

Broeck Pointe City Code

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100.0 Government Organization

110.0 Boundaries

110.1 Incorporation Area

The boundaries of the City are described in the Petition and Judgment for Incorporation in Jefferson Circuit Court, Action No. 70, CI 11922, entered on February 6, 1980, as follows:

Beginning at the most Westerly corner of Lot No. 1 as shown on the record plat of Broeck Pointe Subdivision, Section No. 1, recorded in Plat and Subdivision Book 30, Page 23, in the office of the Jefferson County Clerk, said point being in the right of way line of Goose Creek Road, thence with the Northwesterly line of the aforesaid subdivision and Section No. 2 of Broeck Pointe recorded in Plat and Subdivision Book 32, Page 28 in the aforesaid Clerk's office, North 53 degrees 51' minutes East, 1050 feet; thence South 46 degrees 9' East 1050 feet; thence South 51 degrees 51 minutes West, 1050 feet; thence North 46 degrees 9' minutes West 1050 feet to the point of beginning.

(Editorial Note: The incorporation area was a square tract as required by then current law. Immediately after incorporation, the City annexed the balance of Broeck Pointe Subdivision, by Ordinance No. 4, Series 1980, referred to in Code Section 110.2, below.)

110.2 Annexation Area No. 1

The following area is annexed to the City:

Beginning in the Easterly right of way of Goose Creek Road at a point 45 feet East of the center line of said road and at the Southwest corner of a lot conveyed to Metzger Homes, Inc., by deed recorded in Deed Book 4559, Page 421 in the Jefferson County Clerk's office; thence with the Easterly right of way line of Goose Creek Road, South 35 degrees 29' East 329.60 feet; thence toward the center line of Goose Creek Road, South 54 degrees 31' West, 5 feet; thence again following said Easterly right of way line of Goose Creek Road, South 35 degrees 29' East 450 ft. to a point; thence with the right of way South 41 degrees 42' East 143.32 ft. to a point; thence continuing with said right of way North 43 degrees 18' East 39.45 ft. to a point; thence again following the Easterly right of way line of Goose Creek Road, South 51 degrees 05' East 100 ft.; South 61 degrees 16' East 100 ft.; South 71 degrees 27' East 100 ft.; South 81 degrees 36' East 100 ft.; South 87 degrees 58' East 191.90 ft.; and North 89 degrees 15' East 250 ft. to a point, said point being 80 ft. from the center line of Goose Creek Road; thence continuing with said right of way North 3 degrees 15' East 129.95 ft. to a point; thence South 88 degrees 23' East 36 ft.; thence leaving the right of way of Goose Creek Road with the line of Tract 1 as described in Deed to Ten Broeck Corporation recorded in Deed Book 3168, Page 333, North 30 degrees 46' West 107.97 ft. to a point; thence North 19 degrees 31' West 107.99 ft. to a point; thence North 08 degrees 31' West 107.99 ft. to a point; thence North 03 degrees 05' East 107.99 ft. to a point, said point being the Northerly corner of a tract conveyed to Violet Wright by deed recorded in Deed Book 4380, Page 523 in the aforesaid Clerk's Office; thence with the Northeasterly line of said lot South 81 degrees 18' East 250.00 ft. to a point, said point also being the Northwest corner of a lot conveyed to Richard Lightfoot by deed recorded in Deed Book 3302, Page 479 in the

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aforesaid Clerk's Office; thence with the Northerly line of said lot North 33 degrees 25' East 177.32 ft.; thence North 09 degrees 31' East 475.00 ft. to a point corner to tracts 4 and 5 in deed recorded in Deed Book 3168, Page 333, aforesaid; thence North 31 degrees 59' West 560 ft. to a point; thence North 53 degrees 36' East 102.21 ft. to a point; thence along the Westerly line of a lot conveyed to Frank D. Paris and wife recorded in Deed Book 3774, Page 132, North 35 degrees 26' West 274.91 ft. to a point, said point being in the Northerly line of the tract conveyed to Ten Broeck Corporation in Deed Book 3168, Page 333; thence with the Northwest line of said tract South 53 degrees 51' West 1690.68 ft. to a point beginning.

The tract hereinbefore described being all of Broeck Pointe Subdivision, Section 1, Section 1-A, and Section 2, plats of which are of record in Plat and Subdivision Book 30, Page 23, Book 31, Page 69, and Book 32, Page 28, all in the office of the Jefferson County Clerk, Jefferson County, Kentucky.

There is excluded from the foregoing description, however, so much of the aforesaid Broeck Pointe Subdivisions as are already within the City of Broeck Pointe, said city being described as follows: Beginning at the most Westerly corner of Lot No. 1 as shown on the record plat of Broeck Pointe Subdivision, Section No. 1, recorded in Plat and Subdivision Book 30, page 23, in the office of the Jefferson County Clerk, said point being in the right of way line of Goose Creek Road, thence the Northwesterly line of the aforesaid subdivision and Section No. 2 of Broeck Pointe recorded in Plat and Subdivision book 32, Page 28 in the aforesaid Clerk's Office, North 53 degrees 51' East 1050 ft.; thence South 46 degrees 9' West 1050 ft. to the point of beginning.

110.3 Official City Map

The boundaries of the City shall be shown on an official map kept on file with the City Clerk, and attached hereto as Appendix A.

120.0 Legislative Body

120.1 Meetings

(a) The Legislative Body shall hold regular monthly meetings at 7:30 p.m. on the first Tuesday of each month at the New Life Church, 3402 Goose Creek Road, Louisville, Kentucky, 40241; there being no suitable meeting place within the City.

(b) If the regular meeting date falls on a legal holiday defined by KRS 2.110, the regular meeting shall be on the succeeding day that is not a legal holiday.

(c) Special meetings may be called as provided by law.

120.2 Open Meetings and Records

All meetings of a quorum of the City Legislative Body shall be open to the public and all public records of the City shall be available for inspection by any person in accordance with KRS 61.805 to KRS 61.884.

120.3 Form of Government

Section 1: The City shall be governed under the Commission form of government as provided by KRS 83A.

Section 2: The City shall be governed by an elected official who shall be called Mayor and by elected Legislative Body members who shall be called City

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Commissioners and which together shall be known as the City Commission and by such other officers and employees as may be provided for by statute or City Ordinance.

Section 3: All legislative, executive and administrative authority of the City shall be vested in and exercised by the City Commission. The Commission shall enforce the Commission plan, ordinances and orders of the City and all applicable statutes. The commission shall maintain liaison with related units of local government respecting Interlocal contracting and joint activities. The Commission shall supervise all departments of City government and the conduct of all City officers and employees under its jurisdiction and may require each department to make such reports to it as it finds necessary. The Commission shall report to the public on the condition and needs of City government as provided by Ordinance, but not less than annually.

Section 4: The Mayor shall preside at all meetings of the Commission and may vote in all proceedings. All bonds, notes, contracts and written obligations of the City authorized by ordinance or resolution shall be executed by the Mayor on behalf of the City. The Commission shall designate one (1) City Commissioner to serve as Mayor-Pro-Tem. The Mayor-Pro-Tem shall act for the Mayor whenever the Mayor is unable to attend to the duties of office and said person shall then possess all rights, powers and duties of the Mayor. If the disability of the Mayor to attend to duties of office continues for sixty (60) consecutive days, the office of Mayor may be declared vacated by a majority of the Commission membership and the provisions of KRS 83A.040 shall apply.

Section 5: In carrying out its duty to supervise the departments of City government and the conduct of all City officers and employees under its jurisdiction, the Commission may require any City officer or employee to prepare and submit to it sworn statements regarding the performance of his or her official duties.

Section 6: All administrative and service functions of the City shall be classified under departments created by ordinance which shall prescribe the functions of the department and the duties and responsibilities of the department head and his/her employees. The Commission shall at its first regular meeting each year designate the Commission member to have superintendence over each department established under this subsection, except the Commission may delegate responsibility for overall operations of any or all departments to a City Administrative Officer established pursuant to KRS 83A.090.

Section 7: Regular meetings of the City Commission shall be held at least once a month at such times and places as are fixed by ordinance. [See 120.0] Special meetings may be called by the Mayor or a majority of the City Commissioners. In the call, the Mayor or City Commissioners shall designate the purpose, time and place of the special meeting with sufficient notice for the attendance of Commission members and for compliance with KRS Chapter 61. At a special meeting no business may be considered other than that set forth in a designation of purpose. The minutes of every meeting shall be signed by the officer presiding at the meeting.

Section 8: The Commission shall by ordinance establish all appointive offices and the duties and responsibilities of those offices and codes, rules and regulations for the public health, safety and welfare. The Commission shall by ordinance provide for sufficient revenue to operate City government and shall appropriate such funds in a budget which shall provide for the orderly management of City resources. The Commission shall promulgate procedures

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to ensure orderly administration of the functions of City government in compliance with statute, ordinance or order.

120.4 Creation and Supervision of Departments

The administration and service functions of the City shall be classified under four departments. The departments shall be known as (1) Ordinance Enforcement and Financial Administration; (2) Roads and Grounds; (3) Sanitation; and (4) Security. The functions of each department are set forth as follows.

(1) Ordinance Enforcement and Financial Administration: The function of the Ordinance Enforcement and Financial Administration Department is to see to the enforcement of duly adopted ordinances of the City and the preparation and implementation of the City budget, including supervision of the collection of taxes, and the investment of City funds.

(2) City Engineering/Roads and Grounds: The function of the Roads and Grounds Department is to oversee the public ways in the City, including the cleaning, resurfacing and snow removal on City streets, and supervision of public grounds within the City.

(3) Sanitation: The function of the Sanitation Department is to oversee the collection of garbage and refuse within the City, preparation of bids to obtain responsible parties for the collection of such garbage and refuse, and the handling of complaints arising from sanitation services.

(4) Security and Safety: The function of the Security Department is to accomplish the public safety needs of the City. The Commission will determine the particular method of obtaining security or police service, such as Interlocal government contracting, contact with services of Jefferson County or other police officers.

120.5 Construction and Application of Ordinances

Section 1: Whenever reference is made to “the City” or “this City” or to “the Council” or “City Council” or “City Commission” or “Commission,” or to a City Officer or department by title, it shall be construed as referring to the City of Broeck Pointe.

(1) The term “ordinance” or “these ordinances” refers to the ordinances of Broeck Pointe.

(2) The term “code” or “this code” refers to the compilation of the body of ordinances of Broeck Pointe.

(3) BPC shall mean this code or Broeck Pointe Code of Ordinances.

(4) All provisions of these ordinances are limited in application to the territorial boundaries of the City.

(5) As used herein the term “residents” shall mean any person, persons, partnership, corporation, trusteeship, executorship or legal entity owning and/or renting within the incorporated boundaries of the City of Broeck Pointe.

Section 2: Unless otherwise provided herein, the rules of construction, application and definitions set forth in KRS Chapter 446 and KRS 83A.010 shall apply to these ordinances.

(1) The words “this state” or “the state” or “the commonwealth” shall be construed to mean the Commonwealth of Kentucky.

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- (2) The words “statutes,” these statutes,” revised statutes” or “KRS” refers to the Kentucky Revised Statutes.
- (3) A general term following specific enumeration of terms is not to be limited to the class enumerated unless expressly so limited.
- (4) A word importing the singular number only may extend and be applied to several persons or things as well as to one person or thing, and a word importing the plural number only may extend and be applied to one person or thing as well as to several persons or things.
- (5) A word implying persons of the masculine gender shall extend and be intended to have equal application to persons of the female gender. In so far as is possible, non-sexist language shall be used.

Section 3: Severability. It shall be considered that it is the intent of the legislative body, in enacting any ordinance, that if any part of the ordinance be held unconstitutional, the remaining parts shall remain in force unless the ordinance provides otherwise, or unless the remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional part that it is apparent that the legislative body would not have enacted the remaining parts without the unconstitutional part, or unless the remaining parts standing alone are incomplete and incapable of being executed in accordance with the intent of the legislative body.

Section 4: Conflict of Ambiguity. All ordinances shall be construed to affect the intent of the legislative body and in the event of an irreconcilable conflict or ambiguity that exists between the provisions of any ordinances; the provisions last adopted or approved by the legislative body shall prevail.

120.6 Alterations in Ordinances Permitted on Publication

1. The City Clerk, in preparing editions of the ordinances or supplements thereto for publication, shall not alter the sense, meaning or effect of any act of the City Legislative Body, but may renumber sections and parts of sections of the acts of the City Legislative Body, change the wording of headnotes, divide or rearrange sections and parts of sections, change words when directed by law, change reference numbers to agree with renumbered chapters or sections, or to make corrections in reference numbers when sections referred to are repealed or amended and the correction can be made without change in the law, substitute the proper section or chapter numbers for the terms “this ordinance,” “the preceding section,” and the like, strike out figures where they are merely a repetition of written words, change capitalization for the purpose of uniformity, and correct manifest clerical or typographical errors.

2. In any edition of the Code or Ordinances or supplement thereto hereafter published, the City Clerk may substitute the name of any agency, officer or instrumentality of the Commonwealth or of a political subdivision whose name is changed by law or to which powers, duties and responsibilities have been transferred by law, for the name which the agency, officer or instrumentality previously used or of the agency which was previously vested with the same powers and charged with the same duties and responsibilities.

[See KRS 7.136]

120.7 Adoption of Code of Ordinances

Section 1: The code or composite index of ordinances is hereby adopted for the City as a new and original comprehensive ordinance, superseding and repealing all other general ordinances of the City adopted before the effective date of this code or composite index of ordinances.

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Section 2: This ordinance repeals only ordinances which are continuing and apply to the general population and no special ordinance, including any franchise ordinance, appropriation or tax levy shall be repealed or otherwise affected hereby. The repeal provided herein shall not affect any offense or act committed or any penalty or forfeiture incurred on any contract or right established or accruing before the effective date of this code or composite index of ordinances. The repeal provided herein shall not be construed to revive any ordinance or part thereof that has been repealed by an ordinance repealed by this ordinance.

Section 3: Any and all additions, deletions and amendments to this code or composite index of ordinances, when enacted into law, shall be so incorporated therein that any reference to the code or composite index of the City shall be deemed to include such amendments. Any ordinance in this code or composite index of ordinances shall be numbered in accordance with the Kentucky Ordinance Code topical numbering system and may be referred to by said number.

Section 4: A copy of such code or composite index shall be kept on file in the office of the City Clerk, maintained in accordance with the guidelines of the Kentucky Department for local Government or its successor and available as part of the public records of the City.

120.8 Permanent Records

Section 1: The City Clerk is responsible for maintaining and safekeeping the permanent records of the City including ordinances and municipal orders; and shall sign the official records of each meeting.

Section 2: All ordinances adopted by the City shall be numbered in accordance with the Kentucky Ordinance Code Topical Numbering System.

(1) The City budget, appropriations of money and tax levies shall be maintained and indexed by fiscal year.

(2) All ordinances shall be kept in an ordinance book in the order adopted.

(3) The text of each general ordinance shall be kept in a loose leaf binder with tabbed dividers arranged and numbered according to the Kentucky Ordinance Code Topical Numbering System with an alphabetical index.

(4) Each month every ordinance or amendment adopted during the month shall be assigned a KOC number, listed by topic and date of passage and publication and placed in the appropriate place in the binder.

(5) Once a year all additions or amendments shall be incorporated in the text of the code and in the table of contents.

(6) At least once every five (5) years the text of the code shall be examined for consistency with state law and with other provisions and revised to eliminate redundant, obsolete, inconsistent and invalid provisions.

Section 3: Every action of the legislative body shall be made a part of the permanent records of the city and on passage of an ordinance the vote of each member of the city legislative body shall be entered on the official record of the meeting.

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Section 4: Municipal Orders. The legislative body may adopt municipal orders. Any orders shall be in writing and may be adopted only at an official meeting. Any order may be amended by subsequent municipal order or ordinance. All orders adopted shall be maintained in an official order book and shall be numbered and maintained as follows:

- 10.0 Contracts
 - 11.0 Purchases
 - 12.0 Public Improvements and Construction
 - 13.0 Personal Services
 - 14.0 Emergencies
 - 15.0 Procurement Regulations

- 20.0 Personnel
 - 21.0 Job Description and Classification
 - 22.0 Testing and Employment
 - 23.0 Position Compensation
 - 24.0 Employee Rules and Procedures
 - 25.0 Disciplinary Action
 - 26.0 Affirmative Action Plan

- 30.0 Organization and Administration
 - 31.0 Management Positions
 - 32.0 Departments, Agencies and Functions
 - 33.0 Interlocal Cooperation
 - 34.0 Conduct of Meetings
 - 35.0 Administrative Code

- 40.0 Appointments
 - 41.0 Independent Boards and Commissions
 - 42.0 Joint Agencies
 - 43.0 Representatives of Local Government

- 50.0 Resolutions
 - 51.0 Policy Statements
 - 52.0 Commendations
 - 53.0 Other

- 60.0 Miscellaneous

Section 5: In lieu of an ordinance, a municipal order may be used for matters relating to the internal operation and functions of the City and to appoint or remove or approve appointment or removal of members of boards, commissions or other agencies over which the City has control.

130.0 Executive Officials

130.01 Code of Ethics

See Appendix A

130.1 Mayor

Section 1: The Mayor shall preside at all meetings of the Commission and may vote in all proceedings. The Mayor shall sign all warrants or checks drawn on the City Treasury and all bonds, notes, contracts and written obligations or documents of the City authorized by the Commission.

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Section 2: All non-elected City Officers shall be appointed by the Mayor with the approval of the City Commission. The officers may be removed by the Mayor at will unless otherwise provided by statute.

130.2 City Clerk

Section 1: There is hereby created a non-elective City office to be known as the Office of City Clerk.

Section 2: The City Clerk shall be appointed by the Mayor, with the approval of the City Commission, for a term of two (2) years beginning on the 10th day of January of even numbered years and until his/her successor is appointed and qualified.

Section 3: The City Clerk shall be at least twenty-one (21) years of age and of good moral character. Residency within the City shall not be required.

Section 4: The duties and responsibilities of the City Clerk shall include, but not be limited to the following:

- (a) Maintenance and safekeeping of the permanent records of the City;
- (b) Performance of the duties required of the "official custodian" or "custodian" pursuant to KRS 61.870 to KRS 61.882;
- (c) Possession of the seal of the City if used; and
- (d) Performance of all duties and responsibilities required of a City Clerk by statute or ordinance.

130.3 City Treasurer

Section 1: There is hereby created a non-elective City office to be known as the Office of City Treasurer.

Section 2: The City Treasurer shall be appointed by the Mayor, with the approval of the City Commission, for a term of two (2) years beginning on the 10th day of January of even numbered years and until his/her successor is appointed and qualified.

Section 3: The City Treasurer shall be at least twenty-one (21) years of age and of good moral character. Residency within the City shall not be required.

Section 4: The duties and responsibilities of the City Treasurer shall include, but not be limited to the following:

- (a) The City Treasurer shall receive and safely keep all City funds coming into his/her hands, and for all such funds provide a receipt.
- (b) The City Treasurer shall make a monthly report to the City Commission showing the state of the finances of the City, and the amounts received and spent during the month, which reports shall be filed. The Treasurer shall make an annual report at the close of the fiscal year with the total amount of all receipts and expenditures of the City and the transactions during the preceding year.

130.4 Bonds of Clerk and Treasurer

The City Clerk and Treasurer shall each execute bond before entering upon the duties of their respective offices, conditioned for the faithful performance of his/her duties, including the duties of all offices of which he/she is ex-officio incumbent. The amount and sufficiency of such bond shall be approved by the City Commission.

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130.41 Clerk and Treasurer Combined

The City Commission may combine the offices of City Clerk and City Treasurer to be known as City Clerk-Treasurer with all of the duties of each office.

130.42 Oath of City Clerk and of City Treasurer

Before entering upon the duties of office, the City Clerk and the City Treasurer shall each take the oath prescribed by the Kentucky Constitution, Section 228, for City Officials.

130.5 City Tax Collector

Section 1: There is hereby created the office of City Tax Collector who shall be appointed annually on the first Tuesday of each January, or as soon thereafter as may be, by a majority vote of the City Commission. This person shall hold office for a term of one year and until a successor is appointed and has qualified.

Section 2: Before entering upon the duties of office, the City Tax Collector shall take the oath prescribed by law for City officials and shall give bond in the amount of no less than five thousand (\$5000.00) dollars with corporate surety.

Section 3: It shall be the duty of the City Tax Collector to proceed as authorized by law to collect all taxes and special assessments that may be due or become due the City and to keep such records pertaining to such collections as may be required by statutes, ordinance or direction of the City Commission.

Section 4: The City Tax Collector shall make such reports regarding delinquent taxes as are required by statute or by the City Commission, and shall make a monthly report to the City Commission showing all moneys that have been received and the source thereof. All moneys when received shall be deposited with the City Treasurer, or as directed by the City Treasurer.

130.51 City Treasurer and City Tax Collector Offices Combined

The City Commission may combine the offices of City Treasurer and City Tax Collector to be known as the City Treasurer-Tax Collector, with all of the duties of each office.

130.6 City Engineer

Section 1: There is hereby created the office of City Engineer, who shall be appointed annually on the first Tuesday of each January, or as soon thereafter as may be, by a majority vote of the City Commission. This individual shall hold office for the term of one year and until a successor is appointed and has qualified.

Section 2: Before entering upon the duties of office, the individual shall take the oath prescribed by law for City officials and shall give bond in the amount of one thousand (\$1000.00) dollars with corporate surety.

Section 3: The salary of the City Engineer is hereby fixed at the sum of one (\$1.00) dollar per year or such other amount as may be from time to time fixed by the City Commission.

Section 4: The City Engineer shall keep accurate maps, plats and records of all public works, lands or property owned by the City. The engineer shall advise the Commission and City Officials of all engineering matters referred to him/her and shall perform such duties as provided by law or ordinance, and in addition, thereto, such other duties as from time to time may be imposed upon him/her by the Commission or by the Mayor. The Engineer shall, from time to time as required by the Commission, make reports regarding public improvements, repairs of streets, sidewalks or other work as the Commission may request, and

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shall make such suggestions to the Commission regarding the same as shall in his/her judgment seem best and proper.

140.0 Joint Agencies

140.1 Interlocal Cooperation Agreement

THIS AGREEMENT made and entered into by and between the City of Broeck Pointe, hereinafter referred to as "City" and the Louisville Metro Department of Disaster and Emergency Services, hereinafter referred to as "Department," this 4th day of June, 1985.

Section 1: The City agrees to relinquish all its rights, powers, duties and responsibilities concerning disaster preparedness, response and recovery to the Department.

Section 2: The Department agrees to include the City in its disaster and emergency response plan and program.

Section 3: During periods of emergency the department agrees to coordinate the functions of all City disaster and emergency services and to obtain vital supplies and equipment needed for the protection of life and property.

Section 4: During periods of emergency, City agrees to make available to Department all resources of the City. Employees, equipment and facilities of all City Departments will participate in disaster and emergency services activities.

Section 5: City agrees that all Federal and State matching funds allocated to City for expenditures for said disaster and emergency services shall stand appropriated to Department.

Section 6: As required by the provisions of KRS 39.432, no person shall be employed or associated in any capacity with the Department who advocates a change by force or violence in the constitutional form of the government of the United States or in the State of Kentucky or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or investigation charging any subversive act against the United States and each person who is appointed to serve the Department shall, before entering upon his/her duties, take an oath, in writing, before a person authorized to administer oaths in the State of Kentucky, which oath shall be substantially as set forth in KRS 39.432.

Section 7: Witness our hands the date and year first above written.

140.3 INTERLOCAL COOPERATION AGREEMENT TO ESTABLISH THE KENTUCKY MUNICIPAL RISK MANAGEMENT ASSOCIATION

Section 1: The City of Broeck Pointe hereby approves the joint and cooperative program for self-insurance, insurance and the investment of public funds among the City of Broeck Pointe and the other cities, urban-county governments and public agencies within the Commonwealth of Kentucky which become signatories to the Interlocal Agreement, including the financing of said program through the issuance of revenue bonds under the terms and conditions of the Interlocal Agreement.

Section 2: The Mayor and the City Clerk of the City of Broeck Pointe are hereby authorized and directed to execute, acknowledge and deliver, on behalf of the City of Broeck Pointe the Interlocal Agreement, substantially in the form attached hereto.

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Section 3: The City of Broeck Pointe hereby approves and ratifies the Articles of Association and By-Laws of the Association, substantially in the form attached hereto as exhibit A to the Interlocal Agreement.

Section 4: It is understood by the City of Broeck Pointe that by executing the Interlocal Agreement and thereby becoming a member of the Association, the City shall incur no liability for the payment of any funds, that it shall be necessary for the City to take further action prior to becoming a "participating member" in any of the self-insurance, insurance or investment trusts which may be created by the association.

Section 5: The effectiveness of this ordinance is expressly conditioned upon the final approval of the Interlocal Agreement, substantially in the form attached hereto, by the Attorney General of the Commonwealth of Kentucky, as required by KRS 65.260(2), and by any other officer or agency of the Commonwealth of Kentucky, as may be required by KRS 65.300.

Section 6: Subject to the limitation set forth in section V. above, this ordinance shall be in full force and effect upon its passage and approval.

[Ordinance No. 3, Series 1987]

140.4 POOLED SELF-INSURANCE AND PURCHASE PROGRAM

Section 1: The participation by the City of Broeck Pointe in the Trust and the purchase from or through the Trust of such public liability and property damage insurance coverages as may be deemed advisable by the executive and legislative authorities of the City are hereby approved.

Section 2: The Mayor of the City of Broeck Pointe is hereby authorized to execute and deliver, for and on behalf of the City, in connection with its participation in the Trust, the Trust Participation Agreement, substantially in the form attached hereto as exhibit A.

Section 3: This ordinance shall be in full force and effect upon its passage, approval and publication in accordance with applicable law.

Section 4: An emergency is hereby declared and the requirement of the second reading is hereby suspended in accordance with KRS 83A.060 (7).

[Ordinance No. 4, Series 1987]