

## **LUDLOW ORDINANCE NO. 2025-9**

### **AN ORDINANCE OF THE CITY OF LUDLOW, IN KENTON COUNTY, KENTUCKY, AMENDING "CHAPTER 90: STREETS AND SIDEWALKS" OF THE CITY'S CODE OF ORDINANCES**

**WHEREAS**, the City of Ludlow periodically reviews its Code of Ordinances to determine if any changes or updates need to be made; and

**WHEREAS**, the Ludlow City Council desires to amend the City's Code of Ordinances to provide a more comprehensive plan for maintaining the City's sidewalks and right of way.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LUDLOW, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:**

#### **SECTION I**

That the Ludlow City Council hereby approves and adopts the text amendments to Chapter 90 of City's Code of Ordinances, which are attached as **Exhibit A** and are incorporated by reference herein. The Ludlow City Council finds that the text amendments are necessary to conform to changes to Kentucky Administrative Regulations and that the text amendments are in the best interest of the City.

#### **SECTION II**

All ordinances in conflict with this ordinance shall be, and hereby are, repealed to the extent of said conflict.

#### **SECTION III**

If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

#### **SECTION IV**

That this ordinance shall become effective upon its passage and shall be published under KRS 83A.060 (9) and other applicable law. The ordinance may be published in summary.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**CITY OF LUDLOW, KENTUCKY**

\_\_\_\_\_  
Chris Wright, Mayor

ATTEST: \_\_\_\_\_  
Laurie Sparks, City Clerk

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

PUBLICATION: \_\_\_\_\_

## **EXHIBIT A**

Proposed Text Amendments to the City of Ludlow's Code of Ordinances

Words to be deleted are [~~struck through~~] – Words to be added are **underlined**.

## CHAPTER 90: STREETS AND SIDEWALKS

---

### Section

#### ***General Provisions***

- 90.1 Definitions
- 90.2 Crosswalks; locations
- 90.3 Gutters
- 90.4 Damaging street lamps
- 90.5 Stretching wires over public streets and alleys
- 90.6 Duties of City ~~Engineer~~ Inspector

#### ***Excavations and Construction***

- 90.20 Street, driveway and sidewalk maintenance
- 90.21 Application and cash deposit
- 90.22 Restoration of pavement
- 90.23 Barriers around excavations
- 90.24 Warning lights

#### ***Sidewalk Policy and Maintenance Plan***

- 90.25 Sidewalk construction
- 90.26 ~~Duty of owner to repair; notice~~ Duty of owner to repair; generally
- 90.27 ~~Owner to pay cost of repairs; penalty for non-payment~~ Sidewalk Inventory
- 90.28 ~~Expansion joints between sidewalks and abutting driveways and curbs required~~ Sidewalk out of repair
- 90.29 Sidewalk Specifications
- 90.30 Duty of owner to repair; notice
- 90.31 Owner to pay cost of repairs; penalty for nonpayment
- 90.32 Expansion joints between sidewalks and abutting driveways and curbs required

#### ***Obstructions***

- 90.40 Unloading on street or sidewalk
- 90.41 Street and sidewalk obstruction

90.42 Materials on street or sidewalk

90.43 Removal of ice and snow

90.44 Encumbering sidewalks

### ***Road and Bridge Projects***

90.55 Public meeting required

90.56 Notice requirements

90.57 Public may testify; effect of testimony

90.58 Meeting to be held prior to construction

90.59 Separate meeting for each project not required

90.60 Exemptions from meeting requirement

90.99 Penalty

## ***GENERAL PROVISIONS***

### **§ 90.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***CITY.*** The City of Ludlow, Kentucky, acting by and through its City Council, or its properly authorized agents, these agents acting within the scope of the particular duties entrusted to them.

***ENGINEER.*** ~~The City Engineer or his or her properly authorized agent.~~

***CITY INSPECTOR.*** The City Inspector refers to the Public Works Director or Code Enforcement Officer.

(`96 Code, § 91.01) (Ord. 1964-6-1, passed 6-17-1964) (Ord. 2025-9; passed \_\_\_\_\_)

### **§ 90.02 CROSSWALKS; LOCATIONS.**

(A) There shall be installed and maintained by the city at the intersection of East Oak Street, West Oak Street and Adela Avenue, the following crosswalks:

(1) Running in a general north and south direction between the southeast corner of

East Oak and Adela Avenue to the northeast corner of same intersection;

(2) Running in a general east and west direction between the northwest corner of West Oak and Adela Avenue, between parallel lines to east side of Adela Avenue;

(3) Running in a general north and south direction between the northwest corner of West Oak Street and Adela Avenue to the southwest corner of the same intersection; and

(4) Running in a general east and west direction between the southeast corner of East Oak and Adela Avenue, between parallel lines to west side of Adela Avenue.

(B) (1) There shall be a crosswalk maintained on Elm Street near the intersection of Helen Street, in the following manner: one crosswalk shall be six feet in width and shall run from curb to curb on Elm Street, starting at the southeast corner of the intersection and running east a distance of six feet.

(2) Another crosswalk, six feet in width, shall be maintained running from curb to curb on Elm Street, starting at the southwest corner of the intersection and running west a distance of six feet in width.

(Ord. 1958-5, passed 6-12-1958)

(C) (1) There shall be maintained by the city crosswalks on the Ludlow Highway, west of the intersection of Ludlow Highway and Montrose Streets and on Elm Street, east of the intersection of Elm and Deverill Streets.

(2) These crosswalks shall be six feet in width and shall run from curb to curb. (Ord. 1088, passed 12-7-1951)

(D) (1) These crosswalks shall be six feet in width and shall run from curb to curb.

(2) This width shall be bounded by either white or yellow paint and shall clearly be marked crosswalk.

('96 Code, § 91.02) (Ord. 1956-10-1, passed 10-18-1956) Penalty, see § 90.99

### **§ 90.03 GUTTERS.**

(A) It shall be unlawful for any person to place, or cause to be placed, in any manner whatsoever in any gutter in the city any obstruction that may impede the passage of water flowing in the gutter.

(B) It shall be unlawful for any person to allow any slop, water, drainage or sewerage of any nature whatsoever to run or flow over any sidewalk in the city, or to allow any slop, water, drainage or sewerage to flow into any open gutter upon the sidewalks in the city where it thereby creates a nuisance.

('96 Code, § 91.04) (Ord. 431, passed 10-18-1900) Penalty, see § 90.99

### **§ 90.04 DAMAGING STREET LAMPS.**

It shall be unlawful for any person to injure in any way or manner the public lamps or lamp posts of the city, either by attaching any animal thereto; by throwing any stones or other missiles thereat; or in any way by any means whereby they may be damaged or the city may be deprived of the proper use of these lamp posts.

(`96 Code, § 91.05) (Ord. 71, passed 5-1-1879) Penalty, see § 90.99

#### **§ 90.05 STRETCHING WIRES OVER PUBLIC STREETS AND ALLEYS.**

It shall be unlawful for any person, firm or corporation, without the consent of the City Council being first obtained, to stretch any wires across any sidewalk, street, alley or public thoroughfare in the city.

(`96 Code, § 91.06) (Ord. 671, passed 4-30-1925) Penalty, see § 90.99

#### **§ 90.06 DUTIES OF CITY ~~ENGINEER~~ INSPECTOR.**

(A) All work done on the repair or replacement of sidewalks, crosswalks or driveways, either by the owner, occupant or party in interest, or by and in behalf of the city, shall be performed to the satisfaction of the City ~~Engineer~~ Inspector, who shall, in all cases, determine the amount, quality, acceptability and fitness of the several kinds of work and materials necessary for repair or replacement.

(B) Before any owner, occupant or party in interest, or any contractor employed by the owner, occupant or party in interest shall undertake to repair or replace any sidewalk, crosswalk or driveway under §§ 90.26 and § 90.27, it shall be necessary for the owner, occupant, party or contractor to receive, from the Engineer, the width required for the sidewalk, the specification and materials to be used and the grade to be established.

(`96 Code, § 91.07) (Ord. 1964-6-1, passed 6-17-1964) (Ord. 2025-9; passed \_\_\_\_\_) Penalty, see § 90.99

### ***EXCAVATIONS AND CONSTRUCTION***

#### **§ 90.20 STREET, DRIVEWAY AND SIDEWALK MAINTENANCE.**

(A) *Streets.*

(1) *Application and map.* Pursuant to the provisions of KRS 85.140, authority to establish street regulations, whenever it becomes necessary to open any of the streets of the city through excavating or digging, the person desiring to do the work shall make application to the City ~~Clerk~~ Public Works Director for permission to do so, and shall accompany the application with a map or diagram showing the place where the street is to be opened, the width and depth of the excavation, the estimated length of time the street is to remain open, and the name of the person whose property is to benefit by reason of the opening excavation.

(2) *Restoration of street.* Every person making application for permission to open or excavate any street in the city shall agree to restore the street to the same

condition that it was prior to the opening or excavation, to keep this portion of the street in repair for a period of one year after the opening or excavation, and to assume liability for any injuries sustained by any person, or damages to any property, caused by reason of the opening or excavation.

(3) *Bond required.*

(a) Every application shall be accompanied by a bond to the city in the amount of \$10,000 signed by the applicant and a surety company registered under the laws of the Commonwealth of Kentucky.

(b) This bond shall specify that in the event the city is sued because of injuries sustained, or property damaged by reason of such excavation, the principal and surety in the bond will, to the extent of \$10,000, pay any judgment obtained by the claimant, and will pay the court cost and attorneys' fees incurred by the city.

(B) *Driveways; storm drainage pipes under driveways.*

(1) The minimum requirements for storm drainage entrance pipes under driveways connecting with the various streets shall meet the Kenton County Subdivision Regulations. No entrance pipe shall have an inside diameter of less than 12 inches.

(2) Before storm drainage entrance pipes are placed under any driveway, a permit shall be obtained from the city. Such work shall proceed under the direction of the ~~City Engineer~~ Public Works Director. At the discretion of the City Council, any entrance pipe installed contrary to the provisions of this section may be ordered removed at the cost of the owner of the abutting property.

(C) *Street use; use of heavy equipment.* Pursuant to KRS 189.190 and KRS 189.221 and 189.222:

(1) It shall be unlawful for any person, firm or corporation to operate any bulldozer or other vehicle equipped with metal tracks or treads or any vehicle equipped with metal wheels fitted with lugs on the streets of the city so that the tracks, treads, or wheels with lugs are in contact with pavement of the streets.

(2) Any person who violates this division shall be fined not less than \$100 or more than \$500 for each conviction. Each incident of violation shall constitute a separate offense.

(D) *Littering.* Pursuant to KRS 224.905 through KRS 244.970:

(1) No person, firm or corporation shall litter or cause to be placed on any city street or public way of the city any litter, yard waste, dirt, trash, rubbish, refuse, mud, soil, or similar debris or allow or permit the above to remain on any city street or public way of the city for more than 12 hours without removing it and cleaning and clearing the street or public way so that it is restored to its original condition prior to the littering.

(2) Any person, firm or corporation convicted of violating this section shall be fined not less than \$100 nor more than \$500. Each day that the violation continues shall be a separate offense.



(Ord. 2003-8; passed 6-26-2003)(Ord. 2025-9; passed \_\_\_\_\_)

#### **§ 90.21 APPLICATION AND CASH DEPOSIT.**

Each permit for making an opening shall be confined to a single project and shall be issued by the authorized city official. Application shall be made on a form prescribed by the legislative body, giving the exact location of the proposed opening, the kind of paving, the area and depth to be excavated and such other facts as may be provided for. The permit shall be issued only after a cash deposit sufficient to cover the cost of restoration has been posted with the authorized city official, conditioned upon prompt and satisfactory refilling of excavations and restoration of all surfaces disturbed.

(`96 Code, § 91.21)

#### **§ 90.22 RESTORATION OF PAVEMENT.**

(A) The opening and restoration of a pavement or other surface shall be performed under the direction and to the satisfaction of the authorized city official, and in accordance with rules, regulations and specifications approved by the legislative body.

(B) Upon failure or refusal of the permittee satisfactorily to fill the excavation, restore the surface and remove all excess materials within the time specified in the permit or where not specified therein, within a reasonable time after commencement of the work, the city may proceed without notice to make the fill and restoration and the deposit referred to in § 90.20 shall be forfeited. Thereupon the deposit shall be paid into the appropriate city fund, except such part demanded and paid to the permittee as the difference between the deposit and the charges of the city for restoration services performed by it. If the amount of the services performed by the city should exceed the amount of the deposit, the ~~Clerk~~ City Treasurer or other proper administrative officer shall proceed to collect the remainder due from the permittee.

(`96 Code, § 91.22) (Ord. 2025-9; passed \_\_\_\_\_)

#### **§ 90.23 BARRIERS AROUND EXCAVATIONS.**

Any person engaged in or employing others in excavating or opening any street, sidewalk, alley or other public way shall have the excavation or opening fully barricaded at all times to prevent injury to persons or animals.

(`96 Code, § 91.23) Penalty, see § 90.99

#### **§ 90.24 WARNING LIGHTS.**

Any person engaged in or employing others in excavating or otherwise in any manner obstructing a portion or all of any street, sidewalk, alley or other public way, at all times during the night season, shall install and maintain at least two illuminated red lamps which shall be securely and conspicuously posted on, at or near each end of the obstruction or excavation and, if the space involved exceeds 50 feet in extent, at least one additional lamp for each added 50 feet or portion thereof excavated or obstructed.

('96 Code, § 91.24) Penalty, see § 90.99

## **SIDEWALK POLICY AND MAINTENANCE PLAN**

### **§ 90.25 SIDEWALK CONSTRUCTION.**

It shall be the duty of the ~~authorized city official~~ City Inspector to supervise construction or repair of sidewalks within the city. He or she shall cause specifications to be prepared for the construction of the various kinds of pavements and transmit the specifications to the legislative body for approval. When the specifications are approved, the legislative body shall advertise for proposals to do all the work which may be ordered by the city in construction and repair of sidewalks, and shall authorize the Mayor to contract therefor, for a period not exceeding one year, with the lowest responsible bidder, who shall for the faithful performance of the work. The Mayor, if authorized by City Council, may make separate contracts for the different kinds of work with different parties.

('96 Code, § 91.25) (Ord. 2025-9; passed \_\_\_\_\_)

#### ***Statutory reference:***

*Sidewalks; construction along public roads; specifications, see KRS 178.290*

*Sidewalks; ramps for wheelchairs, see KRS 66.660*

### **§ 90.26 DUTY OF OWNER TO REPAIR; GENERALLY.**

(A) It shall be the duty of the owner or occupant, or other party in interest thereto, of the premises in front of, adjacent to or abutting any public sidewalk, crosswalk or driveway across the sidewalk, to repair or replace the same.

(Ord. 2025-9; passed \_\_\_\_\_)

### **§ 90.27 SIDEWALK INVENTORY**

(A) The City Inspector shall periodically inventory as many sidewalks as allowed by time and budget, for the purpose of creating a sidewalk condition index (the "Index").

(B) When inventorying sidewalks, the City Inspector shall use the following rating system to compile data to form the Index:

(a) "Slight Cracking" denotes a crack that is superficial up to 1/8" in width and/or vertical displacement less than 1/8". (1 point)

(b) "Moderate Cracking" denotes a crack that is between 1/8" and 1/4" in width and/or slight vertical displacement up to 1/2". (2 points)

(c) "Severe Cracking" denotes a crack that is over 1/4" in width and/or has a vertical displacement of 1/2" to 1". (3 points)

(d) "Vertical Separation" denotes a section of sidewalk in which the vertical separation is greater than 1". (5 points)

(Ord. 2025-9; passed \_\_\_\_\_)

### **§ 90.28 SIDEWALK OUT OF REPAIR.**

(A) A sidewalk shall be considered out of repair and shall be repaired and/or replaced if the following conditions exist:

- (1) Vertical offset at the joint of adjoining panels larger than one inch.
- (2) Intersecting cracks in one panel and/or cracks between two panels subject to displacement.
- (3) Settlement in a concrete sidewalk larger than four inches in an eight-foot span.
- (4) Cross-slope in excess of 3/4 inch vertical per one foot horizontal.
- (5) Rough surface due to deterioration of concrete that is determined hazardous.
- (6) Sidewalk material placed without prior approval of the City.
- (7) Unauthorized obstruction in the sidewalk surface. See § 90.41, § 90.42, § 90.43.

(B) In areas where the sidewalks are constructed in whole or in part with brick or stone pavers, the following criteria shall be used to determine if the sidewalk is out of repair:

- (1) Vertical offset at the joint of adjoining panels larger than 5/8 inch in relation to the edge in whole or in part.
- (2) When a panel is cracked, regardless of depth, in a width greater than 5/8 inch.
- (3) When the exposed panel is uneven to a degree as to cause a potential trip hazard to pedestrians.

(Ord. 2025-9; passed \_\_\_\_\_)

### **§ 90.29 SIDEWALK SPECIFICATIONS.**

(A) All sidewalk repairs, replacement, and construction shall comply with the Kenton County Subdivision Regulations. This provision shall apply to any developer who builds sidewalks in residential and commercial subdivisions.

(B) Any sidewalk construction or repair shall be subject to inspection by the City Public Works Department for compliance with the abovementioned standards or quality of material and workmanship.

(Ord. 2025-9; passed \_\_\_\_\_)

**§ 90.2630 DUTY OF OWNER TO REPAIR; NOTICE.**

(A) Whenever any public sidewalk, crosswalk or driveway across the sidewalk within the city shall become out of repair or require placement, the ~~Building/Zoning Administrator~~ Code Enforcement Officer shall report this need of repair or replacement to the City Council. Thereupon, the city, acting by and through its ~~City Clerk-Treasurer~~ Code Enforcement Officer, with Council so ordering the ~~Clerk-Treasurer~~ Code Enforcement Officer, shall give to the owner or occupant, or other party in interest thereto, of the premises in front of, adjacent to or abutting the public sidewalk, crosswalk or driveway is located, written notice to repair or replace the same within 30 days.

(B) In default thereof, the owner, occupant or party in interest shall be deemed to be permitting or suffering a public nuisance, and the permitting or sufferance of that public nuisance is declared to be unlawful. Whereupon, it shall be the duty of the ~~Chief of Police~~ Code Enforcement Officer to cite that owner, occupant or party in interest for violation of this section.

(C) Service of notice shall be made by registered or certified mail to the last known address appearing on the assessment rolls of the county or service may be made personally upon the owner, occupant or party in interest or posted in a conspicuous place upon the premises abutting the sidewalk in need of repair. This notice shall require that all work be done in accordance with specifications supplied by the ~~Building/Zoning Administrator~~ Code Enforcement Officer.

( '96 Code, § 91.26) (Ord. 1964-6-1, passed 6-17-1964) (Ord. 2025-9; passed \_\_\_\_\_)

(D) The city will match any property owner's money, dollar for dollar, up to ~~20%~~ 50% of the total cost, not to exceed ~~\$200~~ \$500, for the repair and/or replacement of sidewalks under the following terms and conditions:

- (1) The property must located in the city of Ludlow limits.
- (2) The property owner, or his or her designee, must make the application to the city.
- (3) The building inspector must inspect the sidewalk to be repaired and to deem whether the repairs are necessary.
- (4) Only sidewalks adjacent to the street will be considered for the matching funds program.
- (5) The property owner is responsible for contracting the repairs and seeing that the contractor has all the proper permits.
- (6) The property owner may elect to do the work themselves, however, payment will relate to materials only in such work. (Receipts required)
- (7) A final inspection must be done by the building inspector to assure that proper building code restrictions and city regulations have been met.

(8) The eCity of Ludlow is exempt from any liability regarding such repairs.

(Res. 2002-19, passed 4-25-2002) (Ord. 2025-9; passed \_\_\_\_\_)

#### **§ 90.2731 OWNER TO PAY COST OF REPAIRS; PENALTY FOR NON-PAYMENT.**

(A)

(1) Should any person so notified fail to repair or replace, as requested, that sidewalk, crosswalk or driveway within the time required, it shall be the duty of the ~~City Engineer~~ Code Enforcement Officer and the city, acting through the City Council, to so order him or her to repair or reconstruct that sidewalk, crosswalk or driveway.

(2) The cost, expense and penalties involved in the repair when made by the city shall be charged to the defaulting owner, occupant or party in interest. Accordingly, within ten days after the completion of the repair by the city, the ~~City Engineer~~ Code Enforcement Officer shall advise the City ~~Clerk~~-Treasurer in writing as to the total cost of the work; and the City ~~Clerk~~-Treasurer shall thereupon render to the owner, occupant or party in interest an itemized statement of the repair costs, including a fee of \$1.50 for the services of the City ~~Clerk~~-Treasurer.

(B) The owner, occupant or party in interest shall have a period of 30 days within which to pay the bill after receipt of same from the City ~~Clerk~~-Treasurer. In event of non-payment within that period, a 15% penalty shall be added to the itemized bill, and interest shall accrue to the amount of the bill, exclusive of penalty, at the rate of 6% per year until paid; and suit may be instituted by the City Attorney in any court of competent jurisdiction for the recovery of all amounts so owed.

(`96 Code, § 91.27) (Ord. 1964-6-1, passed 6-17-1964) (Ord. 2025-9; passed \_\_\_\_\_)

#### **§ 90.2832 EXPANSION JOINTS BETWEEN SIDEWALKS AND ABUTTING DRIVEWAYS AND CURBS REQUIRED.**

When any person shall construct any walk or driveway in any of the streets of the city, which walk or driveway abuts any curb in the street, that person shall place or cause to be placed an expansion joint of tar, felt based or other suitable material of not less than one inch in thickness between the walk or driveway and the curb.

(`96 Code, § 91.28) (Ord. 805, passed 11-6-1930) (Ord. 2025-9; passed \_\_\_\_\_)  
Penalty, see § 90.99

### **OBSTRUCTIONS**

#### **§ 90.40 UNLOADING ON STREET OR SIDEWALK.**

No person shall unload any heavy material in the streets of the city by throwing or

letting the material fall upon the pavement of any street, alley, sidewalk or other public way, without first placing some sufficient protection over the pavement.

Penalty, see § 90.99

#### **§ 90.41 STREET AND SIDEWALK OBSTRUCTION.**

(A) No person shall obstruct any street, alley, sidewalk or other public way within the city by erecting thereon any fence or building or permitting any fence or building to remain thereon.

(B) Each day that any fence or building is permitted to remain upon the public way shall constitute a separate offense.

Penalty, see § 90.99

#### **§ 90.42 MATERIALS ON STREET OR SIDEWALK.**

(A) No person shall encumber any street or sidewalk.

(B) No owner, occupant or person having the care of any building or lot of land, bordering on any street or sidewalk, shall permit it to be encumbered with barrels, boxes, cans, articles or substances of any kind, so as to interfere with the free and unobstructed use thereof.

Penalty, see § 90.99

#### ***Cross-reference:***

*Littering on streets or sidewalks, see Ch. 93*

#### **§ 90.43 REMOVAL OF ICE AND SNOW.**

It shall be the duty of the owner or of the occupant of each and every parcel of real estate in the city abutting upon any sidewalk to keep the sidewalk abutting his or her premises free and clear of snow and ice to the extent feasible under the prevailing weather conditions, and to remove therefrom all snow and ice, to the extent feasible under the prevailing weather conditions, a reasonable time which will ordinarily not exceed ~~42~~ 24 hours after the abatement of any storm during which the snow and ice may have accumulated.

(Ord. 2025-9; passed \_\_\_\_\_) Penalty, see § 90.99

#### **§ 90.44 ENCUMBERING SIDEWALKS.**

(A) It shall be unlawful for any person, firm or corporation to encumber the sidewalks of the city in any manner whatsoever, either as set out in divisions (B) and (C) hereof, or otherwise, if the owner of the premises abutting upon the sidewalk could or can make the improvements or repairs set out in divisions (B) and (C) hereof on his or her own property.

(B) It shall be unlawful for any person, firm or corporation to encumber the sidewalks of the city by placing steps on or over any sidewalk in the city for a distance exceeding two feet from the building abutting on the sidewalk.

(C) (1) It shall be unlawful for any person, firm or corporation to build or place in or upon any sidewalks in the city an cellar or trap doors unless the same shall be built with the grade of the sidewalk and on a level therewith.

(2) The cellar or trap doors shall be corrugated or made rough, so that is shall be safe to walk upon.

(`96 Code, § 91.44) (Ord. 422, passed 5-17-1900) Penalty, see § 90.99

## ***ROAD AND BRIDGE PROJECTS***

### **§ 90.55 PUBLIC MEETING REQUIRED.**

Before the city expends state derived tax revenues on a municipal highway, road, street or bridge, it shall provide an opportunity to the public to provide input in a public meeting for which notice has been given under KRS 61.823(2) to (4) with regard to the project and to priorities for use of tax moneys for road and bridge purposes.

(KRS 174.100)

### **§ 90.56 NOTICE REQUIREMENTS.**

Prior to the contemplated date of expenditure of state derived tax revenues on a road or bridge by the city, the city shall include the topic as a specific item on the public meeting agenda and shall allow any person to speak with regard to any proposed project, any project which he or she feels should be built or done which has not been proposed, priorities for completion of projects and any other matter related to road or bridge projects.

(KRS 174.100(1))

### **§ 90.57 PUBLIC MAY TESTIFY; EFFECT OF TESTIMONY.**

The city shall not be bound by the comments and input provided at the meeting but shall give due consideration to them.

(KRS 174.100(2))

### **§ 90.58 MEETING TO BE HELD PRIOR TO CONSTRUCTION.**

The city shall not begin construction on a road or bridge project wherein state derived tax revenues are involved until the meeting, as provided herein, has been held.

(KRS 174.100(3))

**§ 90.59 SEPARATE MEETING FOR EACH PROJECT NOT REQUIRED.**

This subchapter shall not be construed to require a separate meeting for each project. A single meeting encompassing the entire road and bridge program, if all projects subsequently undertaken have been identified at the meeting, shall meet the requirements of this subchapter.

(KRS 174.100(4))

**§ 90.60 EXEMPTIONS FROM MEETING REQUIREMENT.**

The provisions of this subchapter shall not apply to emergency repair or replacement of roads or bridges necessitated by natural or man-caused disasters nor to street cleaning or snow removal operations.

(KRS 174.100(5))

**§ 90.99 PENALTY.**

Whoever violates any provision of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than \$500.

('96 Code, § 91.99)