and holidays excepted, after filing thereof. If he or she disapproves the application, he or she shall mail to the applicant within the 30 days, Saturdays, Sundays and holidays excepted, after the date on which the application was filed, a notice of his or her action stating the reasons for his or her denial of the permit.

(Am. Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20)

' 71.62 DUTIES OF PERMITTEE.

A permittee hereunder shall comply with all written guidelines concerning special events provided by the City, all permit directions and conditions, and all applicable laws and ordinances. The Special Event Chairperson or other person heading or leading the activity shall carry the special event permit on his or her person during the conduct of the special event.

(Am. Ord. 18, 2015, passed 12-21-15; Am. Ord. 6, 2018, passed 3-26-18; Am. Ord. 4, 2020, passed 3-23-20) Penalty, see ' 71.99

' 71.63 PUBLIC CONDUCT DURING PARADES.

(A) No person shall unreasonably hamper, obstruct, impede or interfere with any parade or special event assembly or with any person, vehicle or animal participating or used in a parade/special event.

(B) No driver of a vehicle, except a police car or other emergency vehicle, shall drive between the vehicles or persons comprising a parade when the vehicles or persons are in motion and are conspicuously designated as a parade.

(Am. Ord. 18, 2015, passed 12-21-15)

Cross reference:

Parking on parade routes, see ' 72.07

' 71.64 REVOCATION OF PERMIT.

The city shall have the authority to revoke a parade/special event permit issued hereunder on application of the standards for issuance as herein set forth.

(Am. Ord. 18, 2015, passed 12-21-15)

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' 71.65 ENFORCING OFFICE.

The Frankfort Police Department is hereby charged with the enforcement of the provisions of this Subchapter.

(Am. Ord. 18, 2015, passed 12-21-15)

' 71.99 PENALTY.

(A) Whoever violates any provision of this chapter for which no other penalty is specifically provided shall be guilty of a misdemeanor and shall be fined not less than \$20 nor more than \$500.

(B) Any person found guilty of speeding in the city shall, upon conviction, be fined not less than \$10 nor more than \$100 for each offense.

(>70 Code, ' 10.04.250) (Ord. 29-74, 1974, passed 8-9-74; Am. Ord. 18, 2015, passed 2-21-15)

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CHAPTER 72: PARKING REGULATIONS

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Statutory reference:

Revenues from fees, fines and forfeitures related to parking, see KRS 65.120

GENERAL PROVISIONS

' **72.01 SCHOOL SAFETY ZONES.**

Safety zones have been established in front of every school building in the city. No parking shall be permitted in these zones between the hours of 7:00 a.m. and 3:00 p.m. each school day of the week.

(`70 Code, 10.08.140)

' **72.02 ALLEYS.**

No parking shall be permitted in any of the alleys of the city at any time.

(`70 Code, 10.08.150)

' **72.03 PARKING NEAR FIRE HYDRANT.**

It is unlawful for any person, firm or corporation to park an automobile, truck or other vehicle in front of or nearer than ten feet on either side of any fire hydrant in the city.

(`70 Code, 10.08.180; Ord. 11-80, 1980, passed 4-28-80)

' **72.04 PARKING NEAR INTERSECTION.**

(A) All automobiles, trucks or other vehicles shall be parked within the inside of the line marked on the streets, running parallel with the curbing, and no vehicle shall be parked nearer to a corner or street intersection than is shown by the markings on the curbing indicating the no parking area.

(B) On all streets where there are no signs or markings to indicate the parking area, cars shall be parked next to the curbing and not extending more than six feet in the street from the curbing.

(C) It shall be unlawful for any person, owner or operator to park any vehicle as defined in ' 72.55 closer than 25 feet to any intersection within the city unless indicated as permissible by existing traffic control devices (signs or curb markings). ('70 Code, 10.08.190; Ord. 15-80, 1980, passed 4-28-80; Am. Ord. 10-92, 1992, passed 10-12-92)

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' 72.05 PARKING ON RIGHT SIDE REQUIRED.

All parking along and on all streets designated arterial or collector streets in the Frankfort Comprehensive Plan shall be on the right side, computed from the front of the car or forward travel thereof.

(`70 Code, 10.08.200; Ord. 26-80, 1980, passed 6-30-80; Am. Ord. 19-92, 1992, passed 10-12-92)

' 72.06 DOUBLE PARKING.

Double parking shall mean where one car is already parked along the curbing, as permitted under this chapter, the driver of another car allows his vehicle to stand in the street on the outside of the car parked at the curbing, provided, however, vehicles are permitted to stop a sufficient period of time for the actual taking on or discharge of passengers, or to receive small parcels from business places, and further provided that the vehicle is not entirely vacated or the motor of same stopped.

(70 Code, 10.08.210)

' 72.07 TRUCKS; PARKING FOR LOADING OR UNLOADING.

All trucks loading or unloading merchandise or other freight will be permitted to back into the curbing for such purposes, except trucks or vehicles measuring more than 20 feet in length, from front bumper to rear of body, when they will be required to park parallel with the curbing for such purposes. Trucks or vehicles measuring more than 20 feet from bumper to rear of body or rear bumper, are not permitted to park diagonally or obliquely with the curbing at any time but shall park parallel with the curbing at all times.

(`70 Code, 10.08.230)

' 72.08 LARGE TRUCKS NOT TO BE PARKED ON STREETS; FLARES ON DISABLED TRUCKS.

(A) No person operating a truck exceeding the capacity of three-quarters of a ton shall stop the truck or leave it standing or cause it to stop or to be left standing upon any public street in the city; provided, however, that this section shall not be construed to prevent the stopping of trucks for the purposes of loading or unloading the truck.

(B) Whenever any motor truck is disabled, at any time from a half an hour after sunset to a half an hour before sunrise, and the truck cannot be immediately removed from the street, the person in charge of the vehicle shall cause flares, lanterns or other signals to be lighted and placed upon the street, one at a distance of

approximately 100 feet in advance of the vehicle and one at a distance of approximately 100 feet to the rear of the vehicle and a third upon the roadway side of the vehicle.

(`70 Code, 10.08.240)

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' **72.09 FIRE LANES.**

It shall be unlawful for any person, owner or operator to park any vehicle as defined in section 72.55 in any fire lane so designated and marked.

(`70 Code, 10.08.260; Ord. 12-80, 1980, passed 4-28-80; Am. Ord. 10-92,1992, passed 10-12-92).

' **72.10 BLOCKING ACCESS TO DRIVEWAYS.**

It shall be unlawful for any person, owner or operator to park any vehicle in such manner as to block any residential or commercial driveway.

(`70 Code, 10.08.270; Ord. 14-80, 1980, passed 4-28-80; Am. Ord. 10-92, 1992, passed 10-12-92).

' **72.11 PARKING IN SPACES RESERVED FOR THE HANDICAPPED.**

It shall be unlawful for any person, not authorized by state law, to park any motor vehicle in any parking space reserved, designated and marked for parking by handicapped persons upon any public way or parking lot open to the public within the city.

(`70 Code, 10.08.280; Ord. 9-83, 1983, passed 8-28-83; Am. Ord. 10-92, 1992, passed 10-12-92)

' **72.12 RESERVED.**

' **72.13 PARKING OF CERTAIN VEHICLES PROHIBITED.**

(A) No person shall park a camper, motor home, trailer or truck or other vehicle exceeding seven feet in overall width (excluding mirrors) or 20 feet in overall length or seven and one-half feet in overall height on any city street or in the right-of-way of any city street for more than six hours without first obtaining a special permit from the Police Department.

(B) No person shall park any abandoned vehicle as defined in KRS 189.751, junked vehicle, inoperable vehicle or unlicensed vehicle as defined in KRS 189.751, junked vehicle, inoperable vehicle or unlicensed vehicle on any city street or in the right-of-way of any city street for any period of time.

(Ord. 10, 2007, passed 4-23-07)

' 72.14 VICARIOUS RESPONSIBILITY.

(A) The person in whose name a vehicle is registered at the time of the violation shall be absolutely responsible for the violation and payment of all fines, fees and penalties. It shall be no defense that the vehicle was illegally parked by someone other than the registered owner, unless it is shown by the owner that at the time of the violation the vehicle was stolen and not in the possession of the registered owner.

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(B) An owner of a vehicle who is engaged in the business of renting or leasing vehicles under written rental or leasing agreement shall not be liable for parking fines and penalties imposed under this chapter on such rented or leased vehicles, if within 15 days after receiving notice of a parking violation, the lessor provides to the Police Department the true name, address and driver=s license number of the person in possession of the vehicle at the time of the issuance of the citation. A lessor who fails to comply with this requirement shall be treated as any other owner.
(Ord. 10, 2007, passed 4-23-07)

' 72.15 TAMPERING WITH IDENTIFYING MARKS OR PARKING SPACES.

(A) It shall be a violation for any person to alter, remove, deface, tamper with, willfully destroy or impair the usefulness of any identifying marks or other methods used by the Police Department on any parked vehicle in order to identify the vehicle for areas where parking over a specified period of time is not allowed, unless the vehicle has been moved from such area. If such tampering occurs, the violation shall be issued against the owner of the vehicle.

(B) It shall be a violation for any person to alter, remove, deface, tamper with, willfully destroy or impair the usefulness of, any marks, paint or other methods used by the city to identify parking spaces or areas where parking is prohibited, limited or restricted, or to add parking spaces or parking restrictions or limitations.
(Ord. 10, 2007, passed 4-23-07)

IMPOUNDING

' 72.25 IMPOUNDMENT OF VEHICLES AUTHORIZED; REDEMPTION.

(A) All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances after a citation has been issued.

(B) A vehicle may be impounded or vehicle immobilization equipment may be used without giving prior notice to its owner only under the following circumstances:

(1) The vehicle is impeding or likely to impede the normal flow of vehicular or pedestrian traffic;

(2) The vehicle poses an immediate danger to the public safety;

(3) The vehicle is illegally parking within ten (10) feet of a fire hydrant or is parked in a fire lane;

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(4) The vehicle, without a valid designated plate or placard under state law, is parked in a space clearly marked and designated for use for disabled persons.

(5) A police officer reasonable believes that the vehicle is stolen;

(6) A police officer reasonably believes that the vehicle or its contents constitute evidence of an offense and such impoundment or immobilization is reasonably necessary to obtain or preserve such evidence. Provided, however, that nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required;

(7) The vehicle is parked in a public right-of-way or on other publicly owned or controlled property in violation of any law, ordinance or regulation, or there are five (5) or more outstanding parking citations issued against the vehicle that have not been paid;

(8) The vehicle is impeding a salt truck or snow plow after notice of a snow emergency has been made pursuant to ' 72.40 or an emergency vehicle; and

(9) The vehicle is an abandoned vehicle as defined in KRS 189.751, a junked vehicle, an inoperable vehicle or an unlicensed vehicle. Where such abandoned, junked, inoperable or unlicensed vehicle does not pose an immediate danger to the public, five days notice must be given by placing same on the vehicle prior to tow.

(C) A vehicle slated for impoundment will be tagged and placed under control of the Police Department. Should a vehicle be moved without the consent and approval of the Police Department a warrant shall be issued immediately for the violator=s arrest.

(D) All fines, fees, delinquent parking tickets and charges must be paid in full before a release of impoundment can be issued for the vehicle=s release.
(Ord. 10, 2007, passed 4-23-07; Am. Ord. 3, 2014, passed 2-24-14)

' 72.26 REQUIRED NOTICE TO OWNER.

(A) When a motor vehicle has been involuntarily towed or transported pursuant to order of police, other public authority or private person or business for any reason or when the vehicle has been stolen or misappropriated and its removal from the public ways has been ordered by police, other public authority or by private person or business, or in any other situation where a motor vehicle has been involuntarily towed or transported by order of police, other authority or by private person or business, the police, other authority or private person or business shall attempt to ascertain from the State Transportation Cabinet the identity of the registered owner of the

motor vehicle or lessor of a motor carrier, as defined in KRS Chapter 281, and within ten business days of the removal shall, by certified mail, attempt to notify the registered owner at the address of record of the make, model, license number and vehicle identification number of the vehicle, of the location of the vehicle, and of the requirements for securing the release of the motor vehicle.

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(B) If a vehicle described in division (A) is placed in a garage or other storage facility, the owner of the facility shall attempt to provide the notice provided in division (A) by certified mail to the registered owner at the address of record of the motor vehicle or lessor of a motor carrier, as defined in KRS Chapter 281, within ten business days of recovery of, or taking possession of the motor vehicle. This notice shall contain the information as to the make, model, license number and identification number of the vehicle, the location of the vehicle, and the amount of reasonable charges due on the vehicle. When the owner of the facility fails to provide notice as provided herein, the motor vehicle storage facility shall forfeit all storage fees accrued after ten business days from the date of tow. This division (B) shall not apply to a tow lot or storage facility owned or operated by the city.
(KRS 376.275(1), (2))

' 72.27 SALE OF VEHICLE.

Any person engaged in the business of storing or towing motor vehicles in either a private capacity or for the city who has substantially complied with the requirements of ' 72.21 shall have a lien on the motor vehicle for the reasonable or agreed charges for storing or towing the vehicle as long as it remains in his or her possession. If after a period of 45 days, the reasonable or agreed charges for storing or towing a motor vehicle have not been paid, the motor vehicle may be sold to pay the charges after the owner has been notified by certified mail ten days prior to the time and place of the sale. If the proceeds of the sale of any vehicle pursuant to this section are insufficient to satisfy accrued charges for towing, transporting and storage, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid towing, transporting and storage charges by the owner or responsible casualty insurer of the vehicle. This lien shall be subject to prior recorded liens.
(KRS 376.275(3))

SNOW EMERGENCY

' 72.40 ANNOUNCEMENT OF SNOW EMERGENCY.

(A) Whenever the Chief of Police or other authorized city official finds that falling snow, sleet or freezing rain will create a condition which makes it necessary that the parking of motor vehicles on snow emergency routes be prohibited, or whenever he or she finds on the basis of a firm forecast of snow, sleet or freezing rain that

the weather conditions so forecasted may create a condition making it necessary that the parking be prohibited, he or she is authorized to announce the prohibition, to become effective at a time specified by him or her.

(B) After the effective time of the prohibition, no person shall park any vehicle or permit any vehicle to remain parked on a snow emergency route. However, if a fall of snow, sleet or freezing rain occurs after 11:00 p.m. and prior to 6:00 a.m., and the Chief of Police or other authorized city official has not announced prior to 11:00 p.m. that parking on snow emergency routes is to be prohibited after

a specified time, a vehicle parked on a snow emergency route may remain so parked until 7:00 a.m. following the fall.

(C) The prohibition of parking announced by the Chief of Police or other authorized city official under the authority of this section shall remain in effect until he or she announces the termination of the snow emergency, in part or in which the prohibition of parking authorized by this section shall no longer be in effect. Penalty, see ' 72.99

' 72.41 **TERMINATION OF EMERGENCY.**

(A) Whenever the Chief of Police or other authorized city official shall find that some or all of the conditions which gave rise to the snow emergency prohibition no longer exist, he or she is authorized to declare the termination of the emergency, in part or in whole, effective immediately on announcement.

(B) If the announcement is made other than between 6:00 a.m. and 11:00 p.m., it shall be repeated between those hours.

' 72.42 **SNOW EMERGENCY ROUTES.**

Snow emergency route is any route designated by the Chief of Police or other authorized city official. On the street or highway designated as a snow emergency route, special signs shall be posted to this effect.

ENFORCEMENT

' 72.55 **DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DOUBLE PARKING. The leaving of a vehicle standing, whether occupied or unoccupied, in a marked traffic lane such that the flow of traffic is impeded.

PARKING ENFORCEMENT OFFICER. All police officers employed by the city and the community services specialist position.

PARKING SPACE. The space from the section of the street adjacent to the curb, painted and indicated by painted lines on the surface of the street, extending from the curb into the street.

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VEHICLE. Any device in, upon or by which any person or property is or may be transported on a street or highway, except those operated on rails or tracks. (>70 Code, ' 10.12.010) (Ord. 22-77, 1977, passed 9-26-77; Am. Ord. 10-92, 1992, passed 10-12-92)

' 72.56 HOURS OF ENFORCEMENT; LEGAL HOLIDAYS.

(A) It shall be unlawful for the owner or operator of any motor vehicle to allow the vehicle to continuously remain for more than two hours in any space designated two-hour parking between the hours of 8:00 a.m. and 5:00 p.m., prevailing time, except Sundays and legal holidays. The two-hour parking limits shall be in effect along streets in the central business district and clearly designated and signed by the traffic division. Subsequent violations of the two-hour parking shall constitute separate offenses.

(B) The Traffic Division shall designate by signs and similar devices the regulated parking zones of the city and shall cause the zones to be marked off in parking spaces of the dimensions as will accommodate ordinary passenger vehicles. The existence of signs, signals and markings duly installed, shall be sufficient proof of the existence of the regulated parking zones.

(C) The street division shall place and maintain painted lines or marks on the curb and on the street to designate parking spaces to be used. Each vehicle parked alongside of or adjacent to the curb shall be parked within the lines or marks so established. It is unlawful to park any vehicle in a way that the same is not within the area so designated by the lines or marks.

(D) (1) Persons actually serving on jury duty in any federal, state, county or city court, and also all law enforcement officers of governments actually appearing in any courts as witnesses, shall for the hours of the jury service and for the hours of actual time spent in appearing as a witness, be exempted from the provisions of this section.

(2) All persons claiming the foregoing exemption shall be required to make a written notation as to the grounds for their exemption on the citation given for the parking violation and return the citation to the Police Chief, or deposit same in the receptacles provided for the payment of parking fines within 72 hours, excluding holidays and weekends, from the time of receipt of the citation.

(E) The provisions hereof shall not apply on the following legal holidays or Sundays:

- (1) New Year=s Day, January 1;
- (2) Memorial Day, May 30;
- (3) Independence Day, July 4;
- (4) Labor Day, first Monday in September;
- (5) Thanksgiving Day, fourth Thursday in November; and

(6) Christmas Day, December 25.

(>70 Code, ' 10.12.030) (Ord. 22-77, 1977, passed 9-26-77)

' 72.57 OVERPARKING NOTICES.

(A) It shall be the duty of each parking enforcement officer to take down in writing the state vehicle license number and description of any vehicle overparked in violation of ' 72.56, the date of the overparking together with the date and time of overparking and to issue, in writing, on a form provided by the city, a notice to answer the charge of overparking within 72 hours, excluding holidays and weekends, of the date and time of violation.

(B) The Chief of Police shall cause to be kept an appropriate record of all notices of overparking presented to his or her Department as herein provided, and this record shall show, in numerical order, the names of the owners or operators or the vehicle license number of each vehicle or conveyance, the date each notice was presented to his or her Department, together with all sums of money paid thereon.

(>70 Code, ' 10.12.050) (Ord. 22-77, 1977, passed 9-26-77; Am. Ord. 10-92, 1992, passed 10-12-92)

' 72.58 LOADING ZONES.

(A) The Traffic Division may designate the place or places within the two-hour parking area of the city where motor trucks and vehicles may stop and unload merchandise, and the Traffic Division shall appropriately designate and mark off the space or spaces so designated by the Traffic Division for loading and unloading. In using the space or spaces for loading and unloading all vehicles must be in the process of loading or unloading, and no vehicle shall remain parked in the space or spaces longer than is necessary to load, unload, deliver, receive, collect or give receipts for merchandise so delivered or received.

(B) The space or spaces are for public convenience and are not designated for the specific use of any person, firm or corporation, but they shall be used exclusively for loading and unloading purposes and no vehicles shall remain parked therein longer than necessary to accomplish such purposes. Use of a loading zone by a vehicle shall not exceed 30 minutes without a special permit from the Police Department.

(>70 Code, ' 10.12.060) (Ord. 22-77, 1977, passed 9-26-77; Am. Ord. 10, 2007, passed 4-23-07) Penalty, see ' 72.99

' 72.59 TAMPERING WITH PAYMENT RECEPTACLES PROHIBITED.

It is unlawful for any unauthorized person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any city-owned payment receptacle for the payment of parking fines.

(>70 Code, ' 10.12.070) (Ord. 22-77, 1977, passed 9-26-77; Am. Ord. 10-92, 1992, passed 10-12-92) Penalty, see ' 72.99

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' 72.60 COLLECTIONS.

It shall be the duty of the parking enforcement officer to remove from the payment receptacles the parking violation notices deposited in the receptacles and to deliver the notices and monies to the Chief of Police, as soon as practicable thereafter. (>70 Code, ' 10.12.080) (Ord. 22-77, 1977, passed 9-26-77; Am. Ord. 10-92, 1992, passed 10-12-92)

' 72.98 HEARING BOARD.

(A) Any person cited for a parking violation under Chapter 72 of the Code of Ordinances shall respond to the citation within ten (10) calendar days of the date of its issuance, by either paying the fine set forth in the citation or submitting to the City of Frankfort Police Department a written request for a hearing pursuant to this ordinance. The citation shall state that if the owner of the vehicle does not respond to the citation by either paying the fine or submitting to the City of Frankfort Police Department a written request for a hearing, within ten (10) calendar days of the date of the issuance of the citation, the owner shall be deemed to have waived the right to a hearing and the determination that a violation was committed shall be considered final. Any person who fails to request a hearing or pay the fine within ten (10) calendar days of the date of the issuance of the citation shall be deemed to have refused to pay the fine levied by the citation.

(B) Such hearing shall be held by the Parking Citation Hearing Board no later than fourteen (14) days from the date of receipt of the written request, unless not less than 48 hours before the hearing, the person requesting such hearing requests an extension of time not to exceed fourteen (14) days. No less than five (5) business days prior to the date set for the hearing, the board shall notify the registered owner of the vehicle of the date, time and place of the hearing. Any person requesting a hearing who fails to appear at the time and place set for the hearing shall be deemed to have waived his right to a hearing and the determination that a violation was committed shall be considered final, and the person shall be deemed to have refused to pay the fine levied by the citation.

(C) At the hearing, after consideration of the evidence, the board shall determine whether a violation was committed. Where it has not been established that the violation was committed, an order dismissing the citation shall be entered. Where it has been established that a violation was committed, the board shall uphold the citation and order the owner to pay the citation within five (5) business days of the date the order is issued. A copy of such order shall be furnished to the owner. Any

person ordered to pay the fine who fails to do so within the five (5) business days shall be deemed to have refused to pay the fine levied by the citation.

(D) The board may consider the parking citation and any other written report made under oath by the officer who issued the citation in lieu of the officer=s personal appearance at the hearing.

(E) A@Parking Citation Hearing board@ means a body established by ordinance to consider parking citations and to conduct hearings pursuant to Chapter 72 of the Code of Ordinances; and shall be composed of one member that is a resident of the City of Frankfort and two members of the City of

Frankfort Police Department. The Chief of the Police Department shall appoint the board members. The members of the board shall be appointed for three year terms. A member chosen to fill a vacancy other than by expiration of a term shall be appointed for the unexpired term of the member who he/she is to succeed. A member of the board is eligible for reappointment. The members shall serve without compensation.
(Ord. 3, 2014, passed 2-24-14)

' 72.99 PENALTY.

Any person receiving a citation for violating the provisions of Chapter 72 of the City of Frankfort Code of Ordinances, with the exception of '' 72.03, 72.09 and 72.11, shall be deemed to have committed a violation and shall be fined in an amount as follows.

(A) An amount not less than \$10 nor more than \$100 for the initial violation;

(B) An amount not less than \$20 nor more than \$100 for a second violation within 365 days of the date of the initial citation;

(C) An amount not less than \$30 nor more than \$100 for a third violation within 365 days of the date of the initial citation;

(D) An amount not less than \$40 nor more than \$100 for a fourth violation within 365 days of the date of the initial citation;

(E) An amount not less than \$50 nor more than \$150 for a fifth or more violation within 365 days of the date of the initial citation;

(F) A person failing to pay a parking citation within five (5) business days of the date of receiving same shall be required to pay two times the face value of the citation.

(G) A person receiving a citation for violating ' 72.11 shall be fined the amount of \$250 consistent with KRS 189.990; and

(H) A person receiving a citation for violating '' 72.03 or 72.09 shall be fined the amount of \$50.00.

(Ord. 10, 2007, passed 4-23-07; Am. Ord. 3, 2014, passed 2-24-14)

Statutory-reference:

Penalties, see KRS 189.990(1))

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CHAPTER 73: [RESERVED]

[Text continues on page 41]

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CHAPTER 74: TRAFFIC SCHEDULES

Schedule

- I. One-way streets
- II. Through streets
- III. Unlawful passing

SCHEDULE I. ONE-WAY STREETS.

The following streets are hereby declared to be one-way streets.

<i>Street</i>	<i>Location</i>
Ann Street	Between Mero Street and West Main Street going south
High Street	From East Main Street to Mero Street going north between East Main Street and Mero Street

(>70 Code, ' 10.04.100) (Ord. 29, 2007, passed 8-27-07; Am. Ord. 9, 2016, passed 6-20-16; Am. Ord. 7, 2017, passed 6-26-17; Am. Ord. 5, 2020, passed 4-27-20)

SCHEDULE II. THROUGH STREETS.

The following named streets and thoroughfares are, between the points named, designated through streets and are hereby declared to be of equal importance to a boulevard as defined by KRS 189.330. All vehicles being operated on any of the streets, or parts of streets, shall have the right-of-way.

<i>Street</i>	<i>Location</i>
Ann Street	From the north side of Mero Street to the south side of Broadway
Capitol Avenue	From the south side of Second Street to the New Capitol grounds
Conway Street	From the south side of Second Street to Campbell Street
High Street	From the north side of Mero Street to the south side of Broadway
Main Street	From the city limits on the east to the west side of St. Clair Street
Murray Street	From the south side of Second Street to Todd Street
Second Street	From the east side of Murray Street to the west side of where the Louisville Road intersects
Shelby Street	From the south side of Second Street to its intersection with Lafayette Drive
St. Clair Street	From the south side of Main Street to the bridge
Steele Street	From the south side of Second Street to Todd Street

(>70 Code, ' 10.04.110)

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SCHEDULE III. UNLAWFUL PASSING.

It is unlawful for any vehicle traveling on the following streets to pass another vehicle proceeding in the same direction. The passing prohibition shall be designated by applicable signs and markers.

<i>Street</i>	<i>Location</i>	<i>Unlawful Passing</i>
Lafayette Drive		To pass another vehicle proceeding in the same direction

(>70 Code, ' 10.04.200) Penalty, see ' 70.99

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CHAPTER 75: PARKING SCHEDULES

Schedule

I. No parking areas

SCHEDULE I. NO PARKING AREAS.

The following areas are designated as No parking areas. It shall be unlawful to park in any of the following areas.

<i>Street</i>	<i>Location</i>	<i>Direction</i>	<i>>70 Code Section</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Georgetown Road	Beginning at its junction with U.S. 60 and ending at the east property line of the County Board of Education		10.08.010	30, 2007	8-27-07
Felmer Court Street	Except automobiles, trucks or other vehicles may be parked or left standing upon the west side of the street, provided the automobiles, trucks or other vehicles shall not be parked or left standing within four feet of any private driveway or within 12 feet of the intersection of Felmer Court Street and Third Street or within 12 feet of the intersection of Felmer Court Street and the alley between Third and Fourth Streets in the city		10.08.050	C	- -
High Street	Between Main Street and Broadway	East		10-92,	10-12-9
East Main	Commencing at the intersection		10.08.070	1992	2

<i>Street</i>	<i>Location</i>	<i>Direction</i>	<i>>70 Code Section</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Street	of East Main and High Streets, east to the intersection of East Main Street and Broadway				
	Intersection of St. Clair and Wapping Streets; south to the bridge	West			

Frankfort - Traffic Code

<i>Street</i>	<i>Location</i>	<i>Direction</i>	<i>>70 Code Section</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Lafayette Drive	From Shelby Street to U.S. Highway 60 (Louisville Road)	South			
Lafayette Drive	A distance of 20 feet west of the intersection of Lafayette Drive and Shelby Street	North	10.08.080	2-67, 1967	- -67
Shelby Street	From a point opposite the entrance of Lafayette Drive in a northerly direction 332 feet	North		C	- -
Shelby Street	From the intersection of Lafayette Drive and Shelby Street in a northerly direction a distance of 85 feet	West		C	- -
West Second Street	A distance of 200 feet east of the intersection of Taylor Avenue and Weber Court extended	South	10.08.100	1-68, 1968	- -68
East Main Street	Commencing at the intersection of Broadway and East Main Street, east to Glenn=s Creek Pike	North			
Lewis Street	Commencing at the intersection of Lewis Street or Elk Place and Main Street, north to the intersection of Lewis Street or Elk Place and Broadway	West			
Elk Place	Commencing at the intersection of Lewis Street or Elk Place and Main Street, north to the intersection of Lewis Street or Elk Place and Broadway	West			
Lewis Street	Commencing at the intersection of Lewis Street and Broadway north to the intersection of Lewis and Clinton Streets	East	10.06.110	C	- -
	Alleys		10.08.150	C	- -
St. Clair					

<i>Street</i>	<i>Location</i>	<i>Direction</i>	<i>>70 Code Section</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Street Pedestrian Mall			10.08.290	C	- -

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