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November 24, 2008

In re: City of Wildwood/FEMA Assistance

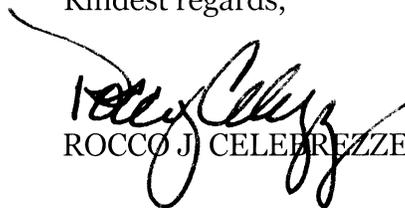
Craig Brangers
151 Tanglewood Trail
Louisville, KY 40223
Via craig.brangers@vgreed.com

Dear Craig:

Enclosed herewith is the original Ordinance relating to Land Usage which I need you to sign and then have Richie sign it. We will need to deliver copies of this to each of the homes.

Please return the original to me.

Kindest regards,



ROCCO J. CELEBREZZE

RJC/jct

Enclosure

cc: Holbert

Ordinance related to Land Usage
In the City of Wildwood, Kentucky

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF WILDWOOD, KENTUCKY, THAT:

DEFINITIONS

As used in this ordinance, the following terms shall have the following meanings:

A. "Sign" means any fabricated sign or outdoor display structure, including its structure, consisting of any letter, figure, character, mark, point, plane, marquee sign, design, poster, pictorial picture stroke, stripe, line, trademark, reading matter, or illuminating device, constructed, attached, erected, fastened, or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine, or merchandise whatsoever, and displayed in any manner out of doors for recognized advertising purposes.

B. "Boat" means all agencies for the transportation of persons or property in or on water.

C. "Camper" means a unit which is mounted on top of a vehicle, which is not itself a vehicle, and which is designed for recreational use in conjunction with camping.

D. "Disabled Vehicle" means a vehicle which, by mechanical or other malfunction, has been unable to function as intended for a period of four (4) consecutive days.

E. "House trailer" means any vehicle used, or maintained for use, as a conveyance upon highways, designed and constructed in such a manner as will permit occupancy thereof as a temporary dwelling, or as a sleeping place for one or more persons, or the conduct of any business or profession, occupation or trade, and having no other foundation than wheels or jacks, and not being used in one location as a permanent dwelling.

F. "Mobile Home" means a transportable single family dwelling, which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate, by placement on blocks, foundation or similar construction, and used for non-transient residential purposes, and constructed with the same, or similar electrical plumbing and sanitary facilities as immobile housing.

G. "Recreational vehicle" means a vehicle primarily designated as a temporary living quarters for recreation, camping or travel use, whether it is a motor vehicle, trailer, semi-trailer, house trailer, camping trailer, camper or mobile homes.

H. "Trailer" means any vehicle designed for carrying persons or property and drawn by a motor vehicle being and constructed so that no part of its weight and load rests upon the towing vehicle and the overall length of which exceeds eight (8) feet.

I. "Vehicle" means all agencies for the transportation of persons or property over or upon the publicways, including trailers, semi-trailers, house trailers, camping trailers, off-road vehicles, mobile homes, recreational vehicles, motor cycles, mopeds, motor trucks, truck-tractors; and construction vehicles.

J. "Single-Family Residence" means a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it is a single-family residence if it has direct access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any other essential facility or service with any other dwelling unit.

K. "Nuisance" meaning every unlawful, unwarrantable, dangerous, or unreasonable use of property in such a way as to render the ground, air, water, or food, a material annoyance, hazard, or injury to human health, or which is detrimental to the property of others, or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which the property is located. The term includes but is not limited to the following:

(1) The keeping of waste, rubbish, or abandoned appliances in such a manner as can be seen from any public or private way or properties;

(2) The keeping, placing, or storage outside of any building or dwelling on any property owned or occupied by such person, or the keeping, placing, or storage in any other place accessible to children of any abandoned, unattended, or discarded icebox, ice chest, or refrigerator;

(3) Any weeds, grass, or unhealthful plant growth other than crops, trees, bushes, flowers, or other ornamental plants at a height exceeding 12 inches;

(4) The disposal or accumulation of any i decaying, or putrescent substances or other offensive materials dangerous to public health in or on any lot., tract of land, street, highway, or any sidewalk or alley abutting any of these which shall by reason of offensive odors become injurious to the health of any person.

(5) The deposit or accumulation of manure, unless it is in fly proof receptacles.

(6) Any tree which is in danger of collapse or which poses a danger of contamination because of disease, decay, injury, infestation, or damage.

(7) All outbuildings that are or hereafter become unsafe, unsanitary, dilapidated, or which constitute a fire hazard, or are otherwise dangerous to the public welfare.

L. “Rubbish” means any combustible and noncombustible waste materials, except garbage, including but not restricted to paper, rags, boxes, cartons, wood excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust, and the residue from the burning of combustible materials.

M. “Waste” means ashes, discarded wood, abandoned, discarded, or unused objects or equipment such as furniture, appliances, cans, or containers; garbage or refuse of any kind, whether liquid or solid; or any accumulation of any foul, decaying, or putrescent substances.

ARTICLE I

PETS AND LIVESTOCK

1. It shall be unlawful to keep within the City limits any swine, sheep, goats, horses, chickens, fowl, or other livestock or to erect or use any barn, stable or other building to house any such animals, provided, however, that this prohibition shall not apply to house pets or structures erected to house pets.

2. It shall be unlawful for any owner or person in charge of a dog, cat or other pet to permit or allow such animal to leave the owner’s immediate property with out being restrained by leash or like restraint. The owner or person in charge of any such animal shall be responsible for removing any solid waste matter deposited by the animal on any street, right-of-way, easement, or any other public or private property within the City.

ARTICLE II

SIGNS

1. It shall be unlawful to erect, construct, alter or maintain any sign on any property within the City, provided, however, that there is excepted from this section the following:

a. Signs erected to announce the sale or rent of the property so designated;

b. Signs erected by a jurisdiction for street direction;

c. Construction, engineer, or architects sign, such signs do not exceed four (4) square feet in area and are removed promptly upon completion of the project to which the sign relates.

d. Signs erected to announce house numbers or residents names.

e. Political Signs. A political sign is any type of sign which refers only to issues or candidates involved in any political or nonpartisan, special, primary, or general election. Any such sign shall be erected no more than 30 days before and shall be removed within seven days after the election to which the sign pertains.

2. When any sign becomes insecure, in danger of falling, or otherwise unsafe, or if any sign shall be unlawfully installed, erected, or maintained in violation of this section, the owner thereof, or the person or firm maintaining it shall upon notice, forthwith in the case of immediate danger and in any case within not more than ten (10) days, make such sign conform to the provisions of this section or shall remove it. If within ten (10) days the order is not complied with, the Commissioners may remove the sign at the expense of the owner or lessee thereof as provided herein.

ARTICLE III

BUILDINGS AND IMPROVEMENTS

1. It shall be unlawful to use, construct or maintain any structure within the City as other than a single family residence or use any trailer, basement, tent, shack, garage, barn, or other outbuilding as a residence, either temporarily or permanently.

2. Additions or improvements to any residence or outbuilding within the City shall be constructed of materials compatible with the existing structure. Wood or aluminum trim shall not exceed one-half of the entire surface area of the structure and concrete blocks or stucco shall not be used for any purpose other than as a foundation, in which case they shall project out of the ground no more than sixteen inches in the front and on the sides of the structure and thirty-six inches in the rear of the structure. All additions or improvements shall comply with building lines as shown on the original recorded plat.

3. New construction or replacement of existing residences must meet the following standards:

a. Minimum of 1200 square foot floor space for one story residences.

b. Minimum of 750 square foot floor space for first level of two story residences.

c. Minimum of 1100 square foot floor space for first level of one and one-half story residences, with a minimum of 400 square foot floor space on the second floor.

d. Exterior walls must be brick or stone with wood or aluminum trim not to exceed fifty percent of the exterior surface area.

e. All garages or carports must be attached.

f. Roofing must be asphalt or other material approved by the Fire Under writers. No rolled roofing shall be used.

g. All new or replacement constructions shall comply with the building lines shown on the original recorded plat.

4. Driveways shall not enter the Street within fifteen feet of any intersection and shall be constructed of concrete or blacktop and maintained in a

reasonable condition. The location of driveways may not be altered without the prior approval of the City Commission.

5. All fences within the City limits located forward of the front corner of the residence must be decorative in nature and may not exceed three feet in height. Rear fences may be of wire, wood, or hedge, and shall not exceed six feet in height.

6. a. All persons owning property in the City are responsible for the maintenance of all buildings, fences, mailboxes, lawns, easements and driveways in a manner appropriate and consistent with the provisions of this ordinance and no person owning, leasing, occupying, or having charge of any premises or property within the City shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain the premises in any manner substantial diminution in the value of other property in the City. It shall further be unlawful to change the land grade of property which will affect the drainage, or drainage ditches, or to own or maintain plantings which affect motor vehicle vision, or in any other manner presents a nuisance or safety hazard. This provision shall be cumulative with respect to nuisances or safety hazards and will not be interpreted to limit the scope or enforceability of any ordinance, code, law or regulation as may apply to the subject matter of this provision.

b. The Commissioners shall serve on the owner, authorized agent, occupant, or person responsible for any premises on which there is kept or maintained a nuisance or any other condition in violation of the provisions of this ordinance, notice describing the nuisance or other violation and demanding abatement or correction of the condition.

c. If the owner or occupant so served does not abate the nuisance or remedy the violation within sixty (60) days for violations affecting buildings and/or fences and fifteen (15) days for all other violations, the City may proceed to abate the nuisance or remedy the violation keeping an account of the expenses incurred. The City shall have a lien against the property for its costs incurred evidenced by a notice of a lien claim filed with the Clerk of the County Court of Jefferson County, Kentucky. Notice shall include an Affidavit from the Commission setting forth the property in question, the amount of the City's cost and the date of the action and stating that the notice provisions of the section were complied with.

d. Property subject to a lien for unpaid charges shall be sold for nonpayment of same and the proceeds of the sale applied to pay the charges after deducting the cost as in the case of foreclosure of statutory liens.

ARTICLE IV

MOTOR VEHICLES/STORAGE UNITS

It shall be unlawful for any person to park, store, or otherwise maintain a boat, trailer, house trailer, disabled vehicle, recreational vehicle, mobile home, container, portable storage unit ("POD") or truck which exceeds 6000 pounds on any public or private property within the City, provided, however, that a trailer, boat, camper, P.O.D., or similar type vehicle may upon obtaining a permit from

the City Commission be parked in the host's driveway for a period of up to two weeks. Permits must be displayed prominently on the vehicle and may be extended with the approval of the Commission.

ARTICLE V

It shall be unlawful to park any vehicle on private property except on a wood-free surface made of asphalt or portland cement concrete.

ARTICLE VI

It shall be unlawful to park any vehicle on the streets within the City of Wildwood overnight.

ARTICLE VII

PENALTIES

A violation of any of the provisions of this ordinance shall constitute a misdemeanor and persons convicted of any offense hereunder shall be subject to a fine of not less than \$50.00 nor more than \$250.00 for each such offense, or for each day the violation continues after notice.

ARTICLE VIII

This Ordinance shall supersede the Ordinance Relating to Land Usage adopted on November 18, 2004.

ARTICLE IX

PUBLICATION

This ordinance shall be published in full pursuant to KRS 83A.060(9) and shall become effective on adoption and publication according to law.

ENACTED this _____ day of _____, _____.

CRAIG BRANGERS, MAYOR

DATE: _____

ATTESTATION

The undersigned, as City Clerk of the City of Wildwood, Kentucky, hereby certify the foregoing is a true copy of an Ordinance adopted by the Commission of the City of Wildwood, Kentucky, at a regular meeting held on October 26, 2008, and a second reading at a regular meeting held on November 20th, 2008, the vote in both meetings being Mayor Brangers-aye, Commissioner Holbert-aye, Commissioner Myers-aye, Commissioner Binkley-aye and Commissioner Day-aye.

RICHENA HOLBERT,
ACTING CITY CLERK,
CITY OF WILDWOOD