

CITY OF WELLINGTON
ORDINANCE NO. 2, SERIES 2016-2017

AN ORDINANCE REPEALING, IN THEIR ENTIRETY, ANY AND ALL CODE OF
ORDINANCES PROVIDING FOR THE REGISTRATION AND PERMITTING
OF RENTAL PROPERTIES & ADOPTING A NEW ORDINANCE FOR THE
REGISTRATION AND PERMITTING OF RENTAL PROPERTIES

WHEREAS, The City of Wellington finds that the operation of rental properties for compensation is a recognizable and distinct class of business within the City, which the City is entitled to regulate and permit under KRS 92.280,

AND WHEREAS, the City has found that the rental of houses within the City requires licensure and regulation, due to the instances of unresolved health and safety property conditions at rental dwellings which have occurred in the City;

AND WHEREAS, the City finds that a narrowly tailored ordinance that establishes a registration and permitting process enabling the City to keep and establish a means of clear and concise communication with the owners of rental property in the City is a reasonable regulation that addresses a real public health and safety concern and which power is specifically authorized and given to the City under KRS 92.280 and KRS 92.330;

NOW THEREFORE, be it ordained by the City of Wellington:

Section 1: Repeal:

a) Ordinance No. 3, Series 2013-2014 & Chapter 112 of the Code of Ordinances are hereby repealed in their entirety.

Section 2: Purpose and Definitions:

- a) The City Commission does hereby find (pursuant to KRS 92.330), that it is necessary to provide for the licensure and taxing of rental properties as businesses, because renting of property in exchange for compensation is in fact a business and the operation of rental property can be detrimental to property values and community appearance and interfere with the comfortable enjoyment of adjacent property or premises. Further, there are conditions in the operation of rental property which (unless corrected), can be hazardous or injurious to the health, safety or welfare of the general public. KRS 92.280 grants authority to the City to tax and license rental businesses and to establish a clear and concise communication

process between the City and each owner of each rental unit. This updated information and communication process is essential for the City to make sure that it can address any detrimental property conditions, or health or safety violation at the rental property, quickly and efficiently. The fee for the annual license shall defray the cost of the City's administration.

- b) The following definitions shall apply to this article:
 - 1) Local Agent means an individual, fiduciary, partnership, association, corporation or other entity, whom 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 3: 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 \$100 shall be paid in full. The fee shall be accounted for by the City as a separate line item in its General Funds and is intended to defray the costs of administrating this ordinance; the cost for the City to insure that all permits are obtained each year and to generally fund the City's regulation, inspection and inventory of rental dwellings in the City.
- b) Annual registration: The annual registration date shall be January 1 of each year.
- 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 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 4: Condition of Rental Property

- a) All rental property must be kept in compliance with the City of Wellington Code of Ordinances, as well as Metro Louisville Ordinances, as a condition of operating a rental property in the City of Wellington.
- 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 5: 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 Wellington, 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 Wellington Ordinances, as well as Metro Louisville Ordinances.

Section 6: Penalties

A. Criminal

1. Any person who shall violate any provision of this Ordinance shall be guilty of a violation and fined not less than \$20.00 nor more than \$200.00.

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 therefor.

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 \$50.00 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 7: Effective Date.

CITY OF WELLINGTON
Ordinance No. 2 Series 2016-2017

AN ORDINANCE REPEALING, IN THEIR ENTIRETY, ANY AND ALL CODE OF
ORDINANCES PROVIDING FOR THE REGISTRATION AND PERMITTING
OF RENTAL PROPERTIES & ADOPTING A NEW ORDINANCE FOR THE
REGISTRATION AND PERMITTING OF RENTAL PROPERTIES

CERTIFICATION

The undersigned attorney does hereby certify that this ordinance has been summarized for publication pursuant to KRS 83A.060(9). Full text of the ordinance can be obtained by contacting the undersigned or through City of Wellington, 2329 Brighton Drive, Louisville, KY 40205.

Carrie Ritsert, Attorney, City of Wellington
209 Old Harrods Creek Road, #100
Louisville, KY 40223
(502) 245-0825

Judy to Mail

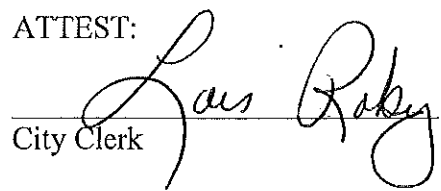
This ordinance shall be effective upon its passage and upon publication.

First Reading: 5-24-16

Second Reading: 11-22-16

Passed and Approved: 11-22-16


Mayor

ATTEST:

City Clerk

Votes in Favor 4

Votes Opposed 0

CITY OF WELLINGTON
MUNICIPAL ORDER NO. 1
A MUNICIPAL ORDER RELATING TO THE BUDGET
AMENDMENT FOR THE CITY OF WELLINGTON

WHEREAS, THE CITY OF WELLINGTON PASSED ORDINANCE NO ___ SERIES 2016-2017 ADOPTING THE CITY OF WELLINGTON, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017 BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

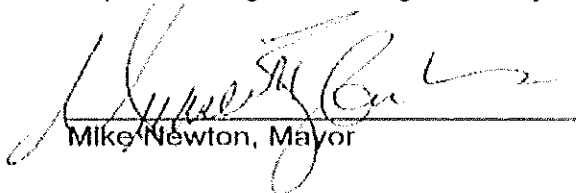
WHEREAS, an annual budget proposal and message has been prepared and delivered to the City Commission, and

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

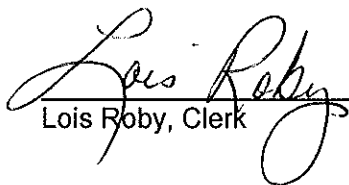
NOW THEREFORE, BE IT ORDERED BY THE CITY OF _____ :

1. The General Fund budget for Insurance Premium Tax income revenue is hereby amended from \$37,000 to \$111,000.
2. The General Fund budget for General & Administrative expenses is hereby amended from \$67,000 to \$79,000.

Adopted at a regular meeting of the City Commission held on October 25, 2016.


Mike Newton, Mayor

Attest:


Lois Roby, Clerk

**CITY OF WELLINGTON, KENTUCKY
JEFFERSON COUNTY, KENTUCKY**

ORDINANCE NO. 1 , SERIES 2016-2017

**AN ORDINANCE GRANTING A COMMUNICATIONS
FRANCHISE AND AUTHORIZING EXECUTION OF A
UNIFORM FRANCHISE AGREEMENT**

WHEREAS, the City desires to award a non-exclusive franchise to Google Fiber Kentucky, LLC; and

WHEREAS, pursuant to Chapter 116.70 - 116.99 of the Metro Code of Ordinances, Sections 163 and 164 of the Kentucky Constitution, Louisville Metro solicited bid proposals from parties interested in obtaining franchises to erect, install and maintain communications facilities or provide communication services by use of said communication facilities within the confines of Jefferson County; and

WHEREAS, Provider submitted a bid proposal to Metro for a communications services franchise pursuant to the requirements of Chapter 116.70 - 116.99 of the Louisville Metro Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. The City hereby grants to Provider for a period of twenty (20) years, a non-exclusive franchise to erect, install or maintain communications facilities or provide communication services by use of said communication facilities within the boundaries of the City in conformance with and subject to the terms and conditions of the Uniform Franchise Agreement

attached hereto as Exhibit A and incorporated herein by reference as if set forth in full.

Section 2. The Mayor is hereby authorized to execute Exhibit A hereto, and may accept minor changes to Exhibit A provided that such changes and/or modifications do not materially alter the substance of the Agreement or any term thereof.

Section 4. Effective Date. This Ordinance shall be effective upon passage.

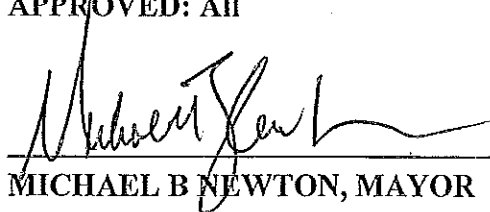
INTRODUCED AND READ AT A MEETING OF THE CITY COUNCIL OF THE CITY OF WELLINGTON, KENTUCKY, HELD ON THE 23RD DAY OF FEBRUARY, 2016.

READ, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WELLINGTON, KENTUCKY, AT A MEETING HELD ON THE 26TH DAY OF JULY, 2016.

VETOED: No

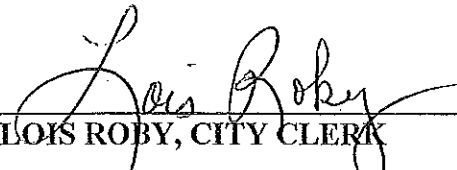
APPROVED: All

MAYOR



MICHAEL B NEWTON, MAYOR

ATTEST:



LOIS ROBY, CITY CLERK

CITY OF WELLINGTON, KENTUCKY
ORDINANCE NO.10, SERIES 2015-2016

AN ORDINANCE ADOPTING THE CITY OF WELLINGTON, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017 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 WELLINGTON:

SECTION 1: The annual budget for the fiscal year July 1, 2016 through June 30, 2017 is hereby adopted as follows:

General Fund

Estimated Beginning Fund Balance - 7/1/2016		\$ 380,000
REVENUE		
Assessments	\$ 108,000	
Insurance premium tax	37,000	
Miscellaneous revenue	<u>13,100</u>	
Total revenue		\$ 158,100
OPERATING EXPENSES		
Garbage and recycling collection	\$ 40,100	
Fire protection	36,000	
Police protection	15,000	
General and administrative expenses	<u>67,000</u>	
Total operating expenses		<u>\$ 158,100</u>
Surplus/(Deficit)		<u>\$ -</u>
Projected Ending Fund Balance - 6/30/2017		<u>\$ 380,000</u>

Municipal Road Aid Fund

Estimated Beginning Fund Balance - 7/1/2016		\$ 30,000
REVENUE		
Road fund income	\$ 10,500	
Other miscellaneous income	<u>10</u>	
Total revenue		\$ 10,510
OPERATING EXPENSES		
Sidewalk improvements	\$ 25,000	
Miscellaneous operating expenses	<u>3,000</u>	
Total operating expenses		<u>\$ 28,000</u>
Surplus/(Deficit)		<u>\$ (17,490)</u>
Projected Ending Fund Balance - 6/30/2017		<u>\$ 12,510</u>

The Mayor may expend funds in accordance with the budget ordinance and no additional authorization from the Commission is needed as long as the expenditure does not exceed the amount appropriated for that purpose in the budget.

SECTION 2: This Ordinance shall take effect and be in force and effect from and after its passage and publication. The Mayor of the City of Wellington is authorized and directed to publish and advertise this Ordinance as required by law.

<u>COMMISSION MEMBERS</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Sara Sievert	X	_____	_____
Ellen Hauber	X	_____	_____
Sandra Moon	X	_____	_____
Suzanne Arrow	X	_____	_____

FIRST READING April 26, 2016

SECOND READING May 24, 2016



Michael B. Newton, Mayor
City of Wellington, Kentucky

Publication: Mailing

Attest:



Lois Roby, City Clerk

CITY OF WELLINGTON, KENTUCKY
ORDINANCE NO 9, SERIES 2015-2016

AN ORDINANCE RELATING TO THE LEVY OF
AD VALOREM TAXES FOR CITY PURPOSES
FOR FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017

Whereas, the City of Wellington has elected to use the annual county assessment for properties situated in the City of Wellington, and

Whereas, there has been deposited with the City Treasurer a complete list of all taxable property located in the City of Wellington as of January 1, 2016,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WELLINGTON:

SECTION 1. The tax rate for the fiscal year ending June 30, 2017 is hereby levied and fixed at the rate of \$0.1935 per \$100 of property assessed for taxation.

SECTION 2. The City Treasurer shall cause to be made out and mailed, tax bills from the assessment rolls on or before September 1, 2016. Each bill shall identify each lot and assessment separately, the names of the owners, tax rate, total tax due, and the total of the bill.

SECTION 3. The payment of tax bills shall be made to the City Treasurer and shall be subject to the penalties listed below and the collection remedies provided by law.

- A. The face amount of the tax bill shall be due for all tax bills if paid by December 31, 2016.
- B. On tax bills paid after December 31, 2016, there shall be added thereto a penalty of 10% of the tax due. On tax bills paid after January 31, 2017, there shall be added thereto a penalty of 12% of the tax due (compounded). In addition, after February 28, 2017 there shall be a penalty of 12% + added interest of 1.5% per month or part thereof, compounded monthly, plus lien filing fee of \$100, if applicable.

SECTION 4. The proceeds of such taxes shall be used for the general operating expenses of the City of Wellington, including the purchasing of city supplies, the general maintenance of public ways in the city, payment of bond premiums for city officials, sanitation, public safety and payment of all the expenses incurred in the necessary and proper municipal functions.

SECTION 5. This Ordinance shall take effect and be in force and effect from and after its passage and publication.

COMMISSION MEMBERS	YES	NO	ABSTAIN
Sara Sievert	X	_____	_____
Ellen Hauber	X	_____	_____
Sandra Moon	X	_____	_____
Suzanne Arrow	X	_____	_____

FIRST READING: April 26, 2016

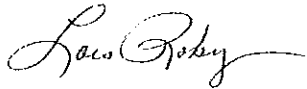
SECOND READING: May 24, 2016



Michael B. Newton, Mayor
City of Wellington, Kentucky

Publication: Mailing

Attest:



Lois Roby, City Clerk

**JEFFERSON COUNTY, KENTUCKY
UNIFORM FRANCHISE AGREEMENT**

THIS UNIFORM FRANCHISE AGREEMENT made and entered into this 27th day of July, 2016 by and between CITY OF WELLINGTON (hereinafter "City"), Louisville/Jefferson County Metro Government ("Metro"), and GOOGLE FIBER KENTUCKY, LLC (hereinafter "Provider").

WITNESSETH:

WHEREAS, Louisville/Jefferson County Metro Government ("Metro") and CITY OF WELLINGTON ("City") have entered into an Interlocal Cooperation Agreement pursuant to KRS 65.210 et seq. for the purpose of providing a uniform franchising process for communications services providers throughout Jefferson County, Kentucky; and

WHEREAS, the City desires to award a non-exclusive franchise to Provider; and

WHEREAS, pursuant to Chapter 116.70 - 116.99 of the Metro Code of Ordinances, as they were written as the approval of this franchise and/or as amended thereafter throughout the term limits of this franchise, Sections 163 and 164 of the Kentucky Constitution and the Metro solicited bid proposals from parties interested in obtaining franchises to erect, install and maintain communications facilities or provide communication services by use of said communication facilities within the confines of Jefferson County; and

WHEREAS, Provider submitted a bid proposal to Metro for a communications services franchise pursuant to the requirements of Chapter 116.70 - 116.99 of the Louisville Metro Code of Ordinances.

WHEREAS, pursuant to Ordinance No. 1, Series 2016-2017, the City granted to Provider for a period of twenty (20) years, a non-exclusive franchise to erect, install or maintain

communications facilities or provide communication services by use of said communication facilities within the boundaries of the City in conformance with Chapter 116.70 - 116.99 of the Metro Code of Ordinances as they were written as of the approval of this franchise and/or as amended thereafter throughout the term limits of this franchise.

NOW THEREFORE, for and in consideration of the mutual covenants and agreements contained herein the receipt and sufficiency of which are hereby acknowledged, City and Provider hereby agree to incorporate the foregoing recitals as if fully set forth herein and further agree as follows:

1. The City grants unto Provider a non-exclusive franchise, for a term of twenty (20) years to erect, install or maintain communications facilities or provide communication services by use of said communication facilities within the confines of the City and as more specifically identified in the above- mentioned bid in conformance with Chapter 116.70 - 116.99 of the Louisville Metro Code of Ordinances, as they were written as of the date of the approval of this franchise and/or amended thereafter throughout the term limits of this franchise. No amendments will be made by Metro of any sections of this Chapter that would directly or indirectly affect the intent and/or purpose of this franchise without the prior notice to and input from all affected Cities within Jefferson County. No amendments to the Metro ordinances which materially alter the terms of this Agreement will be applicable within the City unless approved by the City.

2. Chapter 116.70 - 116.99 of the Louisville Metro Code of Ordinances (as amended by Metro Ordinance O-427-15, enacted February 11, 2016) as written and in force as of the approval of this franchise and/or amended thereafter through the period of the franchise are incorporated herein by reference in their entirety and shall apply as if fully set forth herein. All

provisions of Chapter 116.70 to 116.99 and of the bid of Provider which inure to the benefit of Louisville Metro shall be deemed to equally inure to the benefit of City including, but not limited to, indemnification, insurance, responsibility for costs, hold harmless provisions and bonds.

3. The bid of Provider for said franchise, which is attached hereto as Exhibit "A", is incorporated herein by reference in its entirety and shall apply as if fully set forth herein.

4. Provider agrees to comply with all applicable requirements as set forth in the Louisville Metro Public Works & Assets Utility Policy.

5. In the event that KRS 136.660 is declared inoperative, unconstitutional, or is repealed, in whole or in part, commencing within thirty (30) days thereof or at such time as the parties may mutually agree in writing, Provider shall pay City an annual franchise fee as calculated by applying the formula set forth in Section 116.71(K) of the Louisville Metro Code of Ordinances as of the approval of this franchise, or as the parties may mutually agree in writing.

6. Provider shall periodically provide to the City a point of contact for Provider in order to facilitate communication. City shall provide and maintain a current e-mail address to Metro, through the Director of the Public Works Department, for communication purposes, including communications contemplated by Paragraphs 7 through 10.

7. The City agrees that any permit issued by Louisville Metro Government to Provider for the purpose of constructing or maintaining infrastructure related to the franchise shall be fully operative within the City and shall be given full faith and credit by the City, and the City shall not require any permit in connection with the franchise aside from those required by Louisville Metro, and the City further agrees that inspections performed by Louisville Metro

shall be deemed to comply with all inspection requirements of the City. In the event City requires all providers to relocate their facilities in the ROW, Provider will relocate its facilities within a commercially reasonable time.

8. Provider shall make application to Metro to obtain all necessary permits for any work that will be performed in the City's Right of Ways (ROW'S). Upon request of the Provider and prior to making an application for a ROW permit, Metro/City will use their best efforts to notify Provider of any unique features and/or conditions, as well as any unique Ordinances, of which the Metro/ City is aware which could have the potential to hinder, delay, or alter construction or significantly increase the cost thereof. Applications for a ROW permit shall contain descriptions and locations of construction, and projected timelines for the same. Metro will upon receipt and determination that the application is complete in accordance to Metro Chapter 116 .70 through 116.99 and its related Utility Policies will electronically forward the application and associated documents to the City within a maximum of 48 hours of the receipt of completed application for such work. If technologically feasible, Metro shall immediately or within one business day upon determining the application is complete forward the aforesaid completed application to the City. The City within 10 business days of receipt shall express any of its concerns/objections that it may have relative to the proposed work to Metro that is outside the scope of Chapter 116. Metro shall immediately or within one business day upon receipt of such concerns/objections relay the same to the Provider. The Provider will use its best efforts to satisfy any commercially reasonable/legal concerns/objections presented to them, and adjust or modify its permit application accordingly. However, the decision to approve an application will be made by Metro based solely on the applications conformity with Metro code. Should objections not be raised by Metro/City during the above mentioned timeframe allocated, any

concerns/objection then known or which reasonably could have been known by Metro/City shall be deemed to have been waived. Following the 10 business day review period, Metro will communicate to the Provider approval or denial of the permit application based solely on the applications conformity with Metro code. Nothing herein shall preclude Metro and the Provider from using a different time frame for permit applications which do not impact areas other than the Urban Services District and unincorporated areas of Jefferson County. In no event shall a permit be valid for more than eighteen months; provided, however, that requests for an extension will not be unreasonably withheld. Provider shall give reasonable notice to the City prior to commencing construction within the City. Notwithstanding that permit applications and related documents may be physically or electronically communicated to the City from Metro, City retains the right to request a copy of any application package that Provider has submitted to Metro for work that will be performed in City.

9. If Provider seeks to amend a permit application with Metro, Metro shall within 48 hours provide the City written notice of the same, which such notice shall specifically identify the area(s) and the revised timelines in which the Provider or its subcontractors shall perform such work. The process for review of such an amended permit shall be as described in Paragraph 8 above. Any concerns/objections raised by Metro/City at this time that were not raised during the permitting and approval period as defined within Paragraph 8 above which could have been known by Metro/ City shall be deemed to be waived. The permit application as well as the permit for such work will be revised to reflect these changes. A revised permit will be issued reflecting these changes and will be provided to Provider and the City simultaneously.

10. Provider shall notify Metro/ City upon completion of the permitted work issued in compliance with Paragraphs 1- 9 above and Metro shall have a right of final inspection and

approval thereof based on the approved permit. The City shall also have a right of inspection within its ROWs, however, Metro shall have the right of final approval. Metro/City shall perform inspections within 10 days of receipt of notice from the Provider that the permitted work has been completed. Metro shall notify in writing the Provider and City within 48 hours of their inspection(s) and findings.

11. Upon completion by Provider of all construction approved by Metro in a permit covering work within City, the authority to issue new permits and conduct inspections relative to maintenance, modification, or restoration of the same permitted area located within ROW's within the City shall revert from Metro to the City, provided that the City has legal authority to permit and inspect. If not, permitting and inspection authority shall remain with Metro. This reversion is with the additional exception of any Metro-maintained roads located within the City. The authority to issue new permits and conduct inspections relative to maintenance, modification, expansion or restoration on Metro-maintained roads located within the City shall remain with Louisville Metro.

12. Nothing herein is to be construed as granting Metro the authority to lease, sublease or otherwise transfer any property rights within the City to Provider, nor shall anything herein be construed as a transfer of title of any property owned by the City. In the event Provider desires to purchase, lease, or acquire any real property of the City for purposes of locating infrastructure-related buildings, such acquisition shall be accomplished by a separate agreement based upon commercially reasonable and practicable terms

13. Any dispute arising between the parties pursuant to or in connection with the Franchise shall not be subject to binding arbitration, but the parties agree that they will use their best efforts to resolve any such dispute (including mediation if appropriate) prior to bringing suit

in a court of competent jurisdiction and appropriate venue to resolve the dispute.

14. Provider does hereby bind itself, its successors and assigns, to faithfully and fully perform each and every condition of this franchise as memorialized in this Franchise, and further to faithfully perform all acts required of it as the purchaser of said Franchise.

15. This Franchise constitutes the entire agreement between the parties and shall be binding upon and inure to the benefit of the respective successors in interest to the parties hereto. Provider represents and warrants that it has purchased its franchises from other governmental entities located in Jefferson County upon terms and conditions materially identical to those contained herein, and that there are no franchise agreements, contracts, leases or other agreements between Provider and any other governmental entity within Jefferson County which provide benefits materially different in kind than those being afforded to the City under this Franchise.

16. This Franchise shall commence _____, 20____, and shall expire on _____, 20____.

IN WITNESS WHEREOF, the City and Provider have executed this Franchise as their free and voluntary act and deed effective as of the day and year first above written.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK

CITY OF WELLINGTON

GOOGLE FIBER KENTUCKY, LLC

/s/ Michael B. Newton
MICHAEL B. NEWTON, MAYOR

By: _____

Its: _____

LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT

MAYOR

ATTEST:

/s/ Lois Roby
Lois Roby, CITY CLERK

APPROVED AS TO FORM AND LEGALITY

MICHAEL J. O'CONNELL
JEFFERSON COUNTY ATTORNEY

By: _____

**CITY OF WELLINGTON, KENTUCKY
JEFFERSON COUNTY, KENTUCKY**

ORDINANCE NO. 1, SERIES 2016-2017

**AN ORDINANCE GRANTING A COMMUNICATIONS
FRANCHISE AND AUTHORIZING EXECUTION OF A
UNIFORM FRANCHISE AGREEMENT**

WHEREAS, the City desires to award a non-exclusive franchise to Google Fiber Kentucky, LLC; and

WHEREAS, pursuant to Chapter 116.70 - 116.99 of the Metro Code of Ordinances, Sections 163 and 164 of the Kentucky Constitution, Louisville Metro solicited bid proposals from parties interested in obtaining franchises to erect, install and maintain communications facilities or provide communication services by use of said communication facilities within the confines of Jefferson County; and

WHEREAS, Provider submitted a bid proposal to Metro for a communications services franchise pursuant to the requirements of Chapter 116.70 - 116.99 of the Louisville Metro Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. The City hereby grants to Provider for a period of twenty (20) years, a non-exclusive franchise to erect, install or maintain communications facilities or provide communication services by use of said communication facilities within the boundaries of the City in conformance with and subject to the terms and conditions of the Uniform Franchise

Agreement attached hereto as Exhibit A and incorporated herein by reference as if set forth in full.

Section 2. The Mayor is hereby authorized to execute Exhibit A hereto, and may accept minor changes to Exhibit A provided that such changes and/or modifications do not materially alter the substance of the Agreement or any term thereof.

Section 4. Effective Date. This Ordinance shall be effective upon passage.

INTRODUCED AND READ AT A MEETING OF THE CITY COUNCIL OF THE CITY OF WELLINGTON, KENTUCKY, HELD ON THE 23RD DAY OF FEBRUARY, 2016.

READ, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WELLINGTON, KENTUCKY, AT A MEETING HELD ON THE 26TH DAY OF JULY, 2016.

VETOED: No

APPROVED: All

MAYOR

/s/ Michael B. Newton
MICHAEL B NEWTON, MAYOR

ATTEST:

/s/ Lois Roby
LOIS ROBY, CITY CLERK

CITY OF WELLINGTON
Ordinance 1 Series 2016-2017

AN ORDINANCE GRANTING A COMMUNICATIONS FRANCHISE AND
AUTHORIZING EXECUTION OF A UNIFORM FRANCHISE AGREEMENT

CERTIFICATION

The undersigned attorney does hereby certify that this ordinance has been summarized for publication pursuant to KRS 83A.060(9). Full text of the ordinance can be obtained by contacting the undersigned or through City of Wellington, 3003 Spencer Avenue, Louisville, KY 40205.

Carrie Ritsert, Attorney, City of Wellington
209 Old Harrods Creek Road, #100
Louisville, KY 40223
(502) 245-0825

CITY OF WELLINGTON, KENTUCKY
ORDINANCE NO 8, SERIES 2015-2016

AN ORDINANCE AMENDING SECTION 32.21 OF THE CODIFIED ORDINANCES OF THE
CITY OF WELLINGTON TITLED "MEETINGS"

WHEREAS, the City Commission has determined it is in the best interest to change the time of the regular meetings of the City of Wellington.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WELLINGTON, JEFFERSON COUNTY, STATE OF KENTUCKY, THAT:

SECTION 1: Section 32.21 of the Codified Ordinances of the City entitled "Meetings" is hereby amended to read as follows: new material appears like THIS and deleted material appears like this):

§32.21 MEETINGS.

(A) Regular meetings of the Commissions shall be held on the fourth Tuesday of each calendar month at ~~7:00~~ 6:30 p.m., at a place decided upon by the Commissioners and published to the residents. In the event the date for a regular meeting shall fall on a holiday, the fourth Monday of that month shall then be designated as the regular meeting date at the same time. (Ord 1, passed 6-17-46; Am Ord. 2008-04, passed 11-25-08).

SECTION 2: All other provisions of Section 32.21 of the Codified Ordinances of the City of Wellington not specifically amended or repealed herein shall remain in full force and effect, and only those sections specifically deleted shall be amended without any effect on the other provisions of said sections.

SECTION 3: This Ordinance shall take effect and be in force and effect from and after its passage and publication. The Mayor of the City of Wellington is authorized and directed to publish and advertise this Ordinance as required by law.

FIRST READING
SECOND READING
PASSED AND APPROVED

February 23, 2016
March 22, 2016
March 22, 2016



Michael B. Newton, Mayor
City of Wellington, Kentucky

Publication: Mailing

Attest:



Lois Roby, City Clerk

"Aye" Votes _____
"Nay" Votes _____

CITY OF WELLINGTON, KENTUCKY
ORDINANCE NO 7, SERIES 2015-2016

AN AMENDMENT TO ORDINANCE § 72.06 RELATING TO PARKING IN EXCESS OF CERTAIN
NUMBER OF HOURS PROHIBITED; TOWING AUTHORIZED

WHEREAS, the City wishes to amend its ordinance to add meaning and enforceability;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WELLINGTON:

Section 1. 72.06 is hereby amended to read as follows:

It shall be unlawful for anyone to allow any vehicle to remain parked continuously from 12 a.m. to 6 a.m. on any of the public ways or streets of the city. Continuously parked is defined as a vehicle left parked in any one place for a period exceeding two (2) hours. Any vehicle left parked in any one place on any of the public ways or streets of the city during said period or longer shall be deemed abandoned and shall be subject to the law, rules, and regulations of the City of Wellington, County of Jefferson, and the State of Kentucky relating to abandoned vehicles, including the towing of said vehicles at the owner's expense.

Section 2. This amendment shall be effective upon adoption and publication or required by law.

FIRST READING: August 25, 2015

SECOND READING & ADOPTION: September 22, 2015



Michael B. Newton, Mayor
City of Wellington, Kentucky

Publication: Mailing

Attest:



Lois Roby, City Clerk

Those in Favor: 3

Those Opposed: 0

CITY OF WELLINGTON, KENTUCKY
ORDINANCE NO 6, SERIES 2014-2015

AN ORDINANCE ADOPTING THE CITY OF WELLINGTON, 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 WELLINGTON:

SECTION 1: The annual budget for the fiscal year July 1, 2015 through June 30, 2016 is hereby adopted as follows:

General Fund

Beginning Fund Balance - 7/1/2015		\$ 385,921
REVENUE		
Assessments	\$ 105,600	
Insurance premium tax	38,000	
Miscellaneous revenue	<u>16,000</u>	
Total revenue		\$ 159,600
OPERATING EXPENSES		
Garbage and recycling collection	\$ 40,000	
Fire protection	36,000	
Police protection	15,000	
General and administrative expenses	<u>86,800</u>	
Total operating expenses		\$ 177,800
Surplus/(Deficit)		\$ (18,200)
Projected Ending Fund Balance - 6/30/2016		<u>\$ 367,721</u>

Municipal Road Aid Fund

Beginning Fund Balance - 7/1/2015		\$ 104,315
REVENUE		
Road fund income	\$ 9,600	
Other miscellaneous income	<u>15</u>	
Total revenue		\$ 9,615
OPERATING EXPENSES		
Sidewalk improvements	\$ 60,000	
Miscellaneous operating expenses	<u>35,650</u>	
Total operating expenses		\$ 95,650
Surplus/(Deficit)		\$ (86,035)
Projected Ending Fund Balance - 6/30/2016		<u>\$ 18,280</u>

The Mayor may expend funds in accordance with the budget ordinance and no additional authorization from the Commission is needed as long as the expenditure does not exceed the amount appropriated for that purpose in the budget.

SECTION 2: This Ordinance shall take effect and be in force and effect from and after its passage and publication. The Mayor of the City of Wellington is authorized and directed to publish and advertise this Ordinance as required by law.

<u>COMMISSION MEMBERS</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Sara Sievert	X	_____	_____
Ellen Hauber	_____	_____	_____
Sandra Moon	X	_____	_____
Suzanne Arrow	_____	_____	_____
Michael Newton	X	_____	_____

FIRST READING May 26, 2015

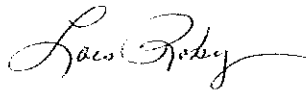
SECOND READING June 23, 2015



Michael B. Newton, Mayor
City of Wellington, Kentucky

Publication: Mailing

Attest:



Lois Roby, City Clerk

CITY OF WELLINGTON, KENTUCKY
ORDINANCE NO 5, SERIES 2014-2015

AN ORDINANCE RELATING TO THE LEVY OF
AD VALOREM TAXES FOR CITY PURPOSES
FOR FISCAL YEAR BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016

Whereas, the City of Wellington has elected to use the annual county assessment for properties situated in the City of Wellington, and

Whereas, there has been deposited with the City Treasurer a complete list of all taxable property located in the City of Wellington as of January 1, 2015,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WELLINGTON:

SECTION 1. The tax rate for the fiscal year ending June 30, 2016 is hereby levied and fixed at the rate of \$0.1967 per \$100 of property assessed for taxation.

SECTION 2. The City Treasurer shall cause to be made out and mailed, tax bills from the assessment rolls on or before September 1, 2015. Each bill shall identify each lot and assessment separately, the names of the owners, tax rate, total tax due, and the total of the bill.

SECTION 3. The payment of tax bills shall be made to the City Treasurer and shall be subject to the penalties listed below and the collection remedies provided by law.

- A. The face amount of the tax bill shall be due for all tax bills if paid by December 31, 2015.
- B. On tax bills paid after December 31, 2015, there shall be added thereto a penalty of 10% of the tax due. On tax bills paid after January 31, 2016, there shall be added thereto a penalty of 12% of the tax due (compounded). In addition, after February 29, 2016 there shall be a penalty of 12% + added interest of 1.5% per month or part thereof, compounded monthly, plus lien filing fee of \$100, if applicable.

SECTION 4. The proceeds of such taxes shall be used for the general operating expenses of the City of Wellington, including the purchasing of city supplies, the general maintenance of public ways in the city, payment of bond premiums for city officials, sanitation, public safety and payment of all the expenses incurred in the necessary and proper municipal functions.

SECTION 5. This Ordinance shall take effect and be in force and effect from and after its passage and publication.

COMMISSION MEMBERS	YES	NO	ABSTAIN
Sara Sievert	X	_____	_____
Ellen Hauber	_____	_____	_____
Sandra Moon	X	_____	_____
Suzanne Arrow	_____	_____	_____
Michael B. Newton	X	_____	_____

FIRST READING: May 26, 2015

SECOND READING: June 23, 2015



Michael B. Newton, Mayor
City of Wellington, Kentucky

Publication: Mailing

Attest:



Lois Roby, City Clerk

CITY OF WELLINGTON

ORDINANCE # 4, SERIES 2014

AN ORDER RELATING TO ENTERING INTO A PARTNERSHIP WITH LOUISVILLE METRO GOVERNMENT


WHEREAS the Louisville-Jefferson County Metro Council has enacted Ordinance No. 110, Series 2006 codified as Section 97.100 of the Louisville-Jefferson County Code of Ordinances [LMCO] establishing a Metro Partnership Program with suburban cities for a Capital Improvement Program; and

WHEREAS the City of Wellington (the City) wishes to participate in the Program pursuant to LMCO 97.100(F).

BE IT ORDERED BY THE CITY OF WELLINGTON:


1. The City hereby elected to participate in the Program for capital projects which are authorized by LMCO 97.100.
2. The City agrees to construct projects funded wholly or in part by the Program in accordance with the standards established in compliance with LMCO 97.100

Adopted the 25th of November, 2014 with appropriate signatures or attestations.



Mayor

ATTEST:



City Clerk

Votes in Favor 4

Votes Opposed 0

SAMPLE ADOPTING ORDINANCE FOR KENTUCKY CITY SUPPLEMENTS

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE
CODE OF ORDINANCES
OF THE CITY OF Wellington, KENTUCKY.**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2014 S-3 supplement to the Code of Ordinances of the City of Wellington, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes;

WHEREAS, it is the intent of Council to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky;

NOW, THEREFORE, BE IT ORDAINED by the City of Wellington:

SECTION 1. That the 2014 S-3 supplement to the Code of Ordinances of the City of Wellington, Kentucky, as submitted by American Legal Publishing Corporation of Cincinnati, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. That this ordinance shall take effect and be in force from and after its date of passage, approval and publication as required by law.

Passed this 28 day of October, 2014.

Passed on First Reading 9-23-14.

Adopted on Second Reading 10-28-14.

Signed by Mayor Rick Sims.

Published in the Paper CJ Nov 12, 2014.

Recorded by Clerk _____

Rick Sims
Mayor

ATTEST:

Zeena Hauke
City Clerk

CITY OF WELLINGTON, KENTUCKY
ORDINANCE NO. 2, SERIES 2014-2015

AN ORDINANCE ADOPTING THE CITY OF WELLINGTON, KENTUCKY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2014 THROUGH JUNE 30, 2015 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 WELLINGTON

SECTION 1: The annual budget for the fiscal year July 1, 2014 through June 30, 2015 is hereby adopted as follows:

General Fund

Beginning Fund Balance - 7/1/2014		\$ 369,979
REVENUE		
Assessments	\$ 100,000	
Insurance premium tax	35,000	
Interest on investments	11,000	
Miscellaneous revenue	<u>1,280</u>	
Total revenue		\$ 147,280
OPERATING EXPENSES		
Garbage and recycling collection	\$ 40,200	
Fire protection	36,000	
Police protection	17,000	
General and administrative expenses	<u>54,080</u>	
Total operating expenses		<u>\$ 147,280</u>
Surplus		<u>\$ -</u>
Projected Ending Fund Balance - 6/30/2015		\$ 369,979

Municipal Road Aid Fund

Beginning Fund Balance - 7/1/2014		\$ 98,064
REVENUE		
Road fund income	\$ 12,000	
Interest on investments	<u>15</u>	
Total revenue		\$ 12,015
OPERATING EXPENSES		
Sidewalk improvements	\$ 30,000	
Miscellaneous operating expenses	<u>13,000</u>	
Total operating expenses		<u>\$ 43,000</u>
Surplus/(deficit)		<u>\$ (30,985)</u>
Projected Ending Fund Balance - 6/30/2015		\$ 67,079

The Mayor may expend funds in accordance with the budget ordinance and no additional authorization from the Commission is needed as long as the expenditure does not exceed the amount appropriated for that purpose in the budget.

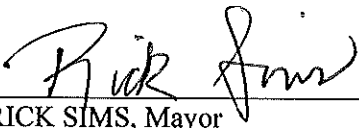
SECTION 2: This Ordinance shall take effect and be in force and effect from and after its passage and publication. The Mayor of the City of Wellington is authorized and directed to publish and advertise this Ordinance as required by law.

<u>COMMISSION MEMBERS</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>
Judy Kaleher	X	—	—
Michael Newton	—	—	<u>ABSENT</u>
Joan Noles	X	—	—
Sara Sievert	X	—	—
Rick Sims, Mayor	X	—	—

FIRST READING May 27, 2014

SECOND READING June 24, 2014


PASSED AND APPROVED this 24th day of June, 2014.



RICK SIMS, Mayor
City of Wellington, Kentucky

PUBLICATION DATE: July 15 2014

ATTEST:



Ellen Hauber, City Clerk

CITY OF WELLINGTON, KENTUCKY
ORDINANCE NO 1, SERIES 2014-2015

AN ORDINANCE RELATING TO THE LEVY OF
AD VALOREM TAXES FOR CITY PURPOSES
AND FOR FISCAL YEAR ENDING JUNE 30, 2015

Whereas, the City of Wellington has elected to use the annual county assessment for properties situated in the City of Wellington, and

Whereas, there has been deposited with the City Treasurer a complete list of all taxable property located in the City of Wellington as of January 1, 2014,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WELLINGTON:

SECTION 1. The tax rate for the fiscal year ending June 30, 2015 is hereby levied and fixed at the rate of \$0.2184 per \$100 of property assessed for taxation.

SECTION 2. The City Treasurer shall cause to be made out and mailed, tax bills from the assessment rolls on or before September 1, 2014. Each bill shall identify each lot and assessment separately, the names of the owners, tax rate, total tax due, and the total of the bill.

SECTION 3. The payment of tax bills shall be made to the City Treasurer and shall be subject to the penalties listed below and the collection remedies provided by law.

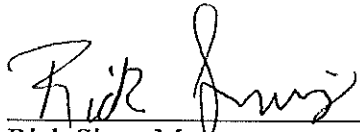
- A. The face amount of the tax bill shall be due for all tax bills if paid by December 31, 2014.
- B. On tax bills paid after December 31, 2014, there shall be added thereto a penalty of 10% of the tax due. On tax bills paid after January 31, 2015, there shall be added thereto a penalty of 12% of the tax due. In addition, after February 28, 2015 there shall be a penalty of 12% + added interest of 1.5% per month or part thereof, compounded monthly, plus lien filing fee of \$100, if applicable.

SECTION 4. The proceeds of such taxes shall be used for the general operating expenses of the City of Wellington, including the purchasing of city supplies, the general maintenance of public ways in the city, payment of bond premiums for city officials, sanitation, public safety and payment of all the expenses incurred in the necessary and proper municipal functions.

SECTION 5. This Ordinance shall take effect and be in force and effect from and after its passage and publication.

COMMISSION MEMBERS	YES	NO	ABSTAIN
Judy Kaleher	X	—	—
Michael Newton	—	—	<u>ABSENT</u>
Joan Noles	X	—	—
Sara Sievert	X	—	—
Rick Sims, Mayor	X	—	—

FIRST READING: May 27, 2014
 SECOND READING: June 24, 2014


 Rick Sims, Mayor
 City of Wellington, Kentucky

Publication: July 15, 2014

Attest: Ellen Hauber
 Ellen Hauber, City Clerk

CITY OF WELLINGTON
ORDINANCE#4 SERIES 2013-2014
RELATING TO ESTABLISHING THE PAY RATES FOR COMMISSIONERS, MAYOR,
CLERK & TREASURER OF THE CITY OF WELLINGTON

WHEREAS, it has been determined that it is in the best interest of the City of Wellington, Kentucky to update the pay scale of public officers,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WELLINGTON, KY, THAT:

- Section 1. The compensation of the Mayor is hereby fixed at the sum of \$1,800 per year, which will be accrued or earned monthly and paid quarterly. If less than 10 regularly scheduled meetings are attended, payment will be withheld for the missed meetings.
- Section 2. The compensation of each City Commissioner is hereby fixed at the sum of \$1,200 per year, which will be accrued or earned monthly and paid quarterly. If less than 10 regularly scheduled meetings are attended, payment will be withheld for the missed meetings.
- Section 3. The compensation for the City Clerk is hereby fixed at the sum of \$1,500 per year, which will be accrued or earned monthly and paid quarterly. If less than 10 regularly scheduled meetings are attended, payment will be withheld for the missed meetings.
- Section 4. The compensation for the City Treasurer is hereby fixed at the sum of \$3,600 per year, which will be accrued or earned monthly and paid quarterly. If less than 10 regularly scheduled meetings are attended, payment will be withheld for the missed meetings.
- Section 5. The amount of compensation for each of the elected officials shall be recomputed annual under the “rubber dollar” theory as referenced in KRS 83A.075. The salaries shall be fixed in Section (1) and (2) of this ordinance as of January 2015. Every year thereafter the salaries shall be adjusted based on the “rubber dollar” increase amount as determined by the Commonwealth of Kentucky Department of Local Government (or its successor entity) with any increase to become effective as of July 1st.
- Section 6. This ordinance shall take effect contemporaneous with the beginning of the term of office for above officials, beginning on January 1st, 2015 and upon its adoption and publication according to law.
- Section 7. If any provision, clause, sentence, paragraph, or phrase of this Ordinance or the application thereof to any person or circumstances is held, for any reason by a court of competent jurisdiction, to be invalid or unconstitutional, such decision shall not affect the validity of other provisions or applications of the provisions of this Ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable. The City Council of the City of Wellington declares that it would have passed this Ordinance, and every section, subsection, sentence, clause and phrase thereof,

irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases were to be held invalid or unconstitutional by such court.

Section 8. Any inconsistent ordinances are hereby repealed and replaced.

First Reading: March 25, 2014
Second Reading: April 22, 2014
Passage and Approval: April 22, 2014

Rick Sims
Mayor

ATTEST:

Sean Hawley
City Clerk

Aye: 3
Nay: 0

CITY OF WELLINGTON
MUNICIPAL ORDER NO. 1
A MUNICIPAL ORDER RELATING TO THE APPOINTMENT OF THE
MEMBERS OF THE BOARD OF ETHICS OF THE CITY OF WELLINGTON

WHEREAS, the City of Wellington Board of Ethics (the "Board") was established by City of Wellington Ordinance 36.05 (the Code of Ethics), and

WHEREAS, vacancies exists on the Board and the City is empowered by the Code of Ethics to appoint members to the Board, and

WHEREAS, the persons named below are found to possess the necessary qualifications for this appointment to the Board,


NOW THEREFORE, BE IT ORDERED BY THE CITY OF WELLINGTON:

1. That **Whitney Conn** be, and is hereby appointed as a member of the Board of Ethics of the City of Wellington as established by Ordinance 36.05 with the duties as specified in said ordinance. That the term of office of the person appointed above shall commence on the date hereof and the taking of the Oath as provided in Kentucky Constitution, Section 228, and shall expire on December 31st, 2018.
2. That **Paul Rosen** be, and is hereby appointed as a member of the Board of Ethics of the City of Wellington as established by Ordinance 36.05 with the duties as specified in said ordinance. That the term of office of the person appointed above shall commence on the date hereof and the taking of the Oath as provided in Kentucky Constitution, Section 228, and shall expire on December 31st, 2018.
3. That **Sharon Milton** be, and is hereby appointed as a member of the Board of Ethics of the City of Wellington as established by Ordinance 36.05 with the duties as specified in said ordinance. That the term of office of the person appointed above shall commence on the date hereof and the taking of the Oath as provided in Kentucky Constitution, Section 228, and shall expire on December 31st, 2018.
4. That the duties of the appointed persons shall be those as are established in Ordinance 36.05.
5. That hereafter a member of the Ethics Commission shall attend no less than one (1) regular meetings of the City Commission each year.

Adopted at a regular meeting of the City Commission held on January 26th, 2016.


Michael B. Newton, Mayor

Attest:


Lois Roby, City Clerk

CITY OF WELLINGTON
MUNICIPAL ORDER 2, SERIES 2016
A MUNICIPAL ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN
INTERLOCAL AGREEMENT RELATING TO COMMUNICATIONS SERVICES

WHEREAS, the City Commission of the City of Wellington, Kentucky (hereinafter "City") has considered a certain Interlocal Cooperation Agreement between City and Louisville/Jefferson County Metro Government (Metro), which Agreement is titled "Jefferson County Uniform Communication Franchise Interlocal Cooperation Agreement", concerning the joint public bidding and award of a non-exclusive franchise agreement(s) for telecommunication services in Jefferson County and the creation of a Uniform Franchise Agreement,

AND WHEREAS, the City finds that entering into said Agreement is in the best interest of the City, by virtue of creating a process by which high speed fiber optic internet service may be extended to City residents and therefore City desires to enter into said Agreement,

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF WELLINGTON, KENTUCKY:

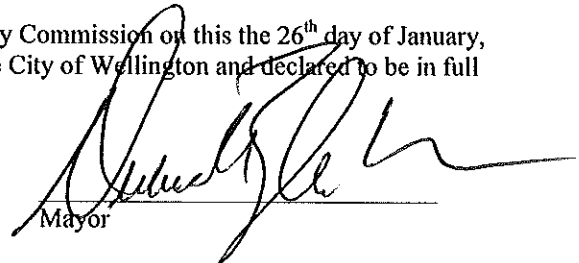
SECTION 1:

That the Interlocal Agreement by and between the City and Metro, titled "Jefferson County Uniform Communication Franchise Interlocal Cooperation Agreement", which relates to the bidding and award of a non-exclusive franchise agreement(s) for telecommunication services in Jefferson County, as well as the creation of a Uniform Franchise Agreement, be and herein is approved by the City Commission. Further the City Mayor is hereby authorized to sign the Agreement, along with any and all other documents required to effectuate the terms of the referenced Agreement, attached and fully incorporated herein as Exhibit One.

SECTION 2:

This Municipal Order shall take effect upon its passage and approval.

Introduced, seconded, read and adopted by the City Commission on this the 26th day of January, 2016, and on the same occasion signed by the Mayor of the City of Wellington and declared to be in full force and effect.



Mayor

ATTEST:



City Clerk

"Aye" Votes 4

"Nay" Votes 1

**JEFFERSON COUNTY UNIFORM COMMUNICATIONS SERVICES FRANCHISE
INTERLOCAL COOPERATION AGREEMENT**

THIS AGREEMENT, executed pursuant to KRS 65.210, et seq. (the Kentucky Inter-local Cooperation Act) is by and among Louisville/Jefferson County Metro Government ("Metro") and the municipalities within Jefferson County, Kentucky, listed on Exhibit A (attached hereto) (collectively "Cities").

WITNESSETH:

1. PURPOSE:

Metro and the Cities all have the power to grant franchises for the use of the public rights of way within their respective geographical boundaries pursuant to the Kentucky Constitution Sections 163 and 164. County-wide communications services requiring a franchise would require 83 separate agreements which could vary with respect to their terms, conditions and duration which would potentially compromise the efficiency, pricing and services for the consumers of communications providers. Metro and the Cities desire to create a single standard franchise agreement (Uniform Franchise Agreement "UFA") for communications infrastructure services providers, based upon a bid to be issued in 2016, where county-wide services are intended.

2. DURATION:

The duration of this Agreement shall be for a period not to exceed twenty (20) years as provided by Kentucky Constitution unless terminated earlier in accordance with the terms of the Uniform Franchise Agreement(s).

3. NO NEW LEGAL OR ADMINISTRATIVE ENTITY:

This Agreement does not establish a separate legal or administrative entity to conduct or administer the Uniform Franchise Agreement(s) authorized hereunder. The legislative bodies of the constituent municipalities shall have the authority to review and approve the Uniform Franchise Agreement(s) in accordance with the laws of the Commonwealth of Kentucky, and shall retain such authority throughout the term of this agreement. Through this Agreement, Metro shall administer the advertisement and processing of bid proposals, where county wide services are intended.

4. FRANCHISE PROCEDURES:

Metro and Cities agree that the franchises granted hereunder shall be administered in accordance with Louisville Metro Code of Ordinances ("LMCO") Chapter 116.70 et seq. and the Louisville Metro Public Works & Assets Utility Policy. Metro shall advertise for bids pursuant to KRS 424. Upon receipt of bid proposals Metro shall evaluate them for compliance with the requirements of MCO 116.70 et seq. A successful bidder shall execute the Uniform Franchise Agreement and operate pursuant to the terms of MCO 116.70 et seq. to the extent not modified by the UFA.

5. FUNDING:

No separate funding is required for the operation of this Agreement or the UFA provided for hereunder.

6. EFFECTIVE DATE:

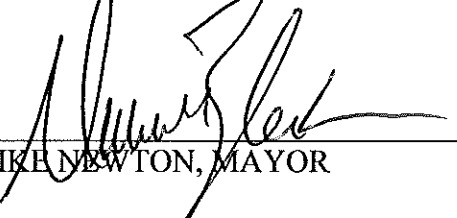
This agreement shall be effective immediately following approval by resolution, motion or otherwise, by Cities' legislative bodies and the Louisville/Jefferson County Metro Council, as required by KRS 65.240, and the receipt of notice of approval of listed agreement from the Department of Local Government as required by KRS 65.260, as well as submission to the Jefferson County Clerk for recording. The duration of this agreement will be conterminous with the UFA's granted hereunder, unless thirty (30) days written notice of cancellation is given by the terminating party to the other party.

7. ENTIRE AGREEMENT:

This agreement contains the entire agreement between the parties listed and no other prior representations, manifestations, covenants, whether written or oral, not specifically contained herein, shall be binding upon the parties. Nothing herein shall be construed as a delegation of any authority by any party hereto, except insofar as expressly delegated herein

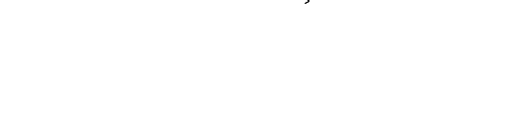
WITNESS, the agreement of the parties by their signatures below and attached hereto.

CITY OF WELLINGTON



MIKE NEWTON, MAYOR

METRO LOUISVILLE, KENTUCKY



GREG FISCHER, MAYOR

Approved as to form and legality:

MICHAEL O'CONNELL
JEFFERSON COUNTY ATTORNEY

MUNICIPAL ORDER

Ordinance 72.06

City of Wellington

Procedure for Enforcement of Parking Ordinance

1. For first offense, place a warning with a copy of the Ordinance that is being violated on the violator's windshield and record the license number of the offending vehicle.
2. For a second violation place a warning of repeated offense on the windshield indicating that the license number is on file with the City Clerk.
3. If the violation occurs again for the same vehicle, place a notice of due process hearing scheduled to be held by the City Commission along with a notice that there will be a fine of \$100.00.
4. At the hearing, determine if a fine should be imposed.
5. If the offending vehicle continues to violate the Ordinance and the fine has not been paid, then have the car towed ~~to~~ for repeated violations and non-payment of fines.

Effective Date: _____

07/23/2013

Rick Smith

MAYOR