

## **ORDINANCE NO. 7, 2022**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY, IMPOSING TAXES FOR THE CALENDAR YEAR 2022, AND PROVIDING FOR THE PAYMENT AND COLLECTION OF SUCH TAXES, AND THE PENALTIES AND INTEREST THEREON FOR FAILURE TO PAY SAME**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF PARK HILLS, KENTUCKY, AS FOLLOWS:**

### **SECTION I**

The City of Park Hills hereby provides for the assessment of all real and personal property for calendar year 2022. The City elects to use the County assessment prepared by the Kenton County Property Valuation Administrator.

### **SECTION II**

The following ad valorem taxes for the calendar year 2022 are hereby levied, assessed and imposed by and for the City of Park Hills, upon the following described property and the owners thereof, jointly and severally:

- A. An ad valorem tax on real property at the rate of \$.209 Dollars for each One Hundred Dollars (\$100.00) of the value thereof, as assessed pursuant to the provisions hereof. The foregoing rate, however, shall not apply to real property determined to be an Abandoned Urban Property under Ordinance No. 6, 2004. Abandoned Urban Property shall be taxed at the rate of \$.75 Dollars for each One Hundred Dollars (\$100.00) of the value thereof, as assessed pursuant to the provisions hereof.
- B. An ad valorem tax on all motor vehicles assessed as of January 1, 2022, is hereby fixed at the rate of .334 Dollars for each One Hundred Dollars (\$100.00) of the value thereof.
- C. An ad valorem tax on all corporate franchises and personal property other than motor vehicles at the rate of \$.75 Dollars for each One Hundred Dollars (\$100.00) of the value thereof, as assessed pursuant to the provisions hereof. Corporate franchises shall be assessed and returned according to Kentucky law.
- D. A road tax on all real property at the rate of \$.155 Dollars for each One Hundred Dollars (\$100.00) of the value thereof, as assessed pursuant to the provisions hereof.

### **SECTION III**

The procedures set forth in Sections 33.010, 33.011, and 33.012 of the Park Hills Code of Ordinance shall govern the collection of the ad valorem taxes levied pursuant to this Ordinance.

#### **SECTION IV**

The tax as provided herein, shall be payable to the City Clerk/Treasurer between the dates of September 1, 2022 and September 30, 2022.

The City has a lien upon the property assessed under the terms of this chapter for the taxes levied upon that property, and for all penalties, interest, fees, commissions, charges, and other expenses, including court costs and attorney's fees as an additional penalty under KRS §90A.070(2), incurred by reason of delinquency in payment of the tax bill or in the process of collecting it. The lien has priority over all other obligations or liabilities for which the property is liable.

#### **SECTION V**

Any and all persons, corporations, companies or other legal entities failing to pay said taxes during the period set forth above, shall be assessed a penalty on the amount of the taxes in an amount equal to ten percent (10%) between October 1 and October 31, 2022; and an amount equal to twenty-five percent (25%) after October 31, 2022, together with interest at the rate of twelve percent (12%) *per annum* from due date, and the costs of collection including reasonable attorney fees, court costs and related expenses.

#### **SECTION VI**

Any and all ordinances in conflict herewith shall be, and hereby are, repealed to the extent of said conflict.

#### **SECTION VII**

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 VIII**

That this ordinance shall be signed by the Mayor, attested to by the City Clerk, be published and effective upon publication.

CITY OF PARK HILLS, KENTUCKY

By: \_\_\_\_\_  
Kathy Zembrodt, Mayor

ATTEST:

\_\_\_\_\_  
Julie Alig, City Clerk

FIRST READING:

SECOND READING:

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

ORDINANCE NO. 8, 2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY  
CREATING SECTION 30.022 OF THE CODE OF ORDINANCES REGARDING THE  
POSITION OF MAYOR PRO TEM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK, HILLS, KENTUCKY, AS  
FOLLOWS:

SECTION I

That there is hereby created Section 30.022 of the Code of Ordinances of the City of Park Hills,  
Kentucky to read, as follows:

§ 30.022 MAYOR PRO TEM

The position of Mayor Pro Tem is hereby created and is synonymous with the term Vice Mayor.

The Mayor Pro Tem shall be selected as follows: The Council Member receiving the highest number of votes in the most recent City Council election shall serve as Mayor Pro Tem.

If the Council Member declines acceptance, then the Council member receiving the next highest number of votes, and so on, shall be deemed Mayor Pro Tem. In the event of a tie, then the Mayor Pro Tem shall be determined in accordance with state law for the breaking of ties in an election.

The duties and responsibilities of the Mayor Pro Tem shall be in compliance with Kentucky Revised Statutes.

The Mayor Pro Tem shall preside over meetings of the Council in the Mayor's absence and shall not be deemed by this section to have been delegated any function of the Mayor which is an executive or administrative power, duty, or responsibility.

During meetings where the Council Member serving as Mayor Pro Tem presides in the absence of the Mayor, the Mayor Pro Tem votes on council motions only when it is necessary to break a tie. At anytime during the term of office should the Mayor be absent or unable to preside over any meeting of City Council, the Mayor shall be permitted to appoint in advance, by means

**Commented [1]:** Alternative:

At any time during the term of office, the Mayor shall be permitted to nominate and the City Council shall subsequently elect one of its members to serve as Mayor Pro Tem.

Note that a few other adjustments would need to be made to the text if this alternative is selected, including this additional text:

Should a Mayor Pro Tem not be selected by City Council prior to a City Council meeting where the Mayor is absent, City Council shall appoint a Mayor Pro Tem by electing one of its members at the beginning of the City Council meeting where the Mayor is absent.

~~of an Executive Order, any elected member of Council to the position of Mayor Pro Tem, preferably being the longest serving elected member of Council, to act as the presiding officer who shall conduct such meeting. In the absence thereof, pursuant to statute, members of Council shall then be required select one of its number to preside at such meeting in place of the Mayor upon motion made and vote. The term Vice Mayor shall be synonymous herewith.~~

~~In the event of the Mayor's disability or temporary absence from the City, pursuant to the provisions of KRS 83A.130(7), the Mayor shall, by Executive Order, delegate all of the Mayor's powers, duties or responsibilities to any non-elected subordinate officer or employee of the City who shall be vested with all the powers of and to perform all duties of the Mayor during such absence. The rate of compensation for acting as Mayor Pro Tem or as the delegated person shall not be affected hereby and shall remain the same.~~

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Commented [2]: This is unnecessary since KRS 83A.130(7) already permits this. The Mayor already has these executive powers.

## SECTION II

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, be published and become effective upon publication.

~~PASSED~~-1st Reading: July 11, 2022

~~PASSED~~-2nd Reading: \_\_\_\_\_

KATHY ZEMBRODT, MAYOR-~~ATTEST~~: \_\_\_\_\_

JULIE ALIG, CITY CLERK: \_\_\_\_\_

ORDINANCE NO. 8, 2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY CREATING SECTION 30.022 OF THE CODE OF ORDINANCES REGARDING THE POSITION OF MAYOR PRO TEM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK, HILLS, KENTUCKY, AS FOLLOWS:

SECTION I

That there is hereby created Section 30.022 of the Code of Ordinances of the City of Park Hills, Kentucky to read, as follows:

§ 30.022 MAYOR PRO TEM

At anytime during the term of office, the Mayor shall be permitted to appoint an elected member of Council, by means of an Executive Order, to the position of Mayor Pro Tem, preferably being the longest serving elected member of Council, who shall be vested with all the powers and to perform all duties of the Mayor in the event of the Mayor's disability or temporary absence from the City. The term Vice Mayor shall be synonymous herewith. The rate of compensation for the appointed member of Council shall remain the same.

SECTION II

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, be published and become effective upon publication.

PASSED: 1<sup>st</sup> Reading: July 11, 2022

PASSED: 2<sup>nd</sup> Reading:

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KATHY ZEMBRODT, MAYOR

ATTEST:

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JULIE ALIG, CITY CLERK

## ORDINANCE NO. 9, 2022

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY AMENDING ARTICLE XIII, SECTIONS 13.0 H AND 13.1 W OF THE ZONING CODE ORDINANCE CONCERNING OFF-STREET PARKING REGULATIONS

WHEREAS, Planning and Development Services of Kenton County, Kentucky (PDS) undertook the Z21 Project as a collaborative effort for updating the zoning code Ordinances of various municipalities in Kenton County, including the City of Park Hills, in order to create common regulations; and,

WHEREAS, PDS recommended approval of its completed initiative to implement such zoning updates which includes updating or changes to the general requirements concerning off-street parking regulations to meet with current standards; and,

WHEREAS, the City made application with PDS to consider amendments to the sections of its off-street parking regulations, general requirements and specific off-street parking requirements, within its zoning code Ordinance concerning an increase to the minimum square footage, width and length of parking spaces and driving aisles for parking lots and for the required number of spaces for off-street retail and personal service uses, thus requiring zoning text amendments to allow the same to be adopted; and,

WHEREAS, PDS, upon such application for the text amendments, held a public hearing after giving notice as required by KRS Chapter 424, on August 4, 2022, Number PC 2206-0001; and,

WHEREAS, PDS reviewed the application and voted to approve the request and made recommendation to Council to approve the text amendments; and,

WHEREAS, based upon such recommendation and Council being in agreement, the City desires to implement such changes in amending its zoning code Ordinance in conformity therewith,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY, AS FOLLOWS:

#### SECTION I

That Article XIII, Section 13.0 H of the Zoning Code Ordinance, upon the recommendation of PDS to implement the same, shall be and is hereby amended to read, as follows:

## SECTION 13.0 GENERAL REQUIREMENTS:

H. OFF-STREET PARKING SPACES AND ACCESS DRIVE DEFINED: For the purpose of this Ordinance, one (1) parking space shall be a minimum of ~~two~~ one hundred ~~sixty-two~~ (200) ~~(162)~~ square feet in area, exclusive of access drives and aisles, and shall be a minimum of ~~ten~~ (10) nine (9) feet in width and ~~twenty~~ (20) eighteen (18) feet in length, with driving aisles of twenty-two (22) feet in width. Such parking spaces shall have a vertical clearance of at least seven (7) feet. Each parking space shall be approximately dimensional for automobile parking. All parking lots shall be laid out with the following minimum aisle or access drive widths:

1. Ninety (90) degree (perpendicular) parking – ~~Twenty-four~~ two (24) (22) feet (either one (1) or two (2) way circulation).

2. Sixty (60) degree (angle) parking – Twenty-one (21) feet (one-way circulation), twenty (20) feet (two-way circulation).

3. Forty-five (45) degree (angle) parking – Fifteen (125) feet (one-way circulation), twenty (20) feet (two-way circulation).

4. Thirty (30) degree (angle) parking- Thirteen (13) feet (one-way circulation), twenty (20) feet (two-way circulation).

5. Zero (0) degree (parallel) parking – Twelve (12) feet (one-way circulation).

When any combination of these types of parking is used (facing the same aisle) the most restricted aisle or access drive width requirement shall prevail.

## SECTION II

That Article XII, Section 13.1 W of the Zoning Code Ordinance, upon recommendation of PDS to implement the same, shall be and is hereby amended to read, as follows:

## SECTION 13.1 SPECIFIC OFF-STREET PARKING REQUIREMENTS:

The amount of off-street parking spaces required for uses, buildings, or additions thereto, shall be determined according to the following requirements, and the space, so required, shall be stated in the application for a zoning and building permit and shall be reserved for such use. Where more than one use is located in the same building, each individual use shall be in accordance with the off-street parking requirements of this section of the Ordinance.

### SPECIFIC OFF-STREET PARKING REQUIREMENTS

#### TYPES OF USES

#### REQUIRED NUMBVER OF SPACES

W. Retail and personal service uses

One (1) parking space for each ~~one hundred twenty-five~~ (125) three hundred (300) square feet of gross floor area.



### SECTION III

Based upon the inability of PDS to conduct their meeting for consideration hereof in July, 2022 which has detrimentally effected the construction schedule of the developer of a certain parcel of real property within the City for an approved business venture which will be directly affected by the provisions hereof, an emergency is hereby declared to exist so that the provisions of this Ordinance shall become effective immediately upon adoption by a majority vote of Council after only one reading.

### SECTION IV

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, be published and effective upon publication.

Passed: 1<sup>st</sup> (only) Reading: August 8, 2022

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KATHY ZEMBRODT  
Mayor

ATTEST:

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JULIE ALIG  
City Clerk

MUNICIPAL ORDER NO.6, 2022

AN ORDER OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY DECLARING CERTAIN PERSONAL PROPERTY OF THE CITY OF PARK HILLS AS SURPLUS PERSONAL PROPERTY AND AUTHORIZING DISPOSAL IN ACCORDANCE WITH STATE LAW.

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BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY, as follows:

SECTION I

Pursuant to KRS 82.083, the City of Park Hills, Kentucky hereby declares as surplus personal property, those items listed below and it is hereby authorized that such be disposed of in accordance with the provisions of KRS 82.083.

Further, pursuant to KRS 82.083(3), the City makes the following written determinations: (a) that the personal property items are old and damaged vehicles of the City of Park Hills Police Department taken out of service; (b) that the original use was as patrol vehicles utilized by the City's Police Department; (c) that it is in the public interest to dispose of such personal property as these items are worthless to the City having nominal or no value, other than as scrap, and should be disposed of as inoperable or beyond repair, with the funds from disposal proceeds used for Departmental operating costs, and, (d) the method of disposition will be by way of sale at scrap value, as a permitted means of disposal pursuant to KRS 82.083(4)(h).

Surplus Items:

Vehicle	VIN
2010 Dodge Charger	2B3AA4CVXAH288589
2012 Dodge Charger	2C3CDXAT0CH209178

SECTION II

That this Order shall be signed by the Mayor, attested by the City Clerk,  
recorded and effective upon adoption.

ADOPTED: August 8, 2022

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MAYOR KATHY ZEMBRODT

ATTEST:

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JULIE ALIG  
CITY CLERK

MUNICIPAL ORDER NO. 7, 2022

AN ORDER OF THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY DECLARING CERTAIN PERSONAL PROPERTY OF THE CITY OF PARK HILLS AS SURPLUS PERSONAL PROPERTY AND AUTHORIZING DISPOSAL IN ACCORDANCE WITH STATE LAW.

---

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF PARK HILLS, KENTUCKY, as follows:

SECTION I

Pursuant to KRS 82.083, the City of Park Hills, Kentucky hereby declares as surplus personal property, those items listed below and it is hereby authorized that such be disposed of in accordance with the provisions of KRS 82.083.

Further, pursuant to KRS 82.083(3), the City makes the following written determinations: (a) that the personal property item is an old and damaged vehicle of the City of Park Hills Police Department taken out of service; (b) that the original use was as patrol vehicle utilized by the City's Police Department; (c) that it is in the public interest to dispose of such personal property as the item has only nominal value to the City and should be disposed of as beyond repair, with the funds from disposal proceeds used for Departmental operating costs; and, (d) the method of disposition will be by way of sale by electronic auction following publication of the auction, including the URL for the site of the auction in accordance with KRS 424.130(1)(b), as a permitted means of disposal pursuant to KRS 82.083(4)(d).

Surplus Item:

Vehicle	VIN
2014 Dodge Charger	2C3CDXKSEH364472

SECTION II

That this Order shall be signed by the Mayor, attested by the City Clerk,  
recorded and effective upon adoption.

ADOPTED: August 8, 2022

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MAYOR KATHY ZEMBRODT

ATTEST:

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JULIE ALIG  
CITY CLERK