

ORDINANCE NO. 2021- 34

AN ORDINANCE RELATING TO THE BOONE COUNTY FISCAL COURT, APPROVING AN AMENDMENT OF BOONE COUNTY CODE OF ORDINANCES CHAPTER 71 RELATING TO THE BOONE COUNTY TRAFFIC CODE HAVING BEEN PREVIOUSLY ADOPTED BY ORDINANCE 12-03 ON FEBRUARY 21, 2012.

WHEREAS, KRS 67.083, enacted by the Kentucky General Assembly, authorizes the governing body of a county government to issue regulations related to the provision of streets and roads and enforcement of traffic and parking regulations; and

WHEREAS, the Boone County Code Ordinances Chapter 71 relates to control of traffic; and

WHEREAS, the Boone County Fiscal Court desires to amend a provision of the Boone County Traffic Code relating to Towing, Storage and Release of Vehicle.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF BOONE, COMMONWEALTH OF KENTUCKY:

SECTION ONE

That Boone County Fiscal Court hereby amends and modifies the Towing/Storage and Release section of the Boone County Code of Ordinances Chapter 71 as follows:

§ 71.15 TOWING/ STORAGE AND RELEASE OF VEHICLE.

- (A) An officer is authorized to have a towing service remove any vehicle to a storage facility when:
- (1) There is reason to believe that the location where a vehicle is parked or left standing, constitutes a public nuisance or a threat to the public health, safety or welfare; or
 - (2) A third ticket involving the same vehicle has been issued within a consecutive 365-day period; or
 - (3) An officer finds a vehicle parked or left standing upon a road or street and determines that there is an outstanding unpaid parking citation for that vehicle.
 - (4) An officer finds a vehicle parked or left standing on a county roadway in an area designated as no parking and is marked by sign, roadway or curb marking or other appropriate designation of no parking as authorized in section 71.10 of the Boone County Code of Ordinances.
- (B) The vehicle shall be released from the storage facility to the owner or other person proving sufficient proof of right to take possession of the vehicle, upon approval of the Sheriff's Department and payment of all towing and/or storage charges

SECTION TWO

If any section or part of any section or any provision of this Ordinance shall be declared invalid by a Court of appropriate jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed to the extent of said conflict.


SECTION THREE

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

Adopted this 9th day of October, 2021

First Reading - the 26th day of October, 2021

Second Reading - the 9th day of October, 2021 Yes No


GARY W. MOORE,
Judge/Executive
Boone County Fiscal Court

Attest:


Shonja Schulkers,
Fiscal Court Clerk