

Broeck Pointe City Code

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§930.1 Objectionable Vehicles and Boats

Section 1: This ordinance is to provide a means for dealing with vehicles and boats which may be considered objectionable to people and detrimental to the property values of the City of Broeck Pointe. Any question and/or challenge to what may be considered "objectionable to people and detrimental to the property values of the City of Broeck Pointe" will be resolved by the open vote of the City Commission representing the City as a whole.

Section 2: As used herein the term "Owner" is any person, persons, partnership, corporation, trusteeship, executorship, or legal entity.

Section 3-A: As used herein the term "Vehicle" shall mean: trucks; travel trailers, either with or without wheels, and whether or not self-propelled; or commercial or farm vehicles of any type, whether with or without wheels; and an automobile which is inoperable.

Section 3-B: As used herein the term "Boat" shall mean: motor boat, sail boat, house boat, canoe, fishing boat, or other similar water borne vehicle.

Section 4: No vehicle or boat as defined in Section 3-A and 3-B of this Ordinance may be maintained, stored, parked, or kept on any lot, (including, without limitation, any portion of a lot behind the garage or in an area designated as "access easement" on the subdivision plat showing the lot); except that the same may be kept within the enclosed garage or an attached enclosure approved by the City Commission on the lot, provided that a garage and/or enclosure on the lot shall restrict the visibility of the stored vehicle or boat from any and all street, roadways, and adjacent property owners; and no vehicle as described in Section 3-A and Section 3-B of this Ordinance shall be habitually parked or kept on any street.

Section 5: It will be the duty of the Mayor or designated agent to advise the lot owner of the violation of this Ordinance and either issue a warning or citation depending upon circumstances.

Section 6: Interference with enforcement prohibited. No person shall in any manner interfere with, hinder, molest or abuse any officer or individual authorized to enforce the provisions of this Ordinance.

[Penalty §990.1(1)]

§930.15 Objectionable Parking

[See Code 540.0 Parking, Stopping and Meters]

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§930.2 Objectionable Structures

Section 1: This Ordinance is to provide a means for dealing with structures which are objectionable to people and detrimental to the property values in the City of Broeck Pointe. Any question and/or challenge as to what may be considered "objectionable to people and detrimental to the property values of the City of Broeck Pointe" will be resolved by the open vote of the City Commission representing the City as a whole.

Section 2: As used herein the term "Owner" is any person, persons, partnership, corporation, trusteeship, executorship, or legal entity.

Section 3: No owner shall construct, erect, place or maintain on any lot within the City of Broeck Pointe, a structure to be used and/or occupied other than as a residence. No apartment or duplex residence may be constructed and/or maintained. No tent, shack, barn, or other out building shall be erected, placed or maintained within the City of Broeck Pointe. No permanent clothesline shall be erected or maintained.

Section 4: It will be the duty of the Mayor or designated agent to advise the lot owner of the violation of this Ordinance and either issue a warning or citation depending on circumstances.

Section 5: Interference with enforcement prohibited. No person shall in any manner interfere with, hinder, molest or abuse any officer or individual authorized to enforce the provisions of this Ordinance.

Section 6: No person shall substantially alter the appearance of any house in such a way as to detract from the appearance of the neighborhood.

[Penalty §990.1(2)]

§930.3 Objectionable Swimming Pools

Above ground swimming pools shall not be permitted at any location in the City of Broeck Pointe, provided however that nothing contained herein shall prohibit the use of a child's wading pool less than six (6) feet in diameter and less than eighteen (18) inches deep and located to the rear of the property.

[Penalty §990.1(2)]

§930.9 Other Subdivision Regulations

Section 1: This Ordinance is to provide a means for enforcement of the restrictive covenants which may affect the residents of the City of Broeck Pointe

Section 2: As used herein the term "Owner" is any person, persons, partnership, corporation, trusteeship, executorship, or legal entity.

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Section 3: As used herein, the restrictive covenants shall be as follows:

A. No building, fence, wall, structure, doghouse or playhouse, or other improvement (including a detached garage) shall be erected, placed or altered on any lot until the construction plans, specifications and a plan showing the grade elevation and location of the structure, fence, wall or improvement, the type of exterior material and the driveway shall have been approved in writing by the City Commission. No fence or wall of any nature may be extended toward the front or street side property line beyond the building line of the residence. [See also 930.2, Section 3]

B. No noxious or offensive trade or activity shall be conducted on any lot, street or way, nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood.

C. It shall be the duty of each lot owner to keep the grass on the lot properly cut at all times, to keep the lot free from weeds and trash, and to keep it otherwise neat and attractive in appearance. Should any owner fail to do so, the City may take such action as it deems appropriate, including mowing, in order to make the lot neat and attractive, and the lot owner shall, upon demand, reimburse the City or other performing party for the expense incurred in doing so. Such amount expended by the City shall become a lien against the lot if said charges are not paid within thirty (30) days from the date of billing by the City.

D. No trade or business of any kind (and no practice of law, dentistry, medicine, chiropody, osteopathy and like endeavors) shall be conducted on any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood, or which brings additional traffic or vehicles to the City.

E. No sign for advertising or for any other purposes shall be displayed on any lot or on a building or a structure on any lot, except one sign for advertising the sale or rent thereof, which sign shall not be greater in area than nine (9) square feet. This Ordinance shall not prohibit placement of occupant name signs and lot numbers as allowed by applicable zoning regulations.

Section 4: It will be the duty of the Mayor or designated agent to advise the lot owner of the violation of this Ordinance and either issue a warning or citation depending on circumstances.

Section 5: Interference with enforcement prohibited. No person shall in any manner interfere with, hinder, molest or abuse any officer or individual authorized to enforce the provisions of this Ordinance.

[Penalty §990.1(3)]

§940.0 Public Housing

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§950.0 Development Standards

§950.1 Building Permits, Plans, Inspection, Deposits and Building Regulations

Section 1: Permit Required.

(1) It shall be unlawful to construct or alter any building or structure in the City without having first secured a permit therefore from the City, in addition to all other permits otherwise legally required.

Section 2: Definitions.

(1) "Building" shall mean a structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals, materials or property of any kind.

(2) "Structure" shall include anything constructed or erected, the use of which requires location on the ground or its being permanently attached to something having a location on the ground and includes, but is not limited to decks, porches, swimming pools, fences, signs, playhouses and poles of a height of four (4) feet or more, and may be used interchangeably with "building."

(3) "KBC" means Kentucky Building Code as established by Kentucky Revised Statutes, Chapter 198B, as amended, the provisions of which are applicable in the City.

Section 3: Application for Permit.

(1) Application for permits shall be made to the City Engineer and shall be accompanied by a full set of detailed plans and specifications for the construction of any building or structure showing the work to be done; such plans shall contain a drawing showing the lot plan, the location of the building on the lot, name and address of the contractor, if any, and such other information relevant to the project as may be required by the City. The maximum size of such plans submitted shall be eleven (11) inches by seventeen (17) inches per page.

Section 4: Approval of Plans.

(1) Upon receipt by the City, the plans and application for permit shall be immediately referred to the City Commission for review and recommendation. Such recommendation shall be made to the City Commission at its next regularly scheduled official meeting held at least five (5) days after submittal of the plans. The recommendation of the City Commission shall specify whether the proposed structure is in compliance with all other City Ordinances and applicable law and whether the proposed structure will adversely affect the safety, health, or general welfare of Broeck Pointe; and whether the plans are in compliance with the Deed of Restrictions applicable to the property.

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(2) Within five (5) days after the City Commission receives the plans (but not more than forty-five (45) days after receipt) the City Commission shall approve or reject such plans. When the plans are approved, a set thereof showing the approval of the City Commission shall be returned to the applicant, and a duplicate set will be retained by the City Clerk for the City records. In the event the plans are rejected, the City Commission shall advise the applicant in writing of the reasons for such denial within five (5) days.

(3) The applicant whose plans have been approved must then obtain a building permit from the office of the Jefferson County Building Department and such other county or state agency approvals or permits as may be required. The applicant shall use one of the copies of the detailed plans approved by the City of Broeck Pointe for such purpose.

(4) Upon obtaining a Jefferson County Building Permit, a copy of such permit shall be filed with the City of Broeck Pointe and the City, within five (5) days thereafter, shall issue a City of Broeck Pointe Building Permit. No demolition, alteration, construction, or excavation shall begin until the permits required by this section are issued.

(5) The applicant may not revise or in any way alter the approved plans without resubmitting such plans for reapproval by the City Commission or its authorized representative. All such approvals shall be in writing and attached to or substituted for such original plans.

(6) The City Commission may, by resolution, grant authority to a Commissioner to approve all plans, or any part thereof, in behalf of the commission and all such approvals shall have the same effect as if the Commission itself made the approvals.

Section 5: Fees.

(1) The City shall charge no fees for reviewing the plans and issuing permits.

Section 6: Responsibility of Permit Holder.

(1) The permit holder shall provide proper drainage completion. No water shall be diverted to the detriment of the street or the land surrounding the structure which has been built, modified or demolished.

(2) No debris, waste or rubbish shall be discarded within the boundaries of the City of Broeck Pointe during or after completion of the project. Waste and rubbish shall be hauled away at reasonable intervals. On site waste and rubbish shall be stored in an enclosed container.

(3) The permit holder shall not allow mud or debris from the construction site to accumulate on any street within the City and shall otherwise prevent damage to any street within the City.

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Section 7: Enforcement.

(1) (Right of Entry) The Mayor or his/her authorized representatives may enter during reasonable hours any premises concerning which a permit has been issued and a Certificate of Occupancy not issued by the County, in order to determine compliance with the conditions of the permit.

(2) (Stop Orders) Upon notice from the City Commission that construction has been carried on contrary to the provisions of this Ordinance, such construction shall be stopped immediately. Such notice shall be in writing and shall be given to the permit holder, to the owner of the property or his/her agent, or to the person or persons using the property, and shall state specifically the regulation being violated. Said notice may be given by registered or certified mail to the person entitled to notice after two reasonable efforts personally to serve the notice has failed.

Section 8: Severability. If any phrase, clause, sentence, section, subsection, provision, paragraph or part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions and portions of this Ordinance.

[Penalty §990.1(4)]

§950.2 Control of Radio Transmitting and Receiving Antennas

Section 1: It shall be unlawful to construct, place or maintain at any location within the City, any radio wave transmission or receiving antennae unless such device conforms to all of the size and height limitations as follows:

- a. If attached to a roof or chimney, such device shall not be higher than seven (7) feet above the highest roofline, or chimney line.
- b. If freestanding, such device shall not exceed the highest point on any other structure lawfully on the lot.
- c. If freestanding, such device shall not be closer to any property line than a distance equal to the height of the device.
- d. if circular or elliptical in shape, such device shall not have a greater width than three (3) feet, measured at its widest point, exclusive of the accessories by which it is affixed to the ground or other structures.
- e. If freestanding, suitable planting or screening shall be provided to screen the structure from the view of neighboring properties to a minimum height often (10) feet, or one-half of the height of such structure if the structure is in excess of twenty (20) feet.

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Section 2: There is exempted from the provisions of this Ordinance the following:

- a. Any radio receiving or transmitting antennae device permanently attached to any motor vehicle regularly used as a means of transporting persons or property.
- b. Any radio receiving or transmitting antennae device owned and used by any government or public service agency, including the City of Broeck Pointe, the County of Jefferson, the Commonwealth of Kentucky, any Fire District, Civil Defense agency, Weather Alert agency, or device for similar use.

Section 3: In addition to the fines hereinafter provided, no radio signal receiving or transmitting device violating Section 1 of this Ordinance shall be permitted to remain on any lot within the City.

[Penalty §990.1(5)]

§950.3 Adoption of Kentucky Building Code

- a. The City of Broeck Pointe does hereby adopt the Kentucky Building Code, Latest Edition, as amended and supplemented from time to time, as the official building code within the City for all buildings located within the City, including, but not limited to single family dwellings.
- b. This section shall in no way abrogate the original requirements relating to the erection of structures in the City as set forth in the Deed of Restrictions.
- c. Penalties for the violation of this Code Section shall be those provided in KRS 198B.990, as amended from time to time.

[Ordinance 4, Series 1985]

§950.4 House Numbers Required

Section 1: All owners and occupants of every house in the City shall designate their residence address according to the following standards:

- a. The address shall be placed on the front of the residence as near to the front door as possible.
- b. Figures shall be standard Arabic form at least three inches by two inches showing the number of the house and in a color distinguishable from the background and color of the residence.
- c. Such address shall be clearly visible from the street and kept free and clear of any obstructions hindering reasonable visibility from the street passing in front of such residence.

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§990.0 Penalties

§990.1 Penalties for Code Violations

1. Any person violating the provisions of Code Section §930.1 shall be deemed guilty of a misdemeanor and shall, upon conviction, be given a warning or punishment of fine not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars for each offense and each day of such violation shall constitute a separate offense.

2. Any person violating the provisions of Code Section §930.2 or Code Section 930.3 shall be deemed guilty of a misdemeanor and shall, upon conviction, be given a warning or punishment of fine not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) for each offense and each day of such violation shall constitute a separate offense.

3. Any person violating the provisions of Code Section §930.9 shall be deemed guilty of a misdemeanor and shall, upon conviction, be given a warning or punishment of fine not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars for each offense and each day of such violation shall constitute a separate offense.

4. Any person violating the provisions of Code Section §940.1, or directive or order pursuant thereto, shall be subject to fines contained in KRS I 98B.990, namely, a fine of not less than ten (\$10.00) dollars nor more than one thousand (\$1000.00). Each day the violation continues shall constitute a separate offense.

5. Any person, firm or corporation violating the provisions of Code Section §950.2 shall, upon conviction, be fined not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars. Each day during which such violation continues shall be deemed a separate offense and a separate fine may be imposed therefore.

6. Any person, firm or corporation violating the provisions of Code Section §950.4 shall, upon conviction, be fined not less than ten (\$10.00) dollars nor more than twenty-five (\$25.00) dollars. Each day during which such violation continues shall be deemed a separate offense and a separate time may be imposed therefore.