

The following ordinances were signed by Mayor Jim Gray, attested by Council Clerk Susan Lamb and published on June 27, 2013-1t.

Ord. No. 66-2013- An Ordinance establishing a six month Limited Pilot Program for certain Mobile Food Unit Vendors to lawfully operate in designated street parking areas and providing for licensing; compliance with ordinance and program requirements; Food Vending Zones; hours of operation; insurance; and a fine not to exceed \$250 for each violation; all effective upon date of passage.

Section 3 – The Mobile Food Unit Pilot Program shall be conducted as follows:

(a) The Program shall be limited to the use of the public property as further provided in this Ordinance, which is public street parking in identified zones or areas during the limited hours further provided herein. (b) The Chief Administrative Officer or her or his designee is authorized to grant revocable street privileges for the placement and operation of Mobile Food Unit Vendors on the public property further identified herein, subject to the restrictions provided in this Ordinance. (1) An applicant for the Program must already possess a valid LFUCG Mobile Food Unit Vendor Permit or License (as defined in Section 15-11.1 of the Code of Ordinances) and each such vendor is limited to one (1) Revocable Program License. (a) Participation shall be further limited to those vending apparatuses which can safely operate out of a street parking space or area. (b) The maximum size limit of any mobile unit shall not exceed the width of any marked parking space. If the space is not marked, the width of the unit shall not exceed eight feet (8'). The Lexington-Fayette County Parking Authority ("LFCPA") may establish additional size restrictions on units using those parking spaces and areas within its control. (2) A non-refundable application fee of twenty-five dollars (\$25) shall accompany each application for a Revocable Program License. (3) As condition of participating in the Program, each person receiving the Revocable Program License must sign a verified statement that she or he agrees to conform and abide by the requirements of this Ordinance and the Program, which shall include any additional requirements or conditions established by the LFCPA. (4) The Revocable Program License shall be issued in a form which can easily be displayed by the vendor at all times during which it is conducting business as part of the Program. (5) The Revocable Program License is non-transferrable and the issuance of the license does not create or confer a property interest of any kind. (6) In addition to those penalties as further provided in this Ordinance, a conviction for a violation of this Ordinance or of Sections 15-11.1 through 15-11.6 of the Code of Ordinances shall result in the automatic revocation of the Revocable Program License. A license may also be suspended or revoked by the Chief Administrative Officer or her or his designee based upon a finding that the licensee has failed to abide by the requirements of the Program or this Ordinance, including any requirements or conditions established by the LFCPA. a. If the CAO or her or his designee determines that the license should be suspended or revoked, the licensee shall be provided a written notice which includes an explanation of the basis for the decision. b. The licensee may request an appeal of the decision in writing within five (5) days of the date of the above notice by serving the appeal to the address indicated in the notice. c. If a determination is timely appealed, the CAO or her or his designee will meet with the licensee within ten (10) business days unless agreed to otherwise by the licensee. d. At the meeting, the licensee will be allowed to present information and present any arguments as to why the original determination should be amended. e. The person representing the LFUCG at the

above meeting shall issue a final written determination to the licensee within five (5) days. This final determination shall not be appealable. (c) The following public parking areas are available for use by Program licensees. Absent an agreement between the licensee and the LFCPA, no parking area or space is guaranteed or reserved, and all areas and parking spaces are available on a first-come, first-served basis. Licensees shall abide by all parking conditions, requirements or regulations established by LFCPA. (1) Licensees shall be allowed to lawfully operate Monday through Friday between the hours of 7 am and 5 pm in metered parking spaces in the following "On-Street Food Vending Zones". During the hours in which the spaces are subject to any paid metering requirements no more than fifty percent (50%) of the spaces within each separate parking area are to be occupied by a Mobile Food Unit Vendor, unless otherwise agreed to in advance by the LFCPA. All payments are to be made by the "Pay by Phone Method" established by the LFCPA unless otherwise agreed to by the LFCPA. A map of these areas is attached hereto and incorporated by reference. a. The 100 Block of East High Street (between the intersections of South Limestone and South Martin Luther King Boulevard); b. The 200 Block of West High Street (between the intersections of South Upper Street and South Mill Street); c. The 300 Block of North Martin Luther King Boulevard (between Corral Street and Wickliffe Street); d. The 200 Block of East Corral Street (between Martin Luther King Boulevard and Spruce Street); e. The 200 Block of West Vine Street (between the intersections of South Broadway and South Mill Street); and f. The 100 Block of West Vine Street (between the intersections of South Mill Street and South Upper Street) (2) Each licensee shall be allowed to lawfully operate between the hours of 5 pm and 3 am Monday through Friday in on street parking areas in which it is otherwise legal to park and in compliance with subsection (4), below. (3) Each licensee shall be allowed to lawfully operate between the hours of 7 am and 3 am Saturdays and Sundays in on street parking areas in which it is otherwise legal to park and in compliance with subsection (4), below. (4) The licensee must comply with the provisions of this Ordinance, including the following restrictions: a. Must not locate or operate within one hundred feet (100') of the primary entrance of any business establishment during its posted hours of business. An exception is provided if no public safety issue would otherwise be created and the licensee has the permission of the affected establishment(s). b. Must not locate or operate within an area zoned as a Residential District under the Lexington-Fayette County Zoning Ordinance or within one hundred (100') feet of the property line of a dwelling unit located in an area zoned as a Residential District. An exception is provided if permission is obtained from the legally recognized Homeowner's Association or the Neighborhood Association for the affected property, and the above restriction does not apply to areas zoned for adaptive re-use. c. Upon notification by any public safety official, including but not limited to the Division of Police, Division of Fire and Emergency Services, or the Lexington-Fayette County Health Department, that a vendor's location endangers the public health, safety, or welfare, the vendor shall cease operation and/or relocate without delay. (d) Each Program Licensee shall comply with the following at all times while operating as part of the Program: (1) The requirements of all applicable ordinances and regulations, including but not limited to sections 15-11.1 through 15-11.5 of the code of ordinances. (2) Shall at all times of operation or use of a public area display its Revocable Program License. (3) Each vendor must maintain a comprehensive general liability

insurance policy in a minimum amount of \$1 million, which names the Lexington-Fayette Urban County Government as an additional insured party. Insurance shall be placed only in Commonwealth of Kentucky authorized insurance companies rated A+ VIII or A VIII in "Best's Policyholders Ratings" or their financial equivalent. A current Certificate of Insurance shall be filed with LFUCG's Division of Risk Management for review and compliance. (4) Shall remain open for business at all times while located on public property made available as part of the Program. "Open for business" includes setting up or breaking down the unit. (e) A vendor must immediately cease operation upon being provided a citation or warning to do so by any urban county government, LFCPA, or Lexington-Fayette County Health Department official that it has violated any provision of an applicable law, ordinance, regulation, or this Ordinance. (f) The Chief Administrative Officer may promulgate administrative regulations or guidelines which are consistent with this Ordinance. (g) Any person convicted of violating any provision of this Ordinance shall be subject to a fine of not more than two hundred fifty dollars (\$250). Each day a violation occurs shall constitute a separate offense. Passed June 20, 2013

Ord. No. 67-2013-An Ordinance amending Article 5 of the Zoning Ordinance and Articles 4 and 6 of the Land Subdivision Regulations to account for changes required by the new Lexington-Fayette Urban County Government Capacity Assurance Program (Urban County Planning Commission). Passed June 20, 2013

Ord. No. 68-2013-An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of water fountains and dog bowls from the Friends of the Dog Park, Inc. for Coldstream and Masterson Station Park Dog Parks. Passed June 20, 2013

Ord. No. 69-2013-An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 55. Whereas, it is necessary and proper to amend the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures: Now, Therefore, Be It Ordained By the Council of the Lexington-Fayette Urban County Government: Section 1 - That certain of the Budgets of the Lexington-Fayette Urban County Government be and hereby are amended to reflect current requirements for municipal expenditures, and that to effect such Amendments the following appropriations be and hereby are authorized and directed:) \$24,680.54 from the Unappropriated Fund Balance in the Donation Fund to various accounts.) \$3,055.00 to the Unappropriated Fund Balance in the Sanitary Sewer Revenue and Operating Fund from various accounts.) \$3,055.00 from the Unappropriated Fund Balance in the Landfill Fund to various accounts.) \$224,000.00 from the Unappropriated Fund Balance in the Prisoners' Account Fund to various accounts.) Re-appropriations within the General Service District – General Fund and the various grant funds which do not result in changes to the Unappropriated Fund Balance of these funds. Section 2 - That the purposes of the Budget Amendments and the Accounts to or from which funds are herein appropriated, are detailed in Budget Schedule No. 55 attached hereto and incorporated herein by reference. Section 3 - That this Ordinance shall become effective on the date of its passage. Passed June 20, 2013

Ord. No. 70-2013-An Ordinance appropriating the Revenues, Expenditures/Expenses and Interfund Transfers for the General Services District Fund, the Tenant Relocation Fund, the Full Urban Services Districts Fund, the Police Confiscated Federal Fund, the Police Confiscated State Fund, the Public Safety Fund, the Municipal Aid Program Fund, the County Aid Program Fund, the Mineral Severance Fund, the Coal Severance Fund, the Miscellaneous Special Revenue Fund, the Police Confiscated - Treasury Fund, the FY 2014 Bond Projects Funds, the Sanitary Sewer Revenue and Operating Fund, the Sanitary Sewer Construction Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation General Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation Parks Projects Fund, the Water Quality Management Fund, the Landfill Fund, the Right of Way Program Fund, the Extended School Program Fund, the Prisoners' Account Fund, the Enhanced 911 Fund, the Lexington-Fayette Urban County Government Public Library Corporation Fund, the City Employees' Pension Fund, the Police and Fire Retirement Fund of the Lexington-Fayette Urban County Government, the Medical Insurance Fund, the Property and Casualty Claims Fund, and the reallocation of Bond Project Funds, on a divisional level by four (4) control levels, for the Fiscal Year ending June 30, 2014, for the Lexington-Fayette Urban County Government and its agencies and instrumentalities; approving and adopting the Capital Improvement Program for Fiscal Years (FY) 2014 through (FY) 2019, as a portion of the Fiscal Year (FY) 2014 Annual Capital Improvements Budget; and approving funding for the Lexington-Fayette Urban County Tourist and Convention Commission from the Transient Room Tax, said funding to equal 99 1/2% of the revenue from the tax. WHEREAS, the Mayor has prepared and submitted to the Urban County Council annual operating budgets and annual capital improvements budgets for the fiscal year ending June 30, 2014; Whereas, pursuant to Section 8.03 of the Charter of the Urban County Government the Mayor has also presented a detailed summary of the capital improvements program plan for the next five fiscal years, as a part of the annual capital improvements budgets; Whereas, public hearings on the budgets have been held; Whereas, Ordinance No. 129-2005 was adopted June 9, 2005 setting forth the procedures for budget adoption; Whereas, the Urban County Council has thoroughly reviewed the proposed budgets and has made certain amendments thereto, which amendments are reflected in the Mayor's Proposed Budget as amended by the Urban County Council, which is attached hereto and incorporated herein by reference as Exhibit "A"; Whereas, the Tourist and Convention Commission has pursuant to KRS 91A.390(1) submitted its budget, which is attached hereto and incorporated herein by reference as Exhibit "B", to the Urban County Council and requested funding for the 12 months fiscal year ending June 30, 2014. Now, Therefore, on the basis of the said budgets and in accordance with the provisions thereof, Be It Ordained By the Council of the Lexington-Fayette Urban County Government: Section 1 - That the Revenues, Interfund Transfers, and Expenditures/Expenses for the General Services District Fund, the Tenant Relocation Fund, the Full Urban Services Districts Fund, the Police Confiscated Federal Fund, the Police Confiscated State Fund, the Public Safety Fund, the Municipal Aid Program Fund, the County Aid Program Fund, the Mineral Severance Fund, the Coal Severance Fund, the Miscellaneous Special Revenue Fund, the Police Confiscated – Treasury Fund, the FY 2014 Bond Projects Fund, the Sanitary Sewer Revenue and Operating Fund, the Sanitary Sewer

Construction Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation General Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation Parks Projects Fund, the Water Quality Management Fund, the Landfill Fund, the Right Of Way Program Fund, the Extended School Program Fund, the Prisoners' Account Fund, the Enhanced 911 Fund, the Lexington-Fayette Urban County Government Public Library Corporation Fund, the City Employees' Pension Fund, the Police And Fire Retirement Fund of the Lexington-Fayette Urban County Government, the Medical Insurance Fund, the Property and Casualty Claims Fund, and the reallocation of Bond Project Funds, on a divisional level by four (4) control levels, for the fiscal year ending June 30, 2014, for Lexington-Fayette Urban County Government and its agencies and instrumentalities, are hereby allotted and reappropriated. Section 2 - Pursuant to Sections 8.03 and 8.05 of the Charter of the Lexington-Fayette Urban County Government, the "Mayor's Proposed Capital Improvement Program", FY 2014-2019, attached hereto and incorporated herein by reference, is hereby accepted, approved and adopted as a portion of the annual capital improvements budget of the Lexington-Fayette Urban County Government for fiscal year 2014; provided, however, the capital improvements program for fiscal year 2015 through fiscal year 2019, adopted herein, shall be used as a planning device and not as a binding commitment for future capital improvement programs of the Urban County Government. Section 3 - That pursuant to KRS 91A.390(1), the Lexington-Fayette Urban County Tourist and Convention Commission shall receive 99 1/2% of the revenue received from the 4% transient room tax imposed by Section 2-172(a) of the Code of Ordinances. The Lexington-Fayette Urban County Government shall retain 1/2% of said revenue to offset the cost of collecting the same. Section 4 - That the preamble set forth following the title to this Ordinance is incorporated herein as if set out in full. Section 5 - That this Ordinance shall become effective on the date of its passage. Passed June 20, 2013

Ord. No. 71-2013-An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,200,000 for the Police and Fire Pension Fund based on the rate approved at the June 2013 Police and Fire Pension Board Meeting and appropriating and re-appropriating funds, Schedule No. 57. Whereas, it is necessary and proper to amend the budgets of the Lexington-Fayette Urban County Government to provide \$3,200,000 for the Police and Fire Pension Fund based on the rate approved at the June 2013 Police and Fire Pension Board meeting: Be It Ordained By the Council of the Lexington-Fayette Urban County Government: Section 1 - That certain of the Budgets of the Lexington-Fayette Urban County Government be and hereby are amended to reflect current requirements for funds in the amount of \$3,200,000 for the Police and Fire Pension Fund based on the rate approved at the June 2013 Police and Fire Pension Board meeting, and that to effect such Amendments the following appropriations be and hereby are authorized and directed:) \$1,225,000.00 from the Unappropriated Fund Balance in General Services District - General Fund to various accounts.) Re-appropriations within the Police and Fire Pension Fund that do not result in changes to the Unappropriated Fund Balance of this funds. Section 2 - That the purposes of the Budget Amendments and the Accounts to or from which funds are herein appropriated, are detailed in Schedule No. 0057, attached hereto and incorporated herein by reference. Section 3 - That this

Ordinance shall become effective on the date of its passage. Passed June 20, 2013

Ord. No. 72-2013- An Ordinance amending Subsection 16-13(A) of the Code of Ordinances relating to garbage and trash collection in the Downtown Area. Passed June 20, 2013