

**Ordinance No. 5, 2015**

**AN ORDINANCE AMENDING CHAPTER 34 OF THE PARK HILLS CODE OF ORDINANCES TO CHANGE THE DUE DATE FOR THE VEHICLE LICENSE FEE AND TO PROVIDE FOR THE ISSUANCE OF A LICENSE STICKER UPON PAYMENT OF THE LICENSE FEE**

**WHEREAS**, the Park Hills City Council determines that it is in the public interest to collect the vehicle license fee at the same time property taxes are collected and to require the issuance of a vehicle license sticker upon payment of the fee.

**BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY:**

**SECTION 1**

Chapter 34 of the Park Hills Code of Ordinances, entitled *Motor Vehicle License*, is amended as follows:

- 34.01 License Requirement
- 34.02 Use of Funds
- 34.03 Amount of Fee; Penalty
- 34.04 License Sticker
- 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, having paid the necessary license fee, therefore, as hereinafter provided, and thereafter, attaching and displaying the license sticker issued by the City Clerk on said automobile, truck, or motor vehicle as described in §34.04. For the purposes of this Chapter, the term "motor vehicle" includes motorcycles. This license is required of all motor vehicles 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 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; 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.

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 for licensing thereof, and shall furnish to the Kenton County 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 Vehicle Fee Fund, the same to be used for the purpose of paying the expenses of and capital outlays associated with servicing, repairing, maintaining, resurfacing, and patrolling the dedicated streets of the City of Park Hills and work within adjacent rights-of-way.

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 an 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, which shall be payable on and after the first day of September. ~~[During July of every year beginning in the year 2013 and within (3) 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 vehicle's 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 LICENSE STICKER.

The City Clerk shall cause to be prepared suitable license stickers and to issue same to the owner of every motor vehicle and truck upon the payment of the license fee provided by this Chapter. It shall be the duty of the owner or driver of the motor vehicle or truck to display the sticker at all times by attaching the sticker to the bottom left corner of the windshield on the driver's side of the vehicle. In the event that the sticker shall be lost, mutilated, or destroyed, the owner to whom it was issued may secure a duplicate sticker 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 sticker is considered to be the property of the new owner and the sticker must remain attached to the vehicle and not used upon any other. A person having purchased a Park Hills sticker within any current year and who purchases an automobile to replace the original issue may secure a replacement sticker 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 sticker.

#### 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 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 2**

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

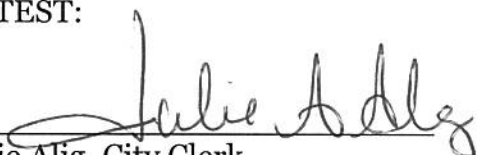
**SECTION 3**

This ordinance shall take effect and be in full force from and after its passage, publication, which may be in summary form, and recording, according to law.

CITY OF PARK HILLS, KENTUCKY

By:   
Matt Mattone, Mayor

ATTEST:

  
Julie Alig, City Clerk

FIRST READING: 4/13/15

SECOND READING: 5/11/15

PUBLICATION: \_\_\_\_\_