

Ellinger
Myers
Lawless
Beard
Feigel
Crosbie
McChord
Martin
Henson
Lane

SERVICES COMMITTEE

February 2, 2010

1:00 P.M.

A G E N D A

1. Residential Parking Permit District Beaumont Ave & 700'
block of Melrose Ave - Lawless (1-9)
2. Residential Parking Permit District Eldemere Ave - Lawless
(10-18)
3. Snow Plan - Myers (19-33)
4. Graffiti Removal - Feigel (34-67)
5. Panhandling Ord - Blues (68)
6. Items in Committee (69-70)

"Services Committee, to which should be referred matters relating to public safety, public works, urban county courts, and constitutional officers."

Council Rules & Procedures, Section 2.102(3)

MEMORANDUM

DATE: January 21, 2010

Deleted: November 24, 2009

TO: CM Lawless, VM Jim Gray, Mike Webb, and Joe Kelly

FROM: Gary A. Means, Executive Director
Lexington & Fayette Co. Parking Authority

RE: *Residential Parking Permit District – Beaumont Avenue and 700 Block of Melrose Avenue*

On August 4, 2009, the residents of Beaumont Avenue (all blocks) and the 700 Block of Melrose Avenue requested the establishment of a Residential Permit Parking District for the following times: 9 a.m. through 4 p.m., Monday through Friday, along their respective blocks.

The Lexington and Fayette County Parking Authority staff determined that the east side of this area of Beaumont Avenue contains approximately 13 legal parking spaces and the north side of this area of Melrose Avenue contains approximately 9 legal parking spaces, totaling 22 for the Study areas. A study was conducted between September 17th and September 30th of 2009 (business days only) using license plate information of vehicles registered to residents in this Study area. This Study data revealed that non-residents used most all of the available curbside parking.

In order for a street or part of a street to be qualified for the RPP District designation, Section III-(b) items (1) and (2) of the Residential Parking Permit Program must be met. Section III-(b) items (1) and (2) state:

- (1) The total number of curbside parking spaces occupied by vehicles equals or exceeds seventy-five percent (75%) of the number of curbside parking spaces on the public streets, roads and highways of the proposed residential parking permit area; and
- (2) The total number of curbside parking spaces occupied by vehicles whose operators do not reside within the proposed residential parking permit area equals or exceeds twenty-five percent (25%) of the total number of curbside parking spaces occupied by vehicles.

The attached spreadsheet shows that the range of available curbside parking spaces utilized for all vehicles ranged from 14 spaces (63.64% of available) to 33 spaces (150.00% of available). (Surpassing 100% was accomplished by overcrowding and

parking too close to driveways, both of which are unsafe practices.) The *minimum* number of vehicles owned by *residents* observed in the available curbside spaces was 1 vehicle (4.55% of available), and the *maximum* observed was 3 vehicles (13.64% of available). The *minimum* number of vehicles owned by *nonresidents* observed in the available curbside spaces was 13 vehicles (59.09% of available), and the *maximum* observed was 30 vehicles (136.36% of available). Therefore, the requirement of Section III-(b) (1) was met on 9 of the 10 days during the study, and the requirement of Section III-(b) (2) was met on all of the 10 days during the study.

Based upon the above study, the criteria defined in Section III-(b) of the Residential Parking Permit Program has been satisfied. Therefore, the Lexington & Fayette County Parking Authority recommends that this section of roadway be designated as a Residential Permit Parking District.

If you need further information concerning this matter or wish to discuss it further, please contact me at 859-233-PARK (7275).

Sincerely,

Gary A. Means
Executive Director

Attachments: Copy of Residential Parking Permit Program, Section III-(b), (1) and (2)
Copy of petition
Spreadsheet of study results

Cc: Diane Lawless, 3rd District Councilmember
Brad Frazier, Traffic Engineer
Micheal Price, LEXPARK
David Pryor, Resident 701 Melrose Avenue, Neighborhood Representative

Beaumont, Melrose - RESIDENTIAL PARKING PERMIT STUDY

DATE	TIME	TOTAL VEHICLES ON STREET	% OF AVAIL. CURBSIDE SPACES UTILIZED	# RESIDENT VEHICLES	# OF AVAILABLE CURBSIDE SPACES UTILIZED BY RESIDENTS	# NON-RESIDENT VEHICLES	# OF AVAILABLE CURBSIDE SPACES UTILIZED BY NON-RESIDENTS	75% Min. on Street Parking	25% non-resident threshold
09/17/09	9-10am	33	150.00%	3	13.64%	30	136.36%	150.00%	90.91%
09/18/09	10-11am	31	140.91%	2	9.09%	29	131.82%	140.91%	93.55%
09/21/09	11-12am	28	127.27%	2	9.09%	26	118.18%	127.27%	92.86%
09/22/09	12-1pm	23	104.55%	1	4.55%	22	100.00%	104.55%	95.65%
09/23/09	1-2pm	25	113.64%	2	9.09%	23	104.55%	113.64%	92.00%
09/24/09	2-3pm	24	109.09%	2	9.09%	22	100.00%	109.09%	91.67%
09/25/09	3-4pm	14	63.64%	1	4.55%	13	59.09%	63.64%	92.86%
09/28/09	9-10am	24	109.09%	3	13.64%	21	95.45%	109.09%	87.50%
09/29/09	10-11am	21	95.45%	1	4.55%	20	90.91%	95.45%	95.24%
09/30/09	11-12am	23	104.55%	2	9.09%	21	95.45%	104.55%	91.30%

III. Designation of Residential Parking Permit Area.

- (a) In order for the Council to determine whether a residential district shall be designated as a residential parking permit area, the Services Committee shall conduct, upon the Council's own initiative or upon a petition signed by a majority of the residents in the district, a public meeting prior to such designation. Such public meeting shall be held only after a newspaper notice has been published through the Council Clerk two (2) times not less than seven (7) nor more than twenty-one (21) days prior to the date of the public meeting. The notice shall clearly state the purpose, time and location of the public meeting, the exact location and boundaries of the proposed residential parking permit area and the proposed parking permit fees to be charged. In addition to the published notice, a similar notification shall be prominently posed within the proposed residential parking permit area and shall be mailed to the facility or facilities comprising the traffic generator affecting the subject properties. During such public meeting, any interested person shall be entitled to appear, to be heard and to submit a written statement for the record. The committee, at its discretion, may impose a reasonable limitation upon the length of time that any interested person may be heard. A record of all oral and written statements by all interested persons shall be maintained by the Council Office for review by any interested Councilmember or other person.
- (b) To enable the committee to determine whether a residential district shall be designed as a residential parking permit area, the committee shall request within fifteen (15) days following completion of the public meeting, at a time and on a day consistent with the restrictions under consideration, that a block-by-block survey of the proposed residential parking permit area be conducted. No residential district shall be designated as a residential parking permit area unless the survey of it reveals the following:
 - (1) The total number of curbside parking spaces occupied by vehicles equals or exceeds seventy-five percent (75%) of the number of curbside parking spaces on the public streets, roads and highways of the proposed residential parking permit area; and

- (2) The total number of curbside parking spaces occupied by vehicles whose operators do not reside within the proposed residential parking permit area equals or exceeds twenty-five percent (25%) of the total number of curbside parking spaces occupied by vehicles.
- (c) Within thirty (30) days following the close of the public meeting, the committee shall recommend by written report to the Council in Work Session based on the record of the public meeting and the results of the survey, whether to designate the residential parking permit area. The report may also demonstrate that the committee, in making the recommendation, has taken into account the following:
- (1) The effect on the safety of the residents of the proposed, or existing, residential parking permit area from intensive vehicle parking by non-residents.
 - (2) The difficulty or inability of residents of the proposed, or existing, residential parking permit area to obtain adequate curbside parking adjacent to or near their residences because of widespread use of available curbside parking spaces by non-resident motorists;
 - (3) The likelihood of alleviating, by use of the residential parking permit system established by this regulation, any problem of non-availability of residential parking spaces;
 - (4) The desire of the residents in the proposed residential parking permit area for the institution of a residential parking permit system and the willingness of those residents to bear the costs incidental to the issuance of parking permits authorized by this regulation; and
 - (5) The need for some parking spaces to be available in the proposed residential parking permit area for use by the general public.
- (d) Within forty-five (45) days following its receipt of the report, the Council shall vote whether to designate the residential district under consideration as a residential parking permit area and, if so, what restrictions shall apply.

We the undersigned residents request that the Urban County Government establish a Residential Parking Permit District on the MELROSE AVENUE 700 BLOCK during the hours of 9AM TO 4PM M-TU-W-F and during the following days UK HOME FOOTBALL GAMES

	Name	Address	# Registered Vehicles	License Plate #'s
1.	DAVID PRYON	701 MELROSE	1	0855BK
2.	DOYER			
3.	Tracy Carter / Tracy Carter	702 Melrose	2	
4.	STANLEY			
5.	BARTON	703 MELROSE		
6.				
7.	Brian Ray	704	1	929 EGM
8.	Brian Ray			
9.	A. Turkin	705	2	431 HET
10.	Ali Turkin			363 AFB
11.	Diane Hartley	707	h	
12.	Diane Hartley			
13.	NO	719		
14.				
15.	VACANT	722		
16.				
17.	VACANT	723		
18.				
19.	VACANT	724		
20.				
21.	Valerie Wheeler	725		
22.	1. Julie Wheeler			
23.	Adrienne McKinney	726	2	249 H62
24.	Adrienne E. McKinney			
25.	VACANT	706		

8 of 11

we the undersigned residents request that the Urban County Government establish a Residential

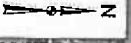
Parking Permit District on the BRAVIMONT AVE
 during the hours of 9 AM TO 4 PM. M THUR F
 and during the following days UK HOME FOOTBALL GAMES

	Name	Address	# Registered Vehicles	License Plate #'s
1.	Mike Padgett	609		
2.	TR			
3.	STUDENT RENTAL	611		
4.				
5.	STUDENT RENTAL	613		
6.				
7.	Renee Gananough Renu Sh	615		
8.				
9.	Michelle Stoeckinger (michelle Stoeckinger)	619	2	
10.				
11.	Elizabeth S. Wood	621		E. S. Wood
12.				
13.	Plimmerhen Wmmerhen	625		
14.				
15.		627		
16.	Becky Simmermacher	631		
17.	Dennis Stutsman	633		
18.				
19.	Jennifer Webb	637		
20.				
21.	STUDENT RENTAL	629		
22.				
23.				
24.				
25.				





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Landmark for the use of the data for
any purpose other than that for which
it was collected. The City of Landmark
accepts no liability for any errors or
omissions in the data.



August 25, 2008

Leanne W. Marcum
1215 Eldemere Road
Lexington, KY 40502

Ms. Jeanne Gardner
Division of Traffic Engineering
LFUCG
101 East Vine Street, Suite 300
Lexington, KY 40507

RECEIVED

AUG 30 2008

DIVISION OF
TRAFFIC ENGINEERING

Re: Residential Parking Permits
1200 block of Eldemere Road

Dear Ms. Gardner,

In February, 2008 our street submitted a petition to request that a survey be done by the LFUCG in order to begin residential parking permitting for the first 300 feet of the north end of the 1200 block of Eldemere Road.

The petition includes the following properties and the property owners:

770 Cooper Drive	James B. Sherwood (he resides in the United Kingdom - the petition is signed by his agent Rena Arnold)
1215 Eldemere Road	Leanne and S. Todd Marcum
1219 Eldemere Road	Shannon and Nathan Massey
1225 Eldemere Road	Nancy Bishop
810 Cooper Drive	John H. Williams
1212 Eldemere Road	Joe C. Savage
1220 Eldemere Road	Christian Ramsey (not occupied - new resident)
1226 Eldemere road	Penny and Ben Campbell

As you should have on file (I have enclosed a copy of the petition also) and according to the LFUCG regulations, I have obtained the signatures of 2/3 of the residents of this section of Eldemere Road in order to proceed with the residential permitting process. It is also my understanding that only one property owner needs to sign the petition per property.

Just as additional information - although I do not have the signature of Joe Savage, he has verbally supported residential parking permits for Eldemere Road.

We were informed in May, 2008 that the traffic survey had been done and our street did not meet the requirements to request residential parking for the first 300 feet.

We feel this was not representative and would like the survey to be conducted AGAIN THIS FALL when BCTC and UK are in session.

Thanks so much for all your help!

If you have any questions, please contact me at lwmarcum@gmail.com or 268-1706.

Sincerely,



Leanne Whitehouse Marcum

MEMORANDUM

DATE: April 30, 2009

TO: Rebecca Langston, VM Jim Gray, Mike Webb, and Joe Kelly

FROM: Gary A. Means, Executive Director
Lexington & Fayette Co. Parking Authority

RE: *Residential Parking Permit District – the first 300 feet of the north end of the 1200 block of Eldemere Road*

On August 25, 2008, the residents of Eldemere Road requested the establishment of a Residential Permit Parking District for the following times: 8 a.m. through 4 p.m., Monday through Friday, September through April along the first 300 feet of the north end of the 1200 block of Eldemere Road between addresses 1225/1226 Eldemere Road and Cooper Drive.

The Lexington and Fayette County Parking Authority staff evaluated the criteria for granting a Residential Permit Parking District in the above mentioned area. It determined that the west side of this area of Eldemere Road contains approximately 10 legal parking spaces and the east side contains approximately 8 legal parking spaces. A study was conducted between December 1st and December 11th of 2008 using license plate information provided to the Parking Authority office including those of vehicles registered to residents in this area of Eldemere Road. This Study data revealed that non-residents accounted for most all of the utilized parking.

In order for a street or part of a street to be qualified for the RPP District designation, Section III-(b) items (1) and (2) of the Residential Parking Permit Program must be met. Section III-(b) items (1) and (2) state:

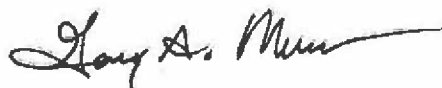
- (1) The total number of curbside parking spaces occupied by vehicles equals or exceeds seventy-five percent (75%) of the number of curbside parking spaces on the public streets, roads and highways of the proposed residential parking permit area; and
- (2) The total number of curbside parking spaces occupied by vehicles whose operators do not reside within the proposed residential parking permit area equals or exceeds twenty-five percent (25%) of the total number of curbside parking spaces occupied by vehicles.

The attached spreadsheet shows that the range of available curbside parking spaces utilized for all vehicles ranged from 3 spaces (16.67% of available) to 16 spaces (88.89% of available). The *minimum* number of residents observed in the available curbside spaces was 1 vehicle (5.56% of available) and the *maximum* observed was 2 vehicles (11.11% of available). Non-resident vehicles varied from 3 vehicles (16.67% of available) to 15 vehicles (83.33% of available). Therefore, the requirement of Section III-(b) (1) was met on 1 of the seven days during the study, and the requirement of Section III-(b) (2) was met on all of the seven days during the study.

Based upon the above study, the criteria defined in Section III-(b) of the Residential Parking Permit Program has been satisfied. Therefore, the Lexington & Fayette County Parking Authority recommends that parking along this section of roadway be designated as a Residential Permit Parking District.

If you need further information concerning this matter or wish to discuss it further, please contact me at 859-233-PARK (7275).

Sincerely,



Gary A. Means
Executive Director

Attachments: Copy of Residential Parking Permit Program, Section III-(b), (1) and (2)
Copy of petition
Spreadsheet of study results

Cc: Diane Lawless, 3rd District Councilmember
Brad Frazier, Traffic Engineer
Micheal Price, LEXPARK
Leanne W. Marcum, Resident 1215 Eldemere Road

III. Designation of Residential Parking Permit Area.

- (a) In order for the Council to determine whether a residential district shall be designated as a residential parking permit area, the Services Committee shall conduct, upon the Council's own initiative or upon a petition signed by a majority of the residents in the district, a public meeting prior to such designation. Such public meeting shall be held only after a newspaper notice has been published through the Council Clerk two (2) times not less than seven (7) nor more than twenty-one (21) days prior to the date of the public meeting. The notice shall clearly state the purpose, time and location of the public meeting, the exact location and boundaries of the proposed residential parking permit area and the proposed parking permit fees to be charged. In addition to the published notice, a similar notification shall be prominently posed within the proposed residential parking permit area and shall be mailed to the facility or facilities comprising the traffic generator affecting the subject properties. During such public meeting, any interested person shall be entitled to appear, to be heard and to submit a written statement for the record. The committee, at its discretion, may impose a reasonable limitation upon the length of time that any interested person may be heard. A record of all oral and written statements by all interested persons shall be maintained by the Council Office for review by any interested Councilmember or other person.
- (b) To enable the committee to determine whether a residential district shall be designed as a residential parking permit area, the committee shall request within fifteen (15) days following completion of the public meeting, at a time and on a day consistent with the restrictions under consideration, that a block-by-block survey of the proposed residential parking permit area be conducted. No residential district shall be designated as a residential parking permit area unless the survey of it reveals the following:
 - (1) The total number of curbside parking spaces occupied by vehicles equals or exceeds seventy-five percent (75%) of the number of curbside parking spaces on the public streets, roads and highways of the proposed residential parking permit area; and

- (2) The total number of curbside parking spaces occupied by vehicles whose operators do not reside within the proposed residential parking permit area equals or exceeds twenty-five percent (25%) of the total number of curbside parking spaces occupied by vehicles.
- (c) Within thirty (30) days following the close of the public meeting, the committee shall recommend by written report to the Council in Work Session based on the record of the public meeting and the results of the survey, whether to designate the residential parking permit area. The report may also demonstrate that the committee, in making the recommendation, has taken into account the following:
- (1) The effect on the safety of the residents of the proposed, or existing, residential parking permit area from intensive vehicle parking by non-residents.
 - (2) The difficulty or inability of residents of the proposed, or existing, residential parking permit area to obtain adequate curbside parking adjacent to or near their residences because of widespread use of available curbside parking spaces by non-resident motorists;
 - (3) The likelihood of alleviating, by use of the residential parking permit system established by this regulation, any problem of non-availability of residential parking spaces;
 - (4) The desire of the residents in the proposed residential parking permit area for the institution of a residential parking permit system and the willingness of those residents to bear the costs incidental to the issuance of parking permits authorized by this regulation; and
 - (5) The need for some parking spaces to be available in the proposed residential parking permit area for use by the general public.
- (d) Within forty-five (45) days following its receipt of the report, the Council shall vote whether to designate the residential district under consideration as a residential parking permit area and, if so, what restrictions shall apply.

Jeanne Gardner

From: Jeanne Gardner
Sent: Thursday, September 11, 2008 9:20 AM
To: 'lwmarcum@gmail.com'
Cc: Brad Frazier; Gary Means
Subject: Residential Parking Permit Study

Ms. Whitehouse Marcum,

The division of Traffic Engineering has received your letter and enclosed petition requesting another Residential Parking Permit study of Eldemere Road to be performed this fall. As the Division of Traffic Engineering no longer oversees this program, we are forwarding the letter and petition to Gary A. Means, director of the Lexington - Fayette County Parking Authority. His office can be contacted at (859) 233-7275 or gmeans@lfucg.com. Thank you.

Jeanne Gardner
Associate Traffic Engineer
(859) 258-3486
jgardner@lfucg.com

We the undersigned residents request that the Urban County Government establish a Residential Parking Permit District on the first 300 feet (approx.) of the north end of the 1200 block of
Eldemere Road during the hours of 8:00 am until 4:00 pm
 and during the following days Monday - Friday from September thru April

	Name	Address	# Registered Vehicles	License Plate #'s
1.	Anna W. Mah	1215 Eldemere Rd.	5	22HSXZ11
2.	(Marcum)		509HFA	074-ESW
3.				074-ESW
4.				345DAH
5.				126AFB
6.	Transy	1219 Eldemere Rd.	2	334 EAH
7.	(Massey) name			Transy 3149
8.	Don A. Campbell	1224 Eldemere Rd.	4	047 EAF
9.	(Campbell)			171 GCW
10.				144 GPK
11.				172 GCW
12.	(Curry Bishop)	1225 Eldemere Rd.	2	FC52W
13.	(Bishop)			H2753
14.	Lena Arnold	770 Cooper Dr.	0	
15.	(Sherwood)			
16.	Bill Williams	810 Cooper Dr.	4	349-BMH
17.	(Williams)			478AAE
18.				927AKR
19.				923AKK
20.				
21.				
22.				
23.				
24.				
25.				



Lexington-Fayette Urban County Government

Snow and Ice Control Plan

Winter 2009-2010

Information for the Council Services Committee

DEPARTMENT OF PUBLIC WORKS & DEVELOPMENT



Lexington-Fayette Urban County Government

Snow and Ice Control Plan Winter 2009-2010



Participating Agencies/Divisions:

Public Works and Development

Division of Streets, Roads & Forestry

Division of Traffic Engineering

Division of Engineering

Environmental Quality

Division of Water and Air Quality

General Services

Division of Parks and Recreation

Public Safety

Division of Police

Division of Fire

DEM

Chief Information Officer

Government Communications

LexCall

GIS

Kentucky Department of Highways

Fayette County Public Schools

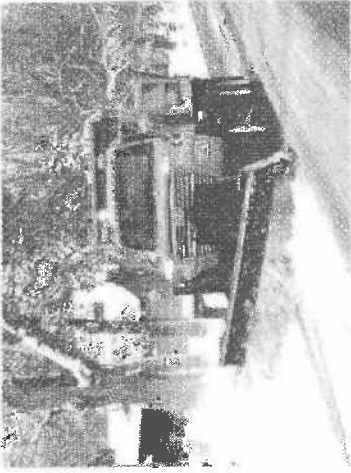
LexTran





Lexington-Fayette Urban County Government

Snow and Ice Control Plan Winter 2009-2010



By the Numbers:

Linear Miles Treated/Plowed

LFUCG: 1100+

KY DOT: 500+

Treating Materials

Sodium Chloride

2500 tons at Salt Barn

3000 tons at Secondary Site (K-9)

10000 tons on contract when necessary

Salt Brine

~7500 Gallons

Calcium Chloride

~5000 Gallons

Staff & Equipment Available On-Site/On Call 24/7



Streets, Roads & Forestry (26 Trucks)

Water and Air Quality (6 Trucks)

Fleet Services

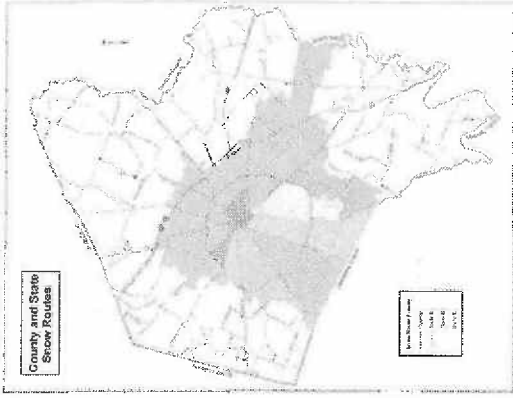
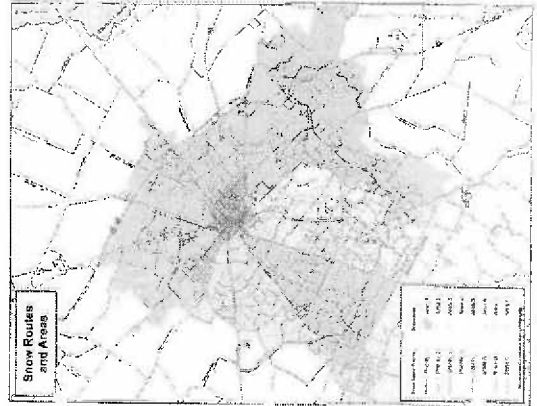


Lexington-Fayette Urban County Government

Snow and Ice Control Plan Winter 2009-2010

Equipment and Staffing Statistics:

- Snow plan routes are prioritized to continually circulate our vehicles to reach the majority of residents within their respective subdivision
- Within a 12 hour shift; staff and equipment can treat approximately 30 lane miles. With current equipment fully operational, our fleet can reasonable treat snow plan routes within 24 hours
- Approximately 1200-1500 tons of salt is used during a snow event. LFUCG purchases 10,000 tons of salt annually
- Inclusion of streets that terminate in a cul-de-sac equates to more than 60 *linear* miles. Cul-de-sacs pose increasing risk to both personal and LFUCG property.





Lexington-Fayette Urban County Government

Snow and Ice Control Plan

Winter 2009-2010

Paul Schoninger

From: Samuel Williams
Sent: Thursday, January 28, 2010 10:13 AM
To: Paul Schoninger; Kevin Wentz
Cc: Michael Webb; Albert Miller; Rodney Chervus; T Taylor
Subject: RE: Feb 2 Services Committee

Paul/ Kevin:

As you know in accordance with the current Snow Plan LFUCG Crews treat about 1,110 lane miles of city streets & county roads. Streets, Roads & Forestry & Water Quality have 30 Plow/ Salt Trucks (7 tandem axle & 22 single axle) (5 trucks are used by Water Quality in their assigned area) in the existing fleet. Each truck has the ability to work 25 – 35 lane miles of roadway in a 12 hour shift. Using an average of 30 lane miles per shift and assuming 80% availability of the equipment S, R & F and W. Q. can reasonably treat the 1,110 lane miles in the snow plan in 24 hours (two twelve hour shifts).

To gain more efficiency using the existing fleet and personnel, the construction of an additional salt storage facility at the proposed site at Athens would increase S, R, & F's efficiency in snow removal, particularly in the eastern and south eastern areas (Hamburg).

One other parameter that must be considered is the deicing chemicals – primarily rock salt – to treat a snow/ ice event approximately 1,200 to 1,500 tons of salt is used during each event. If we increase the length of streets treated an increase in the chemical use would result. LFUCG currently purchases 10,000 tons of rock salt annually. The current contract cost for salt is \$67 per ton.

The addition of cul-de-sacs and dead end streets would equate to the treating of two lane miles per mile of street length.

Sam

STREETS PLOWED BY PRIORITY

The priority plan for snow removal was developed by identifying a basic system of roads essential to the continuation of traffic movement. While developing this plan, the realistic capabilities of the Lexington-Fayette Urban County Government, such as equipment and personnel, were kept in mind. Priority routes were developed by considering traffic volume, access to public transportation, access to emergency services, and access to primary school bus routes.

Priority streets are defined as follows: Priority 1 streets are the primary arteries in and out of the city, such as Main Street, Nicholasville Road, Richmond Road, etc. Priority 2 streets are the major connecting streets, such as Red Mile Road and Loudon Avenue. Priority 3's are the school bus routes, and Priority 4's are the primary arteries in subdivisions, which can get residents to the main roads.

As of November 2008, there are 905 lane miles of priority streets in the city. (Lane miles are the number of lanes along a road multiplied by the distance.)

This priority plan is divided into 9 areas of responsibility for work crews. Each area is assigned to a supervisor who is given trucks, plows, and spreaders. Crews start with priority 1 streets and proceed through all of the priority streets. When these streets are plowed one time, the crews return, by priority, to the streets that need to be re-plowed. While crews are plowing streets in the urbanized area of Fayette County, other crews are also plowing county roads. (See North and South County roads in **Appendix 4**.) Only when all the streets listed on the "Snow & Ice Control Priority Streets" in **Appendix 1** are totally clear does Streets, Roads & Forestry have the manpower and equipment to plow non-priority streets. Removal efforts do continue until safety hazards caused by a snow or ice emergency have been eliminated.

The amount of snow, the type of snow and/or ice, and the duration of the storm affect the time it takes to complete work on each priority street. Therefore, a specific completion time cannot be given.

BRIDGES, HILLS & INTERSECTIONS

Because of the increased danger to the public by snow and ice on bridges, hills, and intersections, these are given special attention. Many of these are located on priority routes, so they are handled at the same time as general salting and plowing. At the beginning of the snowfall, small salt trucks are sent to treat bridges that are located in the downtown area, or adjacent to it. Crews check each bridge, hill, and intersection periodically in case snow or ice has built up again.

Some of the bridges and hills are listed below.

BRIDGES and HILLS (Areas likely to freeze first)

Bridges

Alumni Dr
Clays Mill Rd
Citation Blvd
Henry Clay Blvd
Jefferson St
Loudon Ave
Man-O-War Blvd
Martin Luther King Blvd
Seventh St
Pasadena Dr
Tates Creek Rd
Versailles Rd
Virginia Ave
W Main St
Wilson Downing Rd

Hills

Albany Rd
Armstrong Mill
Beacon Hill
Castleton Way
Clays Mill Rd
Emerson Dr
Fontaine Rd
Forbes Rd
Fourth St
Gainesway Dr
Lakeshore Dr
Lane Allen @ Parkers Mill
Lansdowne Dr
Malibu Dr
N. Upper St
Oxford Circle
Pasadena Dr
Pebble Lake Dr
Reynolds Rd
Roanoke Dr
S. Broadway
S. Mill St
S. Upper St
Shriners Ln
Zandale Dr

RURAL AREA PLAN

The rural area snow plan designates snow removal responsibilities to the Lexington-Fayette Urban County Government and the Kentucky Department of Highways. Currently, the LFUCG is responsible for salting and plowing 115 miles (230 lane miles) of rural roadway, while the KYDOH provides snow removal for approximately 500+ miles of Fayette County's roadways.

The LFUCG's rural snow plan divides the county into two sections that are separated by Leestown Rd./Main St./Richmond Rd. The direction the snowfall is moving dictates which sections of the county crews begin plowing first. All designated roads are basically of equal priority, with the exception of hilly areas near the Kentucky River. **Appendix 4** provides a complete listing of the county roadways that are the responsibility of the LFUCG.

TRANSPORTATION CABINET KENTUCKY DEPARTMENT OF HIGHWAYS (KYDOH) RESPONSIBILITIES AND PROCEDURES

Because of the joint responsibility for roadways in Fayette County between the KYDOH and the Lexington-Fayette Urban County Government, it is imperative to include KYDOH in the countywide snow plan. **Appendix 5** contains a map of state and county routes and whether the state or city plows them, information on KYDOH, and a list of state-maintained roads by priority.

The KYDOH contracts out most of the work it does on I-75, I-64, and New Circle Road, so its crews can concentrate on keeping the other routes in Fayette County salted and plowed. To help with response time, the state calls the Lexington Division of Police when snow moves into the counties within 30 miles of Fayette County. A copy of the KYDOH's ice and snow removal plan is available at the Division of Streets, Roads & Forestry.

HOURS OF OPERATION

During the snow season, Streets, Roads & Forestry's supervisors are on call 24 hours a day, 7 days a week, on a rotating basis. If the Division of Police determines that slick or icy spots are developing on roadways, they alert Streets, Roads & Forestry's on-call personnel and salt trucks are dispatched to the trouble spots. In a snow emergency, crews from Streets, Roads & Forestry and Sanitary Sewers work 12-hour shifts around-the-clock until the priority roads are cleared.

HELP FROM OTHER DIVISIONS

The Division of Water and Air Quality clears one-fifth of the lane miles, using its personnel with 6 dump trucks and two 4x4 pickup trucks. Also, the Divisions of Waste Management, Traffic Engineering, and Engineering may provide personnel. Some normal operations of these divisions, such as garbage collection, can be suspended or curtailed as equipment and personnel are reallocated to the snow-fighting effort.

The Division of Fleet Services puts its staff on a 24-hours-a-day, 7-days-a-week schedule in severe weather to service and repair snow equipment. Personnel from the Division of Engineering are often activated to unclog storm-water basins and maintain storm-water sewers during snow emergencies.

LFUCG EQUIPMENT

The Urban County Government has on hand for the 2008-2009 snow season a total of 49 trucks with plows; this consists of 32 dump trucks, 8 super-duty trucks, and (6) 4x4 pickup trucks. Additionally, there is 1 front-end loader, two skid loaders, one grader, and three backhoes.

LFUCG GARBAGE COLLECTION POLICY IN SNOW OR ICE EVENTS

Municipal regulations and public health protection require that the Division of Waste Management provide garbage, recyclables, and yard waste collection regardless of weather conditions. The exception is in emergency situations such as heavy snow and ice when management, for the safety of its employees and the public, can suspend all collections to keep its heavy vehicles off the streets until road conditions improve. When collections are temporarily suspended, LexCall and the LFUCG's Government Communications office are notified to provide information to the public.

Snow and Ice Control Plan

Snow Plan for Winter 2009 - 2010

Snow and ice removal in Fayette County is a combined effort of the City's Department of Public Works and the Kentucky Department of Highways.

Public Works is responsible for snow and ice removal from more than 1,110 lane miles of city and county roads. The state is responsible for plowing more than 500 miles of roadways in Fayette County.

Each fall representatives from Public Works administration, Traffic Engineering, the Traffic Management Center, Engineering, Sanitary Sewers, Parks and Recreation, Fleet Services, Streets, Roads & Forestry, Government Communications, the Police and Fire Departments, Fayette County Schools, LexTran, and the KYDOH meet to review and update the Snow and Ice Control Plan for the upcoming winter season.

The Division of Streets, Roads & Forestry coordinates the Department of Public Works' long-range planning and equipment preparation for snow removal.

During the snow-and-ice season, the Division of Streets, Roads & Forestry continuously monitors the Weather Channel, two weather radar-tracking systems and area media forecasts, which enables them to forecast an impending storm up to about four hours before it hits our area.

The weather-radar system tracks the wind direction, the velocity of the storm, and what type of precipitation (snow, rain, sleet, etc.) the storm is bringing.

The City's Traffic Management Center keeps the public and media notified of street conditions and traffic movement. The Traffic Management Center constantly updates road condition reports and sends information during a snow event. That information is sent to:

- GTV3
- 4 local television stations
- 22 radio stations covering 33 counties in Central Kentucky
- 5 radio stations along Interstate 75 (in emergencies)
- Kentucky State Police posts
- AAA
- Truck stops along the I-75, I-64 corridors

The public can call the TRAFFIC HOTLINE at **258-3611** to hear traffic updates or check local road conditions on the Traffic Management Center website.

The public can also get information on accidents, lane blockages, and snow-and-ice trouble spots and road closures on GTV3's Crosstown Traffic show, which is broadcast live from 6:30 a.m. to 8:30 a.m. weekdays.

The Traffic Management Center gathers information from many sources: the computerized traffic signal control system, video surveillance cameras, LFUCG

Police dispatch, State Police dispatch, State Department of Highways, AAA, Kentucky Utilities, schools, LexTran, Bluegrass Airport, and the LFUCG's divisions of Streets, Roads & Forestry, Government Communications, Engineering, and Sanitary Sewers. It also gets information from the National Oceanic & Atmospheric Administration.

Snow Emergency Routes

The Urban County Government has designated 82 miles of roadway as Snow Emergency Routes. These roadways -- marked as such with signs -- have a high traffic volume and/or shoulders that are inadequate to accommodate disabled vehicles.

During a snow emergency, the Division of Police can remove, or have removed, a vehicle from a roadway to facilitate traffic movement and snow-removal efforts. This may occur:

- When the vehicle is parked in an area declared a Stage 1, 2, or 3 snow emergency.
- When the vehicle is stalled or disabled on the normally traveled portion of any public roadway and the owner is not attempting to remove the vehicle.

Vehicles are moved to an area designated by the Urban County Government. Car owners can retrieve their cars by calling Police at 258-3563.

Snow & Ice Control Plan - Streets Plowed by Priority

The priority plan for snow removal was developed by identifying a basic system of streets and roads essential to the continuation of traffic movement. While developing this plan, the realistic capabilities of the Lexington-Fayette Urban County Government, such as equipment and personnel, were kept in mind. Priority routes were developed by considering traffic volume, access to public transportation, access to emergency services, and access to primary school bus routes.

Here are how the priority streets are defined:

Priority 1 streets: Primary arteries in and out of the city, such as Main Street, Nicholasville Road, Richmond Road.

Priority 2 streets: Major connecting streets, such as Red Mile Road and Loudon Avenue.

Priority 3 streets: School bus routes.

Priority 4 streets: Primary arteries in subdivisions, which can get residents to the main roads.

There are 889 lane miles of priority streets in the city. (Lane miles are the number of lanes along a road multiplied by the distance.)

This priority plan is divided into nine areas of responsibility for work crews. Each area is assigned to a supervisor who is given trucks, plows, and spreaders. Crews start with the priority 1 streets and proceed through all of the priority streets. When these streets are plowed one time, the crews return, by priority, to the streets that need to be re-plowed. While crews are plowing streets in the urbanized area of Fayette County, other crews are also plowing county roads. Only when all priority streets are totally clear will Streets, Roads & Forestry have the manpower and equipment to plow non-priority streets. Removal efforts do continue until safety

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Kentucky State Police - (502) 227-2221

Emergency Operations Center (859) 258-3970: When a state of emergency has been declared by the Mayor, the Emergency Operations Center (EOC) opens to provide resources and coordinate the community's needs such as: transportation, medical, food, shelter, heat, etc.

SUPPORTING DOCUMENTS

- Nine Conditions Road Advisory List
- Treating the Roads
- Bridges, Hills & Intersections

MAPS

You can download (.pdf format) the most recent GIS snowplan maps by clicking these links:

- Snow and Ice Control Plan: Winter 2008 - 2009
- Area 1 Map
- Area 2 Map
- Area 3 Map
- Area 4 Map
- Area 5 Map
- Area 6 Map
- Area 7 Map
- Area 9 Map

Treating the Roads

Pre-treating the roads with salt brine, salt, or a mixture of salt and calcium chloride is the first step in fighting a snowstorm. The LFUCG stockpiles a minimum of 3,000 gallons of salt brine, 6,000 tons of rock salt (sodium chloride) and approximately 5,000 gallons of calcium chloride to begin the snow season.

Rock salt is the most widely used de-icing agent in the United States because of its cost and effectiveness. When the temperature is above 25 degrees, salt can melt several inches of snow and prevent or reduce the bonding of compacted snow to the pavement surface.

Salt is less effective at temperatures below 25 degrees and/or when traffic volumes are too light to activate the chemicals. For lower temperatures, a ratio of 9 gallons of liquid calcium chloride to every ton of sodium chloride (salt) is used to treat the pavement. The calcium chloride reacts with salt to create effective melting at temperatures to 20 degrees below zero.

Depending on the expected conditions, the Division of Streets, Roads & Forestry will be proactive and apply a salt brine to streets to try to keep ice and snow from bonding to the pavement.

Streets, Roads & Forestry has two hand-held pavement thermometers and two truck-mounted infrared thermometers to test the temperature of the pavement. The temperature of the pavement helps them determine which method of snow-and-ice control to use.

A fog-and-ice-detection system, which detects the amount of moisture present on the pavement and determines the exact point at which it freezes, is in place on the Clays Ferry bridge. When freezing begins, a signal is sent to the Kentucky Transportation Cabinet in Frankfort and to the LFUCG's Traffic Management Center. The Division of Streets, Roads & Forestry is then notified that freezing has begun at Clays Ferry, and they can respond accordingly as freezing begins on Lexington's streets.

In most cases, when snow reaches a depth of one inch, snow plowing is initiated.

ORDINANCE NO. 147 - 2008

AN ORDINANCE CREATING SECTIONS 14-3.1 THROUGH 14-3.4 OF THE CODE OF ORDINANCES, LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, PERTAINING TO GRAFFITI AND PROVIDING: DEFINITIONS OF GRAFFITI, GRAFFITI IMPLEMENT(S), BROAD TIPPED MARKER, ETCHING EQUIPMENT, MARKER NIBS, TIPS, OR BITS, PAINT STICK, SPRAY PAINT CONTAINER, AND SPRAY PAINT NOZZLE; THAT IT IS UNLAWFUL TO APPLY GRAFFITI TO ANY NATURAL OR MANMADE SURFACE OR PROPERTY WITHOUT CONSENT; THAT ADDITIONAL CRIMINAL PROSECUTION MAY RESULT FROM SUCH CONDUCT; THAT IT IS UNLAWFUL TO POSSESS A GRAFFITI IMPLEMENT ON PUBLIC PROPERTY, OR ON PRIVATE PROPERTY WITHOUT CONSENT, WITH EXCEPTIONS FOR WORK, POSSESSION WITH CONSENT, SCHOOL, AND TRANSPORT; THAT IT IS UNLAWFUL TO SELL OR OFFER TO SELL, OR TO GIVE, DELIVER, FURNISH OR TRANSFER A SPRAY PAINT CONTAINER, SPRAY PAINT NOZZLE, BROAD TIPPED MARKER, PAINT STICK, MARKER NIBS, TIPS, OR BITS, OR ETCHING EQUIPMENT TO A PERSON UNDER THE AGE OF EIGHTEEN (18) YEARS WHO IS NOT ACCOMPANIED BY AN ADULT OR LEGAL GUARDIAN, WITH A DEFENSE PROVIDED FOR DECEPTION; THAT IT IS UNLAWFUL TO DISPLAY SUCH IMPLEMENTS FOR SALE WITHOUT A WARNING SIGN; AND THAT A VIOLATION OF THIS ORDINANCE CONSTITUTES A MISDEMEANOR PUNISHABLE BY A FINE OF NOT LESS THAN FIFTY DOLLARS (\$50.00), AND NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00), OF UP TO THIRTY (30) DAYS IMPRISONMENT, AND THE PAYMENT OF A FIFTY DOLLAR (\$50.00) FEE TO AN URBAN COUNTY GOVERNMENT OR NOT-FOR-PROFIT PROGRAM THAT REMOVES GRAFFITI OR PROVIDES REWARDS FOR THE REPORTING OF GRAFFITI VIOLATIONS; SECTION 14-3.3 EFFECTIVE OCTOBER 1, 2008, AND ALL OTHER SECTIONS EFFECTIVE UPON PASSAGE.

WHEREAS, the Lexington-Fayette Urban County Government finds graffiti to be detrimental to the community, and often related to criminal and/or street gang activity; and

WHEREAS, it is in the best interest of the citizens of Lexington-Fayette County to adopt an ordinance criminalizing the application of graffiti to public or private property in Fayette County.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Section 14-3.1 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is created to read as follows:

Sec. 14-3.1

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

(1) "Graffiti". Drawings, inscriptions, or markings, of whatever kind, character, or description, written, sprayed, painted, etched, or otherwise applied to any surface of a building, wall, fence, tree, sidewalk, curb, or other structure or object, so as to be seen by the public, placed there by a person other than the owner, manager, or other person having lawful control of the property, and without the consent or acceptance of the owner, manager, or other person having lawful control of the property.

(2) "Graffiti Implement(s)" include the following or other similar tools or items that are capable of creating graffiti:

A. "Broad Tipped Marker". Any felt tip indelible or permanent marker and/or marking pen and/or any similar implement which contains any pigmented substance including, but not limited to, ink or any other substance which cannot be easily and completely removed with water after said substance has dried; with a flat or angled writing surface that, at its broadest width, is three-eighth inch (3/8") or greater.

B. "Etching Equipment" any:

1. tool or device, including, but not limited to, those commonly known as "glass etchers," "glass cutters," "metal etchers," "cutting instrument," and/or "drill bits"; or

2. substance, such as etching acid (hydrofluoric acid), acid etching materials, liquid, cream, paste, or similar chemical substance that can be used to etch, draw, carve, sketch, engrave, or otherwise alter, change, or impair the physical integrity of glass, metal, plastic, concrete or any other surface; or
 3. any other instrument that can be applied by pressure or any other contact with any surface including, but not limited to, glass, metal, plastic, concrete or any other surface which can cause graffiti.
- C. "Marker nibs, tips, or bits". Any device three-eighth inch (3/8") or greater in width or diameter that is designed to be placed onto markers or paint sticks to aid in their application.
- D. "Paint Stick". Any device containing a solid form of paint, chalk, wax, epoxy, or other similar substance capable of being applied to a surface by pressure and leaving a mark of three-eighth inch (3/8") or greater in width.
- E. "Spray Paint Container". Any canister, can, bottle, container, or other receptacle which contains any substance commonly known as paint, stain, dye and/or any other pigmented substance which is and/or can be modified to contain pressure (or be pressurized) in order to impel, spray, eject and/or propel any such substance or other substances capable of defacing property.
- F. "Spray paint nozzle". A nozzle designed to deliver a spray of paint of particular width or flow from a can of spray paint.

Section 2 - That Section 14-3.2 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is created to read as follows:

Sec. 14-3.2

- (1) It is unlawful for any person to apply graffiti to any natural or manmade surface or property without the authority or consent of the owner, or the manager or other person having lawful control of the property. Each act of applying graffiti shall constitute a separate offense.
- (2) Prosecution for a violation of this Ordinance does not preclude prosecution for a related criminal act under applicable federal, state or local law.
- (3) It is unlawful for any person to possess any graffiti implement while in or upon public property, or in or upon private property without the express permission of the owner, manager, or other person having lawful control of the property. It is an exception to such a charge that the person possessing the graffiti implement was:
 - a. At his or her place of employment and possessed the implement within the scope of that employment;
 - b. Upon property with express permission from the owner, manager, or other person having lawful control of the property to possess the materials upon the property;
 - c. Attending a school, or traveling between a lawful location and a school, at which the person is enrolled if the person is participating in a class at the school that formally requires the possession of the materials;
 - d. Transporting the implement between lawful locations while going about one's business or lawful activity while so transporting. Transporting shall not include loitering or aimlessly driving, riding, or walking about on any street, avenue, highway, road, parking lot, alley vacant lot, park, playground, yard, sidewalk or other location, whether public or private.

Section 3 - That Section 14-3.3 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is created to read as follows:

Sec. 14-3.3.

- (1) It is unlawful for any person to sell, offer to sell, give, deliver, furnish, or otherwise transfer a spray paint container, spray paint nozzle, broad tipped marker, paint stick, marker nibs, tips, or bits, or etching equipment to any person under the age of eighteen (18) years unless such person is accompanied by his or her parent, legal guardian or custodian, or other responsible adult and the item is to be used in a lawful manner.

(2) It shall be unlawful for any person to display for sale any spray paint container, spray paint nozzle, broad tipped marker, paint stick, marker nibs, tips, or bits, or etching equipment without first providing a sign or plaque in such display area with a warning containing the following or substantially similar language:

"It is unlawful to sell or transfer any spray paint container, spray paint nozzle, broad tipped marker, paint stick, marker nibs, tips, or bits, or etching equipment to any person under the age of 18 years without appropriate parental consent."

(3) It is a defense to prosecution under subsection (1) of this section that the seller, deliverer or transferor was actively misled or deceived by the presentation of a written or printed information presented by a person under the age of eighteen (18) years, relating to the age or identity of such person.

Section 4 - That Section 14-3.4 of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is created to read as follows:

Sec. 14-3.4.

Any person violating this Ordinance shall be deemed to have committed a misdemeanor for each offense, and shall be subject to the following penalties, which shall not be mutually exclusive:

- (1) Payment of a fine in the amount of not less than fifty dollars (\$50.00), nor more than five hundred dollars (\$500.00) and court costs;
- (2) Imprisonment for not more than thirty (30) days; and
- (3) Payment of a fee in the amount of fifty dollars (\$50.00) to any Lexington-Fayette Urban County Government or not-for profit program that removes graffiti and/or provides rewards for the reporting of graffiti violations. Such payment shall not be in lieu of the payment of a fine.

Section 5 - If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unlawful by a 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 portions hereof.

Section 6 - That Section 3 of the Ordinance shall become effective on October 1, 2008 and the remaining sections shall become effective on the date of passage.

PASSED URBAN COUNTY COUNCIL: June 26, 2008

MAYOR

ATTEST:

Susan Pemb
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: July 2, 2008-1t

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ORDINANCE NO. 127-97

AN ORDINANCE AMENDING SECTION 12-1 OF THE CODE OF ORDINANCES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, KNOWN AS THE BUILDING CONSERVATION CODE, TO ADOPT THE BOCA NATIONAL PROPERTY MAINTENANCE CODE, 1996 EDITION, WITH REVISIONS; TO ADD A DEFINITION OF GRAFFITI AND TO REQUIRE STRUCTURES TO BE MAINTAINED FREE OF GRAFFITI, ALL EFFECTIVE ON THE DATE OF PASSAGE; TO ESTABLISH CIVIL PENALTIES OF NOT LESS THAN ONE HUNDRED DOLLARS (\$100.00) NOR MORE THAN ONE THOUSAND DOLLARS (\$1,000.00) FOR VIOLATION OF THE BOCA NATIONAL PROPERTY MAINTENANCE CODE; AND TO REPLACE THE CURRENT BOCA APPEALS BOARD WITH THE ADMINISTRATIVE HEARING BOARD AND PROCEDURES AS ESTABLISHED IN SECTIONS 12-13 THROUGH 12-16, EFFECTIVE JULY 1, 1997.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Section 12-1 of the Code of Ordinances of the Lexington-Fayette Urban County Government, known as the Building Conservation Code of the Lexington-Fayette Urban County, be and hereby is amended and re-enacted as follows:

Sec. 12-1. Property maintenance code.

(a) Adopted; Filed. The Building Officials and Code Administrators International, Inc., National Property Maintenance Code, 1996 Edition (hereinafter referred to as "this code"), with the revisions shown in paragraph (b) herein, is hereby approved and adopted as the existing structures code of the Lexington-Fayette Urban County Government. A copy of said Code is incorporated herein by reference and filed with the Urban County Council Clerk as a part of the public records of this Government.

(b) Revisions. Certain sections of the code are hereby revised to read as follows:

PM 101.1 Title: These regulations shall be known as the BOCA National Property Maintenance Code/1996 of Lexington-Fayette Urban County, hereinafter referred to as this code.

PM 105.1 General: The director of the division of code enforcement shall be the code official and shall enforce all the provisions of this code.

PM 105.2 Notice and orders: The code official may issue all necessary notices and orders to abate illegal or unsafe conditions to ensure compliance with the requirements of this code for the safety, health, and general welfare of the public.

PM 105.9 Restriction of employees: All officials or employees, including the members of the board of appeals established under the provisions of Section PM 111.0, are subject to Article 16 of the Urban County Charter--Code of Ethics and Chapter 25 of the Lexington-Fayette Urban County Government Code of Ordinances--Ethics Act.

PM 105.11 **Official records:** An official record shall be kept of all business and activities of the department specified in the provisions of this code, and such records shall be open subject to KRS 61.870 et seq.

PM 106.2 **Civil Penalty:** Any person, firm or corporation who violates any provision of this code may be subject to civil penalties of not less than one hundred dollars (\$100.00) not more than one thousand dollars (\$1,000.00), pursuant to the civil penalty guidelines as set forth below. Each day that a violation continues after due notice has been served, as provided herein, shall be deemed a separate offense.

		NUMBER OF INSPECTIONS REQUIRED TO CORRECT					
U N C O R R E C T E D V I O L A T I O N S		1	2	3	4	5	6+
	1-3	\$0	100	150	200	250	300
	4-7	0	150	200	250	300	350
	8-10	0	200	250	300	350	400
	11-15	0	300	350	400	450	500
	16-20	0	400	450	500	550	750
	20+	0	650	700	750	800	\$1000

PM 107.1 **Notice to owner or to person or persons responsible:** Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections PM 107.2 and PM 107.3. Notices for condemnation procedures shall also comply with Section PM 108.3. In addition to the notice of violation, a separate notice of the assessment of a civil penalty shall also be made in the manner prescribed in Sections PM 107.2 and PM 107.3.

PM 107.2 **Form:** Such notice prescribed in Section PM 107.1 shall:

1. Be in writing;
2. Include a description of the real estate sufficient for identification;
3. Include a statement of the reason or reasons why the notice is being issued;

4. Include a correction order allowing a reasonable time for the repairs and improvements required to bring the dwelling unit into compliance with the provisions of this code;

5. Include information regarding the procedure for the person to follow to contest the correction order and a statement to the effect that should the person fail to contest the correction order within the time allowed, the person shall be deemed to have waived the right to contest the correction order and that the determination that a violation was committed shall be final;

6. Include a statement to the effect that civil penalties of not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) may be imposed if the person fails to comply with the correction order;

7. In cases where a civil penalty is assessed for failure to correct the violation(s), such notice shall include:

- a. The amount of the civil penalty to be imposed;
- b. The procedure for the person to follow to pay the civil penalty or to contest the penalty;
- c. A statement that if the person fails to pay the civil penalty set forth or fails to contest the civil penalty within the time allowed, the person shall have been deemed to have waived the right to a hearing before the board to contest the civil penalty and that the assessment of the civil penalty shall be final; and that if the civil penalty is not paid, a notice of lien claimed for the amount of the civil penalty will be placed against the property.

PM 108.1.5

Utility Removal: When, in the opinion of the code official, continued utility service could pose a threat to occupants or to the public, the code official may order discontinuance of utility service until such time as necessary repairs have been completed.

PM 108.2

Closing of vacant structures: If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to place a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed through any available public agency or by contract or arrangement with private persons and the cost thereof, including an administrative cost of seventy-five dollars (\$75.00), shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

PM 109.5

Costs of emergency work: Costs incurred in the performance of emergency work shall be paid from the treasury of the jurisdiction on approval of

the code official. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs, including an administrative cost of seventy-five dollars (\$75.00), by placing a lien against said property.

PM 110.1

General: The code official shall order the owner of any premises upon which is located any structure or part thereof, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use to raze and remove such structure or part thereof; or if such structure can be made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than one year, to raze and remove such structure or part thereof.

PM 110.3

Failure to comply: Whenever the owner of a property fails to comply with a demolition order within the time prescribed, the code official shall cause the structure or part thereof to be razed and removed, or otherwise disposed of, as deemed appropriate, either through an available public agency or by contract or arrangement with private persons, and the cost of such razing and removal, including an administrative cost of one hundred dollars (\$100.00), shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

PM 110.4

Salvage materials: When any structure has been ordered razed and removed the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable, or allow as a credit to offset the contract price. The net proceeds of such sale, after deducting the expenses of such razing and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

PM 111.2

Appeals board: In order to protect existing structures in the jurisdiction by vigorous enforcement of the provisions of this code, there shall be and is hereby created an administrative hearing board, hereafter referred to as the board, as provided in section 12-13 of the Code of Ordinances, Lexington-Fayette Urban County Government. The powers and conduct of the board and the membership thereof shall be as set forth in sections 12-13 through 12-16 of the Code of Ordinances, and those provisions shall supersede and replace sections PM 111.2.1 through and including PM 111.7 of this Property Maintenance Code.

PM 202.0 The following definition shall be added to this section:

Graffiti: Any inscription, word, figure, or design marked, etched, scratched, drawn or painted on any surface that damages, mutilates or defaces such surfaces.

PM 304. 15 **Insect screens:** During the period from April 1, to December 1, every door, window and other outside opening used or required for ventilation purposes serving any building containing habitable rooms, food preparation areas, food service areas, or any areas where products used in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

PM 304.19 **Graffiti prohibited:** The exterior of a structure and any accessory structures shall be maintained free of graffiti.

PM 504.4 **Floors:** Bathrooms and toilet rooms shall be provided with floors of moisture-resistant material.

PM 602.2 **Residential buildings:** Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of 65 degrees F. (18 degrees C.) in all habitable rooms, bathrooms and toilet rooms based on the outside design temperature required for the locality by the mechanical code listed in Chapter 8.

PM 602.2.1 Heat supply: Every owner and operator of any building who rents, leases or lets one (1) or more dwelling unit, rooming unit, dormitory or guest room on terms, either express or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to May 15 to maintain the room temperatures specified in Section PM 602.2 during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees F. (16 degrees C.) during other hours.

PM 602.2.2 Room temperature exception: When the outdoor temperature is below the outdoor design temperature required for the locality by the mechanical code listed in Chapter 8, the owner or operator shall not be required to maintain the minimum room temperatures, provided the heating system is operating at full capacity, with supply valves and dampers in a full open position.

PM 602.3 **Nonresidential structures:** Every enclosed occupied work space shall be supplied with sufficient heat during the period from October 1

to May 15 to maintain a temperature of not less than 65 degrees F. (18 degrees C.) during all working hours.

Exceptions

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

PM 602.5

Climate control: When facilities for interior climate control (heating, cooling, and/or humidity) are integral functions of structures used as dwelling units or other occupancies, such facilities shall be maintained and operated in a continuous manner in accordance with the designed capacity.

PM 605.2

Receptacles: Every habitable space in a dwelling unit and every guest room shall contain at least two (2) separate and remote receptacle outlets. Every bathroom shall contain at least one (1) receptacle outlet, and all receptacle outlets in the bathrooms shall be ground-fault circuit interrupter (GFCI). Every laundry room and kitchen shall contain at least one ground receptacle outlet. Any receptacle outlet located within six (6) feet of an uncovered water receptacle, such as a sink, wherever located, shall be a ground-fault circuit interrupter (GFCI).

PM 701.1

Scope: The provisions of Chapter 227 of the Kentucky Revised Statutes shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises of one- and two-family structures, including fire safety facilities and equipment to be provided. All other structures shall be governed by the Kentucky Fire Standards of Safety.

PM 705.5.2 Power Source: Existing battery-powered smoke detectors in operational condition shall be acceptable. However, when battery-powered smoke detectors are found to be non-operational or where no smoke detectors exist, approved hard-wired smoke detectors shall be required.

PM 801.1

Violations Library: The division of code enforcement shall prepare and maintain a comprehensive list for existing structure violations to be known as the Violations Library. A copy of the Violations Library is incorporated herein by reference and shall be filed with the Urban County Council Clerk as a part of the public records of this Government.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: June 26, 1997

Ram Miller

MAYOR

ATTEST:

Liz Dammell
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: July 2, 1997-1c

MM/Ord010

ADMINISTRATIVE REVIEW FORM
Request For Council Action
For Instructions-See Reverse

6-127-97

[Handwritten initials]

44

I. DIRECTORS AND / OR COMMISSIONERS					
Summary of Action Requested: <u>TO APPROVE THE AMENDMENT TO SECTION 12-1 OF THE</u>					
<u>CODE OF ORDINANCES TO ADOPT THE BOCA NATIONAL PROPERTY MAINTENANCE CODE, 1996 EDITION.</u>					
Budgetary Implications: Yes ☐ No ☒					
If "Yes", provide the following information. Prepare and attach a B-102 if necessary.					
<u>FUNDING</u>	<u>ACCOUNT NUMBER</u>	<u>ANNUAL IMPACT</u>			
_____ Fully budgeted	_____	\$ _____			
_____ Partially budgeted	_____	\$ _____			
☒ Not budgeted	_____	\$ _____			
Director's Signature _____	Date _____	Commissioner's Signature <i>[Signature]</i>	Date <u>6/3/97</u>		

II. LOGGED IN MAYOR'S OFFICE	
Name <u>Maureen Watson</u>	Date <u>6/3/97</u>

III. ADMINISTRATIVE SERVICES REVIEW						
<u>Required Review</u>	<u>Initials / Date</u>	<u>Approve</u>	<u>Disapprove</u>	<u>Incomplete</u>	<u>Comments</u>	
Department of Law	<u>MAN 6/14</u>	☒	_____	_____	_____	
Division of Budgeting	<u>MAN 6/14</u>	☒	_____	_____	_____	
Schedule No. _____	BA No. _____	Acct No. <u>N/A</u>	_____	_____	_____	
Fiscal Year _____	Annual Impact \$ _____	Current Balance \$ _____	_____			
<u>Review if Relevant</u>	<u>Initials / Date</u>	<u>Approve</u>	<u>Disapprove</u>	<u>Incomplete</u>	<u>Comments</u>	
Division of Human Resources	<u>SP 6/14/97</u>	☒	_____	_____	_____	
Housing & Community Development	<u>MAN 6/15/97</u>	☒	_____	_____	_____	
Department of Finance	<u>MAN 6/15/97</u>	☒	_____	_____	_____	
Department of General Services	_____	_____	_____	_____	_____	

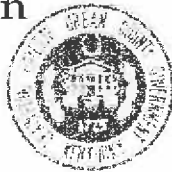
IV. POST REVIEW ACTION TAKEN	
Forward to Mayor _____	Hold/Return to Commissioner/Director _____

V. MAYOR REVIEW			
_____ New Business Item	Approve ☒ Disapprove _____	Hold Until (Date) _____	
_____ Mayor's Report Item	Approve _____ Disapprove _____	Hold Until (Date) _____	
Mayor's Signature <i>[Signature]</i>		Date _____	

VI. WORK SESSION ACTION TAKEN			
☒ To Meeting Docket (Send to Dept. of Law)	_____ Receive as Information		
_____ To Council _____	Committee _____	Other _____	
_____ Refer to _____	Council Administrator's Signature <i>[Signature]</i>	Date <u>6/11/97</u>	

0-127-77
(234-00)

Lexington
Fayette
Urban
County
Government



DEPARTMENT OF LAW

TO: Pam Miller, Mayor
Members, Urban County Council

FROM: Department of Law

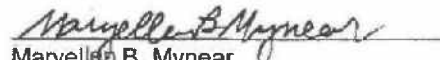
DATE: June 4, 1997

RE: 1996 BOCA National Property Maintenance Code Ordinance

At the request of the Division of Code Enforcement, this Department has completed amendments to section 12-1 of the Code of Ordinances of the Lexington-Fayette Urban County Government regarding the 1996 BOCA National Property Maintenance Code (the "BOCA Code"). A copy of this ordinance, as revised, is attached herewith.

This ordinance was reviewed and approved by the BOCA Review Commission at its May 21, 1997 meeting. The BOCA Code is issued every three years and revisions to the local code are needed to comply with the 1996 BOCA Code. These revisions include the addition of a definition of "graffiti" and a requirement that property owners maintain property free of graffiti; the establishment of civil penalties of not less than one hundred dollars nor more than one thousand dollars for violations of the BOCA Code; and the replacement of the current BOCA Appeals Board with the newly created administrative hearing board.

The Division of Code Enforcement requests that the Council enact this ordinance, as amended.


Maryellen B. Mynear
Corporate Counsel

MEMmem059

06/26/2008

Ordinance

147-2008

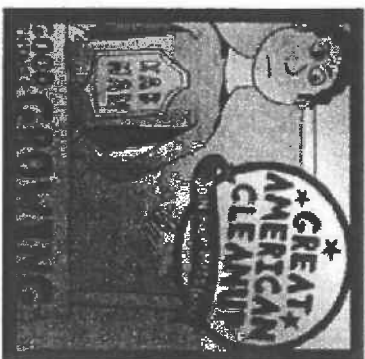


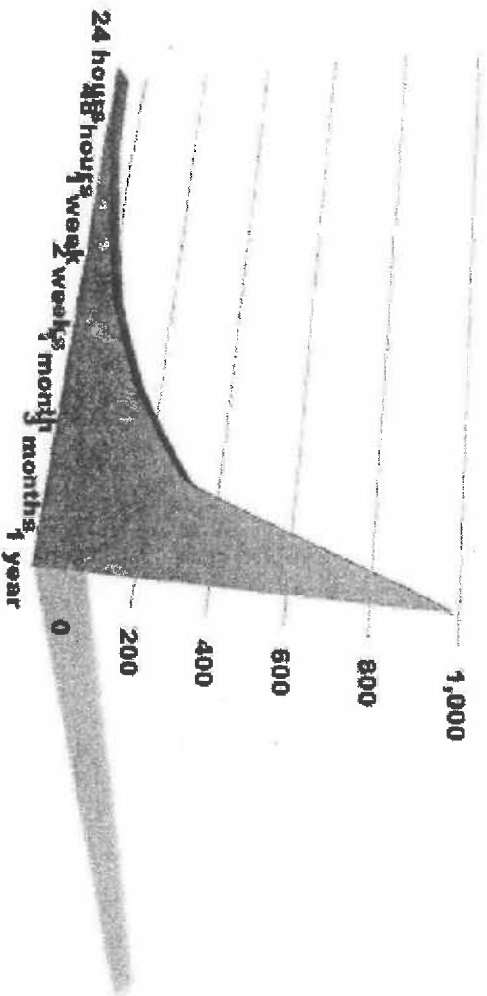
FAST FACTS ABOUT GRAFFITI

Graffiti cleanup takes a big chunk out of municipal budgets. Phoenix, AZ spends more than \$6 million annually on graffiti clean up. The city of San Jose spent about \$2 million in 2006, Las Vegas, NV spends about \$3 million annually, and Chicago, IL budgeted \$6.5 million in 2006.

Graffiti is the most common type of property vandalism (35%) according to the Bureau of Justice Statistics.

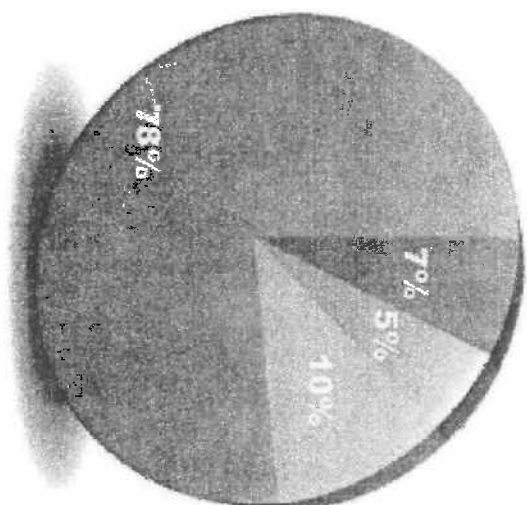
Immediate removal -- within 24-48 hours -- is one key to successful graffiti prevention.





There are several types of graffiti, including, gang, hate, and generic (non-threatening messages like "Bobby loves Suzy" or "Class of 2003").

About 80% of graffiti is "tagger" graffiti. Another 5% are "pieces," or large visuals. Nationally, gang graffiti makes up about 10% of graffiti.



Most studies show the majority of "taggers" are males between 12 and 21 years old. Approximately 15% of graffiti vandals are young females.

Arrest data from 17 major cities shows that 50% to 70% of all street-level graffiti is created by suburban adolescents, predominately males between the ages of 12 and 19.

Community paint-brush murals can be an effective prevention strategy. Although they are occasionally defaced by graffiti, they instill a sense of pride among youth and other community members who have helped create them.

There are four primary motivating factors for graffiti vandalism: fame, rebellion, self-expression, and power.

Getting the media to publish photos and videotape of graffiti is often the ultimate fame for graffiti vandals.



GET FACTS

COST OF GRAFFITI

HOW DOES GRAFFITI "HURT"?

Graffiti vandals believe their actions harm no one. The reality is graffiti hurts everyone: homeowners, communities, businesses, schools, and you. And, those who practice it risk personal injury, violence, and arrest.

Transportation, property, and retail sales

"Graffiti contributes to lost revenue associated with reduced ridership on transit systems, reduced retail sales and declines in property value. In addition, graffiti generates the perception of blight and heightens fear of gang activity" reports the U.S. Department of Justice.¹ The appearance of graffiti is often perceived by residents and passers-by as a sign that a downward spiral has begun, even though this may not be true.

Safety

Patrons of buildings, parks, or public facilities where graffiti vandalism has occurred may feel that if graffiti is tolerated, then other more serious crimes, such as theft and assault, may also go unchallenged.²

Schools and youth





In schools, 52% of public high schools and 47% of middle schools reported incidents of vandalism during the 1996-1997 school years. Data shows little difference between cities, towns, and rural areas.³ Additionally, about 36% of students saw hate-related graffiti at school.⁴

Clean up costs

Although the cost of graffiti vandalism in the U.S. has yet to be definitively documented, for many communities, private property owners, and public agencies the cost is rising each year.

Figures from a variety of cities across the U.S. suggest that graffiti cleanup alone costs taxpayers about \$1-3 per person each year. For smaller communities the amount dedicated to graffiti cleanup annually may be less than \$1 per person.

A 2006 survey of the 88 cities, Caltrans and Metro in **Los Angeles County** on graffiti removal found the cost was about \$28 million. With a population of close to 10 million, the per capita cost is about \$2.80.5 With a population of just under one million, the City of **San Jose, CA** spent approximately \$2 million in 2006 fighting graffiti.⁵

For communities with smaller populations, per capita costs are typically under \$1.00. **Pittsburgh, PA** (population just over 300,000) spends around \$350,000 annually for graffiti clean up.⁷ **Omaha, NE** spends about \$100,000 a year on graffiti removal (population just over 400,000).⁸ In 2006, the **Tennessee Department of**

Transportation spent more than \$240,000 on removing graffiti along its roads and bridges.⁹

Denver, CO and **Milwaukee, WI**, with similar populations-just over 550,000-each spend about \$1 million annually.¹⁰ This is a per capita cost of about \$1.80. In Houston, TX (population just over 2 million), the city earmarked \$2.2 million for cleanup of existing graffiti in 2006.¹¹

Chicago, IL budgeted \$6.5 million in 2006 for graffiti removal and Graffiti Blasters, the city's removal program (population a little over 2.8 million).¹² This is a per capita cost of around \$2.30. **Las Vegas, NV** with a population of about 1.7 million spends more than \$3 million each year cleaning up graffiti.¹³

FOOTNOTES

1. Deborah Lamm Weisel, "Graffiti," U.S. Dept of Justice Problem-Oriented Guides for Police Series No. 9, (2002).



PREVENTION FIRST

GRAFFITI PREVENTION

Tips for Graffiti Prevention

To step up graffiti prevention efforts, consider the following:

1. **Keep up the neighborhood**
Make every effort to keep the appearance of a neighborhood clean and neat.¹ Remove litter and trash, fix broken fences, trim landscape, and ensure all lighting is working properly. According to the Los Angeles Police Department, an exterior appearance that suggests apathy and neglect attracts vandals.²
2. **Remove graffiti promptly**
Rapid removal of graffiti is an effective prevention tool. Data shows that removal within 24 to 48 hours results in a nearly zero rate of recurrence.³ Most Keep America Beautiful affiliates credit the reduction in graffiti in their communities to rapid removal.⁴
3. **Encourage citizen reporting**
Educate the public about the impact of graffiti vandalism and provide a way for them to report graffiti. In many cities, an 800 number, a dedicated telephone line, or a web site is established for this purpose. Respond promptly to reports of graffiti vandalism.
4. **Enforce anti-graffiti laws**





Ensure that any existing anti-graffiti laws are enforced. Law enforcement dedicated to tracking and apprehending graffiti vandals is a strong deterrent. A survey of arrested taggers found "fear of getting caught" was the top response when asked what would get them to stop tagging.⁵

For a guide to developing local anti-graffiti laws, visit the National Council to Prevent Delinquency web site.

Learn more about working with law enforcement

5. **Educate Youth**

Use the Graffiti Hurts® curriculum and online game to incorporate graffiti education and prevention into classroom activities, after school programs, and youth group activities. Also consider a mentoring program where high school students teach 4th and 5th graders about graffiti.



6. **Use an "adopt-a-spot" program**

A handful of communities provide citizen volunteers with graffiti cleanup kits to keep an area they have "adopted" graffiti free. These programs improve awareness and engage citizens in graffiti prevention. Learn more about graffiti removal kits.

7. **Create a paint-brush mural**

Use a community mural to restore a wall chronically hit with graffiti. Graffiti vandals only occasionally tag a paint-brush mural, and they are a great way to get the community involved in graffiti prevention. Murals can involve local artists, youth and community volunteers, and the local paint store, which may be willing to donate paint and brushes. Download a step-by-step guide for creating a mural. [What about legal walls?](#)

8. **Change the environment**

Make changes to build-in graffiti prevention:⁶

- Incorporate natural deterrents, such as landscaping. Shrubs, thorny plants and vines will effectively restrict vandal access.
- Plan or add lighting to promote natural surveillance.
- Use fences, controlled entrance and exits, rails, and other barriers that discourage through traffic.
- Limit access to roofs by moving dumpsters away from walls and covering drainpipes to prevent vandals from scaling them.

- Use graffiti hoods to buffer freeway signs.
- Incorporate metal baffles on sign poles, similar to squirrel baffles on bird feeders.

9. **Employ graffiti resistant surfaces** To vandal-proof targeted areas use:

- Graffiti resistant materials or coatings. The city of Tucson, AZ, for example, requires that walls of new buildings be constructed of or painted with graffiti resistant materials.⁷
- Sacrificial coatings, which allow graffiti to be washed off, must be re-applied after each graffiti clean-up.
- Textured surfaces, which are less attractive to graffiti vandals.
- Dark-colored or colorful surfaces; neither of these provide a good canvas for a graffiti vandal.

10. **Monitor graffiti-prone locations**

Get the support of law enforcement to step up police monitoring of locations that are frequently hit by graffiti. A few communities are using some type of security camera in areas that are frequently hit with graffiti vandalism. Also consider organizing a "Neighborhood Watch" to keep an eye on targeted sites.

11. **Employ curfews**

A national survey of police agencies found that the vast majority felt curfews were an effective tool to control vandalism, graffiti, nighttime burglary, and car theft. Most jurisdictions with curfews had them in effect for several years.⁸ A survey of 800 cities conducted by the National League of Cities found curfews effective for curbing gang violence as well.⁹

12. **Provide alternatives** The Institute for Law and Justice, Inc. manual on safe neighborhoods suggests diverting graffiti criminals to positive alternatives.¹⁰ The effectiveness of this approach is largely undocumented, but consider some of the following to encourage youth in more positive directions:

Youth Centers - A 2002 Colorado study recommends establishing centers for youth to gain leadership skills and to express themselves in a variety of ways. The centers teach responsibility and provide a safe place to have fun.¹¹

Arts Programs - A 1999 U.S. Conference of Mayors study found that youth participating in arts programs exhibit improvements in academic performance,

conflict resolution, team building and decreased frequency of delinquent behavior.¹² Get a YouthARTS Tool Kit, developed through Americans for the Arts, and create an arts program for at-risk youth.

Community Programs - Community programs encourage youth to take control of their lives, make good choices, and provide a substitute for vandalism. For example, Seattle Public Utilities created ArtWorks for at-risk youth.¹³

Youth Involvement - Involve youth and schools in graffiti prevention efforts, such as cleanups or mural projects. Keep Houston Beautiful initiated a mural series where they paired groups of neighborhood youth with professional artists to design and paint a mural on a chronically tagged wall.

WHAT ABOUT LEGAL WALLS?

Legal walls are largely ineffective as a deterrent or graffiti prevention device. Over a dozen cities in California, Illinois, Connecticut, and other states have tried "legal" walls and all found them to be ineffective.

Legal walls send a mixed message, sponsoring graffiti in an effort to rid a community of graffiti. Community records indicate they may work at first, but after a period of time, the surrounding areas also become covered with graffiti. Data also shows no decrease in arrests for graffiti in cities where there are legal walls.

FOOTNOTES

1. Cornelius Ashton and Jordan Mirakian, "Crime Prevention Through Environmental Design: The Linda Vista Continuing Education Center," *Campus Law Enforcement Journal* Volume: 31 Issue: 4 July/August 2001, pp. 19, 21-22.
2. Los Angeles Police Department, "Los Angeles Police Department Commercial Burglary Prevention Circular," 2001.
3. Jay Beswick and Ernie Garrett, *Graffiti Prevention Systems*, data from over 1,500 sites in Los Angeles County from 1990-1991.
4. Survey of Keep America Beautiful affiliates conducted for Graffiti Hurts®, 2000.
5. City of San Jose, CA, "Tag Class Youth Evaluation," 2001 and 2002.
6. Deborah Weisel, "Graffiti," U.S. Dept of Justice Problem-Oriented Guides for Police Series No. 9, page 2 (2002).





COMMUNITY RESOURCES

GRAFFITI PREVENTION: BEST PRACTICES FOR COMMUNITIES

Communities are tackling graffiti vandalism with a variety of tools. While each of these best practices can be effective, the most successful programs use a comprehensive, systematic approach that includes changing the environment to prevent graffiti vandalism, ongoing education and community involvement, improved technologies for removal, updated ordinances, and consistent enforcement and prosecution.

Here's a list of best practices that are getting results. Consider what might be used to improve the graffiti prevention strategy in your community.

- Form a Task Force
- Educate
- Set Up a Graffiti Hotline
- Consider Local Anti-Graffiti Laws
- Launch Adopt-a-Spot
- Conduct a Local Graffiti Assessment
- Keep a Database



- Engage At-Risk Youth
- Offer Removal Kits
- Provide Victim Assistance
- Work With Law Enforcement
- Practice Crime Prevention Through Environmental Design (CPTED)
- Put Graffiti Vandalis "On Notice"
- Hold a "Graffiti Summit"
- Focus on "Hot Spots"
- Work with the Court System

FORM A TASK FORCE

Form a local task force to focus on graffiti. Include police, city government, and a variety of community members -- businesses, schools, and neighborhood groups. Creating partnerships to solve chronic community problems can be especially effective for tackling graffiti vandalism. Get tips for organizing a task force.

EDUCATE

Education is vital to effective graffiti prevention. Educate youth as well as community members and leaders about the impact of graffiti vandalism, how it can be prevented, and how everyone can help. Start with the Graffiti Hurts® curriculum for grades 5-8 and grades 7-9.

SET UP A GRAFFITI HOTLINE

Nearly all successful community graffiti prevention programs provide a way for citizens to report graffiti vandalism. In many cities, an 800 number, a dedicated telephone line, or a web site is established for this purpose.

It's an effective tool to educate about the problem and offer a way for citizens to help. A hotline also encourages a consistent system for responding to graffiti vandalism. Always respond promptly to reports of graffiti vandalism.

CONSIDER LOCAL ANTI-GRAFFITI LAWS

Ensure that existing anti-graffiti laws are being enforced or create laws that can be effective. Law enforcement dedicated to tracking and apprehending graffiti vandals is a strong deterrent. A survey of arrested taggers found "fear of getting caught" was the top response when asked what would get them to stop tagging.¹ For guidance and models for developing effective local anti-graffiti laws, visit the National Council to Prevent Delinquency web site.

¹ City of San Jose, CA, "Tag Class Youth Evaluation," 2001 and 2002.

LAUNCH ADOPT-A-SPOT

A growing number of communities are asking citizen volunteers to help keep an area they have "adopted" graffiti-free. These programs improve awareness and actively engage citizens in graffiti prevention and removal. To assist volunteers, consider providing them with a graffiti removal kit or access to a paint bank, where paints, rollers, brushes, and other equipment can be "borrowed" from a central location, such as a fire station, as needed. Create an "adopt-a-spot" program.

CONDUCT A LOCAL GRAFFITI ASSESSMENT

Successful graffiti prevention and abatement programs show results. To really know the impact your efforts are having on graffiti vandalism, periodically survey or measure the amount and type of graffiti in the community or in a designated/target area of the city (such as a 20 block radius).

Some community programs simply count the number of graffiti tags, log them in a database, and then check them off as the graffiti is removed. Graffiti assessments are also helpful to budget for cleanup or secure a budget for graffiti prevention and abatement

Get methodology and results from Gwinnett County, GA's, graffiti survey, which they conduct annually.

KEEP A DATABASE

There are numerous benefits to keeping a database of a community's graffiti sites and abatement activities:

- Tracks the location of all reported graffiti vandalism; helps identify graffiti

"hot" spots.

- After graffiti is removed, the cost of removal can be logged in and used when charging a graffiti vandal. Removal costs for each site help to charge offenders with the exact amount of damage for each "tag" incident, which can add up quickly.

- Helps police keep track of specific "tags". This can assist in their investigation to identify and target graffiti vandals. Fairfax County Police Department in Virginia records, tracks, and monitors using software that allows them to share graffiti information with other jurisdictions, a model being used by the FBI.
- Improves communication among law enforcement, the cleanup entity, and the courts. Adapt the database to be useful and accessible to all parties that participate in the graffiti prevention, removal, and apprehension activities.

ENGAGE AT-RISK YOUTH

More communities are taking steps to involve at-risk youth in the creation of paint brush murals and other community activities that give them a sense of participation and pride in their neighborhood. [Learn more.](#)

OFFER REMOVAL KITS

One way to help residents and businesses remove graffiti promptly on or near their property is to offer them graffiti removal kits. A typical kit will include simple removal tools and safety props.

PROVIDE VICTIM ASSISTANCE

Consider establishing a method to assist victims of graffiti vandalism -- private property owners and businesses. Help victims get prevention education, know what to do when they have been hit with graffiti, where to get help with removal, and any other assistance appropriate for your community.

Download Graffiti Hurts® "Tips for Businesses" and "Tips for Homeowners."

WORK WITH LAW ENFORCEMENT

All good community graffiti prevention programs work in close coordination with local law

enforcement. Police can step up patrols in areas where there has been increased graffiti vandalism, they can speak to neighborhood and school groups, and they are an integral part of any graffiti database. They are also the ones that eventually make the arrest. Officers regularly assigned to school campuses to educate, mentor, and get to know the youth are especially effective. More on working with law enforcement.

PRACTICE CPTED

Crime Prevention Through Environmental Design (CPTED) is a method used by architects, city planners, landscape and interior designers, and law enforcement to create a safer community through the physical environment. CPTED includes four strategies:

Territoriality - Using fences, pavement treatments, art, signs, good maintenance, and landscaping to express ownership.

Natural Surveillance - Placing physical features, activities, and people in ways that maximize the ability to see what's going on.

Activity support - Encouraging legitimate activity in public spaces to discourage crime.

Access control - Using properly located entrances, exits, fencing, landscaping, and lighting to discourage crime.

To get educated on CPTED, visit the [National Crime Prevention Council](http://www.nationalcrimeprevention.org).

PUT GRAFFITI VANDALS "ON NOTICE"

Once your community and its law enforcement have established a plan for preventing graffiti and targeting graffiti vandals, put offenders on notice. This includes using the media to publicly announce that law enforcement intends to be vigilant about responding to graffiti vandalism and making arrests. Also publicize any specific arrest of a graffiti vandal, which creates more perceived risk for the offender.

Crime Stoppers is another way to give notice to graffiti vandals. It also adds more "eyes" for reporting this crime. Crime Stoppers programs in Santa Clara County, CA, and Portland, OR have specifically targeted graffiti vandalism -- and are having success. Learn more.

Get tips for using the media to address graffiti.

HOLD A "GRAFFITI SUMMIT"

Use a graffiti summit to educate and rally the community around responding to graffiti vandalism. This can be an annual public event, or something less formal that is held more regularly with a small group of stakeholders. Invite experts to speak about enforcement, removal technologies, prevention techniques, and public education.

FOCUS ON "HOT SPOTS"

Target graffiti prevention and abatement efforts on "hot spots" or areas where graffiti is concentrated. Identifying these areas can be done visually, or conduct a graffiti survey to establish areas where graffiti is occurring most. Many in law enforcement use crime mapping to identify areas where particular crimes are concentrated in a geographic area. Mapping an area can also highlight factors that may be creating an environment for graffiti and other crimes.

WORK WITH THE COURT SYSTEM

About 13% of youth in trouble account for 87% of crime, and 80% of first time offenders don't re-offend.² Many youth interventions are connected with a court event, so make sure that judges understand and are educated about graffiti vandalism, its impact on the community, and the most effective way to handle those who offend.

In Albuquerque, NM they address graffiti vandalism in both the criminal and civil court system. This allows them to take taggers to court to pay for damages, which can add up to several hundred thousand dollars. They have filed 89 lawsuits against taggers and their parents under a Nuisance Abatement ordinance. This program is lowering recidivism and drawing parents into the process.

To coordinate the efforts of law enforcement and the juvenile courts on graffiti in Milwaukee, WI, all parties meet every two months. Penalties for graffiti offenders include restitution, jail time, and participating in the Community Conference Program. The Community Conference involves the victim, offender, a city representative, and the District Attorney, who acts as the facilitator. If convicted offenders agree to participate, the sentence may be lighter. The program has proven effective in reducing recidivism. Also consider including graffiti offenses in a youth court. Find out about youth courts and see if there is one in your area.

² Kip Leonard, Youth Court Judge. Presentation at U.S. Department of Justice Annual Conference on Criminal Justice Research and Evaluation, July 19-21, 2004 in Washington,

DC.

CASE STUDIES

Richland County Sheriff's Department, Columbia, SC

In 1997, the Community Action Team and the Gang Task Force were formed to work with citizens to address problems of community disorder, including graffiti removal and prevention. To date, they have identified over 788 gang members and cleaned up graffiti on 1,125 locations, with 13% recidivism and a 29% reduction in vandalism over four years. Using the Graffiti Hurts® curriculum, school resource officers and members of the Gang Task Force educate in the schools. Police officers also work with citizens to identify and remove graffiti, with officers removing graffiti daily while on patrol. The Community Action Team has grown to over 100 Crime Watchers and Homeowners Associations that meet quarterly.

The Edison Weed and Seed Program, MI

In 2004, to address graffiti vandalism and other quality of life crimes in Edison, a two-square mile area in the center of Kalamazoo, MI, Edison Weed and Seed's Neighborhood Restoration Team adopted graffiti as one of its signature activities. To engage residents and businesses in graffiti prevention and cleanup, the Neighborhood Restoration Team, which includes over 40 volunteers, has removed graffiti from nine sites that remain graffiti-free.

In conjunction with this effort, Edison Weed and Seed established a paint brush mural project on the facade of the Rent Way building, which was chronically hit with graffiti. In August 2004, a professional artist worked with Edison youth residents to execute and design the mural, changing the blight to a community landmark.

The program also emphasizes balanced and restorative justice to rehabilitate offenders. In partnership with the Kalamazoo Probation and Enhancement Program, individuals who commit a violation in the Edison neighborhood are assigned to participate in the graffiti abatement program as part of their probation sentences - and to help heal the damage done to the neighborhood.

Operation Brightside, Inc. Kansas City, KS

In 2003, to respond to an increase in graffiti, the Unified Government of Wyandotte County/Kansas City, KS, built a coalition of public and private organizations to assess the graffiti problem and design a solution. This Graffiti Task Force targeted ordinance changes, expanded public and youth education, and coordinated a new abatement effort. After one year, a total of 644 graffiti cleanup projects were completed, 96 percent of calls

to the graffiti hotline have been resolved, and the new code enforcement process is providing victims with free assistance.

Keep Riverside Clean and Beautiful, CA/Riverside Against Taggers

Riverside Against Taggers (RAT) spearheaded anti-graffiti legislation, hosts quarterly volunteer paint outs, and ensures that reported graffiti is removed within 24 hours - and often in less than 12 hours. But the centerpiece of their program is youth education. RAT staff has adapted the Graffiti Hurts curriculum to meet California scholastic standards. Lessons are presented to K-3 students, with 4-6 grades targeted next. In conjunction with the lessons, RAT has produced Captain ERASE coloring books, which are also distributed at county fairs, city events, and graffiti education events.

Buffalo Weed and Seed, NY

In the past year, Buffalo Weed and Seed spearheaded six public paint brush mural projects to remove and prevent graffiti. Dedicating one staff to the project and using in kind donations and community and youth volunteers, they help people understand that their neighborhood has a meaningful history and that people care about it. They also developed stronger relationships with community centers and block clubs using them to have a direct interface with residents and youth for planning and executing the murals. To date, all of the murals have remained graffiti-free, and the community has come together to take care of their neighborhood.

City of Vista, CA Weed-n-Seed - Vista In Bloom

When the City threatened to close the skate park, which was a hot spot for graffiti and other types of vandalism, typically costing the city \$10,000 per year in repairs and removal, local youth and their parents went to the City Council and said that they would keep it clean if the City would keep the park open. The youth formed "skate and bike watch groups" to take charge of the park and seven months later have had only two minor acts of vandalism - at a cost of \$25.00.

Located in northern San Diego County, City of Vista has over ten groups-many of them youth-participating in the adopt-a-block program to keep neighborhoods clean and remove graffiti. In partnership with the Sheriff's Crime Prevention Unit and the Neighborhood/Business Watch, they have also implemented Crime Prevention Through Environmental Design assessments (CPTED) at apartment complexes, mobile home parks, and strip malls.

Most recently they initiated "Vista in Bloom," a partnership between the City's Public Arts Commission, a COPS Deputy, and the City's Parks and Recreation Department. Using donated supplies and volunteer artists, 12 frequently graffitied utility boxes were painted by 11 artists (donating an average of 30 hours each) turning them into colorful murals

with an agricultural theme to highlight the community's history.

Fairfax County Police Department, West Springfield N.P.U., VA

To respond to increasing tagger and gang-related graffiti in Fairfax County, VA, located just outside the Washington, DC area, the West Springfield Neighborhood Patrol Unit in June 2004 started a program called E.N.G.A.G.E. (Eliminate Gangs and Graffiti Exploits). They record, track, and monitor graffiti using "ABW" software, which allows them to share graffiti information with other jurisdictions, a model being used by the FBI. The software is used in England, Australia, and in certain jurisdictions in the U.S.

They have also established a camp for at-risk youth. Camp attendees are provided with mentoring experiences, role playing exercises, and tools to help them make positive choices. In the community, the officers provide education on Crime Prevention Through Environmental Design assessments (CPTED), and speak at public meetings and schools on graffiti prevention and abatement. They also provide Neighborhood Watch training. They hope to extend their educational efforts with a program about graffiti on the County's cable station.

South Bend Police Department, IN/South Bend Weed and Seed Alliance Inc.

In the summer of 2003, residents and businesses on the Westside of the City of South Bend, a culturally diverse neighborhood, were clamoring for help to combat a growing amount of graffiti vandalism. In response, 49 sites were painted over. But the City found that just painting over existing or new graffiti was an endless cycle. To step up and redefine their efforts, the South Bend Police Department formed a task force with the Westside residents, the City of South Bend, the St. Joseph County Prosecutor's office, and several community-based organizations.

Through the task force, they targeted youth (identified through a survey) to participate in an anti-graffiti art project. The invitation to selected middle schools, one high school, and local churches included a project overview, educational materials, rules for the anti-graffiti art contest, and a pledge to be signed by the students asserting their stand against graffiti.

Funded through a Weed "Seed grant and a Mayor's Fund allocation, seven winners received savings bonds of \$1,000 to \$2000 and the winning designs are being displayed on billboards purchased through grants, with view time donated by a local ad agency. The Billboards have inspired neighbors to get involved. The Hispanic Soccer League will adopt one of the city parks hardest hit by graffiti.

By fall 2003, 160 youth had submitted designs advocating the elimination of graffiti and by May 2004, the 20 city blocks targeted for the project saw a 60% decrease in graffiti. Neighborhood Watch and police presence has also been stepped up in the area. By

January 2005, graffiti has been removed from an additional 31 sites. While 11 of the sites were tagged again, graffiti was removed immediately, and all 80 sites remain graffiti-free.

Baltimore Police Department, MD

The Baltimore Police Department and Access Art, a local youth art center, teamed up on the "Mural Project," a creative outlet for Baltimore City youth that discourages tagging in favor of public displays of positive community images. The premise is that to change attitudes and behaviors, young people must participate in their neighborhoods. Following 50 hours of professional art instruction and education to promote civic responsibility, the youth conceived and created a 25-foot by 75-foot paint brush mural showing residents in different stages of community involvement. Youth who would otherwise be involved in graffiti vandalism became advocates for cleaning up the neighborhood and acting as role models for other youth. In 2003, Baltimore City painted over 500,000 square feet of graffiti at a cost of \$350,000.

Reno Police Department, NV

To respond to a growing population and an increasing number of graffiti tags - 1,085 in a six block radius - in 2003, the Reno Police Department developed a "Graffiti Removal Kit" to help residents and business remove graffiti promptly. The result of this program is a 20% reduction in graffiti. During the first six months of 2003, there were 1650 graffiti sites. In the same time period in 2004, that number was 916.

The kit includes a 3-ounce can of graffiti removal solution, a sponge, a steel wool pad, goggles, plastic gloves, a dust mask, and paper towels contained in a can to mix the removal solution. For an initial pilot program, 100 kits were provided at no charge to community members, but now cost \$10 each-a cost reflecting donated and discounted materials. Information about the in-demand kits was distributed through the City of Reno's seven Neighborhood Advisory Boards.

Prince William Clean Community Council, VA

The Prince William Clean Community Council (PWCCC), a nonprofit funded through donations, in-kind services, and government grants, has set up a Graffiti Removal Reward Program to assist victims of graffiti. Property owners that have been vandalized receive a \$25 Removal Reward and a first time removal of graffiti when they report the graffiti to police and promise to remove any future graffiti within 72 hours.

Once the police receive the report, the PWCCC offers assistance and solutions, including the use of volunteers for cleanup, discounted paints, and some removal products. They also have a Graffiti Victim Liaison Program. A liaison assigned to each victim of graffiti vandalism helps them manage rapid cleanup and provides guidance on preventing future graffiti.

The PWCCC has also established Talk About Graffiti, a program for graffiti offenders assigned to community service by the courts. It includes a two-hour in-class graffiti education curriculum and two graffiti removal activities. Parents and guardians are also encouraged to participate.

Looking Good Santa Barbara, CA

In July 2003, Looking Good Santa Barbara (LGSB) collaborated with the City to launch a coordinated anti-graffiti effort. Through this initiative, they established an anti-graffiti ordinance, kicked-off an Adopt-a-Block program, started ongoing youth education, and, in conjunction with the Police Department, conducted a graffiti survey, estimating 5,000-7,000 tags. Program partners include the Kids that Care Clean-Up Program, the City Streets Division, and the Santa Barbara Downtown Association.

Their first project was the Anapamu pedestrian bridge, neglected and plagued by graffiti vandalism. Over 350 volunteers, including City staff, LGSB, Calvary Chapel members (donating over 1,000 hours of volunteer time) and neighbors transformed the bridge in one day, picking up litter, removing graffiti, and replanting landscape. In coordination with the cleanup, the Police Department staged a "sting" operation and arrested five taggers.

The Police Department has also partnered with LGSB to provide funding for every local school and library in Santa Barbara to receive a copy of *Graffiti in Tanit* along with graffiti education teaching plans. To kick off the initiative, the Mayor, Chief of Police, and police officers read the book to students at local schools.

Church of Glad Tidings, Live Oak, CA

The Church of Glad Tidings engaged two sheriffs departments, two police departments, and the highway patrol to set up a program for rapid removal of graffiti in Yuba and Sutter counties in Northern California. Since the program started in 2001, 250 sites have been painted over using 680 volunteer hours.

Here's how it works: The Church educated law enforcement about graffiti vandalism and the need to remove it rapidly, installing "zero tolerance graffiti buster" posters in all agency briefing rooms. Officers on patrol call in graffiti locations to the dispatcher. The dispatcher completes a notification fax and sends it to the church, spelling out the location of the graffiti, requesting agency, and officer's name. With donated supplies and volunteers, the Church sends out cleanup teams each Saturday.

DRAFT 1/8/2010

ORDINANCE NO. _____ - 2010

AN ORDINANCE AMENDING SECTION 15-1(b) OF THE CODE OF ORDINANCES RELATING TO STOPPING ON THE STREET TO PROVIDE THAT WHEN NOTIFIED A PEDDLER MUST MOVE AT LEAST ONE HUNDRED (100) FEET; TO ALLOW THE POLICE OFFICER TO CITE A VIOLATOR OF THIS ORDINANCE; AND INCREASING THE FINE TO A RANGE OF TWENTY-FIVE DOLLARS (\$25.00) TO ONE HUNDRED DOLLARS (\$100.00).

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 15-1(b) of the Code of Ordinances, Lexington-Fayette Urban County Government be and hereby is amended to read as follows:

Sec. 15-1. Stopping on street, maximum time.

(a) It shall be unlawful for any peddler or vendor of fruit, candy or other article of merchandise to stop in any place on the streets, sidewalks or alleys of the urban county for a period of time longer than it may be necessary for him to wait on any person stopping him.

(b) Any peddler or vendor of fruit, candy or other articles of merchandise who shall stop for a period of time longer than it may be necessary to wait on a customer, ~~and when notified by a police officer of the urban county to move [on], shall refuse to move on; or if it becomes necessary for any police officer to notify any one of such peddlers or vendors to move on more than once during the day, then such peddler or vendor shall~~ may be forthwith arrested or cited by such officer and for each violation of this section shall be fined not less than [five] twenty-five dollars (\$[5]25.00) nor more than [twenty-five] one hundred dollars (\$[25]100.00).

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

Services Committee Items

January 19, 2010

<u>Item</u>	<u>Referred By</u>	<u>Date Referred</u>	<u>Status</u>
Peddler Ordinance	Blues	1-26-10	
Graffiti Removal	Feigel	1-19-10	
Snow Plan	Myers	1-12-10	
Review Leaf Collection Program	Henson	1-12-10	
700' block of Melrose Ave & Beaumont Ave Residential Parking Permit District	Lawless	12-1-09	
Eldemere Ave Residential Parking Permit District	Lawless	12-1-09	
Mayor's Commission on Mortgage Lending Practices	Myers	12-1-09	
Solid Waste Ordinances	Stinnett	10-20-09	Dec 09
West Main/Vine Street Pedestrian Safety	Lawless	9-29-09	
Loading & Unloading Zones in Downtown	James	8-18-09	Nov 09
Private Solid Waste Providers	Gorton	2-13-09	Working Group Formed

<u>Item (cont)</u>	<u>Referred By</u>	<u>Date Referred</u>	<u>Status</u>
Horse Cruelty	Beard	8-6-09	
Multi-Way Stop Glendover Dr @ Valley Rd	Beard	7-8-08	Petition Drive
Employee Automobile Usage and Reimbursement	Blues	5-13-08	General Services Update