

SUMMARY OF ORDINANCES PASSED AND APPROVED BY
THE CITY OF BRIARWOOD COMMISSION
ON JUNE 1, 2015

Ordinance #1, Series 2015. An Ordinance regulating parking and solicitation within the City.
SUMMARY: Ordinance prohibits parking on the public streets , prohibits soliciting and regulates parking of trucks, trailers and recreational vehicles within the City. Penalties: Range of fines from \$75.00 to \$250.00.

Ordinance #2, Series 2015. An ordinance imposing a permit fee on rental properties within the City. Summary: Ordinance imposes an annual permit issuance fee of \$240.00 per rental property located within the City. Penalties: Criminal/Civil fine of \$500.00 for violation of Ordinance.

Ordinance #3, Series 2015. An Ordinance adopting an ad valorem tax assessment for the City of Briarwood, Kentucky, for the general operation of the City for the fiscal year 2014-15
SUMMARY: The Ordinance levies an ad valorem tax at the rate of .29 per hundred dollars of property valuation for the fiscal year July 1, 2015 through June 30, 2016.

If paid on or before 9/15/15 – face amount; if paid after 9/15/15– face amount plus 10% penalty, plus interest at 1.5% interest per month, or part thereof, until paid in full.

Ordinance #4, Series 2015. An Ordinance adopting an annual budget for the City of Briarwood, Kentucky, for the fiscal year July 1, 2015 through June 30, 2016.
Anticipated Revenue: \$140,370.00 Anticipated Expenditures: \$130,838.00
Please contact the City Clerk/Treasurer, Laura Litkea at 925-786-2753 for a copy of the itemized budget.

Also enclosed is audit information required to be disseminated by Ky Law.

CERTIFICATION PURUANT TO KRS 424,190(2)

The undersigned hereby certifies that pursuant to KRS 424.190(2), the cost(s) of publishing the tax/budget (Ordinances 1,2,3,4 Series 2015, and statutory Audit information) for the City of Briarwood, KY, exceeds the cost of postage, copying, supplies and mailing of same by first class mail. In addition, she certifies that the Ordinances above have been mailed first class to each residence within the the City limits on this ___day of _____, 2015.

Laura Litkea, City Clerk

**CITY OF BRIARWOOD
ORDINANCE NO. 1
SERIES 2015
(REPEALS ORD NO.2, SERIES 2010)**

AN ORDINANCE establishing traffic/parking and no solicitation regulations and penalties for same.

WHEREAS, the City, by and through its elected Officers, are desirous of passing this Ordinance for the safety and general well being of its residents.

NOW THEREFORE, be it ordained by the Commission of the City of Briarwood, Kentucky;

A. SPEED LIMIT AND NO SOLICITATION:

(1) The speed limit within the City limits of the City of Briarwood shall be twenty-five (25) miles per hour unless posted otherwise. In addition, the City prohibits soliciting in all forms allowed by law and further any solicitation allowable by law shall be in compliance with the Louisville/Metro ordinances and regulations on the subject.

B. PARKING REGULATIONS AND PROHIBITED PARKING:

(1) It shall be unlawful to park a motor vehicle on the public streets, sidewalks, rights of way, easement and/or lawn within the City. **EXCEPTION:** Parking on a public street (in the proper direction) shall be allowable, on a temporary basis, when a resident's driveway or the assigned/designated guest parking spaces (guest spaces refer to Dove Creek Condominimums) are full **AND** a party and/or special event is taking place at the residence.

(2) It shall be unlawful to operate a motor vehicle which causes damage or injury to the surface, structure and/or foundation of any public roadway and/or sidewalks within the City of Briarwood by any means including but not limited to; oil spillage, hydraulic fluid or any other injurious substance.

(3) It shall be unlawful to deface, destroy, remove or damage any traffic control signal/sign, traffic sign or road marker/device within the City of Briarwood.

(4) It shall be unlawful for any person to park, store, or otherwise maintain a boat, commercial truck/van, tractor truck (an automotive vehicle with a driver's cab used to haul trailers), truck trailer, trailer, house trailer, disabled vehicle, recreational vehicle and/or motor home on any public or private property within the city, unless it is enclosed within a garage or structure which is in compliance with Metro Louisville ordinances, regulations and law regarding same.

- (5) Notwithstanding the provisions of paragraph 4 above, a city resident may park his/her boat, house trailer or recreational vehicle and/or motor home in the driveway of his/her residence for a period not to exceed 72 hours for the purpose of loading, unloading, cleaning, repairing and/or servicing. In addition, a resident who drives a commercial truck/van as his sole transportation shall be allowed to park the vehicle in the drive-way.
- (6) A boat, house trailer, recreational vehicle and/or motor home owned by a non-resident who is the guest of a resident, may be parked for a period not to exceed 72 hours in the drive-way of the residence in which the recreational vehicle owner is a guest.
- (7) For purposes of this Ordinance, the time period of 72 hours need not be continuous.
- (8) Abandoned/inoperable vehicles must be enclosed within a garage or structure which is in compliance with all Metro Louisville ordinances, regulations and law regarding same.

C. PENALTIES:

- (A) The penalty for failure to observe the speed limit shall constitute a violation and carry a fine of \$75.00 plus any applicable court cost(s).
- (B) The penalty for soliciting within the City Limits of Briarwood shall constitute a violation and carry a fine of \$250.00 per offense plus applicable court cost(s). Continuing offenses shall constitute separate and distinct offenses subject to additional fines.
- (C) The violation of Section B subsection (1) shall constitute a violation and carry a fine of \$150.00 plus applicable court cost(s). Continuing offenses shall constitute separate and distinct offenses subject to additional fines.
- (D) The violation of Section B subsection (2) and (3) shall constitute a violation and carry a fine of \$100.00 plus applicable court cost(s) and restitution. Continuing offenses shall constitute separate and distinct offenses subject to additional fines.
- (E) The violation of Section B subsection (4) and (6) shall constitute a violation and carry a fine of \$150.00 plus applicable court cost(s). Continuing offenses shall constitute separate and distinct offenses subject to additional fines.
- (F) The violation of Section B subsection (8) shall constitute a violation and carry a fine of \$100.00 plus applicable court cost(s). Continuing offenses shall constitute separate and distinct offenses subject to additional fines.

THIS ORDINANCE REPEALS IN ITS ENTIRETY ORDINANCE NO.2, SERIES 2010 PASSED ON MARCH 1, 2010 AND PUBLISHED ON MARCH 31, 2010.

FURTHER, this Ordinance shall take effect upon approval, passage and publication as required by law.

FIRST READING THE 2nd day of March, 2015

SECOND READING THE 1st day of June, 2015

PASSED AND APPROVED THE 1st day of June, 2015

/S/ _____ ATTEST: /S/ _____
Mayor, City of Briarwood, Kentucky Clerk

Those voting Aye:
Mike McGrath, Mayor
Carl Cavallaro, Commissioner
Liz McGrath, Commissioner
Mike Schlegel, Commissioner
Heather Levitch, Commissioner

Those voting Nay:

CITY OF BRIARWOOD
ORDINANCE NO. 2
SERIES 2015

AN ORDINANCE ESTABLISHING THE REGISTRATION &
PERMITTING OF RENTAL PROPERTIES IN THE CITY OF
BRIARWOOD

WHEREAS, The City of Briarwood finds that the operation of rental properties in the City is a business, which the City is entitled to regulate and permit under KRS 92.280,

NOW THEREFORE, be it resolved by the City of Briarwood:

Section 1: Definitions.

- a) The following definitions shall apply to this article:
 - 1) Local Agent means an individual, fiduciary, partnership, association, corporation or other entity, which represents the owner of a rental dwelling for purposes of this article.
 - 2) Owner means an individual, fiduciary, partnership, association, corporation or other entity holding legal or equitable title in a rental dwelling.
 - 3) Rental dwelling or rental property means any residential dwelling, which is in whole or in part occupied by one or more person(s) pursuant to an oral or written agreement for monetary or any other consideration, but which person(s) is not acquiring an ownership interest in the dwelling. It does not include dwellings that are occupied only by members of the owner's immediate family, who do not pay rent.
 - 4) Tenant means any person, other than an owner, occupying all or part of a rental dwelling.

Section 2: Registration of rental dwellings.

- a) Registration required: All owners of rental dwellings shall annually register the rental property with the city on an application in a form provided by the city. At the time an application is filed, a registration fee of \$240.00 shall be paid in full.
- b) Annual registration: The annual registration date shall be July 1st of each year beginning July 1, 2015.

- c) Registration of new rental dwellings: The owner of a new rental dwelling or of any dwelling newly converted to a rental dwelling shall register the rental dwelling prior to allowing occupancy.
- d) Change in registration information: If there is any change in the information supplied in a rental application, the owner must re-register within 60 days after any change occurs in registration information, but does not have to pay another \$240.00 registration fee.
- e) Registration of rental dwellings: Application for registration or re-registration shall include:
 - 1) The address of the rental dwelling
 - 2) The number of rental dwelling units.
 - 3) The name, residence address, business address, business phone number and personal phone number of the owner and/or the local agent, if applicable.
 - 4) The address where the owner and/or the local agent, if applicable, will accept notices or orders from the city.
 - 5) Verification that all state and city taxes levied and assessed against the rental dwelling that are due and payable at the time of the filing of the application have been paid. Delinquencies on such taxes may result in the denial of an application for registration or re-registration under this section.
- g) Inaccurate or incomplete registration information: It shall be a violation of this article for an owner to provide inaccurate information for the registration or re-registration of rental dwellings or to fail to provide information required by the application.
- h) Designation of local agent: If the owner of a rental dwelling, or a responsible member or officer of the owner, does not reside within 60 miles of the city, the owner shall designate a responsible local agent who shall be legally responsible for operating such rental dwelling in compliance with this article, this code of ordinances, and other applicable laws or regulations. All official notices may be served on the responsible local agent, and any notice so served shall be deemed to have been served upon the owner of record.
- i) More than one owner or ownership entity: Where more than one person has an ownership interest, the required information shall be provided for each owner. If those cases in which the owner is not a person, the information required for registration shall be provided for the organization owning the rental dwelling and for the president, general manager, director(s), partner(s), executor, trustee(s), or other chief executive officer(s) of the organization.

Section 3: Condition of Rental Property

- a) All rental property must be kept in compliance with the City of Briarwood Ordinances, as well as Metro Louisville Ordinances, as a condition of operating a rental property in the City of Briarwood.
- b) The Registration application must be accurate and complete. If there is any change in the application information, it must be updated within 60 days.
- c) Each rental dwelling shall provide measures acceptable to the city to prevent any excessive noise at any property line.
- d) Each rental dwelling shall provide measures acceptable to the City to prevent violations of the City's parking ordinance by Tenants of the rental unit.

Section 4: Issuance of Permit

- a) Within 30 days of receipt of an application for registration (or re-registration), along with the registration fee, by the City of Briarwood, the City shall either issue the Owner a Permit to operate the rental property, or, if the City decides not to issue the permit, the City shall provide a written list of deficiencies or violations that must be corrected before a permit may be issued.
- b) If the Owner contests the permit denial, the owner may appeal the denial to the full city commission. The appeal must be filed within 20 days of the receipt of the denial by Owner. The Appeal will be heard by the full commission at its next regular City meeting, at which time the Owner may present evidence relevant to whether the property is in compliance with all City of Briarwood Ordinances.

Section 5: Penalties

A. Criminal

1. Any person who shall violate any provision of this Ordinance shall be guilty of a violation and fined \$500.00.

2. Where Kentucky Revised Statutes mandates a fine higher than that stipulated herein, the fine contained in Kentucky Revised Statutes shall apply.

3. Any continuing violation of this Ordinance shall be considered a separate and distinct offense for each day on which a violation occurs or continues, and a separate penalty may be imposed thereon.

B. Civil.

1. Any person who shall violate any provision of this Ordinance shall subject the offender to a civil penalty in an amount equal to two times the minimum fine prescribed in this ordinance, with a minimum civil penalty of \$500.00 for each violation.

2. The civil penalty provided herein may be recovered by the City in a civil action in the nature of a debt if the offender does not pay the penalty within twenty (20) days after the offender has been cited for the ordinance violation. As used herein "cited" shall mean notified of the violation and the penalty in writing by an elected or appointed official of the City or the official attorney for the City. The civil penalty may be used as an alternative to or in conjunction with the criminal penalties authorized herein.

Section 6: Effective Date.

FURTHER, this Ordinance shall take effect upon approval, passage and publication as required by law.

FIRST READING THE 6th day of April, 2015

SECOND READING THE 1st day of June, 2015

PASSED AND APPROVED THE 1st day of June, 2015

/S/ _____
Mayor, City of Briarwood, Kentucky

ATTEST: /S/ _____
Clerk

Those voting Aye:
Mike McGrath, Mayor
Carl Cavallaro, Commissioner
Liz McGrath, Commissioner
Mike Schlegel, Commissioner
Heather Levitch, Commissioner

Those voting Nay:

**BRIARWOOD
APPLICATION FOR RENTAL PROPERTY LICENSE**

This permit shall be issued from the date of approval through the remainder of the application year. Annual \$240.00 fee must be paid to the City of BRIARWOOD within 30 days of application.

FORM MUST BE COMPLETED WITH COMPLETE AND ACCURATE INFORMATION

OWNER INFORMATION —

Name: _____

Contact Address: _____

City: _____ State: _____ ZIP Code: _____

Telephone: (____) ____-____ Cell: ____ Home: ____ Office: ____

Property Address(es): _____

Address for Tax Bill(s) (if different from above): _____

City: _____ State: _____ ZIP Code: _____

LOCAL AGENT INFORMATION (if different from above) —

Name: _____

Local Address: _____

Has Occupant Been Supplied a Copy of City of Briarwood Ordinance? YES: ____ NO: ____

IF ANY TAXES OR FEES ARE DUE, A VALID PERMIT WILL BE DENIED.

Please mail completed form with a check in the proper amount to
"City Clerk, City of BRIARWOOD" at P.O Box 22408, Louisville, KY
40252

DATE OF APPLICATION: _____

SIGNATURE OF APPLICANT Applicant: _____

APPROVED/DISAPPROVED City Clerk: _____

Mayor: _____

**CITY OF BRIARWOOD
ORDINANCE NO. 3
SERIES 2015**

AN ORDINANCE adopting the Jefferson County, Kentucky, ad valorem tax assessment for the City of Briarwood, Kentucky, and the levying of an ad valorem tax thereon for the general operation purpose of the City.

WHEREAS, pursuant to provisions of Kentucky Revised Statute 132.285 and Kentucky Revised Statute 92.280, et. Sequitur, the City desires to fix the ad valorem assessment valuation for the City tax purposes, to fix the levy date and due and delinquency dates and to levy and collect said taxes.

NOW THEREFORE, be it ordained by the Commission of the City of Briarwood, Kentucky;

SECTION ONE: January 1, 2015 is hereby set as the assessment date for all real property subject to City taxation with the boundaries of the City of Briarwood, Kentucky.

SECTION TWO: The County assessment of property situated within the City of Briarwood, Kentucky is hereby adopted as the City assessment for the City ad valorem taxation for the fiscal year July 1, 2015 through June 30, 2016.

SECTION THREE: The tax bills shall be based on the assessment of property within the corporate limits of the City of Briarwood, Kentucky by the Jefferson County Property Valuation Administrator. Said bills shall be prepared by the PVA and mailed by the City Clerk and/or Treasurer of Briarwood. Each tax bill shall show the lot and block number, assessment of real property and improvements, if any, the name of the supposed owner, the ad valorem tax rate as set hereinbelow, and the total amount due.

SECTION FOUR: Upon delivery of such tax bills, the City Treasurer shall receive all remittances and account to the City. Collection of all delinquent taxes shall be made in the manner prescribed by law.

SECTION FIVE: The ad valorem tax rate for the fiscal year July 1, 2015 to June 30, 2016, for the City of Briarwood, Kentucky, is hereby fixed at .29 per one hundred dollars valuation of property assessed for taxation. Said tax shall be due and payable as follows:

If paid on or before September 15, 2015 – Face amount of bill.

If paid after September 15, 2015 — Face amount of bill, plus 10% penalty plus 1.5% per month, or part thereof, until paid in full.

SECTION SIX: The proceeds of such taxes are to be used to fund the general operation of the City for the fiscal budget year July 1, 2014 through June 30, 2015.

SECTION SEVEN: This Ordinance shall take effect upon its passage and approval and publication as required by law.

FIRST READING THE 4th day of May, 2015.

SECOND READING THE 1st day of June, 2015.

PASSED AND APPROVED THE 1st day of June, 2015.

/S/ _____ ATTEST: /S/ _____
MAYOR, City of Briarwood, Kentucky CLERK

Those Voting Aye:

Those Voting Nay:

Mike McGrath, Mayor
Liz McGrath, Commissioner
Mike Schlegel, Commissioner
Carl Cavallaro, Commissioner
Heather Levitch, Commssioner

None

**CITY OF BRIARWOOD
ORDINANCE NO. 4
SERIES 2015**

AN ORDINANCE adopting the City of Briarwood, Kentucky annual budget for the fiscal year July 1, 2015 through June 30, 2016 by:

Estimating revenues and resources and appropriating funds for the operation of City government:

WHEREAS an annual budget proposal and message has been prepared and delivered to the City Commission; and

WHEREAS, the City Commission has reviewed such budget proposal and made necessary modifications,

NOW THEREFORE, be it ordained by the City of Briarwood, that the annual budget for the fiscal year beginning July 1, 2015 and ending June 30, 2016 (funding the fiscal years 2014-15) is hereby adopted as follows:

CITY OF BRIARWOOD		BUDGET
		2015/2016
REGULAR ACCOUNT		
ESTIMATED REVENUES		
TAXES		93,120
TAXES FROM INSURANCE		34,000
CABLE FRANCHISE FEE		2,790
Police Grant/H.B.413		2,600
Rental License		7,860
TOTAL		140,370
ESTIMATED EXPENSES		
SANITATION		53,930
LIGHTS		15,838
LEGAL FEE		6,600
CLERK/TREASURER		3,000
COMMISSIONERS/MAYOR		5,220
INSURANCE		1,600
PRINTING/MAILING		800
PUBLICATION		1,400
SNOW REMOVAL		5,000
P.V.A.		1,800
AUDIT		4,000
ADMINISTRATIVE EXP		2,500
INTERFUND MAINTENANCE		2,000

PARK GRASS CUTTINGS	6,000
PARK WATER	1,600
PARK REPAIR	3,000
PARK ACTIVITIES	2,000
SAFETY / POLICE	13,200
JCLC	100
KLC	400
Christmas Decorations	300
Reach Program	550
TOTAL	130,838

This Ordinance shall take effect upon its passage and approval and publication as required by law.

FIRST READING THE 4th day of May, 2015.

SECOND READING THE 1st day of June, 2015.

PASSED AND APPROVED THE 1st day of June, 2015.

/S/ _____ ATTEST: /S/ _____
MAYOR, City of Briarwood, Kentucky CLERK

Those Voting Aye:

Those Voting Nay:

Mike McGrath, Mayor
Liz McGrath, Commission
Mike Schlegel, Commissioner
Carl Cavallaro, Commissioner
Heather Levitch, Commissioner

None

