

THE CITY OF PARK HILLS, KENTUCKY
ORDINANCE NO. 5, 2013

**AN ORDINANCE AMENDING CHAPTER 34 OF THE PARK HILLS CODE OF
ORDINANCES TO APPOINT THE KENTON COUNTY CLERK AS AN AGENT OF
THE CITY OF PARK HILLS, KENTUCKY TO COLLECT THE MOTOR VEHICLE
LICENSE FEE IMPOSED THEREUNDER AND TO IMPOSE THE LICENSE FEE
CONTEMPORANEOUSLY WITH THE REGISTRATION OF MOTOR VEHICLES; AND
AUTHORIZING PUBLICATION IN SUMMARY**

WHEREAS, That the City Council of The City of Park Hills, Kentucky finds and determines that it is in public interest to designate the Clerk of Kenton County, Kentucky as an agent for collecting the motor vehicle license fees imposed under Chapter 34 of the Park Hills Code of Ordinances (the "Code"); and

WHEREAS, That the City Council further finds and determines that it is in the public interest to impose the motor vehicle license fee contemporaneously with the registration of motor vehicles with the Kenton County Clerk.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY, as follows:

Section One. That Chapter 34 of the Park Hills Code of Ordinances, entitled *Motor Vehicle License*, be, and it is, amended as follows:

CHAPTER 34: MOTOR VEHICLE LICENSE

Section

- 34.01 License Requirement
- 34.02 Use of Funds
- 34.03 Amount of Fee; Penalty
- ~~34.04 Pro-ration of Fee [Repealed]~~
- ~~34.05 License Tag [Repealed]~~
- 34.06 Fee for Street Usage
- 34.07 Penalty

34.01 LICENSE REQUIREMENT.

(A) It shall hereafter be unlawful for any person or persons, individual or individuals, corporation or corporations, company or companies, residing or having a place of business in the City of Park Hills, Kentucky, to use or operate any automobile, truck, or motor vehicle for pleasure or business within the city limits without first having obtained a license to use and operate the same, and having paid the necessary license fee therefore, as hereinafter provided, ~~and, thereafter, attaching and displaying the license tag issued by the City Clerk on said automobile, truck, or motor vehicle, as hereinafter described.~~ For the

purpose of this Chapter, the term "motor vehicle" includes motorcycles. This license is required of all motor vehicles that are registered to an address in the City of Park Hills, Kentucky, or that are owned by or leased to: (i) any person or persons, or individual or individuals, who are legal residents of the City of Park Hills, Kentucky, or (ii) any corporation or corporations or company or companies with a principal place of business in Park Hills, Kentucky.

(B) Such license shall also be required of all person or persons, individual or individuals, corporation or corporations, company or companies, residing outside the city limits and owning and operating or causing to be operated any automobile or motor vehicle upon and over the streets of the City in connection with the business conducted, or regular occupation followed within the city limits or as a means of conveyance to and from a position job or labor for which the remuneration is received from such business or occupation in the City; provided, however, that the requirements under this subsection shall be waived to the extent that said vehicles are registered in another municipality that has imposed a similar tax and said tax has been paid ~~and the license tag associated therewith is affixed to said vehicle and is clearly displayed and apparent to view from outside the vehicle~~; provided further, that said other municipality shall have enacted a similar reciprocity provision exempting all owners of motor vehicles registered in the City of Park Hills, Kentucky from like taxes within its corporate limits under the same circumstances.

(C) Honorary members, lifetime members, and members who have been active members of the life squad and/or fire department for one year, while maintaining state certification by having completed at least twenty (20) hours training in the previous year, shall be exempt from the provisions of this chapter ~~requiring the purchase of a license tag for one of his/her vehicles.~~

34.02 USE OF FUNDS.

(A) Every person, individual, corporation, or company owning or operating a motor vehicle in the City of Park Hills, Kentucky shall immediately, upon acquisition thereof, make application to the Kenton County Clerk ~~City Clerk of the City of Park Hills~~ for licensing thereof, and shall furnish to the Kenton County Clerk ~~City Clerk~~ the name and address of the owner thereof, the name of the motor vehicle, the capacity or tonnage rating thereof, and the number of the license furnished said owner by the Commonwealth of Kentucky.

(B) All license fees, penalties, and interest provided under this chapter shall be paid to and collected by the City Clerk or the Kenton County Clerk. All license fees, late fees, penalties, and interest imposed, levied, and collected from both resident and nonresident operators of automobiles and motor vehicles under this chapter, shall be paid into and become a part of the Special Street Vehicle Fee Fund, the same to be used for the purpose of paying the expenses of and capital outlays associated with servicing, repairing, maintaining, ~~and resurfacing, and patrolling~~ the dedicated streets of the City of Park Hills and work

within adjacent rights-of-way. Said license shall be issued for a period of one (1) year from the date of renewal of the vehicle registration.

34.03 AMOUNT OF FEE.

(A) The license fee required to be paid hereunder is as follows: For each motor vehicle or passenger vehicle \$15.00; motor trucks and trailers of 1/2 ton or less, factory rated capacity \$15.00; for each additional 1/2 ton up to and including 5 tons \$40.00; for each 1/2 ton in excess of 5 tons \$15.00.

(B) When trailers are attached to trucks or motor vehicles and used for business or for hire in the City of Park Hills, the factory rated capacity or load of such trailer shall be added to the factory rated capacity or load of said truck for the purpose of classifying trucks into tonnage class. The City Clerk is authorized, empowered, and directed to collect the license fee provided herein, which fee shall be payable on and after the first day of February in the year. During July of every year beginning in the year 2013, and within thirty (30) days after the motor vehicle is brought into the City of Park Hills, every person or persons, individual or individuals, corporation or corporations, and company or companies, who are required by the terms of §34.01 to secure a city license therefore, shall make payment to the Kenton County Clerk as an agent of the City of Park Hills and obtain the city license at the time that the state registration and/or license is obtained or renewed with the Kenton County Clerk. The City Clerk may collect the payment and issue the city license for any vehicle for which the Kenton County Clerk has not done so, or for any city vehicle license which has become delinquent. If said license fee is not paid before the last day of the month in which the vehicles registration is due in each year there shall be added thereto a late fee of Twenty Dollars (\$20.00) which the City Clerk will, through the County Clerk, collect from each and every person so applying for said license.

34.04 PRO-RATION OF FEE.

~~If any person becomes the owner of a motor vehicle after March 1st of any year, the registration fee shall remain at Fifteen Dollars (\$15.00) until the 31st day of the following August. Beginning September 1, the charge made for a Park Hills automobile tag shall become Seven and 50/100 Dollars (\$7.50) and remain at such figure until the end of the automobile tag year.~~

34.05 LICENSE TAG

~~The City Clerk shall cause to be prepared suitable license tags and to issue same to the owner of every motor vehicle and truck who makes application therefore upon the payment of the license fee hereinabove provided. It shall be the duty of the owner or driver of said motor vehicle to display said tag at all times upon the motor vehicle or truck by attaching said tag to the license plate area using the upper left screw of the license plate. In the event that the tag shall be lost, mutilated, or destroyed, the owner of the same to whom it was issued may secure~~

~~a duplicate tag by payment of One Dollar (\$1.00) upon satisfying the City Clerk of the validity of the request. In the event of the sale of any vehicle, the Park Hills tag is considered to be the property of the new owner and same must remain attached to said vehicle and not used upon any other. A person having purchased a Park Hills tag within any current year and who purchases an automobile to replace the original issue may secure a replacement tag by the filing of an application and the payment of a fee of One Dollar (\$1.00) to the City Clerk. At no time will the City Clerk be subject to the making of a payment to an applicant for any unused portion of the life of an automobile tag.~~

34.06 FEE FOR STREET USAGE.

The license provided for herein is a usage fee for the privilege of using the streets of the City of Park Hills, Kentucky, and the issuance of a license hereunder shall not be construed to exempt the holder thereof from the obligation of the compliance with any and all other ordinances of the City, the laws of the Commonwealth of Kentucky, or the laws of the United States of America.

34.07 PENALTY.

(A) Any person, individual, corporation, or company violating the provisions of Sections 34.01 through ~~34.03 34.04~~ shall receive a citation, pursuant to Chapter 101 of this Code. Each day this Chapter 34 is violated shall be deemed a separate offense. All subsequent proceedings, hearings, appeals, imposition of civil penalties, liens, remedies, and enforcement with regard to such citation shall be governed by Chapter 101 of this Code.

(B) Notwithstanding the preceding paragraph, on the thirty-first calendar day after the issuance of a second citation for violating the provisions of this Chapter, the vehicle that is the subject of the citations may be impounded by a police officer, pursuant to Section 70.05 of the Code.

Section Two. That if any provision of this Ordinance is deemed by a court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this Ordinance shall continue in full force and effect.

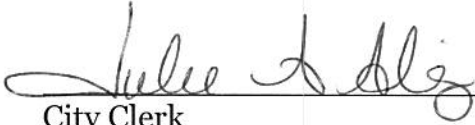
Section Three. That all other ordinances and codes, and parts of ordinances and codes, in conflict with this Ordinance are hereby repealed to the extent of the conflict.

Section Four. That this Ordinance shall take full force and effect upon publication as required by KRS Chapter 424 and other applicable law. This Ordinance shall be published in summary form pursuant to KRS §83A.060(9) and other applicable law.



Don Catchen, Mayor

ATTEST:



City Clerk

First Reading: 4/22/13
Second Reading: 4/29/13
Passed: 4/29/13