

**CITY OF KINGSLEY
ORDINANCE NO. 5, SERIES 2022**

**AN ORDINANCE RELATING TO DRIVEWAY PERMITS AND
CONSTRUCTION IN THE CITY OF KINGSLEY**

WHEREAS, the Mayor and Commissioners of the City of Kingsley, Kentucky, have the authority pursuant to KRS 83A.140 to enact ordinances relating to the City, and

WHEREAS the Mayor and Commissioners deem it necessary to regulate the construction and/or alterations of driveways in the City of Kingsley, and

WHEREAS, the City of Kingsley has determined and hereby declares it is necessary, desirable, and in the best interest for the City to adopt a new chapter of City of Kingsley codified ordinances, namely Chapter 820, pertaining to driveway construction, now therefore:

BE IT ORDAINED BY THE CITY OF KINGSLEY:

SECTION 1: A new Chapter 820 of the City of Kingsley codified ordinances is hereby adopted as follows:

§820.01 DRIVEWAYS – PERMIT REQUIRED

- (A) Any person constructing a new driveway or replacing an existing one must have the approval of the Commission of the City of Kingsley.
- (B) No driveway construction shall be started within the city without a permit issued by the City of Kingsley.
- (C) Any person constructing a new driveway or replacing an existing one must make written application to the City of Kingsley for a driveway permit and must provide the City of Kingsley with a set of detailed plans and specifications for the driveway construction before any construction is begun. The driveway plans, and specifications shall clearly identify the design and placement area for which the permit is being sought.
- (D) Upon approval of the plans, and specifications, a written driveway permit shall be issued by the City of Kingsley.

§820.02 DRIVEWAYS – CONSTRUCTION AND MATERIALS

- (A) All driveways shall be in accordance with Louisville Metro planning and zoning regulations, and driveway construction shall be in harmony with the general character of existing driveways in the City of Kingsley. This provision includes style, type of material, design, and appearance.

- (B) All driveways shall be in conformity with the Louisville Metro Land Development Code (“LDC”) and shall be constructed to have a hard surface or approved semi-pervious surface. The hard surface or semi-pervious surface upon installation shall remain exposed and shall not be covered or partially covered by grass or other vegetation.
- (C) “Hard surfaces” and “Semi-pervious surfaces” shall not include grass driveway systems which are commonly understood to be pervious/permeable surfaces.
- (D) Grass driveway systems are prohibited in the City of Kingsley including but not limited to grass pavers, square panel pavers and rolled pavers.

§820.99 PENALTY

- (A) Violations of Chapter 820 will result in the correction of the driveway at the property owner’s expense. Failure to comply with the requirement of this chapter shall constitute a violation and shall result in a fine of \$100.00 per day.
- (B) All fines shall be paid within ten (10) days of the issuance of the citation or a late fee of \$15.00 per day shall be applied. If the violation is not resolved, and all penalties are not paid within thirty (30) days of the issuance of the citation, a lien may be placed against the property. In the event the city must seek judicial relief to enforce this ordinance, violators of this ordinance shall further be subject to court costs and attorney fees.

SECTION 2: Severability. If any provision of this chapter as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect the other provisions that can be given effect without the invalid provision or application.

SECTION 3: This ordinance shall take effect upon its adoption by the Kingsley City Commission and publication as required by law.

FIRST READING: JUNE 2, 2022

SECOND READING: June 6, 2022

PASSED AND APPROVED June 6, 2022

Introduced by:

Rebecca Beld

Rebecca Beld, Mayor

Attest: *Marilyn Whisler*

Marilyn Whisler, City Clerk

Council	Yea	Nay
Ms. Beld	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Burns	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Hofmann	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Royalty	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Schlindwein	<input checked="" type="checkbox"/>	<input type="checkbox"/>