

**TITLE III: ADMINISTRATION**

**Chapter**

- 30. FISCAL COURT**
- 31. DEPARTMENTS, BOARDS AND COMMISSIONS**
- 32. CODE OF ETHICS**
- 33. PORT AUTHORITY**
- 34. 5311 BUS GRANT**
- 35. CORONER VEHICLE EQUIPMENT**
- 36. MAGISTERIAL DISTRICTS BOUNDARIES REDEFINED**
- 37. Health Insurance Policy



## CHAPTER 30: FISCAL COURT

### Section

#### 30.01 Reapportionment and establishment of magisterial districts

#### § 30.01 REAPPORTIONMENT AND ESTABLISHMENT OF MAGISTERIAL DISTRICTS.

(A) There shall be and are hereby created four magisterial districts within Gallatin County, Kentucky, each to be represented on the Fiscal Court by one duly elected and qualified person.

(B) The four said magisterial districts shall be as follows:

(1) *First District.* The First District shall be composed of all of Upper Warsaw Precinct and all of Lower Warsaw Precinct.

(2) *Second District.* The Second District shall be composed of all of Napoleon Precinct and all of Concord Precinct.

(3) *Third District.* The Third District shall be composed of all of Glencoe Precinct and all of Veteran's Memorial Precinct.

(4) *Fourth District.* The Fourth District shall be composed of all of Sparta Precinct and all of Gold Star Precinct.

(C) The abovenamed precincts shall remain and continue as constituted and bounded at the present time and date, in accordance with the pertinent records of the County Court Clerk. (Ord. 12-10-92, passed 12-10-92)

***Statutory reference:***

*Reapportionment of magisterial districts, see KRS 67.045*



GALLATIN COUNTY CODE OF  
ORDINANCES  
CHAPTER 30, Sec. 30.01  
ORDINANCE No. 08-08-01

AN ORDINANCE REDEFINING THE BOUNDARIES OF THE MAGISTERIAL  
DISTRICTS, AND PROVIDING FOR ITS IMPLEMENTATION.

BE IT ORDAINED BY THE GALLATIN COUNTY FISCAL COURT AS  
FOLLOWS:

Section I: There shall be four (4) magisterial districts defined in Gallatin County, Kentucky, namely: A (Warsaw), B (Napoleon), C (Glencoe) and D (Sparta).

Section II: The boundaries of the magisterial districts shall be as follows:

A. "A" District shall include all areas within the current corporate limits of the City of Warsaw (see attached city map), and an area south and east of same bounded as follows:

Beginning in the centerline of Sparta Pike (Ky.35) at the point where the City of Warsaw's current southern corporate boundary crosses Sparta Pike, thence along the centerline of Sparta Pike to its intersection with Dry Creek Road (CR. No. 1301), thence along the centerline of Dry Creek Road to its intersection with Spencer Road (CR. No. 1100), thence along the centerline of Spencer Road to its intersection with U.S. Hwy. 127, thence along the centerline of U.S. Hwy. 127 in a northeasterly direction to its intersection with U.S. Hwy. 42, thence off of U.S. 42 at a 90 degree angle to the southern banks of the Ohio River, thence along the southern banks of the Ohio River in a westerly direction to the northeast corner of the corporate limits of the City of Warsaw, thence following the eastern and then southern corporate limits to the point of beginning.

B. "B" District shall include all areas within the boundaries of the Ohio River and Big Bone Creek on the north, the Boone and Grant County lines on the east to the point at which the Elliston-Napoleon Road (CR. No. 1105) intersects the Grant County line, thence along the centerline of the Elliston-Napoleon Road to its intersection with Ky.16, thence along the centerline of Ky. 16 to its intersection with Little Sugar Creek Road (CR. NO. 1001), thence along the centerline of Little Sugar Creek Road to its intersection with U.S. Hwy. 42, thence along the centerline of U.S. Hwy.42 to a point in the center of the bridge that spans Paint Lick Creek, thence along the center of Paint Lick Creek to the point at which it empties into the Ohio River.

C. "C" District shall begin at the point where Paint Lick Creek empties into the Ohio River, thence along the center of Paint Lick Creek to a point in the center of a bridge on U.S. Hwy. 42 that spans said creek, thence along the centerline of U.S. Hwy. 42 in a westerly direction to its intersection with Little Sugar Creek Road (CR. No. 1001), thence along the centerline of Little Sugar Creek Road to its intersection with Ky. 16, thence along the centerline of Ky. 16

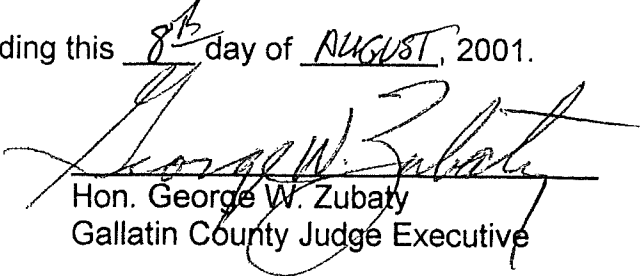


to its intersection with Elliston-Napoleon Road (CR. No. 1105), thence along the centerline of Elliston-Napoleon Road to the point where it intersects the Grant County line, thence along the Grant County line in a westerly direction to the point where it intersects the Owen County line, thence along the Owen County line to its intersection with Indian Camp Creek, thence along the center of Indian Camp Creek to a point directly underneath the centerline of 1-71, thence along the centerline of 1-71 in a northeasterly direction to a point directly above the centerline of Johnson Road (Ky. 455), thence along the centerline of Johnson Road in a northwesterly direction to its intersection with Sparta Pike (Ky. 35), thence along the centerline of Sparta Pike in a northeasterly direction to its intersection with Dry Creek Road (CR. No. 1301), thence along the centerline of Dry Creek Road to its intersection with Spencer Road (CR. No. 1100), thence along the centerline of Spencer Road to its intersection with U.S. Hwy. 127, thence along the centerline of U.S. Hwy. 127 in a northeasterly direction to its intersection with U.S. Hwy. 42, thence at a 90 degree angle to U.S. 42 to the southern banks of the Ohio River, thence along the southern banks of the Ohio River in a northerly direction to the point of beginning.

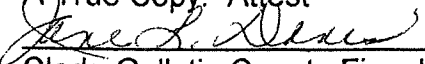
D. "D" District shall begin at the point in the centerline of Sparta Pike (KY 35) where the City of Warsaw's current southern corporate boundary crosses Sparta Pike, thence along the centerline of Sparta Pike in a southerly direction to its intersection with Johnson Road (KY 455), thence along the centerline of Johnson Road to a point directly underneath the centerline of 1-71, thence along the centerline of 1-71 in a southwesterly direction to a point directly above the center of Indian Camp Creek, thence along the center of Indian Camp Creek in a southerly direction to its intersection with the Owen County Line, thence along the Owen County line in a southwesterly direction to the Carroll County line, thence along the Carroll County line to the southern banks of the Ohio River, thence along the southern banks of the Ohio River in an easterly direction to the northwest corner of the corporate limits of the City of Warsaw, thence following the western and then southern corporate limits of the City of Warsaw to the point of beginning.

E. Each district described above also includes that portion of the waters of the Ohio River adjacent to the district, which lies between the southern banks of the Ohio River and the Kentucky-Indiana state line.

Enacted upon its second reading this 8<sup>th</sup> day of AUGUST, 2001.

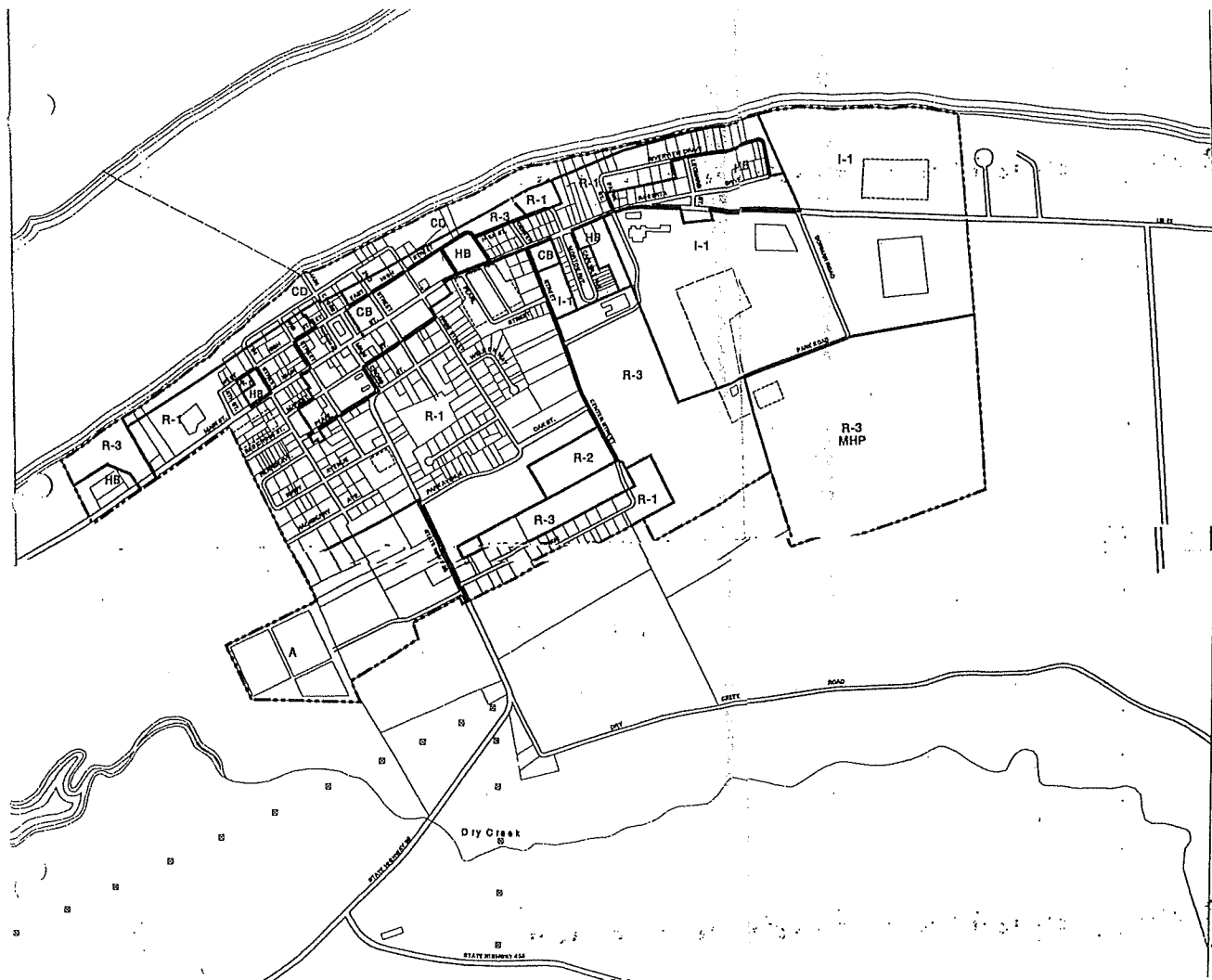
  
Hon. George W. Zubaty  
Gallatin County Judge Executive

A True Copy: Attest

  
Clerk, Gallatin County Fiscal Court









## CHAPTER 31: DEPARTMENTS, BOARDS AND COMMISSIONS

### Section

- 31.01 Industrial Development Authority
- 31.02 Animal Control Services Board

### § 31.01 INDUSTRIAL DEVELOPMENT AUTHORITY.

(A) There is hereby established and created, pursuant to KRS 154.50-301 et seq., the Gallatin County Industrial Development Authority.

(B) The authority shall be a body politic and corporate with the usual corporate attributes, and in its corporate name may sue and be sued, contract and be contracted with, and do all things reasonable and necessary to carry out the rights, functions and duties set forth in KRS 154.50-301 to 154.50-346.

(C) The authority shall operate, function, possess the rights, duties and powers, and be composed of members appointed and qualified as set forth in and in accordance with KRS 154.50-301 through KRS 154.50-346 inclusive.

(Ord. 7-8-93-1, passed 7-8-93)

### § 31.02 ANIMAL CONTROL SERVICES BOARD

(A) There is hereby created The Gallatin County Animal Control Services Board ("the Board"), which shall be an advisory board only, and shall be comprised of volunteers who serve without compensation and at the pleasure of the Gallatin County Judge/Executive.

(B) The purpose of the Board shall be as an Advisory Board to the Gallatin County Fiscal Court to coordinate the resources available in Gallatin County to provide the highest feasible and practicable level of protection for the citizens and animals of Gallatin County in a manner both humane and protective of personal and property rights, recommend to the fiscal court legislation or policy in furtherance of same, or any other purpose necessary or incidental thereto assigned to it by the County Judge/Executive.

(C) The Board shall consist of the following positions:

- (1) One member recommended by the Gallatin County Health Department.

## Gallatin County - Administration

(2) One member recommended by the Gallatin County Sheriff's Department.

(3) The Gallatin County Dog Warden.

(4) Two members, each being a citizen of Gallatin County, Kentucky, appointed at large by the County Judge/Executive.

(D) The board membership shall select one of their number to serve as chair of the Board for a period beginning on the date of the election and ending on December 31 of the year following the year of the election.

(E) One more than half of the board members shall constitute a quorum.

(F) *Meetings.*

(1) The board shall meet no less than quarterly.

(2) Meetings shall be held on a pre-scheduled date and time and at a place as determined by vote of the board and notice shall be given to the County Judge/Executive as to the schedule of the meeting.

(3) Special meetings may be called by the chair as circumstances warrant, after adequate notice to all members.

(G) The duties of the Board shall include:

(1) To assess the level of feasible and practicable animal control services advisable in Gallatin County to adequately protect the public health and welfare of Gallatin County citizens and visitors and ensure the humane treatment of animals;

(2) To determine the resources required, including plant equipment and personnel, and to provide those services;

(3) To establish protocol and procedures for a record-keeping system adequate to provide all information needed by public health agencies;

(4) To serve as liaison between the fiscal court and parties interested in the issues related to treatment and control of animals and personal property rights;

(5) To make recommendations to the fiscal court concerning all of the above and any other issues regarding animal control services to ensure the protection of the public health and safety of Gallatin County citizens and visitors and the humane treatment of animals;

(6) To provide additional services relating to animal control services as requested by the fiscal court.

(H) The Board shall report to the Gallatin County Fiscal Court, at least bi-annually, on its activities, and shall make suggestions and recommendations to the fiscal court, which in the opinion of the Board are financially feasible and reasonable and which will result in better and more efficient animal control services for Gallatin County. (Ord. 05-13-99, passed 5-13-99)



GALLATIN COUNTY FISCAL COURT  
ORDINANCE NO. 05-13-99

AN ORDINANCE related to the creation of an Animal Control Services Board to promote the control and humane treatment of animals.

Be it Ordained by The Gallatin County Fiscal Court, as follows:

**SECTION ONE:**

The Gallatin County Fiscal Court, hereby determines that the creation of an Advisory Board will be beneficial to the formulation of legislation and policies promoting the control and humane treatment of animals, and there is hereby created THE GALLATIN COUNTY ANIMAL CONTROL SERVICES BOARD, which shall be an Advisory Board only, and shall be comprised of volunteers who serve without compensation and at the pleasure of the Gallatin County Judge/Executive.

**SECTION TWO:**

The purpose of the Animal Control Services Board shall be as an Advisory Board to the Gallatin County Fiscal Court to coordinate the resources available in Gallatin County to provide the highest feasible and practicable level of protection for the citizens and animals of Gallatin County in a manner both humane and protective of personal and property rights, recommend to the Fiscal Court legislation or policy in furtherance of same, or any other purpose necessary or incidental thereto assigned to it by the County Judge/Executive.

**SECTION THREE:**

The Animal Control Services Board shall consist of the following positions:

- \* One Member recommended by the Gallatin County Health Department
- \* One member recommended by the Gallatin County Sheriff's Department
- \* The Gallatin County Dog Warden
- \* Two members, each being a citizen of Gallatin County, Kentucky, appointed at large by the County Judge/Executive.

**SECTION FOUR:**

The board membership shall select one of their number to serve as chair of the Animal Control Services Board for a period beginning on the date of the election and ending on December 31 of the year following the year of the election.





**SECTION FIVE:**

One more than half of the board members shall constitute a quorum.

**SECTION SIX:**

The board shall meet no less than quarterly.

Meetings shall be held on a pre-scheduled date and time and at a place as determined by vote of the board and notice shall be given to the County Judge/Executive as to the schedule of the meeting.

Special meetings may be called by the Chair as circumstances warrant, after adequate notice to all members.

**SECTION SEVEN:**

The duties of the Animal Control Services Board shall include:

1. To assess the level of feasible and practicable animal control services advisable in Gallatin County to adequately protect the public health and welfare of Gallatin County citizens and visitors and ensure the humane treatment of animals.
2. To determine the resources required, including plant, equipment and personnel, to provide those services.
3. To establish protocol and procedures for a record keeping system adequate to provide all information needed by public health agencies.
4. To serve as liaison between the Gallatin County Fiscal Court and parties interested in the issues related to treatment and control of animals and personal and property rights.
5. To make recommendations to the Gallatin County Fiscal Court concerning all of the above and any other issue regarding animal control services to ensure the protection of the public health and safety of Gallatin County citizens and visitors and the humane treatment of animals.
6. To provide additional services relating to animal control services as requested by the Gallatin County Fiscal Court.



RESOLUTION NO. 05-13-99.

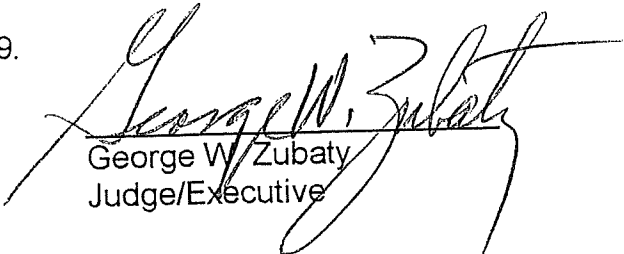
IN RE: ACCEPTANCE OF STREETS WITHIN HOMESTEAD ACRES SUBDIVISION  
INTO COUNTY ROAD SYSTEM

Be it resolved by the Gallatin County Fiscal Court as follows:

Whereas the Gallatin Fiscal Court, after examination and determination that the following named streets meet or exceed the guidelines set forth in the county Subdivision Regulations Ordinance, and finding that acceptance of said roads is necessary to ensure maintenance and upkeep to said roads, which serve or are anticipated to serve a substantial number of citizens, to the extent necessary to promote safety, accommodate school and other public transportation and preserve taxable property values, does therefore now accept the following named streets into and as part of the County Road System, to wit:

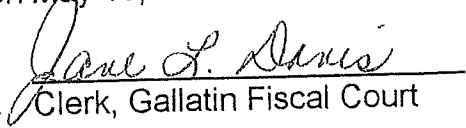
Millers Ridge  
Hunters Ridge  
Highland Court  
Wildwood Drive  
Wilder Court

Adopted this 13th day of May, 1999.

  
George W. Zubaty  
Judge/Executive

This is to certify that the foregoing is a true and correct copy of Resolution No. 05-

13-99 adopted by the Gallatin County Fiscal Court on May 13, 1999.

  
Jane L. Davis  
Clerk, Gallatin Fiscal Court



GALLATIN COUNTY FISCAL COURT  
ORDINANCE NO. 05-13-99

AN ORDINANCE related to the creation of an Animal Control Services Board to promote the control and humane treatment of animals.

Be it Ordained by The Gallatin County Fiscal Court, as follows:

**SECTION ONE:**

The Gallatin County Fiscal Court, hereby determines that the creation of an Advisory Board will be beneficial to the formulation of legislation and policies promoting the control and humane treatment of animals, and there is hereby created THE GALLATIN COUNTY ANIMAL CONTROL SERVICES BOARD, which shall be an Advisory Board only, and shall be comprised of volunteers who serve without compensation and at the pleasure of the Gallatin County Judge/Executive.

**SECTION TWO:**

The purpose of the Animal Control Services Board shall be as an Advisory Board to the Gallatin County Fiscal Court to coordinate the resources available in Gallatin County to provide the highest feasible and practicable level of protection for the citizens and animals of Gallatin County in a manner both humane and protective of personal and property rights, recommend to the Fiscal Court legislation or policy in furtherance of same, or any other purpose necessary or incidental thereto assigned to it by the County Judge/Executive.

**SECTION THREE:**

The Animal Control Services Board shall consist of the following positions:

- \* One Member recommended by the Gallatin County Health Department
- \* One member recommended by the Gallatin County Sheriff's Department
- \* The Gallatin County Dog Warden
- \* Two members, each being a citizen of Gallatin County, Kentucky, appointed at large by the County Judge/Executive.

**SECTION FOUR:**

The board membership shall select one of their number to serve as chair of the Animal Control Services Board for a period beginning on the date of the election and ending on December 31 of the year following the year of the election.



**SECTION FIVE:**

One more than half of the board members shall constitute a quorum.

**SECTION SIX:**

The board shall meet no less than quarterly.

Meetings shall be held on a pre-scheduled date and time and at a place as determined by vote of the board and notice shall be given to the County Judge/Executive as to the schedule of the meeting.

Special meetings may be called by the Chair as circumstances warrant, after adequate notice to all members.

**SECTION SEVEN:**

The duties of the Animal Control Services Board shall include:

1. To assess the level of feasible and practicable animal control services advisable in Gallatin County to adequately protect the public health and welfare of Gallatin County citizens and visitors and ensure the humane treatment of animals.
2. To determine the resources required, including plant, equipment and personnel, to provide those services.
3. To establish protocol and procedures for a record keeping system adequate to provide all information needed by public health agencies.
4. To serve as liaison between the Gallatin County Fiscal Court and parties interested in the issues related to treatment and control of animals and personal and property rights.
5. To make recommendations to the Gallatin County Fiscal Court concerning all of the above and any other issue regarding animal control services to ensure the protection of the public health and safety of Gallatin County citizens and visitors and the humane treatment of animals.
6. To provide additional services relating to animal control services as requested by the Gallatin County Fiscal Court.

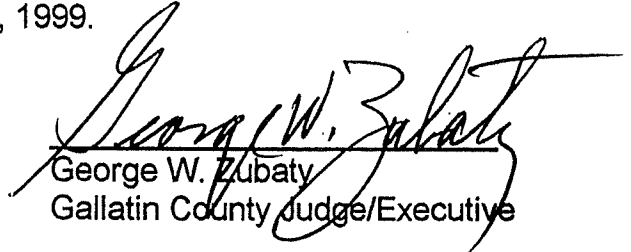




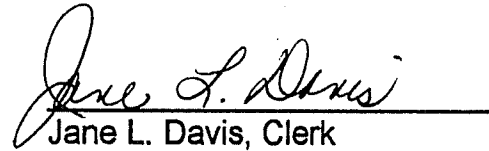
**SECTION EIGHT:**

The GALLATIN COUNTY ANIMAL CONTROL SERVICES BOARD shall report to the Gallatin County Fiscal Court, at least bi-annually, on its activities and shall make suggestions and recommendations to the Fiscal Court, which in the opinion of the Board are financially feasible and reasonable and which will result in better and more efficient animal control services for Gallatin County, Kentucky.

Enacted this 13<sup>th</sup> day of May, 1999.

  
George W. Zubaty  
Gallatin County Judge/Executive

Upon motion duly made and unanimously approved by vote of the Gallatin County Fiscal Court, the above Ordinance was given first reading on the 8<sup>th</sup> day of April, 1999, and after advertising according to law, was given second reading and adopted by motion and unanimous vote on the 13<sup>th</sup> day of May, 1999.

  
Jane L. Davis, Clerk  
Gallatin County Fiscal Court



## CHAPTER 32: CODE OF ETHICS

### Section

- 32.01 Definitions
- 32.02 Standards of conduct
- 32.03 Financial disclosure
- 32.04 Nepotism
- 32.05 Ethics Commission

### § 32.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***BUSINESS ASSOCIATE.*** This term includes the following:

- (1) A private employer;
- (2) A general or limited partnership, or a general or limited partner within the partnership;
- (3) A corporation that is family-owned or in which all shares of stock are closely-held, and the shareholders, owners, and officers of such a corporation.

***BUSINESS ORGANIZATION.*** Any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit.

***CANDIDATES.*** Any individual who seeks nomination or election to a county government office. An individual is a candidate when the individual:

- (1) Files a notification and declaration for nomination for office with a county clerk or the Secretary of State; or
- (2) Is nominated for office by a political party under KRS 118.115, 118.325, or 118.760.

***COUNTY GOVERNMENT.*** The government of the County of Gallatin, Kentucky.

**GOVERNMENT AGENCY.** Any board, commission, authority, non-stock corporation, or other entity formed by the county government or a combination of local governments.

**GOVERNMENT OFFICER.** Any person, whether compensated or not, whether full-time or part-time, who is elected to any county government office.

**MEMBER OF IMMEDIATE FAMILY.** A spouse, an unemancipated child residing in an individual's household, or a person claimed by the individual or individual's spouse as a dependent for tax purposes.

(Ord. 12-8-94-1, passed 12-8-94)

### § 32.02 STANDARDS OF CONDUCT.

(A) No county government officer or member of his immediate family shall have an interest in a business organization engaged in, or himself engaged in, any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest.

(B) No county government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

(C) No county government officer or employee, member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office as governed by the Kentucky Revised Statutes.

(D) No government officer or employee shall be prohibited from giving or receiving an award publicly presented in recognition of public service, commercially reasonable loans made in the ordinary course of the lender's business, or reasonable hosting, including travel and expenses, entertainment, meals or refreshments furnished in connection with public events, appearance, ceremonies or fact-finding trips related to official government business.

(E) No county government officer shall be prohibited from accepting a gratuity for solemnizing a marriage.

(F) No county government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, or to the particular person or entity with whom the county government officer deals, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated.

(G) No county government officer shall be deemed in conflict with these provisions if, by reason of his participation in the enactment of any ordinance, resolution or other matter required to be voted upon or which is subject to executive approval or veto, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected, to accrue to any other member of such business, profession, occupation or group.

(H) No elected county government officer shall be prohibited from making an inquiry for information or providing assistance on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the officer or a member of his immediate family, whether directly or indirectly, in return therefore; and

(I) Nothing shall prohibit any county government officer or employee, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests.  
(Ord. 12-8-94-1, passed 12-8-94)

### § 32.03 FINANCIAL DISCLOSURE.

(A) All elected officers and candidates for elected office shall be required to file a financial disclosure statement;

(B) The financial disclosure statement should include the following information:

(1) Name of filer;

(2) Current business address, business telephone number and home address of filer;

(3) Title of filer's public office or office sought;

(4) Occupations of filer and spouse;

(5) Positions held by the filer and any member of the filer's immediate family in any business organization or nonprofit entity from which the filer or any member of the filer's immediate family received compensation in excess of \$5,000 during the preceding calendar year, and the name, address, and telephone number of the business organization or nonprofit entity;

(6) A description, and if applicable the name, address, and telephone number of each business employment or investment activity producing income from within the Commonwealth of Kentucky of both the filer and spouse which exceeded \$5,000 during the preceding calendar year;

(7) Name, address, and telephone number of each business organization located within the Commonwealth in which the filer or any member of the filer's immediate family had an interest of \$10,000 at fair market value or 5% ownership interest or more during the preceding calendar year;

(8) The location and type (commercial, residential, agricultural) of all real property within the county, other than the filer's primary residence, in which the filer or any members of the filer's immediate family acquired an interest of \$10,000 or more during the preceding calendar year;

(C) The financial disclosure statement shall be on a form provided by the local ethics commission. The financial disclosure statement shall be filed annually by officers and employees no later than February 1. Candidates shall be required to file the statement no later than 21 days after the filing date or the date of nomination. Newly-appointed officers and employees should be required to file their initial statement no later than 21 days after the date of appointment.

(D) The financial disclosure statement should be filed with the local ethics commission by all filers who are subject to the jurisdiction of the Commission. Failure to do so will result in a fine of \$500. Each 30 day period of noncompliance shall constitute a separate offense.  
(Ord. 12-8-94-1, passed 12-8-94)

#### **§ 32.04 NEPOTISM.**

No county government officer shall act in his/her official capacity to hire or cause to be hired any member of his/her immediate family at an hourly or salaried pay rate or with benefits in excess of any other employee with similar job duties, responsibilities and qualification requirements.  
(Ord. 12-8-94-1, passed 12-8-94)

#### **§ 32.05 ETHICS COMMISSION.**

(A) An Ethics Commission is hereby created as a cooperative effort between the Gallatin Fiscal Court and the legislative bodies of the City of Warsaw, City of Sparta and City of Glencoe. The Ethics Commission shall consist of four members. No member shall be an elected official. One member shall be appointed by the County Judge/Executive for the county and one by each Mayor of each city with approval of the governing body of that government. Members shall receive no compensation, but may be reimbursed all necessary expenses from the governing body upon whose Code of Ethics action was taken. The terms of members shall be four years with the exception that the terms of the first appointees shall be staggered in terms of one, two, three and four years respectively. The members of the Commission shall elect from among themselves a Chairman for a one year term. The Chairman will have no vote except when necessary to break a tie vote. Each member will serve the duration of his or her term or until his or her successor is duly appointed and qualified. Vacancies on the Commission shall be filled by appointment by the appointing authority for the position vacated.

(B) The Ethics Commission shall have the following powers:

(1) To initiate, receive, hear, and review complaints and hold hearings regarding possible violations of the Ethics Code of a city or the county;

(2) To issue subpoenas for the production of documents and attendance of witnesses;

(3) To forward to appropriate agencies of state and local government information concerning violations which may be used in criminal or other proceedings;

(4) To render advisory opinions to county or city officers regarding whether a given set of facts and circumstances constitutes a violation of any provisions of the code of ethics;

(5) To adopt rules and regulations necessary to implement and enforce the local ethics code, including the imposition of appropriate penalties and/or sanctions for violation thereof.

(C) Decisions of the Ethics Commission regarding violations shall be appealable to the Circuit Court.

(Ord. 12-8-94-1, passed 12-8-94)





ORDINANCE NO. 03-09-61

AN ORDINANCE ENACTING AND ADOPTING A CODE OF ORDINANCES  
OF THE COUNTY OF GALLATIN, KENTUCKY

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the Codification of the Code of Ordinances of the County of Gallatin, Kentucky, which compilation contains all ordinances of a general nature enacted by the Gallatin County Fiscal Court, and

WHEREAS, American Legal Publishing Corporation has compiled, organized by subject matter, and numbered in a logical sequence, all of such ordinances, and

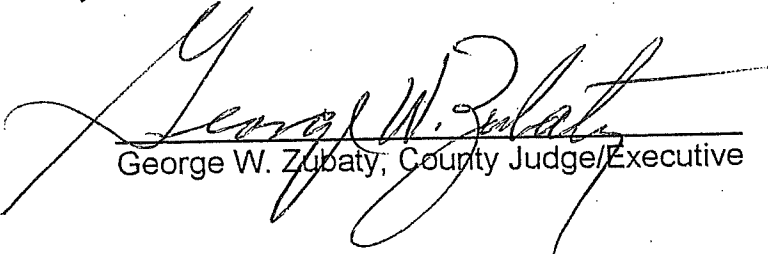
WHEREAS, it is the intent of Gallatin County Fiscal Court to accept this updated Code of Ordinances as the official publication of the legislative enactments of the Gallatin County Fiscal Court.

NOW, THEREFORE, BE IT ORDAINED by the Gallatin County Fiscal Court.

SECTION 1. That 1999 copyright Code of Ordinances of the County of Gallatin, Kentucky, as compiled 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, and is hereby enacted into law as the official Code of Ordinances of Gallatin County, Kentucky.

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.

Enacted this 9<sup>th</sup> day of March, 2000.

  
George W. Zubaty, County Judge/Executive

ATTEST:

  
Jane L. Davis, Gallatin Fiscal Court Clerk



ORDINANCE # 11013

**AN ORDINANCE OF THE FISCAL COURT OF THE COUNTY OF GALLATIN, KENTUCKY TO ESTABLISH, PURSUANT TO KRS 65.510, A RIVERPORT AUTHORITY AND TO ESTABLISH THE STRUCTURE AND POWERS OF SAID RIVERPORT AUTHORITY.**

WHEREAS, it is necessary and proper for the County of Gallatin, for the benefit and protection of its residents, to manage and promote tourism, transportation, and industrial development on and along the portion of the Ohio River, and any backwaters thereof, that lay within or border Gallatin County, Kentucky.

WHEREAS, it is deemed necessary and expedient that a Riverport Authority be created for Gallatin County for the purpose of establishing, maintaining, operating, expanding and promoting necessary and proper riverport and river navigation facilities, to attract directly, or indirectly, river oriented industry and tourism.

WHEREAS, the Fiscal Court of Gallatin County, Commonwealth of Kentucky, deems it necessary to enact this Ordinance for the benefit, protection and convenience of the inhabitants of Gallatin County, pursuant to the Fiscal Court's authority under K.R.S. 67.083;

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF GALLATIN, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

**SECTION 1 Creation.**

Pursuant to KRS 65,510, et seq., there is hereby created a nonprofit developmental riverport authority to be known as, "GALLATIN COUNTY RIVERPORT AUTHORITY", with all of the duties and powers as is provided for by KRS65.510, et seq.

**SECTION 2 Members and appointment**

The authority shall consist of a six member board, appointed by the county judge/executive with the approval of the fiscal court. Members of the authority shall serve for a term of four (4) years each, and until their successors are appointed and qualified, provided, however, that initial appointments shall be made so that two (2) members are appointed for two (2) years, two (2) members for three (3) years, and two (2) members for four (4) years. Upon expiration of these staggered terms, successors shall be appointed for a term of four (4) years.

**SECTION 3 Structure.**

The authority shall be a body politic and corporate with the usual corporate attributes, and in its corporate name may sue and be sued, contract and be contracted with and do all things reasonable or necessary to effectively carry out the powers and duties prescribed by KRS 65.510 to 65.650. The authority may exercise all powers granted to governmental agencies by KRS 58.010 to 58.140. The authority may exercise all powers,



consistent with its powers and duties stated in this chapter, granted by KRS 273.171 to corporations governed by KRS 273.161 to 273.390.

**SECTION 4 Purpose.**

The purposes of the authority shall be to establish, maintain, operate, and expand necessary and proper riverport and river navigation facilities, and to acquire and develop property, or rights therein within the economic environs, the home county, or any county adjacent thereto, of the riverport or proposed riverport to attract directly or indirectly river-oriented industry. It shall have the duty and such powers as may be necessary or desirable to promote and develop navigation, river transportation, riverports, and riverport facilities, and to attract industrial or commercial operations to the property held as industrial parks.

**SECTION 5 Powers**

The authority may acquire by contract, lease, purchase, option, gift, condemnation, or otherwise any real or personal property, or rights therein, necessary or suitable for establishing, developing, operating, or expanding riverports, riverport facilities, water navigation facilities, including spoilage areas for the disposal of materials dredged from river bottoms in an effort to improve the navigability of rivers, reserve storage areas and reserves of bulk materials utilized by the authority or any person acting as the authority's agent or licensee, and industrial parks or sites within the economic environs of the riverport or proposed riverport. The authority may erect, equip, operate, and maintain on the property buildings and equipment necessary and proper for riverport and water navigation facilities. The authority may dispose of any real or personal property, or rights therein, which in the opinion of the authority is not needed for use as riverport or water navigation facilities, or use as industrial parks or sites. The authority may lease, sell, convey, or assign its interest in land owned, optioned, or otherwise held by it to any person for the purpose of constructing and/or operating any industrial or commercial facility or for the purpose of acting as the authority's agent or licensee in effectively carrying out any of its powers and duties.

Adopted by the Gallatin Fiscal Court of Kentucky, after a first reading on January 10<sup>th</sup>, 2013 and after second reading at a regular meeting on the 14<sup>th</sup> day of February, 2013, and on same occasion sign in open session by the County Judge Executive as evidence of his approval, attested under seal of Gallatin Fiscal Court Clerk and declared to be in full force and effect.

COUNTY OF GALLATIN, KENTUCKY  
\_\_\_\_\_  
County Judge/Executive

Attest: Tracy Miles By Christina Mentire  
County Clerk

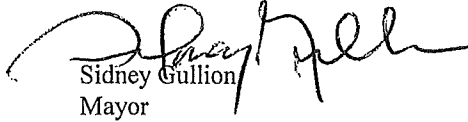
Submitted By: John B. [Signature]  
Gallatin County Attorney



CITY OF SPARTA  
104 MAIN STREET  
P.O. BOX D  
SPARTA, KY 41086  
859-643-4000

The City of Sparta has appointed Dana Courtney as our city representative to serve on the County Ethics Board. Her contact number is 859-907-2451.

Thank you,

  
Sidney Gullion  
Mayor





NOW, THEREFORE, BE IT RESOLVED BY THE FISCAL COURT OF THE COUNTY OF GALLATIN:

- Section 1. that Ken McFarland, Judge Executive of the county of Gallatin is authorized to execute and file an application on behalf of the county of Gallatin with the U.S. Department of Transportation, to aid in the financing of the 5311 operating assistance projects described in the attachment.
- Section 2. That Ken McFarland, Judge Executive is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.
- Section 3. That Ken McFarland, Judge Executive of the county of Gallatin is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
- Section 4. That Ken McFarland, Judge Executive of the county of Gallatin is authorized to set forth and execute with such application an assurance that the county of Gallatin will comply with the conditions of the Section 5333(b) Moving Ahead for the Progress in the 21<sup>st</sup> Century (MAP-21).
- Section 5. That Ken McFarland, Judge Executive of the county of Gallatin is authorized to furnish such additional information as the U.S. Department of Transportation Cabinet may require in connection with the application or the project.
- Section 6. That Ken McFarland, Judge Executive is authorized to execute grant contract agreements on behalf of the county of Gallatin with the Kentucky Transportation Cabinet for aid in the financing of the 5311 assistance project.
- Section 7. This Resolution shall be in full force and effect from and after the date of its adoption.

First passage on the 20 day of March, 2014.

Final adoption on the 20 day of March, 2014.

Ken McFarland  
(Title)



**A RESOLUTION COMMITTING THE LOCAL SHARE OF FUNDS NECESSARY TO SECURE A SECTION 5311 GRANT APPLICATION.**

WHEREAS, county of Gallatin is authorized by the Gallatin County Fiscal Court to apply for and accept grants money to assist in the implementation of a transit system in Gallatin County; and

WHEREAS, county of Gallatin has applied to the Kentucky Transportation Cabinet and Federal Transit Administration of the United States Department of Transportation Act of 1964, in connection with the Section 5311 project; and

WHEREAS, said applicant requires assurance of the Gallatin County Fiscal Court relative to the commitment of the local share for the Section 5311 project.

**NOW THEREFORE, BE IT RESOLVED BY THE GALLATIN COUNTY FISCAL COURT,**

1. That the Gallatin County Fiscal Court hereby gives assurance that it is the intent of this Body to commit its local share of the funds necessary to support this project to improve transit service in Gallatin County, for a minimum of five (5) years from the inception of the project. Said local share of expenses is to be resolved from Gallatin County Fiscal Court General Fund:
2. That the Gallatin County Fiscal Court hereby gives assurance that it is the intent of this Body to continue the operation of transit service for a minimum of five (5) years.

ADOPTED by vote of the Gallatin County Fiscal Court this 20th day of

March 2014.

Approved

Ken McCallum

Title

Judge / Executive

Attest:

Tracy Miles

Title

Gallatin County Clerk

I, being the duly appointed Judge Executive of the county of Gallatin, do hereby certify that the foregoing is a true and correct copy of Resolution No. 032014 adopted by the Gallatin County Fiscal Court, Date.

Ken McCallum



ORDINANCE # 031220151

AN ORDINANCE OF THE FISCAL COURT OF THE COUNTY OF GALLATIN, KENTUCKY RELATED TO THE INSTALLATION AND USE OF VEHICLE EMERGENCY EQUIPMENT BY THE GALLATIN COUNTY CORONER

WHEREAS, the Fiscal Court of Gallatin County has the authority to enact ordinances that meet the requirements of KRS 189.920(11)(a)(b) and (c) and KRS 189.920(12)(a)(b)(c) and (d), to permit the Gallatin County Coroner and all Gallatin County Deputy Coroners certified as such pursuant to KRS Chapter 72 to equip a publicly owned motor vehicle with flashing, rotating, or oscillating red and blue lights, and siren, and;

WHEREAS, the Fiscal Court of Gallatin County intends by this ordinance to permit the elected Coroner and his or her certified deputies, the right to equip a publicly owned vehicle as set forth above;

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF GALLATIN, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

**SECTION 1** Upon written request to and approval by the Gallatin County Fiscal Court, the Coroner may equip a publicly owned motor vehicle with flashing, rotating, or oscillating red and blue lights and a siren to be used only for the purposes of responding to the scene of the report of a death of a human being.

**SECTION 2** A Deputy Coroner may equip a publicly owned motor vehicle with flashing, rotating, or oscillating red and blue lights and a siren to be used only for the purposes of responding to the scene of the report of a death of a human being if:


- a. The Deputy Coroner has made a written request to the Coroner to equip a publicly owned motor vehicle with flashing, rotating, or oscillating red and blue lights and a siren; and
- b. The Coroner makes a written request to the Gallatin County Fiscal Court to permit the Deputy Coroner to equip a publicly owned motor vehicle with flashing, rotating, or oscillating red and blue lights and a siren, and the Gallatin County Fiscal Court approves the Coroner's written request.

**SECTION 3** The permission granted pursuant to this Ordinance shall expire upon the Coroner leaving office or the Gallatin County Fiscal Court revoking the authorization.



SECTION 4 Any Coroner or Deputy Coroner who has been granted permission under this Ordinance to equip a publicly owned motor vehicle with flashing, rotating, or oscillating red and blue lights and a siren for the purpose of responding to the scene of the report of a death of a human being shall at all times operate the vehicle in a safe and effective manner with due regard for the safety of all persons and property and shall obey all traffic laws and regulations at all times.


COUNTY OF GALLATIN, KENTUCKY

  
\_\_\_\_\_  
County Judge/Executive

Attest:

  
\_\_\_\_\_  
County Clerk

Submitted By:

  
\_\_\_\_\_  
Gallatin County Attorney





RESOLUTION # 03202014

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE MOVING AHEAD FOR PROGRESS IN THE 21<sup>ST</sup> CENTURY (MAP-21)

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Section 504 of the Rehabilitation Act of 1973, that in connection with the filing of an application for assistance the applicant gives an assurance that it will comply with Section 504 of Rehabilitation Act of 1973 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is required by the U.S. Department of Labor in accordance with the provisions of Section 5333(b) of the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), that in connection with the filing of an application for assistance under the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), and in the absence of a waiver from the U.S. Department of Labor, the applicant gives an assurance that it will comply with Section 5333(b) of the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21), and the U.S. Department of Labor requirements thereunder, and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprises be utilized to the fullest extent possible in connection with this project, and the definite procedures shall be established and administered to ensure that disadvantaged businesses shall have maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts or consultant and other services.



ORDINANCE No. 071911

AN ORDINANCE REDEFINING THE BOUNDARIES OF THE MAGISTERIAL DISTRICTS, AND PROVIDING FOR ITS IMPLEMENTATION.

BE IT ORDAINED BY THE GALLATIN COUNTY FISCAL COURT AS FOLLOWS:

Section I: There shall be four (4) magisterial districts defined in Gallatin County, Kentucky, namely: A (Warsaw), B (Napoleon), C (Glencoe), and D (Sparta).

Section II: The boundaries of the magisterial districts shall be as follows:

- A. "A" District shall begin at the western point of the corporate boundary of the city of Warsaw where it meets the Ohio River; thence southerly along the corporate boundary of the city of Warsaw, crossing US-42, then easterly along the corporate boundary and continuing along the corporate boundary until reaching a point on KY-35; thence southerly along the centerline of KY-35 to a point on Dry Creek Road; thence easterly along the centerline of Dry Creek Road to a point on Spencer Road; thence easterly along the centerline of Spencer Road to a point on US-127; thence northerly along the centerline of US-127 to a point on US-42; thence easterly on US-42 approximately 200 feet to a point in the center of Big Sugar Creek; thence northerly to the Gallatin/Switzerland County line; thence westerly along the Gallatin/Switzerland County line back to the point of the beginning.
  
- B. "B" District shall begin at a point on the Gallatin/Switzerland County line, opposite where Paint Lick Creek enters the Ohio River; thence northerly along the Gallatin/Switzerland County line to a point at the Gallatin/Boone/Switzerland County line; thence southeasterly along the Gallatin/Boone County line to a point at the Gallatin/Boone/Grant County line; thence westerly along the Gallatin/Grant County line to a point on Elliston-Napoleon Road; thence northwesterly along the centerline of Elliston-Napoleon Road to a point on



KY-16; thence easterly along the centerline of KY-16 to a point on Little Sugar Creek Road; thence northerly along the centerline of Little Sugar Creek Road to a point on the north right-of-way of I-71; thence northeasterly along the north right-of-way of I-71 to a point on KY-562; thence northerly along the centerline of KY-562 to a point on US-42; thence westerly along the centerline of US-42 to a point on KY-1992 (Steeles Bottom Road); thence northerly along the centerline of KY-1992 to a point on Paint Lick Creek; thence northwesterly along the center of Paint Lick Creek back to the point of beginning.

- C. "C" District shall begin at a point at the Gallatin/Switzerland County line across from the center of Big Sugar Creek; thence along the center of Big Sugar Creek to a point in the center of US-42; thence westerly along the centerline of US-42 approximately 200 feet to a point on US-127; thence southerly along the centerline of US-127 to a point on Spencer Road; thence westerly along the centerline of Spencer Road to a point on Dry Creek Road; thence southeasterly along the centerline of Dry Creek Road to a point on KY-455; thence southeasterly along the centerline of KY-455 to a point on the south right-of-way of I-71; thence southwestwardly along the southern right-of-way of I-71 to a point on Indian Camp Creek; thence southerly along the center of Indian Camp Creek to a point on the Gallatin/Owen County line; thence easterly on the Gallatin/Owen County line to a point on the Gallatin/Owen/Grant County line; thence northerly on the Gallatin/Owen/Grant County line to a point on Elliston-Napoleon Road; thence northwesterly along the centerline of Elliston-Napoleon Road to a point on KY-16; thence easterly along the centerline of KY-16 to a point on Little Sugar Creek Road; thence northerly along the centerline of Little Sugar Creek Road to a point on the north right-of-way of I-71; thence northeasterly along the north right-of-way of I-71 to a point on KY-562; thence northerly along the centerline of KY-562 to a point on US-42; thence westerly along the centerline of US-42 to a point on KY-1992 (Steeles Bottom Road); thence northerly along the centerline of KY-1992 to a point on Paint Lick Creek; thence northwesterly along the center of Paint Lick Creek to a point on the Gallatin/Switzerland County line; thence westerly along the Gallatin/Switzerland County line back to the point of beginning.



D. "D" District shall begin at a point in the northwest corner of the county at the Gallatin/Carroll/Switzerland County line, following the county line east, past the mouth of Craigs Creek, to a point on the corporate boundary of the city of Warsaw; thence southerly along the corporate boundary of the city of Warsaw, crossing US-42, then easterly along the corporate boundary and continuing along the corporate boundary until reaching a point on KY-35; thence southerly along the centerline of KY-35 to a point on Dry Creek Road; thence southeasterly along the centerline of Dry Creek Road to a point on KY-455; thence southeasterly along the centerline of KY-455 to a point on the south right-of-way of I-71; thence southwesterly along the southern right-of-way of I-71 to a point on Indian Camp Creek; thence southerly along the center of Indian Camp Creek to a point on the Gallatin/Owen County line; thence westerly on the Gallatin/Owen County line to a point on the Gallatin/Owen/Carroll County line; thence northerly on the Gallatin/Carroll County line back to the point of beginning.

Enacted upon its second reading this 19<sup>th</sup> day of July, 2011. <sup>\*</sup>



Hon. Ken McFarland

A True Copy: Attest

\_\_\_\_\_  
Clerk, Gallatin County Fiscal Court

- IN F.C. minutes 7-19-11 -  
K. McF.





**ORDINANCE NUMBER 070920****AN ORDINANCE RELATING TO GALLATIN COUNTY FISCAL COURT PERSONNEL POLICIES IN THE AREA OF EMPLOYEE HEALTH INSURANCE, INCLUDING PREMIUMS PAID ON BEHALF OF THE EMPLOYEE BY THE EMPLOYER, GALLATIN COUNTY, AND THE ELIGIBILITY FOR THAT COVERAGE.**

**WHEREAS**, Section 5 of the Gallatin County Personnel Policies discuss the health insurance coverage that will be provided to an employee under certain circumstances;

**WHEREAS**, changes to federal law, including the Affordable Care Act, have changed the law in this are in a way that requires and update of the personnel policies to comply with the federal law;

**WHEREAS**, there are discrepancies in the language of the current personnel policy in regard to Health Insurance eligibility and premiums and the Gallatin Fiscal Court sought input from the current Health Insurance Provider;

**WHEREAS**, Gallatin County Fiscal Court held a special meeting to gather information in order to better understand the issues with the language of the policy and eligibility for health insurance coverage; and

**WHEREAS**, Gallatin County Fiscal Court wants to provide adequate health insurance for its employees while also dealing with the rising cost of medical care and the insurance coverage that covers those costs for our loyal employees,

**BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF GALLATIN, COMMONWEALTH OF KENTUCKY:**

**SECTION 1:** Section 5.3 of the Gallatin county Personnel Policies shall be amend to read as follows:

## Section 5.3 Health Insurance

## 5.3.1 PREMIUMS

The County will pay health insurance premiums (single or family) with the option of up to 20% employee contribution. The county reserves the right to review and modify the health insurance plan during the annual contract renewal. In addition, during the contract renewal the county reserves the right to adjust the contribution amount from employees.



5.3.1 ELIGIBILITY

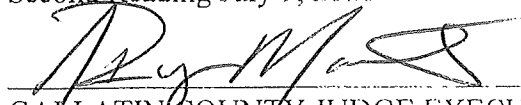
To be eligible for Health Insurance, the employee must be hired as a full-time employee and average at least 30 hours a week. Health insurance will become effective on the 31<sup>st</sup> day of employment.

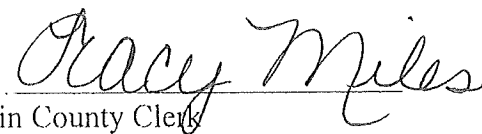
**SECTION 2:** It is found and determined that all formal actions of the Gallatin County Fiscal Court concerning and relating to the adoption of this Ordinance were adopted in open meetings of the Fiscal Court, and that all deliberations of the Gallatin Fiscal Court that resulted in such formal actions were in compliance with all legal requirements, and the Codified Ordinances of the County of Gallatin.

**SECTION 3:** This ordinance shall take effect upon publication.

First Reading: June 18, 2020

Second Reading July 9, 2020

  
GALLATIN COUNTY JUDGE EXECUTIVE

Attest:   
Gallatin County Clerk



# PUBLIC NOTICES

**PUBLIC NOTICE:**  
 An Ordinance of Unincorporated Gallatin County, Kentucky Establishing a Code Enforcement Board

WHEREAS, It is the intent of KRS 65.8801 to 65.8839 to protect, promote, and improve the health, safety, and welfare of the citizens residing within Gallatin County, Kentucky;

AND WHEREAS, It is the desire of the Fiscal Court of Gallatin County, Kentucky, to utilize the authority granted in KRS 65.8801 to 65.8839 by creating a Gallatin County Code Enforcement Board.

NOW THEREFORE be it ordained by the Fiscal Court of Gallatin County formation of an administrative board with the authority to issue remedial orders and impose fines in order to provide an equitable, expeditious, effective and insurable method of ensuring compliance with the ordinances in force within Gallatin County.

**Section 1. Definitions.**  
 The following words, terms and phrases used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:  
 A. "Abatement Costs" means necessary and reasonable costs for and associated with clearing, preventing unauthorized entry to, or demolishing all or a portion of a structure or premises, or taking any other action, with regard to a structure or premises, necessary to remedy a violation and to maintain and preserve the public health, safety and welfare in accordance with any County ordinance.  
 B. "Code Enforcement Board" means an administrative body created and set up under the authority of the Fiscal Court of Gallatin County, in compliance with KRS 65.8801 to 65.8839.  
 C. "Code Enforcement Officer" means any law enforcement officer, safety officer or other enforcement officer with authority to issue a citation.  
 D. "Final Order" means any order:

- a. Issued by the code enforcement board in accordance with Section 10(e) or (f) of this ordinance;
- b. Issued by the code enforcement board in accordance with Section 10(e) of this ordinance that is not appealed to the board as provided in Section 10(f) of this ordinance;
- c. Created because a violator did not pay or contest a citation within fourteen (14) days as provided in Section 9(f) of this ordinance; or
- d. Created because the violator failed to appear at a hearing requested to contest the citation as provided in Section 10(a) of this ordinance.

E. "Imminent Danger" means a condition which is likely to cause serious or life-threatening injury or death at any time.  
 F. "Ordinance" means a regulation of a general and permanent nature enforceable as a local law and includes any provision of a code of ordinances adopted by the Fiscal Court of Gallatin County.  
 G. "Owner" means a person, association, corporation, partnership or other legal entity having a legal or equitable title in real property.  
 H. "Premises" means a lot, plot or parcel of land, including any structures upon it.

**Section 2. Membership.**  
 The code enforcement board shall be composed of five (5) members, all of whom shall be residents of the county for a period of at least one (1) year prior to their appointment and shall maintain residence throughout their time in office.  
**Section 3. Enforcement powers.**  
 A. The code enforcement board shall have the power to issue remedial orders and impose civil fines as a method of enforcing county ordinances.  
 B. The code enforcement board shall not have the authority to enforce any ordinance regulating conduct which would also, under any provision of the Kentucky Revised Statutes, constitute a criminal offense or a moving motor vehicle offense.  
**Section 4. Membership.**  
 A. Members of the code enforcement board shall be appointed by the County Judge Executive, subject to the approval of the Fiscal Court.  
 B. The initial appointment to the code enforcement board shall be as follows:  
 a. One (1) member shall be appointed for a term of one year;  
 b. Two (2) members shall be appointed for a term of two years; and  
 c. Two (2) members shall be appointed for a term of three years.  
 C. All subsequent appointments shall be for a term of three (3) years. Member may be reappointed, subject to the approval of the Fiscal Court, for a total of two (2) complete terms.  
 D. All members of the code enforcement board shall, before beginning the duties of their office, shall take the oath of office prescribed by Section 228 of the Commonwealth of Kentucky Constitution.  
 E. No member of the code enforcement board shall hold any elected or appointed office, paid or unpaid, or any position of employment with the County.  
 F. Members of the code enforcement

**Kentucky Open Meetings Act.**  
 D. The presence of a majority of the board's membership shall constitute a quorum and the affirmative vote of a majority of a quorum shall be necessary for any official action to be taken.  
 E. The chair is responsible for ensuring minutes kept for all proceedings of the board and the vote of each member on any issue decided shall be recorded in the minutes.  
**Section 6. Conflict of Interest.**  
 Any member of the code enforcement board who has any direct or indirect financial or personal interest in any matter to be decided shall disclose the nature of the interest, disqualify themselves from voting on the matter in which the interest exists and shall not be counted for purposes of establishing a quorum.  
**Section 7. Powers of the Code Enforcement Board**  
 The Gallatin County Code Enforcement Board shall have the following powers and duties:  
 A. Adopt rules and regulations to govern its operations and the conduct of its hearings consistent with this ordinance.  
 B. Conduct hearings to determine if there has been a violation of an ordinance over which it has jurisdiction.  
 C. Subpoena alleged violators, witnesses, and evidence to its hearings. Subpoenas issued by the code enforcement board may be served by any code enforcement officer.  
 D. Take testimony under oath. The clerk of the board has authority to administer oaths for the purpose of taking testimony.  
 E. Make findings of fact and issue orders necessary to remedy any violation of a county ordinance or code provision which the board is authorized to enforce.  
 F. Impose civil fines, as authorized, on any person found to have violated an ordinance over which the board has jurisdiction.  
**Section 8. Enforcement proceedings.**  
 The following procedures shall govern all enforcement proceedings heard by the code enforcement board:  
 A. Enforcement proceedings shall only be initiated by the issuance of a citation by a code enforcement officer.  
 B. Except when immediate action is necessary pursuant to Section 17 of this ordinance, if a code enforcement officer believes, based on personal observation, investigation that a person is in violation of a county ordinance, he shall issue a Notice of Violation detailing the violation and providing a specified period of time to remedy the violation without incurring a fine. If the party cited is not the owner of record then a copy of the violation should be sent by regular first-class mail. If the violation is not properly corrected or if no action is taken to remedy the violation, the code enforcement officer is authorized to issue a citation requiring appearance before the code enforcement board.  
 C. The code enforcement officer shall issue the citation utilizing one of the following methods:  
 a. Personal service to the alleged violator;  
 b. Leaving a copy of the citation with any person eighteen (18) years of age or older who is on the premises, if the alleged violator is not on the premises at the time the citation is issued; or  
 c. Mailing a copy of the citation by regular first-class mail to the last known or recorded mailing address of the alleged violator and the current owner of record; or  
 d. If, in the absence of reasonable diligence, the instance of a citation using the methods set out above is not possible, then the citation is properly served by posting a copy of the citation in a conspicuous place on the premises and mailing a copy of the citation by regular first class mail to the owner of record.  
 D. The citation issued by the code enforcement officer shall contain the following information:  
 a. Date and time of issuance;  
 b. Name and address of the person to whom the citation is issued;  
 c. Physical address of the premises where the violation occurred; d. Date and time offense was committed;  
 e. Facts detailing the offense; f. Section of the code or number of the ordinance violated;  
 g. Name of the code enforcement officer;  
 h. Civil fine that may be imposed for the violation, including, if applicable, abatement costs;  
 i. The civil fine to be imposed if the citation is not contested; and  
 ii. The maximum civil fine that may be imposed if the fine is contested.  
 E. The procedure required to follow in order to pay the civil fine or to contest the citation and:  
 J. A statement that if the party fails to pay the civil fine set forth in the citation or contest the citation within the time allowed, the person shall be deemed to have waived the right to a hearing before the code enforcement board to contest the citation; the determination that the violation was committed shall be final; the citation

conspicuous place on the county website, at the same time that it provides the electronic notification.  
 G. The county shall maintain the records created under this Section for ten (10) years following their issuance.  
**Section 16. Liens.**  
 A. A lien holder of record who has registered pursuant to Section 14(b) of this ordinance may, within forty-five (45) days from the date of issuance of notification under Section 15(c) of this ordinance:  
 a. Contest the violation, if it has not already been abated; or  
 b. Pay all civil fines assessed for the violation, and all charges and fees incurred by the county in connection with enforcement of the ordinance, including abatement costs.  
 B. Nothing in this Section shall prohibit the county from taking immediate action if necessary, under Section 16 of this ordinance.  
 C. The lien provided by Section 13 of this ordinance shall not take precedence over previously recorded liens if:  
 a. The county failed to comply with the requirements of Section 14 of this ordinance for notification of the final order; or  
 b. A prior lienholder complied with subsection (a) of this Section.  
 D. A lien that does not take precedence over previously recorded liens under subsection (b) of this Section shall, if the final order remains partially unsatisfied, take precedence over all other subsequent liens except liens for state, county, school board and city taxes.  
 E. The county may record a lien before the forty-five (45) day period established in subsection (a) of this Section expires. If the lien is fully satisfied prior to the expiration of the forty-five (45) day period, the county shall release the lien in the county clerk's office where the lien is recorded within fifteen (15) days of satisfaction.  
 F. Failure of the county to comply with Sections 14 and 15 of this ordinance, failure of a lien to take precedence over previously filed liens as provided in subsection (b) of this Section, shall not limit or restrict any other remedies the county has against the property of the violator.  
**Section 17. Immediate action.**  
 Nothing in this ordinance shall prohibit the county from taking immediate action to remedy a violation of its ordinance when there is reason to believe that the violation presents a serious threat to the public health, safety, and welfare, or if in the absence of immediate action, the effects of the violation will be irreparable or irreversible.  
**FIRST READING:** November 14, 2019  
**SECOND READING:** December 12, 2019  
 Gallatin County Fiscal Court 32-1c

each case before the code enforcement board shall be presented by the attorney for the County, a code enforcement officer or a member of the county's administrative staff. The county attorney may either be counsel to the code enforcement board or may present cases before the board but shall in case serve in both capacities.  
**Section 11. Appeals final judgement.**  
 A. An appeal of a final order of a code enforcement board following a hearing conducted pursuant to Section 10 (e) of this ordinance may be made to the Gallatin County District Court within thirty (30) days of the date the order is issued. The appeal shall be initiated by the filing of a complaint and a copy of the final order in the same manner as any civil action under the Kentucky Rules of Civil Procedure.  
 B. If no appeal from a final order following a hearing is filed within the time period listed above, the order shall be deemed final for all purposes.  
**Section 12. Ordinance fine schedule.**  
 To be developed.  
 Violations of ordinances that are enforced by the county code enforcement board shall be subject to the following schedule of civil fines:  
**Violation**  
 1st Offense  
 2nd Offense  
 All Others  
 TBD  
**Section 13. Liens; fines; charges; and fees.**  
 A. The county shall possess a lien on property owned by the party found by a final order as defined by Section 16 (d), or by a final judgement of the court, to have committed a violation of a county ordinance. The lien shall be for all civil fines assessed for the violation and for all charges and fees incurred by the county in connection with the enforcement of the ordinance, including abatement costs. As affidavit of the code enforcement officer shall constitute prima facie evidence of the amount of the lien and regularity of the proceedings pursuant to KRS 65.8801 to 65.8839.  
 B. The lien shall be recorded in the office of the county clerk. The lien shall be notice to all persons from the time of its recording and shall bear interest until paid. The lien shall continue for ten (10) years following the date of the final order or final court judgement.  
 C. Subject to Section 15 of this ordinance, the lien shall take precedence over all other liens, except state, county, school board and city taxes, and may be enforced by judicial proceedings, including a foreclosure action.  
 D. In addition to the remedy prescribed in subsection (a) of this Section, the party found to committed the violation shall be personally responsible for the amount of all civil fines assessed for the violation and for all charges, fees and abatement costs incurred by the county in connection with the enforcement of the ordinance. The county may bring a civil action against the party and shall have the same remedies as provided for the recovery of a debt.  
 E. Section 140 Lienholder Notification System. To be developed.  
 The county shall obtain and maintain priority over previously filed liens, as provided in Section 13 of this ordinance, in accordance with the following provisions:  
 A. Individuals and entities, including but not limited to lienholders, may register with the city to receive electronic notification of final orders entered pursuant to this ordinance.  
 B. In order to receive the notification, the registrant shall submit the following information to the fiscal court administrative office:  
 a. Name;  
 b. Mailing address;  
 c. Phone number; and  
 d. Electronic mailing address.

conspicuous place on the county website, at the same time that it provides the electronic notification.  
 G. The county shall maintain the records created under this Section for ten (10) years following their issuance.  
**Section 16. Liens.**  
 A. A lien holder of record who has registered pursuant to Section 14(b) of this ordinance may, within forty-five (45) days from the date of issuance of notification under Section 15(c) of this ordinance:  
 a. Contest the violation, if it has not already been abated; or  
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 B. Nothing in this Section shall prohibit the county from taking immediate action if necessary, under Section 16 of this ordinance.  
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 F. Failure of the county to comply with Sections 14 and 15 of this ordinance, failure of a lien to take precedence over previously filed liens as provided in subsection (b) of this Section, shall not limit or restrict any other remedies the county has against the property of the violator.  
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 Gallatin County Fiscal Court 32-1c

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 b. Pay all civil fines assessed for the violation, and all charges and fees incurred by the county in connection with enforcement of the ordinance, including abatement costs.  
 B. Nothing in this Section shall prohibit the county from taking immediate action if necessary, under Section 16 of this ordinance.  
 C. The lien provided by Section 13 of this ordinance shall not take precedence over previously recorded liens if:  
 a. The county failed to comply with the requirements of Section 14 of this ordinance for notification of the final order; or  
 b. A prior lienholder complied with subsection (a) of this Section.  
 D. A lien that does not take precedence over previously recorded liens under subsection (b) of this Section shall, if the final order remains partially unsatisfied, take precedence over all other subsequent liens except liens for state, county, school board and city taxes.  
 E. The county may record a lien before the forty-five (45) day period established in subsection (a) of this Section expires. If the lien is fully satisfied prior to the expiration of the forty-five (45) day period, the county shall release the lien in the county clerk's office where the lien is recorded within fifteen (15) days of satisfaction.  
 F. Failure of

