

## ORDINANCE NO. 2024-01

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR OFF STREET PARKING IN RESIDENTIALLY ZONED AREAS OF THE CITY OF HEBRON ESTATES.

WHEREAS, the City of Hebron Estates has determined that in the interest of public safety and welfare, and to assist in complying with the provisions of previously adopted Ordinance addressing the issue of soil erosion, and

WHEREAS, the City of Hebron Estates is mandated by federal/state government regulation concerning stormwater systems and contributing discharge sources, and

WHEREAS, the City of Hebron Estates must accomplish these goals by the adoption of regulatory ordinance, and

WHEREAS, the City of Hebron Estates wishes to provide for the health, safety and general welfare of the citizens of Hebron Estates, and

WHEREAS, the purpose of this regulation is to safeguard persons, protect property, prevent damage to the environment and promote the public welfare by guiding, regulating and controlling the design, construction, and maintenance of areas that are used for the parking of motor vehicles in residentially zoned areas of the City, now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEBRON ESTATES as following:

### SECTION 1: Definitions

- (A) DRIVEWAY means an area adjacent to a curb cut providing vehicular access between a street and an off-street parking area, including a circular driveway.
- (B) YARD means an open space on a lot adjoining a lot line.
- (C) FRONT YARD means a yard extending the full width of a lot between the front lot line and the front building setback line.
- (D) SIDE YARD means a yard extending the depth of a lot from the front yard to the rear lot line between the side lot line and the side setback line. For a corner lot, a street side yard is a yard the extends from that front yard to the rear lot line.
- (E) SETBACKS AND LANDSCAPING: Parking areas shall be subject to the same front yard requirements as a building in that zone, except that on the street side of a corner lot, no side yard of more than ten (10) feet shall be required for a parking area. The required yard areas shall be set off from the parking area by a curb or bumper, and the yards shall be appropriately landscaped.

- (F) MOTOR VEHICLE means a self-propelled vehicle designed for use on a highway and includes an inoperable motor vehicle defined as a motor vehicle that because of mechanical failure, breakdown, or disrepair cannot be started, driven, operated, steered, or stopped under its own power without causing damage to the vehicle, and shall include ATVs, travel trailers, boat trailers, and any other item that is required to have a Kentucky license plate to be operated on the public highways.
- (F) PARK to leave a motor vehicle as hereinbefore defined in a certain place for a period of time, when the transmission is in neutral and the engine is turned off.

This section applies to residentially zoned property within the municipal boundaries of the City of Hebron Estates.

SECTION 2: A person may not park a motor vehicle in the front yard or side yard of a residential property, except in a driveway or a paved parking space as constructed pursuant to Section 3 hereinafter.

SECTION 3: All off-street parking areas, except for those serving agricultural uses shall be of a hard and durable surface that limits or precludes particulate air pollution. Asphalt, brick, concrete paving and interlocking paving blocks, including semi-pervious systems that retain space for vegetation, are acceptable paving materials. Other paving materials (including gravel) may be permitted upon approval by the City Council, but must include a binding agent to stabilize the surface and prevent dust.

#### SECTION 4: NON-CONFORMING PARKING AREA

When at the effective date of this Ordinance, lawful use of land exists that is no longer permissible under the terms of Section 3 hereinbefore of this Ordinance, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

- a. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of this Ordinance.
- b. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of this Ordinance.
- c. If any such nonconforming parking use is discontinued for any reason for a period of more than one (1) day, any subsequent use of such land for parking shall conform to the requirements of this Ordinance.

#### SECTION 5: PARKING CREATED BY OTHERS.

For the purpose of this Ordinance, it shall not be essential that the parking be created or contributed to by the owner, occupant, or person having control or management of the premises, but merely that the parking be created or contributed to by licenses, invitees, guests, or other

persons for whose conduct the owner or operator is responsible, or by person for whose conduct the owner or operator is not responsible, but by the exercise of reasonable care ought to have become aware of.

SECTION 6: Any individual, not a police officer, may file a written complaint with the Hebron Estates City Clerk for alleged violation of the terms of this Ordinance. Complaint filed by an individual, not a police officer, shall be forwarded to the City Council for investigation and imposition of the penalty set forth hereinafter.

SECTION 7: PENALTY.

Whoever violates any provision of this Ordinance for the first offense shall be issued a warning citation. For each subsequent offenses shall be fined not more than Twenty Five Dollars (\$25.00) for each offense. Each day's continued violation shall constitute a separate offense.

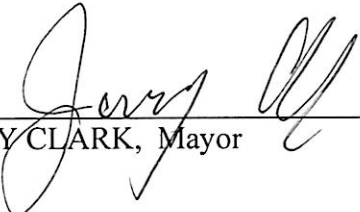
SECTION 8: This Ordinance shall take effect on upon publication.

SECTION 9: Should any section, clause, line, paragraph or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

SECTION 10: All ordinance or parts of ordinances in conflict with this Ordinance or any part of this Ordinance are repealed.

Given first reading at a regular meeting of the City Council of the City of Hebron Estates, Bullitt County, Kentucky on the 2nd day of January, 2024. Given second reading, voted upon and passed at a regular meeting of the City Council of the City of Hebron Estates, Bullitt County, Kentucky, on the 6<sup>th</sup> day of FEBRUARY, 2024.

Votes For 3; Votes Against 1; Not Voting 0.

  
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JERRY CLARK, Mayor

ATTEST:

  
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MICHALE MCCAULEY, City Clerk