

Moloney
James
Gray
Blues
DeCamp
Beard
Stinnett
Crosbie
Myers
Blevins

INTER-GOVERNMENTAL COMMITTEE

September 11 2007

1:00 P.M.

A G E N D A

Customer Service for Permit Processing -	Blevins	(1-47)
LFUCG Relationship with County Attorney -	Stinnett	(48-55)
Policy for Naming/Renaming UCG Facilities -	Cegelka	(56-68)
Update on Committee Items		(69)

"Inter-Governmental Committee, to which should be referred matters relating to wages and classification, personnel, government organization, employee relations, government buildings and property maintenance."

Council Rules & Procedures, Section 2.102(2)



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Commissioners's Office

Department of Public Works

September 4, 2007

To: Paul Schoninger

From: Kevin Wente, Administrative Officer
Department of Public Works and Development

RE: Customer Service and Permitting

Paul:

In an effort to respond to the questions posed by the Inter-governmental Committee regarding customer service and permitting, this brief has been compiled. I hope you will find the information helpful yet, with most things, there is room for improvement. If you have any additional questions, please feel free to contact me.

Sincerely,

Kevin Wente
Administrative Officer
Department of Public Works and Development

HORSE CAPITAL OF THE WORLD

Public Works and Development – Permitting

Division of Engineering

Grading Permits

With respect to grading permits, there is no formal application process. Grading permits are issued at the point of plan submittal. The New Development Section within the Division of Engineering issues grading permits for both commercial and residential developments once the following conditions have been met:

- the Planning Commission has certified the Development Plan, or Subdivision Plan
- the Division of Engineering has received written notification from the Urban Forester that all tree protection area requirements have been installed
- the Erosion and Sediment Control Plan has been accepted by the Division of Engineering

The processes to acquire a permit for construction activity are outlined in the Engineering Manuals (Attachment 1) and are posted on the LFUCG website.

Street Cuts/ROW Permits

The process of issuing a Right-of-way permit has been streamlined to allow utility companies to obtain right-of-way permits via the internet (Attachment 2).

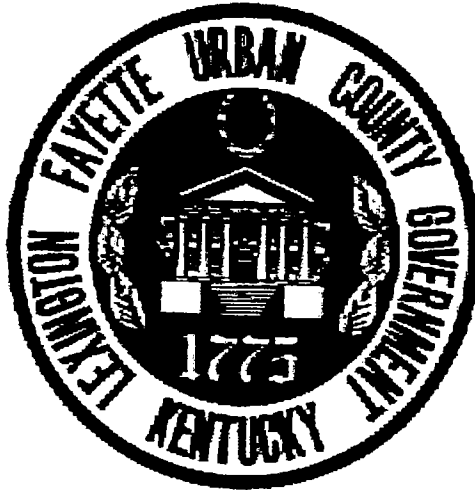
Traffic Engineering

The Division of Traffic Engineering is responsible for issuing temporary lane blockage permits. This permit requires a two (2) working day notification to process the permit and notify Police, Fire and the Transportation Information Network. In the case of an emergency, the permit is waived and the contractor is required to notify Traffic Engineering, Police and Fire. If the emergency situation requires more than a day to repair, a permit is then required (Attachment 3).

The Division is also responsible for issuing block party permits and the permitting of dumpster/container placement. All permits are requested through formal contact with the Division (Attachment 4).

Building Inspection

The Division of Building Inspection posts permit applications online as well as a fee schedule associated with construction type. This is an effective and efficient means of providing excellent customer service to the general public. (Attachment 5)



**PROCEDURES MANUAL
FOR
INFRASTRUCTURE DEVELOPMENT**

**Lexington-Fayette Urban County Government
Lexington, Kentucky**

February 1, 2005

stands, greenways, wetlands, floodplains, sinkholes, and other environmentally sensitive areas.

9. The Engineer shall prepare construction specifications for the roads, sanitary sewer facilities, and stormwater facilities and submit them as part of the Improvement Plans to the Division of Engineering.
10. The Division of Engineering shall coordinate with the Engineer and other agencies of the LFUCG to ensure that all Development Plan or Subdivision Plan engineering issues are addressed on the Improvement Plans.
11. The Division of Engineering, in conjunction with the Division of Sanitary Sewers, shall
 - evaluate off-site sanitary sewer impacts
 - determine where the proposed development will connect to the LFUCG sanitary sewer system
 - determine if the LFUCG has adequate sanitary sewer transmission capacity for the proposed development
 - determine if the LFUCG has adequate sanitary sewer treatment plant capacity for the proposed development
12. The Developer shall be responsible for obtaining the following permits where applicable:

Roadway

- Kentucky Transportation Cabinet right-of-way encroachment
- LFUCG Street Cut Permit
- LFUCG Lane Blockage Permit

Stormwater (See Stormwater Manual for more information)

- Federal 404 permit for construction in streams
- Kentucky Division of Water 401 Water Quality Certification
- Kentucky Division of Water Dam Construction Permit
- Kentucky Division of Water Floodplain Construction Permit

- Kentucky Division of Water Stormwater Permit for Construction Activities
- LFUCG Grading Permit

Sanitary Sewers

- Kentucky Division of Water Approval for Sanitary Sewer Extension

13. KRS 151.320 requires the LFUCG to concurrently enforce, along with the Kentucky Natural Resources and Environmental Protection Cabinet, state regulations related to construction along or in streams. The United States Code of Federal Regulations Title 44 Section 60.3 requires the LFUCG to assure that all state and federal permits have been obtained. Therefore, the Engineer shall obtain the following permits and submit them to the Division of Engineering before construction of the permitted item begins:

- Kentucky Division of Water 401 Water Quality Certification
- Kentucky Division of Water Dam Construction Permit
- Kentucky Division of Water Floodplain Construction Permit
- Kentucky Division of Water Stormwater Permit for Construction Activities (or evidence of submittal of the Notice of Intent to the Kentucky Division of Water)
- Federal 404 permit for construction in streams

14. To ensure that the LFUCG follows the requirements of the National Flood Insurance Program, the Division of Engineering shall

- notify the Engineer of the FEMA approvals, if any, that will be required before the Division of Engineering can accept the Improvement Plans;
- notify the Engineer of technical data that shall be submitted to the Division of Engineering related to construction in the floodplain; and
- submit technical data to FEMA within 6 months after receiving the data from the Engineer.

More information on FEMA requirements is contained in the Stormwater Manual.

Developers that are not subdividing land may begin structure building while constructing the infrastructure after getting approval from the Planning Commission, Division of Engineering, and the Division of Building Inspection. However, the construction of the infrastructure must be completed before the Division of Building Inspection issues a certificate of occupancy.

The following procedures shall apply to both types of development described above.

1. The Developer shall obtain a Grading Permit when
 - a. the Planning Commission has certified the Development Plan, or Subdivision Plan;
 - b. the Division of Engineering has received written notification from the Urban Forester that all tree protection area requirements have been installed (see Article 26 – Tree Protection Standard of the Zoning Ordinance).
 - c. the Erosion and Sediment Control Plan has been accepted by the Division of Engineering.
2. The Engineer shall submit Improvement Plans to the utility companies (water, natural gas, electric, cable television, and telephone) before the utility companies begin construction. This information will help the water company maintain the required distance between sanitary sewer pipes and water lines as described in the Sanitary Sewer and Pumping Station Manual.
3. The Engineer shall mark with colored ribbon or fencing the “do not disturb” areas in the field as shown on the Erosion and Sediment Control Plan and the Improvement Plans. The “do not disturb” areas include vegetative buffer strips along streams and around wetlands.
4. The Developer shall erect a project sign at each entrance to the development site. The sign shall identify the name and telephone number of the Developer, Engineer, and

IMPROVEMENT PLAN SUBMITTAL CHECKLIST

The items below shall be submitted to the Division of Engineering.

1. Plans stamped and signed by a Licensed Professional Engineer employed by the engineering firm that signed the Infrastructure Development Agreement.
2. Compliance statement signed by the Developer and Engineer.
3. Certified Preliminary Subdivision/Development Plan.
4. Grading, Erosion, and Sediment Control Plan.
5. Street Plans and Profiles.
6. Pavement Design.
7. Storm sewer and sanitary sewer plans and profiles.
8. Storm sewer, inlet spacing, culvert, and constructed channel design calculations.
9. Stormwater best management practices plans, cross sections, and design calculations.
10. Sanitary sewer design calculations.
11. Pump station/force main design calculations.
12. Geotechnical Report.
13. Construction Specifications.
14. Composite Drainage Plan.
15. Structural drawings and details (bridges, box culverts, retaining walls, etc.).
16. Post development floodplain and supporting analyses.
17. Lists of permits, prepared by the Engineer, that will be obtained by the Developer or Engineer.
18. Offsite easements or property notification.

Items 1-4 shall be submitted if a Grading Permit is requested separate from the Improvement Plans.

GENERAL PROCEDURES for COMMERCIAL PROJECTS

Beginning January 1, 2001, the Division of Engineering will follow new procedures established by the Urban County Government. A basic outline regarding the new procedures is shown below.

For developments that involve public infrastructure improvements (infrastructure within an LFUCG easement), the design engineer shall submit the following information to the Division of Engineering:

- 1) Signed Infrastructure Development Agreement
- 2) Signed Improvement Plan Compliance Statement
- 3) Certified preliminary subdivision/final development plan.
- 4) Grading, erosion control and sediment control plan (see chapter 11 in Stormwater Manual).
- 5) Stormwater management plans and design calculations (see chapters 5-10 in Stormwater Manual).
- 6) Street plans and profiles (if applicable).
- 7) Pavement design (if applicable).
- 8) Storm sewer and/or sanitary sewer plans and profiles (if applicable).
- 9) Sanitary sewer/pump station/force main design calculations (if applicable).
- 10) Geotechnical report (if applicable).
- 11) Construction specifications.

The Division of Engineering will conduct an administrative review to determine if all the required information has been submitted. The Division of Engineering will notify the design engineer if additional information is required. If all the information has been submitted, the Division of Engineering will accept the plans and notify the Division of Building Inspection that a grading permit and/or building permit may be issued.

After all applicable permits have been issued and all applicable fees have been paid, construction may begin. During construction, the design engineer shall provide inspection services for all public infrastructure improvements being constructed.

After construction is complete, the Division of Building Inspection will issue a certificate of occupancy only after the Division of Engineering has received the following information from the design engineer:

- 1) A certificate of substantial completion from the design engineer.
- 2) Any test results from the design engineer.
- 3) A cost estimate of all infrastructure improvements for the entire project.
- 4) Record drawings of all public infrastructure improvements.
- 5) A videotape of sanitary sewer main lines constructed.

- 6) A surety (bond) from the developer. For projects where the cost estimate of the public infrastructure improvements is less than \$25,000, a \$2,500 surety (bond) will be required. For projects where the cost estimate of the public infrastructure improvements is greater than \$25,000, the surety (bond) will be established according to the procedures outlined in the Procedures Manual.
- 7) A signed maintenance agreement from the owner for stormwater best management practices.

For developments that involve private infrastructure improvements (infrastructure that is not within an LFUCG easement), the design engineer (or other licensed design professional) shall submit the following information to the Division of Engineering:

- 1) A signed Improvement Plan Compliance Statement
- 2) Certified preliminary subdivision/final development plan (if applicable).
- 3) Grading, erosion control and sediment control plan (if applicable).
- 4) Stormwater management plan and design calculations (if applicable).
Detention basin fill embankments containing water greater than four (4) feet at the potential breach location shall be designed by a licensed professional engineer. The engineer shall also be responsible for inspection and certification of proper construction of the fill embankment.

The Division of Engineering will conduct an administrative review to determine if all the required information has been submitted. The Division of Engineering will notify the design engineer (or other licensed design professional) if additional information is required. If all the information has been submitted, the Division of Engineering will accept the plans and notify the Division of Building Inspection that a grading permit and/or building permit may be issued.

After all applicable permits have been issued and all applicable fees have been paid, construction may begin. During construction, the design engineer (or other licensed design professional) shall provide inspection services for all private infrastructure improvements being constructed.

The Division of Building Inspection will issue a certificate of occupancy only after the Division of Engineering has received the following information:

- 1) A statement from the design engineer (or other licensed design professional) certifying that any constructed private infrastructure improvements will function as designed and that the constructed detention volume meets the designed detention volume.
- 2) A signed maintenance agreement from the owner for stormwater best management practices.

Following are some additional requirements for commercial developments that involve private infrastructure improvements only:

Developments less than 1 acre:

- 1) Detention will not be required if the storm sewer system receiving the outfall from the development has sufficient capacity as defined in Chapter 1 of the Stormwater Manual.
- 2) Detention will not be required if the peak stage in the detention basin receiving the outfall from the development does not increase more than 0.1'.
- 3) If detention is required, it must be sized according to the Stormwater Manual.
- 4) Permanent water quality best management practices (BMPs) will not be required for sites that disturb less than 1 acre. However, erosion control will be required.

Developments greater than 1 acre:

- 1) Detention will be required unless otherwise directed by the Division of Engineering
- 2) Water quality best management practices (BMPs) will be required unless otherwise directed by the Division of Engineering. BMPs other than those listed in the Stormwater Manual may be permitted if the design engineer (or other licensed design professional) can demonstrate that the proposed BMP will meet the water quality control objectives in the Stormwater Manual.

Other general requirements that you should be aware of are:

- 1) RCP is required for all public storm sewer systems (and all systems that have the potential to become public). The pipe material for private storm sewer systems will be up to the discretion of the design engineer (or other licensed design professional) except for the segment of pipe that connects to a public storm sewer system which must be RCP.
- 2) In areas where drainage problems are known to exist, the Division of Engineering shall notify the design engineer (or other licensed design professional) that oversizing detention basins, or other measures designed to mitigate stormwater impacts from the development, may be required.
- 3) A sign off on the grading permit from the Urban Forester is required before a grading permit can be issued.
- 4) The location and elevation of the nearest downstream sanitary sewer manhole lid shall be shown on all applications for a building permit.
- 5) The lowest plumbing fixture shall be at least 1' foot above the nearest downstream sanitary sewer manhole lid, or else a sewage pump shall be installed in accordance with the requirements in the Procedures Manual.
- 6) The location and elevation of any 100 year FEMA floodplain and calculated post development floodplain on the site shall be shown on all plans.
- 7) The lowest opening of any structure shall be 2' feet above any 100 year FEMA floodplain or calculated post development floodplain.
- 8) No grading work shall be permitted within a 100 year FEMA floodplain.
- 9) The Division of Engineering will inspect the construction of entrances, any connection to a public storm sewer, and silt and erosion control measures.

To: Marwan Rayan, PE
Urban County Engineer

Fr: Barry Brock, LS
Engineering Technician Principal

Date: July 6, 2007

This memo is in response to some of the e-mails regarding the proposed grading/construction at the Beaumont YMCA.

The Beaumont YMCA submitted construction plans several weeks ago showing proposed grading work to complete soccer fields and baseball fields. They had contacted state and federal agencies regarding this project due to its proximity to the flood plain and had obtained appropriate state/federal permits. The plans showed no work in the flood plain and silt fence was shown along the flood plain at the toe of the proposed grading. Since no encroachment into the flood plain was shown other than a sidewalk and they had appropriate permits, I was prepared to accept the plans until other related issues were brought to my attention. Bill Saltee in the Division of Planning contacted me on July 2, 2007 after he had reviewed the proposal and determined that the YMCA would need to obtain approval from the Board of Adjustment due to an expansion of the approved conditional use. Dave Danforth in the Division of Engineering was the inspector when Beaumont was originally developed and he informed me that there was a detention easement on the property outside the extents of the flood plain that was not shown on the construction plans and that some of the grading work was within this easement. After I learned of these issues, I contacted Tony Barrett with Barrett Partners (Designer) and Diane Nicely with the YMCA on July 2, 2007 and notified them that no work could take place until these issues had been addressed. At this time, before the YMCA can proceed with the grading/construction:

- The YMCA must obtain Board of Adjustment approval. The public hearing will take place on August 31, 2007 and this will provide citizens with an opportunity to voice their concerns.
- The YMCA must also address the issue pertaining to the detention basin and they must show that the proposed grading will not decrease the volume and function of the basin.

The Division of Engineering has been involved with this project for several weeks and we were aware of the proposed grading/construction. We are working to insure that the YMCA complies with UCG zoning regulations and stormwater management requirements. If any additional information is needed regarding the YMCA or any commercial project, please let me know.

Thanks
Barry Brock, LS



GRADING PERMIT

for

3251 BEAUMONT CENTRE CIR GRADING COMMERCIAL

FOR OFFICIAL USE ONLY

12

3251 BEAUMONT CENTRE CIR

27893251

121585

Permit #121585

Date Issued: 6/20/2007

Owner: YMCA OF LEXINGTON
Address: 3251 BEAUMONT CENTRE CIR
City: LEXINGTON

Zone:

State: KY Zip:

Phone: () - -

Contractor: YMCA OF LEXINGTON
Address: 3251 BEAUMONT CENTER CIR
City: LEXINGTON

Registration #

State: KY Zip: 40513

Phone: () - -

Revoked

See file

Subdivision

Permitted Work	Base	X	=	Acct181	Additional Fee	X	=	Acct180	Acct000	Total
GRADING COMMERCIAL	1.00 each	25.00		25.00		0.00		0.00	0.00	25.00
										25.00

Conditions

- B.) ALL CATCH BASINS AND OTHER INLETS TO THE STORM PIPING SYSTEM TO BE HAYBALED DURING CONSTRUCTION TO PREVENT ENTRY OF SILT INTO CULVERTS AND PIPES.
- C.) ACCESS DRIVEWAY FOR CONSTRUCTION VEHICLES TO BE GRAVELLED OR ROCKED FOR A DISTANCE OF AT LEAST 30 FEET INTO SITE THROUGHOUT THE CONSTRUCTION PERIOD. THIS GRAVEL AND/OR ROCK WILL BE MAINTAINED IN A MANER THAT IT WILL BE EFFECTIVE IN CONTROLLING MUD AND SILT FROM BEING TRANSPORTED FROM SITE. ENTIRE VEHICULAR USE AREA SHALL BE ROCKED WITHIN TWO WEEKS OF OVERLOT STRIPPING.
- D.) TOE OF FILL SLOPE SWALES AND/OR HAY BALES TO BE UTILIZED TO PREVENT MUD WASH. SUCH DEVICES WILL BE MAINTAINED AND CORRECTED AS NEEDED.
- E.) ALL FILL OR CUT SLOPES TO BE PROTECTED...
- F.) ALL DENUDED AREAS BE SODDED OR SEEDDED WITH A VERY GOOD PROTECTIVE GRASS AND HAVE A 95% SURFACE PROTECTION WITHIN 6 MONTHS FROM THE DATE OF ISSUANCE OF GRADING PERMIT, SHOULD NO OTHER CONSTRUCTION OR BUILDING PERMIT BE OBTAINED.
- G.) THIS PERMIT IS GOOD FOR ONLY 6 MONTHS, IF NO CONSTRUCTION PERMITS ARE OBTAINED, THIS PERMIT WILL BE VOIDED AND THE PROCESS WILL START ANEW AS PER ORDINANCE.
- H.) CONTRACTOR SHALL FOLLOW APPROVED EROSION CONTROL PLAN AND OTHER EROSION CONTROL MEASURES REQUIRED TO PREVENT EROSION OF SOIL AND OTHER MATERIALS FROM CONSTRUCTION SITE.
- I.) FINAL STORM WATER DRAINAGE SYSTEM DETAILS TO BE APPROVED BY URBAN COUNTY ENGINEER BEFORE ANY ISSUANCE OF PERMIT.

OK'D By: BB
Inspector: ENGINEERING
LAC

Signature of Party

Dewey L. Crowe
Dewey L. Crowe
Director of Building Inspection

Design and Construction

The Design/Construction Section of the Division of Engineering manages many types of public works projects. This section performs in-house engineering studies, land surveys and provides technical expertise and consulting services to many other LFUCG divisions. With about 150 active street, bikeway, sidewalk and sanitary sewer projects at any time, the engineers in this section also oversee private engineering firms that have been hired to design major projects. All projects are designed to the community's standards and must provide the best solutions for the tax dollars spent.

After the design work is completed it is the responsibility of the construction group to get the projects built. This section completes approximately 30 projects per year which may include construction or rehabilitation of sanitary sewers, stormwater facilities, roads and/or bridges.

Additional activities include:

- Pavement Management
- Greenways
- Easement and Right-of-Way Acquisition
- Technical Assistance

Project Highlights:

- Newtown Pike Extension
- West Hickman Trail
- Map of currently active projects within Fayette County (.PDF)
- Need Assessment for the Star Shoot Parkway Extension (.PDF)
- Star Shoot Parkway Bridge Alternative (.PDF)

Division of Engineering
101 E. Vine St.
4th Floor
Lexington, KY 40507
Tel: (859) 258-3410
Fax: (859) 258-3458

Right-of-Way Management

On this site, you may be able to enter descriptions of work you propose to perform in the public rights-of-way. In order to use this site, you should have already familiarized yourself with LFUCG's Ordinance No. 166-2002, Chapter 17C, the Public Right-of-Way Ordinance. You may apply for a Surface Cut Permit or an Installation Permit, or provide us notification of Annual General Permit work. The site will guide you through a series of pages on which you may enter the appropriate information.

Annual General Permit (AGP)

In order for you to use the Annual General Permit (AGP) pages, you must be a Registrant (as required by the ordinance), and you must have paid the fee associated with an Annual General Permit. The proposed work must match a type of work allowed under the AGP. Also, remember that any proposed work in a "High Density Area" requires a surface cut or installation permit. *If you want to access the AGP pages, [click here](#).*

Surface Cut / Installation Cut Permits

You must apply for a surface cut or installation permit to perform any other type of work in public rights-of-way; that is, for work not allowed under an AGP. Generally, you must also submit (mail or fax) a plan or sketch of the proposed work. *To apply for either type of permit, [click here](#).*

If you have questions about working in the rights-of-way, or about the permitting process, you may **contact us by e-mail**, or by calling Dan Kiser at 859-258-3410. If you need technical support or want to provide feedback related to this site, you may **contact Computer Services**.

LFUCG Annual Repaving Eligibility List

A DRAFT PDF list of streets scheduled for resurfacing in fiscal year 2007 should be available in October.

Pavement Rating Index

[Click here to view a dynamic, up-to-date listing of the Pavement Rating Index](#)

RELATED PAGES

[Main Engineering Page](#)

[New Development](#)

[Design/ Construction](#)

[Engineering Services](#)

[Stormwater](#)

[Engineering Publications](#)

Right-of-Way Permit Request Form Instructions

1. Please fill in the anticipated start date and complete date for the work to be done.
2. If there will be any obstruction of the flow of traffic while work is being done then circle yes for lane blockage. Otherwise circle no.
3. If work is being done by the request of Lexington-Fayette Urban Government then circle yes for LFUCG Project. Otherwise circle no.
4. Give the address of the work location along with the name of the nearest cross street to the site.
5. Specify the type of work to be done. (Repair Leak, Maintenance, etc.)
6. Check if the work is to be done by a contractor, utility company, property owner, or other.
7. Fill out the information pertaining to owner (property owner) and contractor (person(s) actually doing the work).
8. Describe the work to be done from the attached sheet along with the size of the cuts to be made.
9. List any additional information needed to describe the type of work being performed at the location listed.
10. Attach a drawing showing the location of work, and the size of the cuts along with any cross streets etc. to the permit request form.

Right-Of-Way Permit Request Form**Lexington Fayette Urban County Government Use Only**Surface Cut Permit ☐

Confirmation # _____

Submit Date: _____

Installation Permit ☐

Deposit \$ _____

Fee \$ _____

Start Date _____

Complete Date _____

Lane Blockage: Yes / No

LFUCG Project: Yes / No

Location of work _____

Type of Work _____

Contractor ☐Utility ☐Property Owner ☐Other ☐Owner Information

Name: _____

Address: _____

City: _____

State & Zip: _____

Phone: _____

Fax: _____

Contractor Information

Name: _____

Address: _____

City: _____

State & Zip: _____

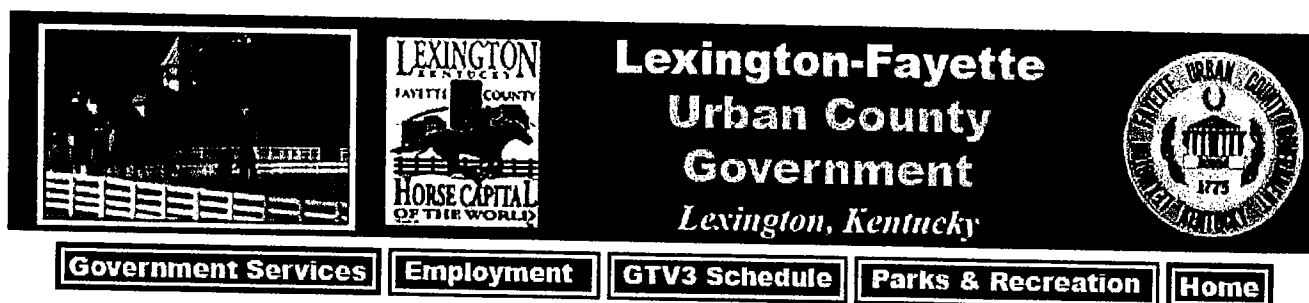
Phone: _____

Fax: _____

WORK DETAIL

<u>Code</u>	<u>Description</u>	<u>Dimension 1</u>	<u>Dimension 2</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

COMMENTS:



Government Services

Employment

GTV3 Schedule

Parks & Recreation

Home

Building Permit Applications

Building Permit Fee Schedule: [Web Page](#) | [PDF](#)

101 E. Vine St.,
Second Floor
Lexington, KY 40507
(859) 258-3770
Fax: (859) 258-3780

Director:
Dewey Crowe

[Email Us](#)

[Main Building Inspection
Page](#)

Commercial

- Plan Review / Commercial Permit Application: [PDF](#)
- Kentucky Energy Conservation Code: [PDF](#)
- Plan Review Board: [PDF](#)
- Requirements for Commercial Plan Submission: [Web Page](#)

New Residential

- Single Family/Duplex Application: [PDF](#)
- Residential Plan Submission Form: [PDF](#)
- Energy Conservation Certificate [PDF](#)

Residential Remodeling, Additions and Accessory Structures

- Residential Remodeling/Additions/Accessory Structures: [PDF](#)
(One and two family, only)

Demolition/Wrecking

- Wrecking Permit Application: [PDF](#)
- General Demolition Requirements: [PDF](#)

Signs

- Sign Permit Application: [PDF](#)

Swimming Pools

- Swimming Pool Permit Application: [PDF](#)

Fences

- Fence/Retaining Wall Permit Application: [PDF](#)

Grading

Grading Permits are issued by the Division of Building Inspection upon receipt of an approval from the Division of Engineering. For information on Grading Permit Approval, contact Engineering at (859)258-3410.

Tank Installations (Above/Below Ground)

Tank Installation Permits are issued upon receipt of an approval from the State Fire Marshal's Office. Phone (502) 564-8090 for information. Approval is also required from the Division of Emergency and Environmental Management (DEEM). Call (859) 258-3784.

Outdoor Seating

- Outdoor Seating Application: **PDF**

HVAC

- Commercial HVAC Permit Application: **PDF**

Kennels

- Kennel Zoning Approval Application: **PDF**

Tents

- Tent Application: **PDF**

**DEPARTMENT OF PUBLIC SAFETY
DIVISION OF BUILDING INSPECTION
EFFECTIVE MARCH 22, 2004**

**COMMERCIAL AND RESIDENTIAL SCHEDULE OF FEES
ALL PERMIT FEES SUBJECT TO CHANGE WITHOUT NOTICE**

COMMERCIAL SECTION

Restaurant.....	.090 X Sq. Ft. (Min. \$200) + .252 X Sq. Ft.
Office Building.....	.062 X Sq. Ft. (Min. \$200) + .175 X Sq. Ft.
Retail Sales.....	.042 X Sq. Ft. (Min. \$200) + .119 X Sq. Ft.
Warehouse.....	.028 X Sq. Ft. (Min. \$200) + .077 X Sq. Ft.
Hotel/Motel.....	.068 X Sq. Ft. (Min. \$200) + .189 X Sq. Ft.
Canopies.....	.042 X Sq. Ft. (Min. \$200) + .119 X Sq. Ft.
All Other Commercial (Including Churches & Nursing Homes).....	.042 X Sq. Ft. (Min. \$200) + .119 X Sq. Ft.
Remodeling, Commercial.....	.001 X Const. Cost (Min \$200)
Towers.....	\$250
Co-locates.....	\$100
Fit-ups.....	\$100
Paving, Commercial.....	.006 X Sq. Ft. (Min. \$50)
Curb Cut, Commercial.....	\$25
Commercial Fence.....	\$50
Residential Fence.....	\$25
Wrecking.....	.002 X Assessed Valuation (Min. \$100)
Moving.....	.002 X Assessed Valuation (Min. \$100)
Elevators.....	.002 X Contract Price (Min. \$100)
Tanks.....	.002 X Gallons (Min. \$100)
Signs.....	.50 X sq. ft. (Min. \$50)

NEW RESIDENTIAL SECTION

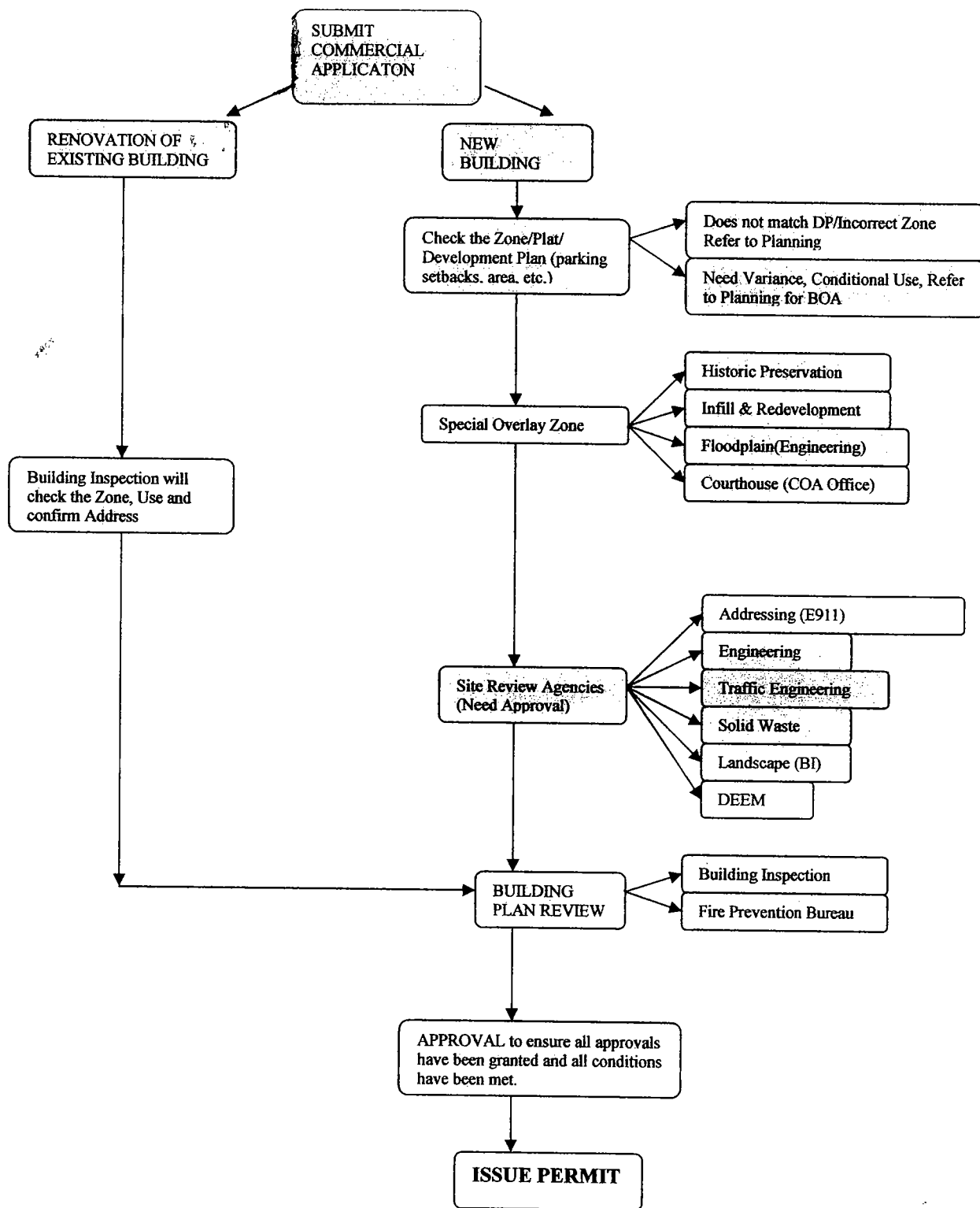
Single Family Residence (Over 1500 sq. ft.).....	.02 X Sq. Ft. (Min. \$50) + \$180
Single Family Residence (1500 sq. ft. or less).....	.02 X Sq. Ft. (Min. \$25) + \$180
Duplex/Townhouse.....	.02 X Sq. Ft. (Min. \$50) + \$120/Unit
Apartments/Condos.....	.02 X Sq. Ft. (Min. \$50) + \$100/Unit
Paving, Residential.....	.006 X Sq. Ft.
Curb Cut, Residential.....	\$10
Grading.....	\$25
Manufactured Home Placement.....	\$100

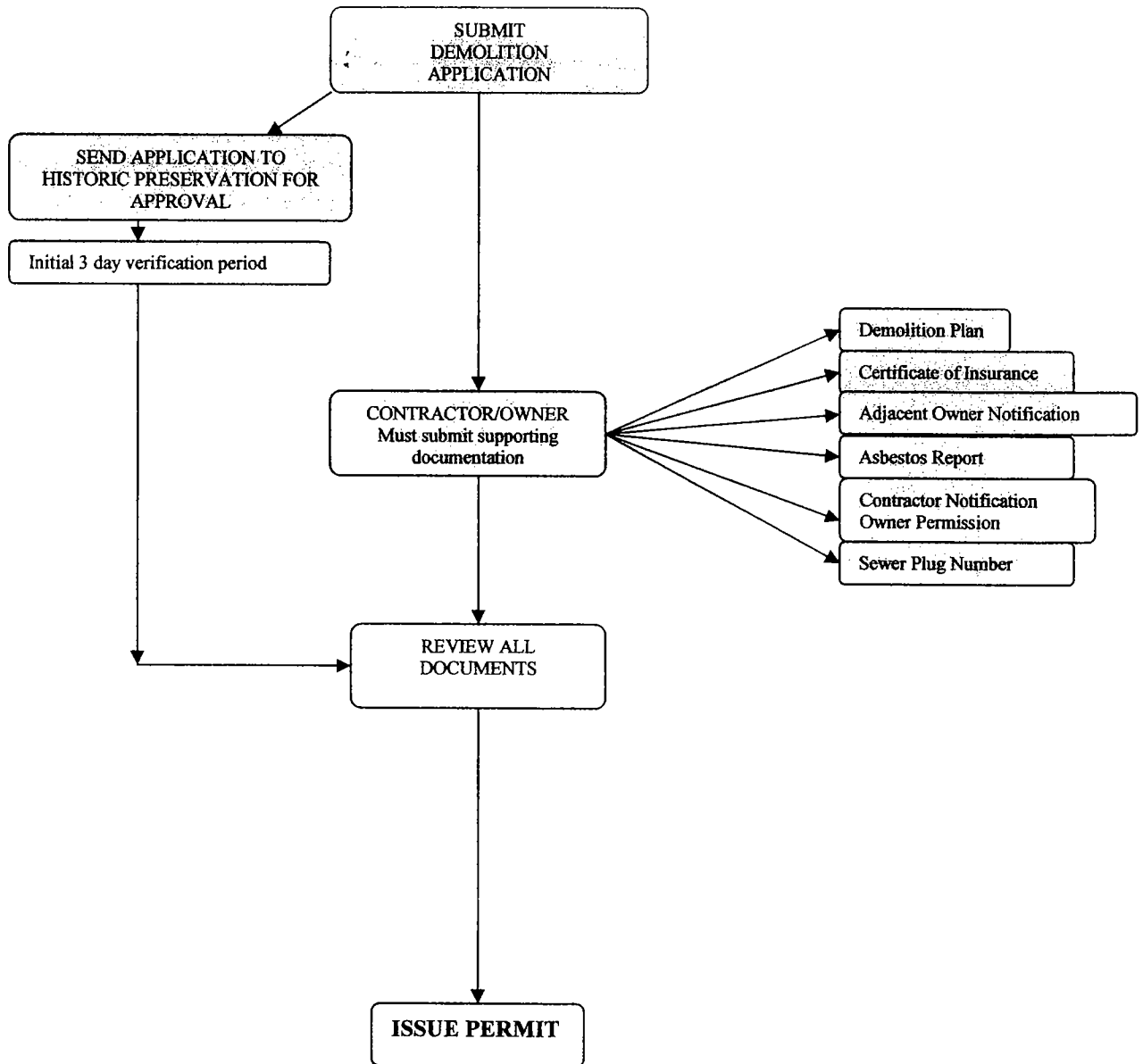
EXISTING RESIDENTIAL SECTION

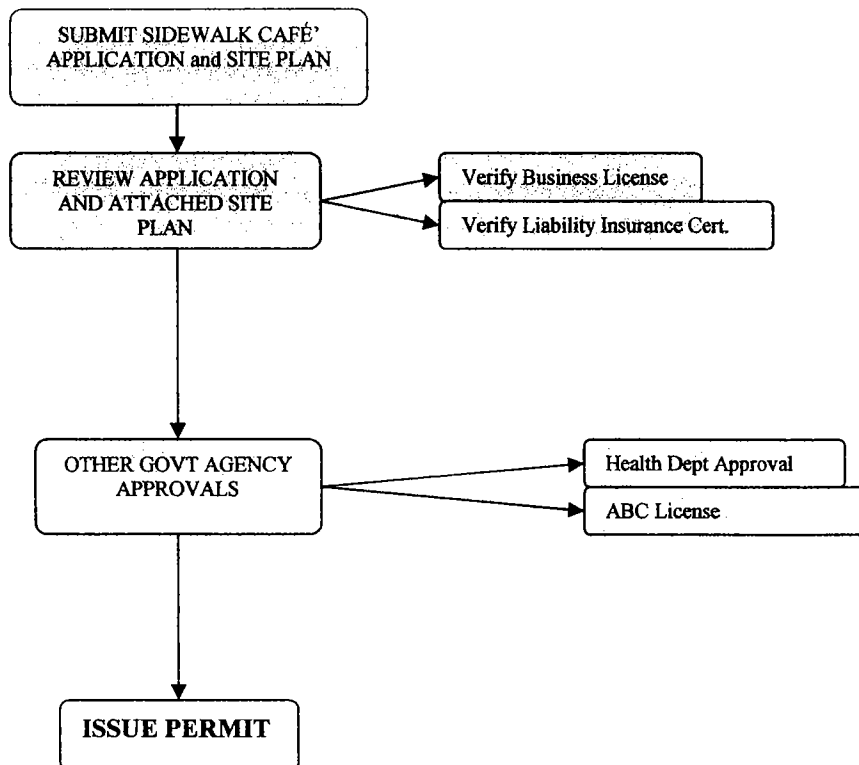
Remodeling, Residential (includes finishing basements, etc).....	.001 X Const. Costs (Min. \$50)
Additions, Residential (includes attached garages, decks, dormers, etc).....	.02 X Sq. Ft. (Min. \$50)
Accessory Buildings, Residential (detached garages, sheds, etc).....	.01 X Sq. Ft. (Min. \$50)
Swimming Pools, Residential.....	.006 X Cubic Ft. (Min. \$50)
Swimming Pools, Commercial.....	.006 X Cubic Ft. (Min. \$100)

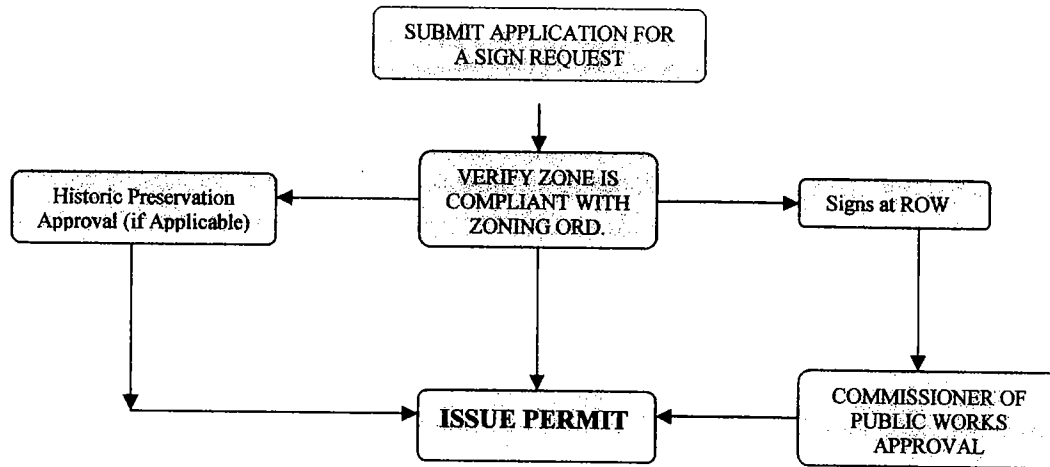
DIVISION OF BUILDING INSPECTION

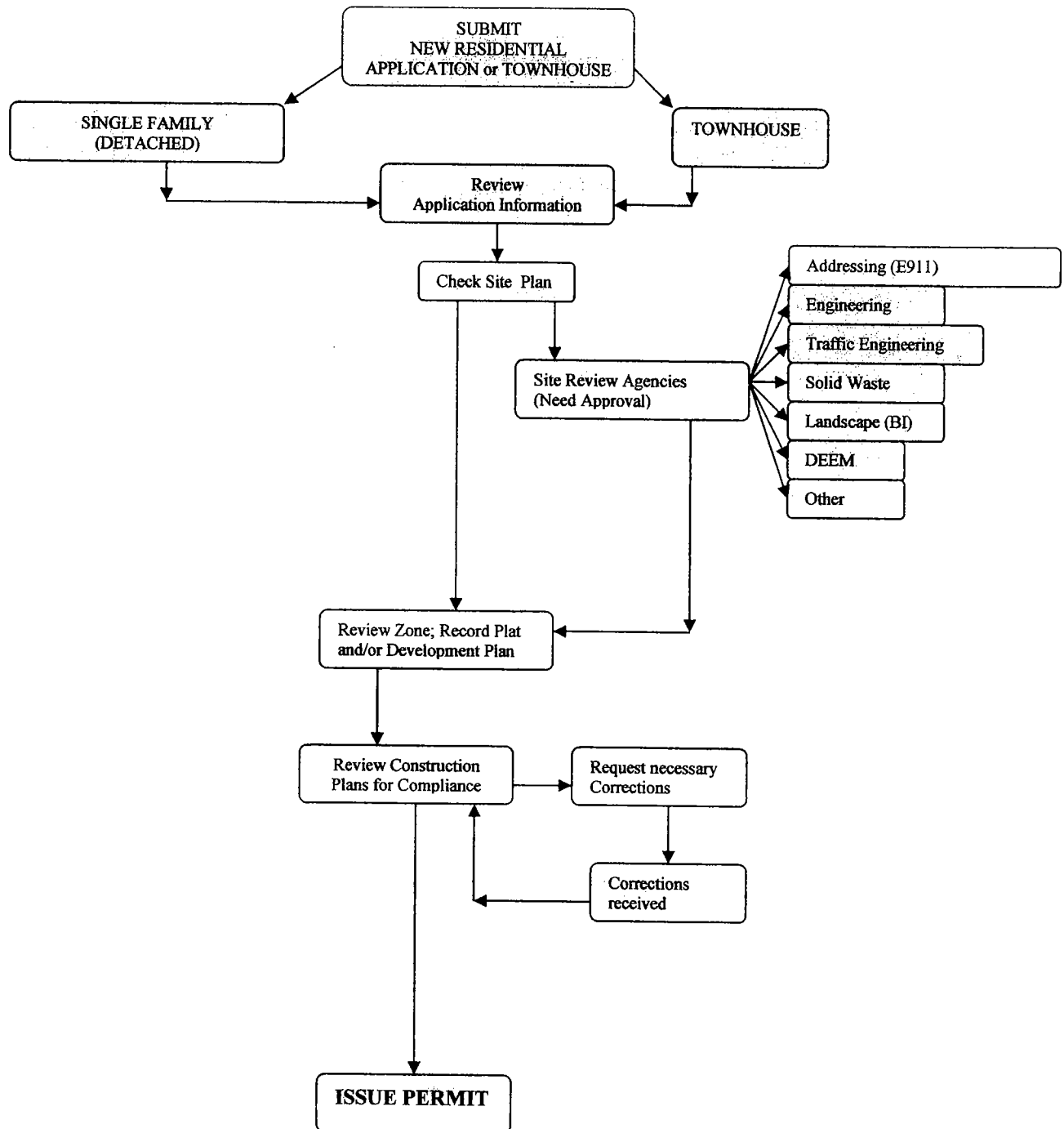
PERMITTING FLOW CHARTS

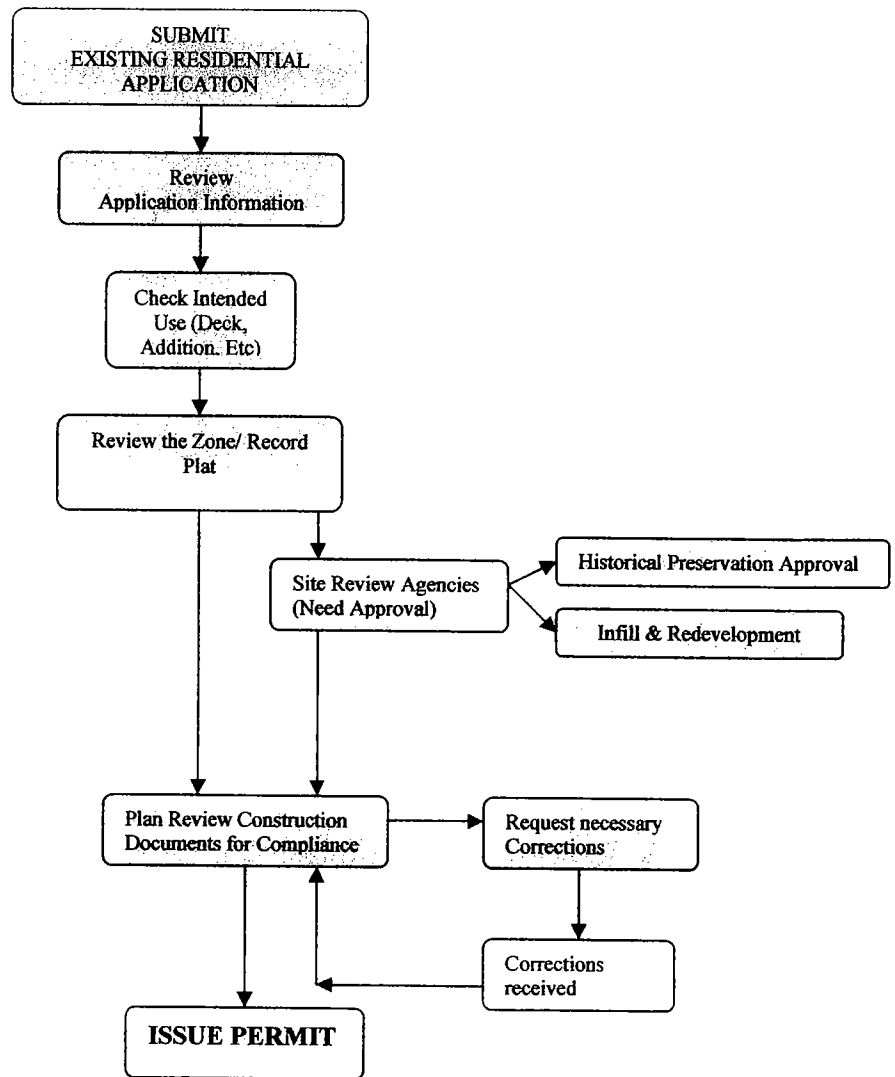


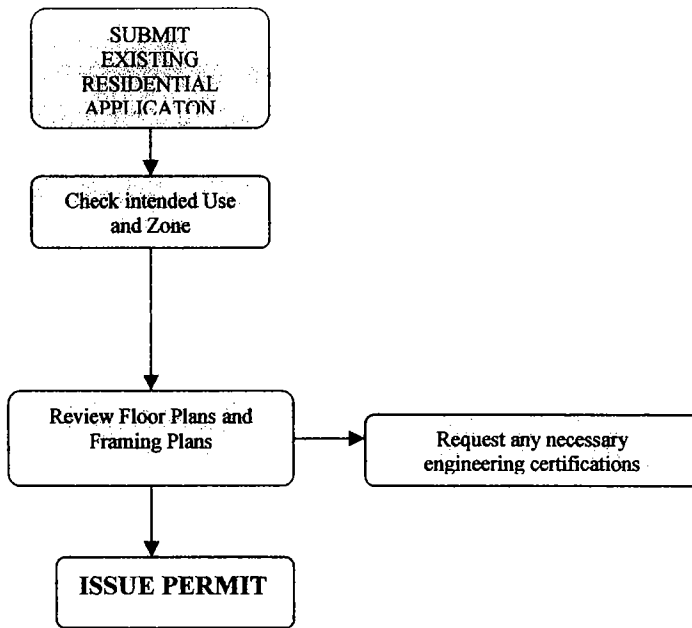


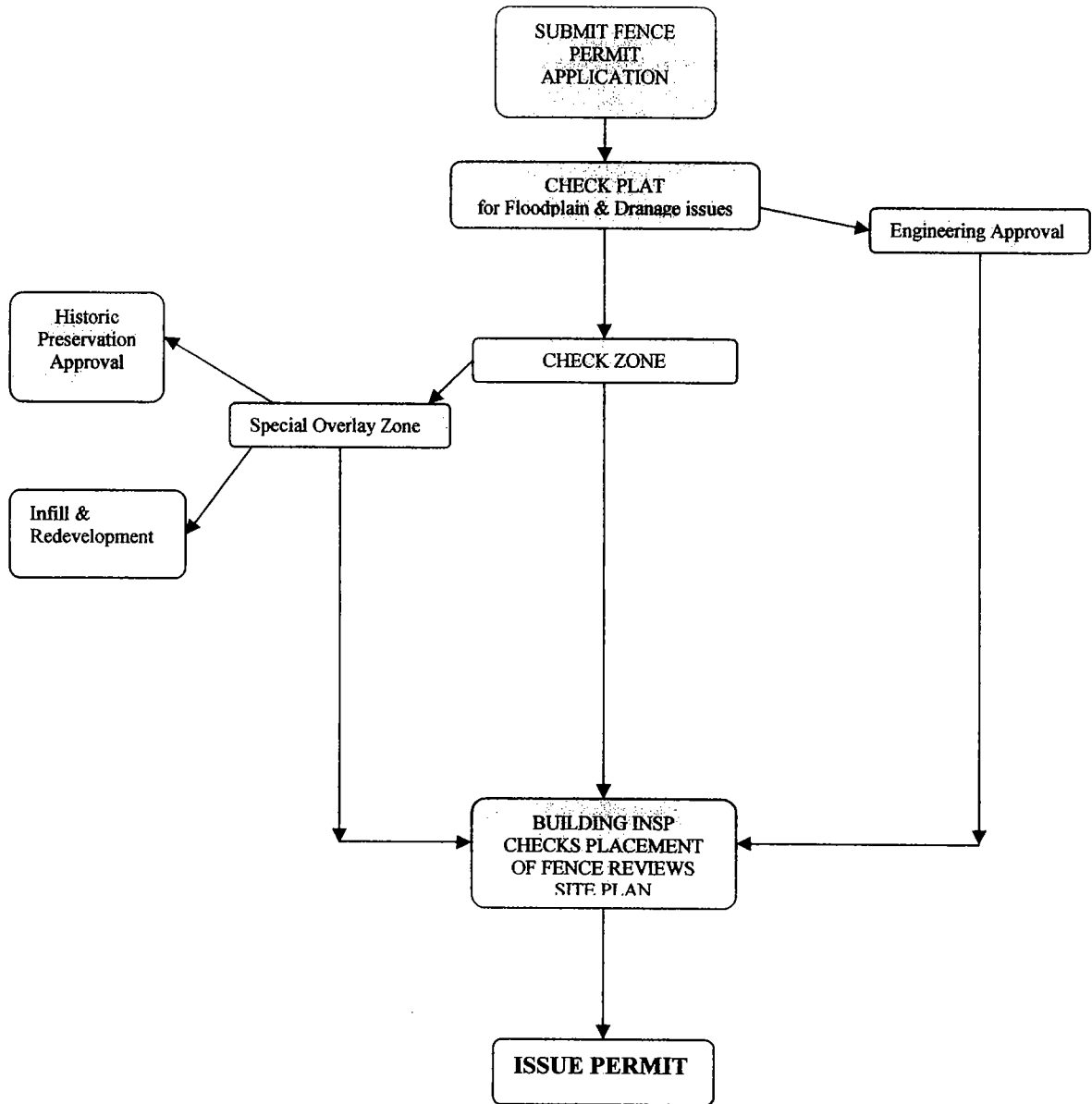


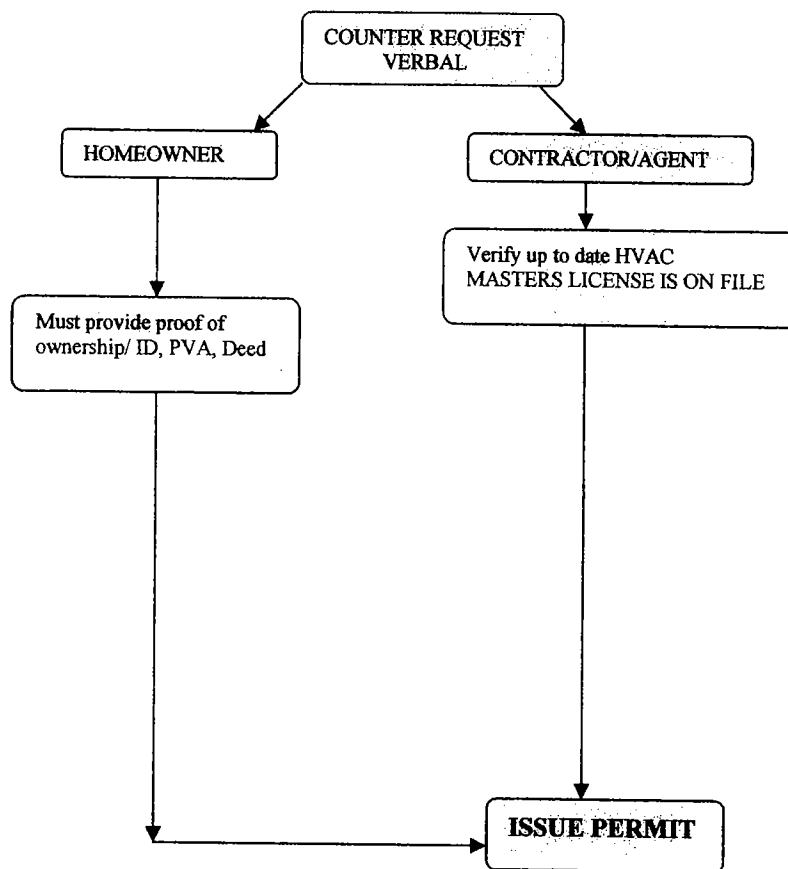


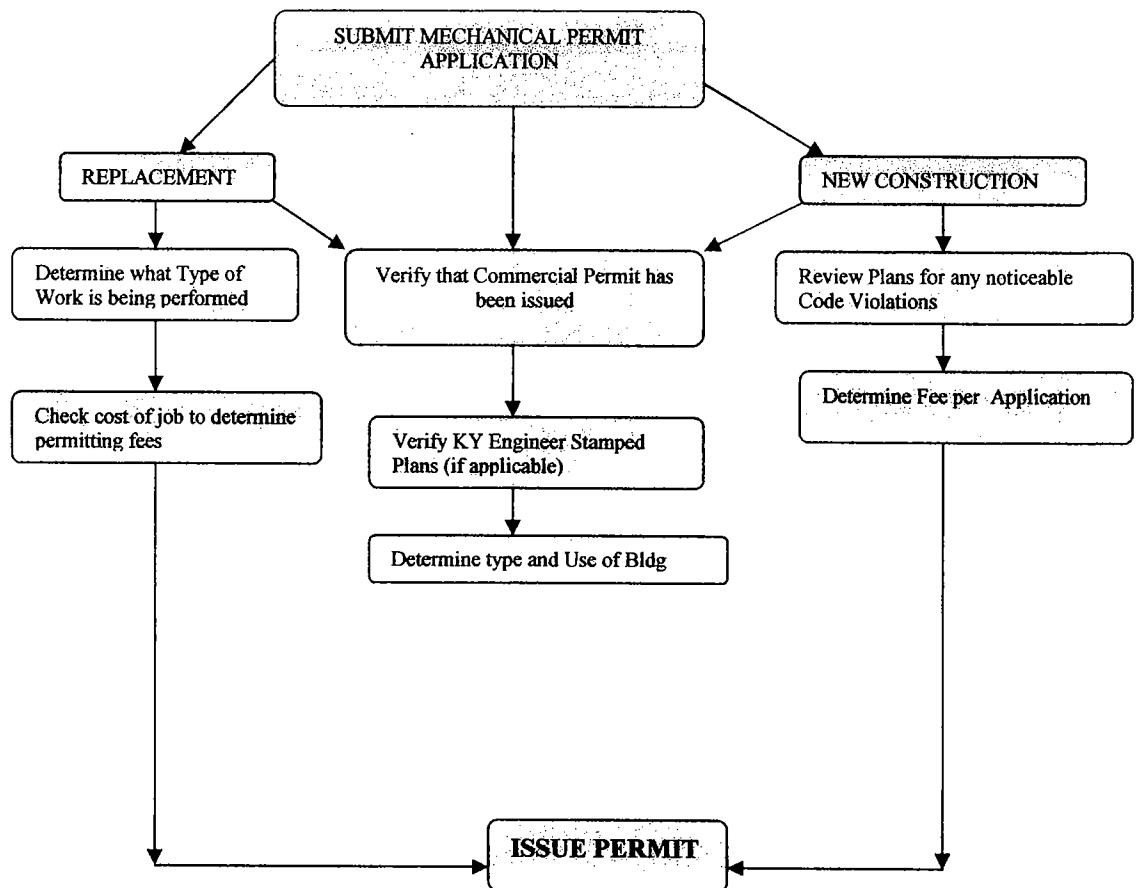


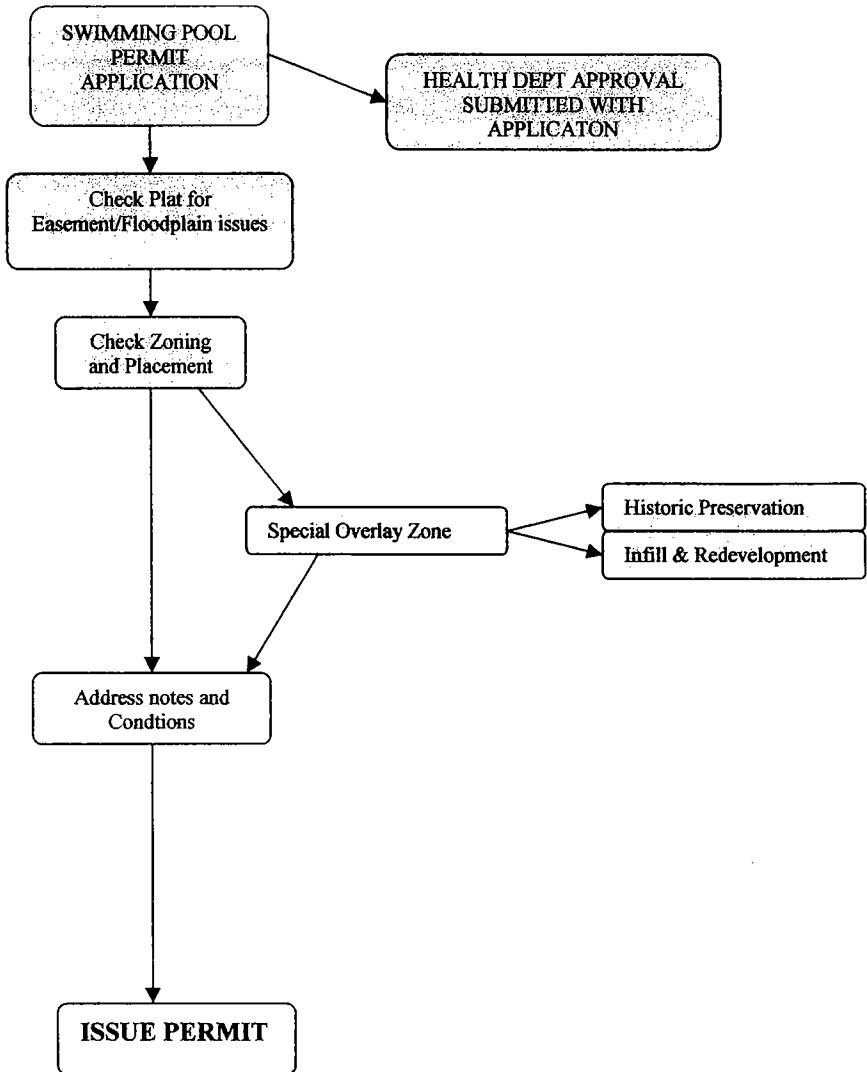


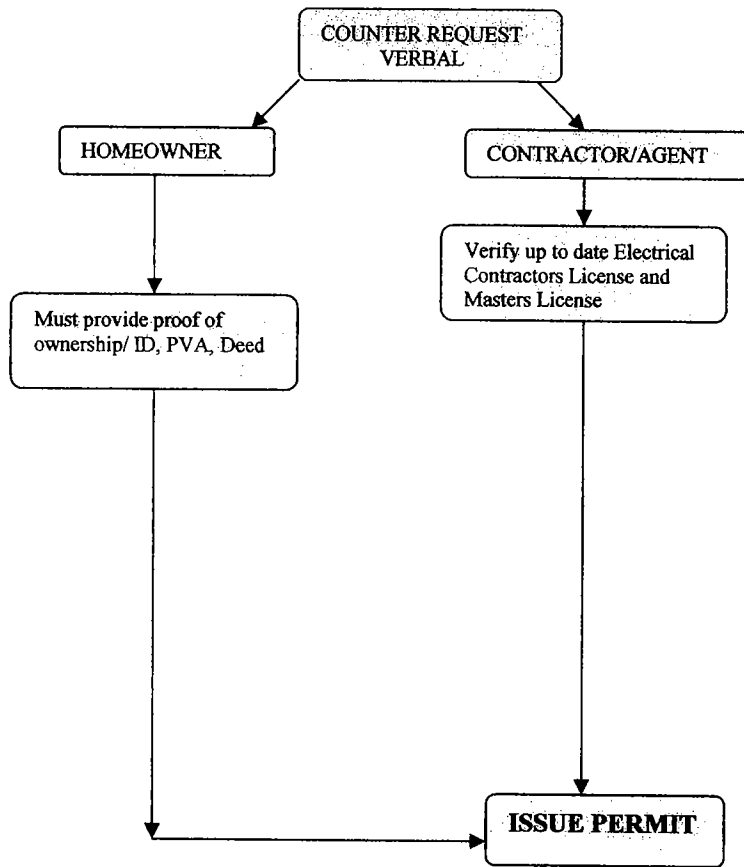












BUILDING PERMIT APPLICATION**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT****Division of Building Inspection, 101 East Vine Street, Lexington, KY 40507**

MAILING ADDRESS: 200 East Main Street, Lexington, KY 40507

Construction Location:						Zone:	
Owner:						Phone:	
Address:							
City:						State:	
City:						State:	
Contractor:						Phone:	
Address:						Registration #	
City:						State:	
City:						State:	
Lot No.:		Subdivision:				Plat Date:	
Unit:		Section:		Subsection:		Block:	
Sewer: ☐ Septic: ☐		Construction Type:			Construction Cost:		
# of Buildings:		# of Units:		# of Stories:		# of Rooms:	
# of Buildings:		# of Units:		# of Stories:		# of Baths:	
# of Buildings:		# of Units:		# of Stories:		# of 1/2 Baths:	
Foundation: Slab ☐ Crawl ☐				Basement: Unfinished ☐ Finished ☐			
Floodplain: In ☐ Out ☐ Released ☐				Floor Elevation:			
						Sq. Ft.	
						Total \$	
Living area all finished floors including finished basements, attached and basement garages, covered porches, stoops, breezeways and decks (1500 sq. ft. or less – minimum \$25; over 1500 sq. ft. - minimum \$50)						X .02	
Paving and driveways						X .006	
Exaction Fee						Per Plat	
Impact Fee – Single Family (Not applicable if exaction fee paid)						+ 180.00	
Duplex (per unit)						X 120.00	
Townhouse (per unit)						X 120.00	
Apartments (per unit)						X 100.00	
Curb Cuts (per cut)						X 10.00	
PAID BY: Cash ☐ Check ☐ Check #:						\$	
NOTES: - SOME TYPES OF CONSTRUCTION MAY REQUIRE FIRE-RESISTIVE WALL SYSTEMS. - TERMITE INSPECTION REPORT REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE. - FRAMING INSPECTION MUST BE SCHEDULED PRIOR TO DRYWALLING. - CERTIFICATE OF OCCUPANCY, ISSUED UPON FINAL INSPECTION BY THIS OFFICE, IS REQUIRED PRIOR TO THE OCCUPANCY OF THIS BUILDING. - MINIMUM FINISHED FLOOR ELEVATION, IF REQUIRED, MUST BE PROVIDED PRIOR TO FRAMING.							
REVIEW NOTES:							
THE UNDERSIGNED HEREBY CERTIFIES THEY ARE THE OWNER OR THE OWNERS'S AGENT OF THE ABOVE PROPERTY AND THAT THEY HAVE RECEIVED AND UNDERSTAND THE "EROSION CONTROL REQUIREMENTS FOR HOMEBUILDERS".							
SIGNATURE: _____				DATE: _____			
WORKER'S COMP CERT. ON FILE – EXP. DATE: _____ LIABILITY INSURANCE EXP. DATE: _____							
APPROVED BY: _____							
HANDOUTS GIVEN: WINDOW, FIREPLACE, DECK, FIRE DEPT. NOTICE							

PLAN REVIEW DATA

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Building Inspection, 101 East Vine Street, Lexington, KY 40507

MAILING ADDRESS: 200 East Main Street, Lexington, KY 40507

BUILDING CODE: KRC 200			
1. Type of Building:			
Single Family ☐ Duplex ☐ Townhouse ☐ Room Addition ☐ Other ☐ Description:			
2. Footer Size:		Footer Depth Below Grade: (Minimum 24")	
3. Foundation Type:		Basement Type:	
Slab ☐ Crawl ☐ Basement ☐		Unfinished ☐ Finished ☐	
4. Foundation Thickness:	Foundation Materials: Block ☐ Concrete ☐	Basement Foundation Design:	Max Backfill:
5. Girder Size/Type:	Girder Pier Spacing:	Special Beams:	
6. Sill Plate Fastener Type:			
Bolts ☐ (6 ft. o. c.) Straps ☐ (3 1/2 ft. o. c.) Other ☐			
7. Floor Joists: First Floor _____ Spacing _____ O.C. Other _____			
Second Floor _____ Spacing _____ O.C.			
8. Floor Sheathing: Type/Thickness _____		Roof Sheathing: Type/Thickness _____	
9. Stud size and spacing standard:		Girder or foundation wall studs:	
10. Ceiling Joist:		Will there be attic storage?	
Size: _____ Spacing: _____ O.C.		Yes ☐ No ☐	
11. Rafters:		Roof Trusses: (Must be pre-engineered)	
Standard Size: _____ Spacing: _____ O.C.		Yes ☐ No ☐ Other: _____	
Other: _____			
12. Attached Garage: (Door to house must have 20 min. fire rating)		Storage Above:	
Drywall Type: _____		Yes ☐ No ☐	
13. Safety Glazing:		Glazing in a tub area?	
Within 24" of a door? Yes ☐ No ☐		Yes ☐ No ☐	
14. Fireplace: (ALL FIREPLACES MUST HAVE EXTERIOR AIR SUPPLY)		Glazing larger than 9 sq. ft. and located within 18" of the floor?	
Yes ☐ No ☐ Masonry ☐ Factory Built ☐		Yes ☐ No ☐	
15. Brick Veneer? (WEATHER RESISTANT MEMBRANE REQUIRED)		Decorative Gas Appliance:	
Yes ☐ No ☐		Yes ☐ No ☐	
16. Heating System Type:			
Gas ☐ Electric ☐ Location: _____			
17. Energy: Compliance with the KRC is required.			
Note: One of the following methods is required.			
☐ Minimum values as per KRC			
☐ Alternative Method: _____			
18. Is a wood deck to be constructed?			
Yes ☐ No ☐ Size: _____ Height Above Grade: _____			
Notes:			

FOLLOWING ARE THE SUBMITTAL REQUIREMENTS FOR INDIVIDUAL URBAN COUNTY GOVERNMENT AGENCIES FOR APPROVAL TO 34
ISSUE A BUILDING PERMIT. ALL PLANS MAY BE SUBMITTED TO A JOINT "REVIEW BOARD" MEETING ON TUESDAYS BEGINNING AT
9:00 AM IN THE DIVISION OF BUILDING INSPECTION, 101 E VINE ST, SUITE 210. (CALL FOR APPOINTMENT IN ADVANCE.)

Review Board plans required: 9 site plans, 2 sets construction plans, and 1 landscape plan

Division of Building Inspection (2002 KBC)

Office Location: 101 E. Vine St., Ste 210
Lexington, KY 40507
Phone (859)-258-3770 Fax (859) 258-3780
Attn: Commercial Section
Mailing Address: Division of Building Inspection
200 E. Main Street
Lexington, KY 40507

Use 101 E. Vine St., Ste. 210 for hand or overnight deliveries

Requires:

- ☐ 1 completed application
- ☐ 1 set of construction drawings with 2 site plans
- ☐ 1 set of specifications if available
- ☐ 1 landscape plan Attn: Belinda Labadie
- ☐ 1 copy of energy calculations
- ☐ 1 copy of mechanical plans

Division of Fire and Emergency Services (2002 KBC, NFPA 70)

Central Fire Station
219 E. Third St.
Lexington, KY 40507
Phone (859) 231-5668
Attn: Capt. Roger White

Requires:

- ☐ 1 completed application
- ☐ 1 set of construction drawings with one site plan

Division of Engineering

101 E. Vine St., 1st floor
Lexington, KY 40507
Attn: Barry Brock
Phone (859) 258-3439

Requires:

- ☐ Commercial developments shall submit one copy of the site plan containing information on storm water management, erosion control, and grading as outlined in the Engineering Manuals adopted by the LFUCG 1/1/01.

Division of Traffic Engineering

101 E Vine St 3rd Floor
Lexington, KY 40507
Phone (859) 258-3480
Attn: Jim Gallimore

Requires:

- ☐ 1 site plans showing parking layout, access drive with approach apron details, road sections, and curb, gutter and sidewalk sections.

Solid Waste Management

675 Byrd Thurman Dr.
Lexington, KY 40510
Phone (859) 258-3473
Attn: Gary Warner

Requires:

- ☐ 1 site plan showing location and screening for dumpsters.

Division of Environmental and Emergency Management

166 N. Martin Luther King
Lexington, KY 40507
Attn: Steve Jackson
Phone (859) 258-3784

Requires:

- ☐ 1 site plan, showing tank locations if applicable.

Addressing Office, Department of Public Safety

101 E. Vine St., 5th floor
Lexington, KY 40507
Attn: Phillip Stiefel
Phone (859) 425-2236

Requires:

- ☐ 1 site plan showing building envelope, building's exterior access points (doors), building's location relative to named easements (streets), and all access points to site (aprons/driveways).

FOLLOWING ARE THE SUBMITTAL REQUIREMENTS FOR INDIVIDUAL URBAN COUNTY GOVERNMENT AGENCIES FOR APPROVAL TO ³⁵
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Division of Building Inspection (2002 KBC)

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Lexington, KY 40507
Phone (859)-258-3770 Fax (859) 258-3780
Attn: Commercial Section
Mailing Address: Division of Building Inspection
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- ☐ 1 set of specifications if available
- ☐ 1 landscape plan Attn: Belinda Labadie
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101 E. Vine St., 5th floor
Lexington, KY 40507
Attn: Phillip Stiefel
Phone (859) 425-2236

Requires:

- ☐ 1 site plan showing building envelope, building's exterior access points (doors), building's location relative to named easements (streets), and all access points to site (aprons/driveways).

Commercial Permit/Plan Review Application

Lexington Fayette Urban County Government

Please submit this form with a COMPLETE set of plans, (including, but not limited to, construction drawings, site plans, height & area calculations, elevations, etc.), to the following agencies.

Division of Building Inspection, 101 E Vine St, Ste: 210 Lexington, KY 40507

Phone number: 859-258-3770 Fax: 859-258-3780

Fire Prevention Bureau, 219 E Third St, Lexington, KY 40508

Phone Number: 859-231-5668 Fax: 231-5606

Please provide the following information

Project Address: _____ **Suite#:** _____ **Zip Code:** _____

To Confirm the Correct Project Address Call the Addressing Office at (859) 425-2236 or 258-3583

Business Name: _____

Owner or Applicant: _____ **Phone:** _____

Address: _____ **State:** _____ **Zip:** _____

Contractor: _____ **Registration Number:** _____

City: _____ **State:** _____ **Zip:** _____

Architect Name: _____ **Phone Number:** _____

Firm Name: _____ **Email:** _____

Engineer Name: _____ **Phone Number:** _____

Firm Name: _____ **Email:** _____

Contact Person: _____ **Phone Number:** _____ **Email:** _____

~~~~~Please check which best describes your project~~~~~

|                                                                  |                                             |                                       |                                           |
|------------------------------------------------------------------|---------------------------------------------|---------------------------------------|-------------------------------------------|
| New Building: <input type="checkbox"/>                           | Building Addition: <input type="checkbox"/> | Fit-Up: <input type="checkbox"/>      | Remodel: <input type="checkbox"/>         |
| Change of Use: <input type="checkbox"/>                          | Fire Repair: <input type="checkbox"/>       | Parking Lot: <input type="checkbox"/> | Parking Addition <input type="checkbox"/> |
| Sprinkler System: <input type="checkbox"/>                       | Alarm Systems: <input type="checkbox"/>     |                                       |                                           |
| Other: Describe on lines provided below <input type="checkbox"/> |                                             |                                       |                                           |

~~~~~

~~~~~General Building Information~~~~~

2007 KBC Construction Type: \_\_\_\_\_ Number of Stories: \_\_\_\_\_ Sq. Ft. Per Floor: \_\_\_\_\_

Remodel/Fit-up Sq. Ft: \_\_\_\_\_ 2007 KBC Use Group: \_\_\_\_\_ Construction Cost: \_\_\_\_\_

**Basement?:** Yes ( ) No ( ) **Fire Alarm?:** Yes ( ) No ( ) **Sprinkler System?:** Yes ( ) No ( )

**PLAN REVIEW FEE:** .06 X \_\_\_\_\_ **TOTAL SQ.FT. = \$** \_\_\_\_\_ **(\$50 Minimum)**

**CHECK #** \_\_\_\_\_ **(Plans received without review fee will not be reviewed)**

The Undersigned hereby certifies they are the owner or the owner's agent of the property and that all information is true and accurate to the best of their knowledge.

**Applicants Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## REQUIREMENTS FOR DEMOLITION PERMIT

- **CERTIFICATE OF INSURANCE**

Certificate of insurance should include coverage for (which is based on property valuation assessment):

- A. Bodily injury
- B. Per each accident
- C. Property damage
- D. Worker's compensation
- E. Certificate should state: LFUCG as holder and covers wrecking

- **OWNER NOTIFICATION**

A letter of notification to property owners that are abutting, adjacent to or located within fifty (50) feet of the property line, stating the proposed demolition to be done

- **ASBESTOS REPORT**

Report from private agency or local health department

- **CONTRACTOR NOTIFICATION**

A letter from the owner and/or agent giving contractor permission to do the work

- **SEWER PLUG NUMBER**

Need plug number issued by the Division of Engineering

- **HISTORICAL OFFICE APPROVAL**

There is an initial three- (3) day waiting period to determine if a historical study needs to be made. If one does, there can be a thirty- (30) day hold on the permit.

Mayor Jim Newberry  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
 Division of Water and Air Quality

**Sanitary Sewers  
 Pay Item Agreement Process**

- **New Tap Request/Permit: Builders for new development(s)**
  - If not an exaction area builder(s) must write a check at time of Tap Permit request
  - Tap Permit fees are based on lot size for residential, per ¼ acre
  - Tap Permit fees are based on Sq. Ft. of building for commercial
  - Tap Permit fees for multi-family dwellings, apartments, hotel/motel etc. are calculated by other factors
  - Master Plumber must sign the Tap Request/Permit
- **Tap On Desk reviews maps and/or plans to determine if a tap, “stub out”, has been provided for requested address/location**
  - If a tap is provided for the requested location there is not a need for a Pay Item Agreement, plumber connects to provided stub out
  - If a tap or stub out is not provided a Pay Item Agreement form must be requested and completed
  - Pay Item Agreement fees are: \$250.00(as of 08.13.07)
  - It is the responsibility of the Pay Item Agreement requestor to expose or have exposed by other(s) the sanitary sewer main line at desired location of tap, trench must meet OSHA requirements for excavations and/or trench protection
  - Division of Water and Air Quality employees will perform/provide tap connection to the sanitary sewer main line
  - Pay Item Agreements that require a manhole tap, inside or outside drop, will be the responsibility of the Pay Item Agreement requestor and will be inspected by Division of Water and Air Quality employee(s) for compliance with Standard Drawings. Pay Item Agreement Fee(s) still apply.
- **If builder/homeowner requests to deviate from provided tap location**
  - Must be approved by Barry Brock and/or Hillard Newman
  - If approved Pay Item Agreement items listed above will apply
- **Request for additional tap**
  - Must be approved by Barry Brock and/or Hillard Newman
  - If approved Pay Item Agreement items listed above will apply

## Pretreatment Permits

### Industrial User Permits and Hauler permits.

- Permits are issued for a three year cycle. All permits expire on the same date.
- \$150.00 for initial permit and \$75.00 for renewal
- IU's are asked to complete an application for initial permit and before renewals.
- IU's are invoiced initial fee upon permit issue and are invoiced for the renewal fee 3-6 months before permit is renewed (during period of re-application)
- IU's have 30 days to appeal terms of the permit

### Unusual Discharge Permit. Typically short term or one time discharges of treated remediation water.

- Permittees are asked to submit a letter requesting permission to discharge and describing volume of water, treatment system and any analytical result they may have.
- Permit fee is \$150.00 and is invoice at permit issue.
- Permits are issued 2 days to two weeks after letter is received.

### Special Grease trap permits. For internal traps only

- Permittees are asked to complete application providing details of cooking methods, method of service, seating capacity, hours of operations and plumbing appliances used.
- Owner/manager must sign the application agreeing to the terms of the permit before a permit will be issued
- May require an inspection to gather additional or verify information.
- Permit is issued detailing size of trap required, cleaning requirements, BMP's and record keeping requirements.
- Permittee is invoiced \$150.00 special permit fee upon issue of the permit.
- Permittee is required to install and maintain the grease trap within 60 days of permit issue.

## LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

### Division of Traffic Engineering

### Policy for Temporary Lane Blockages

#### August 2006

The issue of lane blockages and/or closures is an important one because of the concern for the safety of pedestrians, the motoring public, and the contractors. The Lexington-Fayette Urban County Government, Division of Traffic Engineering is responsible for issuing a permit for projects done in the public right-of-way under Chapter 17 of the LFUCG Code of Ordinances. There has been a greater demand and need for installations, repairs and other types of work to be performed in the public right-of-way over the past few years, as development, redevelopment, utility maintenance has continued to increase. A coordinated effort is essential for the overall safety of those mentioned above and for the efficiency of traffic flow.

To eliminate any confusion or conflicts of projects the following guidelines must be implemented and adhered to for lane blockages.

The Division of Traffic Engineering requires a two (2) working day notice (before noon) in order to process the Lane Blockage Permit and to allow time for notice to Police, Fire, Public Information and the Traffic Information Network. The only exception to this is for emergency repairs, which requires the contractor to notify Traffic Engineering, Police and Fire. This notification is to be followed up by the contractor obtaining a Lane Blockage Permit if the emergency repairs continue for more than that day.

Any person, contractor, utility company or government agency must contact the Division of Traffic Engineering before any lane blockage can be permitted to occur. Once the contact has been made, the request is either permitted or denied due to schedule conflicts, extent of work, or safety concerns.

The Division of Traffic Engineering issues the permits for those that call the Division (258-3830) or come by our offices located at 101 East Vine Street, Suite 300 to acquire their permit, which does not require any fee.

The Lane Blockage Permit hours usually are 9:00 a.m. to 3:00 p.m. and/or 6:30 p.m. to 7:00 a.m. on arterials and collector streets. Local and residential street permits allow working hours of 7:00 a.m. to 7:00 p.m. as long as intersections are not blocked during rush hour (7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.). These limited working hours are required to provide the motorists with the least impeded travel during the peak travel hours.

The Lexington-Fayette Urban County Government, utility companies and private contractors are required to use approved work zone traffic control procedures. The *Manual on Uniform Traffic Control Devices* guides these work zone activities. The Division of Traffic Engineering has copies of the Traffic Control in Work Zones available upon request. Government agencies, utility companies and contractors are required to provide traffic control devices as deemed necessary to relay to motorists/pedestrians of the work zone activity and modifications to the anticipated route. The contractor assumes responsibility for setting up appropriate work zones and obtaining guidance from Traffic Engineering personnel as necessary. Staff depends heavily on input from citizens, police, and others to identify sub-standard work zone, traffic control devices and will work to rectify any hazardous situations.

The procedure for long-term lane blockages for projects such as those administered by the Division of Engineering requires more advanced planning prior to awarding contracts for the work. Traffic control procedures consistent with the *Manual on Uniform Traffic Control Devices* are required for the projects. If streets or lanes of traffic are to be blocked during construction, the dates and times for the blockages must be specified in the bid documents. The divisions of Engineering and Traffic Engineering must approve any blockage or procedure change proposed by the contractor before the contractor is permitted to proceed.

The Division of Traffic Engineering requests the agency, utility company or contractor to contact Traffic Engineering upon completion of a project prior to the expiration date so that our information will be up-to-date and accurate.

| <u>Agency</u>       | <u>Telephone</u> | <u>FAX</u> |
|---------------------|------------------|------------|
| Traffic Engineering | 258-3830         | 425-2054   |
| Police              | 258-3666         | 258-3608   |
| Fire                | 254-1120         | 255-4302   |

**SIMPLIFIED DESCRIPTION OF STEPS INVOLVED IN  
PROCEDURE FOR MINOR SUBDIVISION PLANS AND MINOR AMENDMENTS TO DEVELOPMENT PLANS**

- Step #1 .....**PRE-APPLICATION CONFERENCE**.....Developer reviews sketch plan ideas with the Division of Planning, and is informed of possible issues and required procedures. If necessary, Division of Planning determines whether or not the requested action would qualify as a minor plan. (Not mandatory)
- Step #2.....**MINOR PLAN PREPARATION**.....Plan prepared by developer in accordance with the Land Subdivision Regulations and/or Zoning Ordinance.
- Step #3.....**FILING**.....Developer properly files minor plan (required copies, original plan drawing with required signatures, and fees) with the Division of Planning.
- Step #4.....**STAFF REVIEW** .....The Division of Planning staff reviews the proposed plan and coordinates review with other agencies as necessary.
- Step #5.....**CORRECTIONS TO PLAN**.....If necessary, the Division of Planning notifies the applicant of any changes and/or corrections needed for compliance with requirements. Upon completion of corrections, the Division of Planning certifies the plan, and if it is a subdivision plan, records it. At this point, the plan is deemed as fully approved.

**IF THE PLAN IS DENIED, OR IF APPLICANT DISAGREES WITH ANY DIVISION OF PLANNING REQUIREMENTS:**

- Step #6.....**PLANNING COMMISSION**.....The Division of Planning will schedule the minor plan for consideration at the next scheduled Planning Commission meeting. The Commission will decide the disputed issue. If approved, the plan may be certified as described in step #5 above.

NOTE: This illustration is presented for general information purposes only. All developers should consult with the Division of Planning prior to filing to determine the required procedural steps for the minor plan. There are no filing deadlines for minor plans; they may be filed at any time during office hours.

**CONTACT:** LFUCG Division of Planning, Planning Services Section; LFUCG Phoenix Building, 7th Floor. (859)258-3160

**SIMPLIFIED DESCRIPTION OF STEPS INVOLVED IN  
PROCEDURE FOR PROCESSING MAJOR SUBDIVISION PLANS**

- Step #1.....**PRE-APPLICATION CONFERENCE**.....Developer reviews sketch plan ideas with the Division of Planning, and reviews the community development plans. (Not mandatory)
- Step #2.....**PRELIMINARY SUBDIVISION PLAN**.....Developer prepares preliminary subdivision plan in accordance with the requirements of the Land Subdivision Regulations.
- Step #3.....**FILING**.....Developer properly files preliminary plan according to the Official Meeting & Filing Schedule (with required copies and fees) with the Division of Planning which distributes copies to other agencies.
- Step #4.....**TECHNICAL COMMITTEE**.....The Technical Committee meets and prepares recommendations to the Commission's Subdivision Committee.
- Step #5.....**SUBDIVISION COMMITTEE**.....The Subdivision Committee meets and prepares recommendations to the full Planning Commission.
- Step #6.....**PLANNING COMMISSION MEETING**.....At official meeting, the Commission acts on plan. The Commission can approve, conditionally approve, postpone or disapprove the preliminary plan.
- Step #7.....**PLAN CERTIFICATION**.....If approved, the developer has one year to comply with all requirements and present the plan to the Division of Planning for final certification.
- Step #8.....**IMPROVEMENT PLAN**.....As soon as preliminary plan is fully approved (certified), the developer may proceed to the improvement plan.
- Step #9.....**FILING**.....Within 12 months of approval of preliminary plan, developer must file improvement plans with the Division of Engineering.
- Step #10.....**REVIEW**.....The Division of Engineering accepts plans and notifies the Division of Building Inspection that grading permits may be issued.
- Step #11.....**FINAL SUBDIVISION PLAT**.....As soon as improvement plans are fully accepted, developer may proceed to construct improvements and, after improvements have been completed (unless a bond or letter of credit is to be used) proceed to prepare final plans.
- Step #12.....**FILING**.....Within three years of approval of the preliminary plan, developer must properly file final plan(s) (required copies and fees) to the Division of Planning which distributes copies to other agencies.
- Step #13.....**TECHNICAL COMMITTEE**.....The Technical Committee meets and prepares recommendations to the Planning Commission's Subdivision Committee.
- Step #14.....**SUBDIVISION COMMITTEE**.....The Subdivision Committee meets and prepares recommendations to the full Planning Commission.
- Step #15.....**PLANNING COMMISSION MEETING**.....At official meeting, the Commission acts on plan. The Commission can approve, conditionally approve, postpone or disapprove the plat.
- Step #16.....**PLAT CERTIFICATION**.....Within one year of Commission approval, the final plat must meet all requirements, be certified, and recorded. Lots may then be sold.
- Step #17.....**RELEASE OR CALL OF BOND(S)**.....If a construction bond has been permitted, it shall be released if work is properly completed within specified time. Otherwise, the Commission shall call the bond or letter of credit and have work properly performed unless an extension is granted.

NOTE: This illustration is presented for general information purposes only. In many cases, all steps are not required. All developers should consult with the Division of Planning prior to filing to determine the required procedural steps for the proposed subdivision. Filing dates and Committee and Commission hearing schedules are established annually on the adopted Meeting & Filing Schedule.

**CONTACT:** LFUCG Division of Planning, Planning Services Section; LFUCG Phoenix Building, 7th Floor. (859)258-3160

**SIMPLIFIED DESCRIPTION OF STEPS INVOLVED IN  
PROCEDURE FOR PROCESSING ZONE MAP AMENDMENTS (ZONE CHANGES)**

- Step #1 .....**PRE-APPLICATION CONFERENCE**.....Developer reviews proposed zone change and sketch plan ideas with the Division of Planning. Application materials and procedural requirements are fully reviewed. The proposals are discussed as to compliance with the adopted Comprehensive Plan, zoning history and potential issues. NOTE: This pre-application conference is MANDATORY and must be held no less than one week, nor longer than 3 months, prior to filing.
- Step #2 .....**FILING**.....Required application materials are filed with the Division of Planning. Application materials include required forms, filing fees, notification lists and letters, legal descriptions and plats; and in most cases, a development plan. Filing deadline dates and the dates of the corresponding Zoning Committee meeting and Planning Commission public hearing are published for the year in the Planning Commission's Meeting & Filing Schedule.
- Step #3 .....**STAFF REPORT**.....The Division of Planning staff prepares a written report on the application. The staff can recommend approval, approval with conditions, disapproval, or postponement. This written report is presented to the Commission's Zoning Committee.
- Step #4 .....**ZONING COMMITTEE**.....The Planning Commission's Zoning Committee meets to review the proposed zone map amendment. The staff report is presented. The applicant and any other concerned citizens are permitted to make brief statements; however, this meeting is not a public hearing.
- Step #5 .....**PLANNING COMMISSION HEARING**.....The full Planning Commission conducts a public hearing on the application. The staff report and the Zoning Committee's recommendations are presented. The applicant can make a presentation, as well as any other interested parties either in favor of or opposed to the application. The Commission votes on the application at the conclusion of the hearing, and may approve, conditionally approve, disapprove, and in some cases, postpone the request.
- Step #6 .....**COUNCIL ACTION**.....Within 90 days of the date of Planning Commission action, the Urban County Council takes its final action to either approve or deny the zone map amendment application. The Council can choose to act based upon the record of the Planning Commission hearing, or can schedule its own, new public hearing. If a new hearing is scheduled, the applicant is responsible for providing required notice. The Council decision is the final action on the application unless litigation ensues.

NOTE: This illustration is presented for general information purposes only. All applicants should consult with the Division of Planning prior to and during the application process to ensure that all required procedural steps are followed.

**CONTACT:** LFUCG Division of Planning; Planning Services Section. LFUCG Phoenix Building, 7th floor. (859)258-3160

**SIMPLIFIED DESCRIPTION OF STEPS INVOLVED IN  
PROCEDURE FOR PROCESSING ZONING ORDINANCE TEXT AMENDMENTS (ZOTA)**

- Step #1.....**PRE-APPLICATION CONFERENCE**.....Applicant reviews proposed zoning text change(s) and ideas with the Division of Planning. Application materials and procedural requirements are fully reviewed. The proposal is discussed as to compliance with the adopted Comprehensive Plan, Zoning Ordinance history and potential issues. Note: This pre-application conference is MANDATORY and must be held no less than one week, nor longer than 3 months, prior to filing.
- Step #2.....**FILING** .....Required application materials are filed with the Division of Planning. Application materials include required forms (or when an attorney represents an applicant, a submission on their letterhead), notification lists for Registered Neighborhood Associations and notice letters. Filing deadline dates and the dates of the corresponding Zoning Committee meeting and Planning Commission public hearing are published for the year in the Planning Commission's Meeting and Filing Schedule.
- Step #3.....**STAFF REPORT**.....The Division of Planning staff prepares a written report on the application. The staff can recommend approval, approval with conditions, disapproval, postponement, or an alternate text amendment for consideration. This written report is presented to the Commission's Zoning Committee.
- Step #4.....**ZONING COMMITTEE**.....The Planning Commission's Zoning Committee meets to review the proposed zoning text amendment. The staff report is presented. The applicant or their attorney and any other concerned citizens are permitted to make brief statements; however, this meeting is not a public hearing.
- Step #5.....**PLANNING COMMISSION HEARING** .....The full Planning Commission conducts a public hearing on the application. The staff report and the Zoning Committee's recommendations are presented. The applicant or their attorney can make a presentation, as well as any other interested parties either in favor of or opposed to the application. The Commission votes on the application at the conclusion of the hearing.
- Step #6.....**COUNCIL ACTION** .....After the Final Report of the Planning Commission is forwarded to the Urban County Council, the Council considers whether or not to take final action to either approve or deny the zoning text amendment application. The Council can choose to act based upon the recommendation of the Planning Commission, or can schedule its own (new) public hearing, or may assign the text amendment proposal to one of its sub-committees for further review and/or consideration. If a new hearing is scheduled, the applicant is responsible for providing required notice mailing to Registered Neighborhood Associations. The Council decision is the final action on the application unless litigation ensues.

NOTE: This illustration is presented for general information purposes only. All applicants should consult with the Division of Planning prior to and during the application process to ensure that all required procedural steps are followed.

**CONTACT:** LFUCG Division of Planning; Planning Services Section. LFUCG Phoenix Building, 7th floor. (859)258-3160

**SIMPLIFIED DESCRIPTION OF STEPS INVOLVED IN  
PROCEDURE FOR BOARD OF ADJUSTMENT APPLICATIONS  
(CONDITIONAL USES, VARIANCES, ADMINISTRATIVE APPEALS)**

- Step #1 .....**BUILDING INSPECTION REFUSAL**.....Applicant must first be officially "refused" a permit by the Division of Building Inspection. This written refusal is the basis of the appeal to the Board. This refusal must be obtained prior to obtaining application materials from the Division of Planning so that all aspects of the appeal can be identified and the proper applications obtained.
- Step #2 .....**PRE-APPLICATION CONFERENCE**.....Applicant reviews proposal and need for Board of Adjustment action with the Division of Planning. Application materials and procedural requirements are fully reviewed. Assistance in preparing required notification maps is provided when necessary.
- Step #3 .....**FILING** .....Required application materials are filed with the Division of Planning. Application materials include required forms, a filing fee, notification lists and letters, and copies of the proposed site plan. Filing deadline dates and the dates of the corresponding Board of Adjustment hearing are published for the year in the Board's Meeting and Filing Schedule.
- Step #4 .....**STAFF REPORT**.....The Division of Planning staff prepares a written report on the application. The staff can recommend approval, approval with conditions, disapproval, or postponement. This report and the Board's Meeting Agenda are made available to the applicant prior to the Board of Adjustment hearing.
- Step #5 .....**BOARD OF ADJUSTMENT HEARING** .....The Board of Adjustment conducts a public hearing on the application. The staff report and recommendations are usually requested by the Board. The applicant can make a presentation, as well as any other interested parties either in favor of or opposed to the application. The Board votes on the application at the conclusion of the hearing on the case, and can approve, conditionally approve, postpone or disapprove the request.
- Step #6 .....**BUILDING INSPECTION PERMITTING** .....If approved by the Board, the Division of Building Inspection may then issue any necessary permits in accordance with the Board's action. The Board of Adjustment's decision is the final action on the application unless litigation ensues.

NOTE: This illustration is presented for general information purposes only. All appellants should consult with the Division of Planning prior to and during the application process to ensure that all required procedural steps are followed.

**CONTACT:** LFUCG Division of Planning; Planning Services Section. LFUCG Phoenix Building, 7th floor. (859)258-3160

**SIMPLIFIED DESCRIPTION OF STEPS INVOLVED IN  
PROCEDURE FOR DEVELOPMENT PLANS**

- Step #1.....**PRE-APPLICATION CONFERENCE**.....Developer reviews sketch plan ideas with the Division of Planning, and reviews the community development plans. (Not mandatory)
- Step #2.....**DEVELOPMENT PLAN** .....Developer prepares development plan in accordance with the requirements of Article 21 of the Zoning Ordinance. In certain cases, a preliminary development plan and final development plan may be required by the Ordinance or desired by the developer. If this is the case, the following steps will be followed *first* for the preliminary development plan. A *subsequent* final development plan must be filed within two years of approval of the preliminary development plan.
- Step #3.....**FILING**.....Developer properly files development plan according to the Official Meeting & Filing Schedule (with required copies and fees) with the Division of Planning, who then distributes copies to other agencies.
- Step #4.....**TECHNICAL COMMITTEE** .....The Technical Committee meets and prepares recommendations to the Planning Commission's Subdivision Committee.
- Step #5.....**SUBDIVISION COMMITTEE**.....The Subdivision Committee meets and prepares recommendations to the full Planning Commission.
- Step #6.....**PLANNING COMMISSION**.....At official meeting, the Commission acts on development plan. The Commission can approve, conditionally approve, postpone or disapprove the request. If approved, the developer has one year to comply with all requirements and present the plan to the Division of Planning for final certification.
- Step #7.....**PLAN CERTIFICATION** .....Upon certification (signature) of the final development plan, building permits may be obtained from the Division of Building Inspection in accordance with the approved development plan.

NOTE: This illustration is presented for general information purposes only. All developers should consult with the Division of Planning prior to filing to determine the required procedural steps for the development plan. Filing dates and Committee and Commission hearing schedules are established annually on the adopted Meeting and Filing Schedule.

**CONTACT:** LFUCG Division of Planning, Planning Services Section; LFUCG Phoenix Building, 7th Floor. (859)258-3160

-----Original Message-----

**From:** Pat Tatum

**Sent:** Thursday, August 23, 2007 9:59 AM

**To:** Paul Schoninger

**Subject:** RE: Customer Service: Permit Processing

When citizens call 311 or 425-2255 we immediately turn their request into a service request and forward it electronically to the appropriate division. The citizen can track the service request to a satisfactory conclusion through a service request number.

At the present time we do not have the capability to track any permits through our LexCall program.

***Pat Tatum***

**LexCall**

**Lexington Fayette Urban County Government**

**218 E. Main Street**

**Lexington, KY 40507**

**(859) 425-2262**

**(859) 425-2260 Fax**



BRIAN E. MATTONE  
FIRST ASSISTANT

LARRY S. ROBERTS  
FAYETTE COUNTY ATTORNEY

163 WEST SHORT STREET  
SUITE 700  
LEXINGTON, KENTUCKY 40507  
(859) 254-4941  
(859) 253-2487 (FAX)

WANDA G. KINNAIRD  
DIRECTOR, CHILD SUPPORT ENFORCEMENT

February 2, 2006

Mayor James H. Newberry, Jr.  
200 E. Main Street  
Lexington, KY 40507

Dear Mayor Newberry:

I have submitted our budget request for FY 2007-2008, and you will see that it is significantly larger than in past years. There are several reasons for the increased budget. When I took office on August 15, 2006, I inherited an office that was very under-staffed and under funded. In order to meet and maintain the level of service that is demanded by the public, we must increase our staff in several departments.

In addition to funding received from the Urban County Government, we also have two other budgets from the State Government. One is from the Prosecutors Advisory Council (P.A.C.), which primarily pays for the salaries of our prosecutors. The other budget comes from Child Support, which pays for all of the salaries of our staff of forty-six employees, all of the equipment and office supplies, and approximately sixty percent of our rent.

A major responsibility of our office is to represent all the County Officials, including the Sheriff, the Coroner and the County Clerk. In the past, these officials have relied upon private counsel for legal advice and representation, which, of course, is their option. However, I have found this office has neither offered nor provided the needed assistance.

The first thing I did as County Attorney was to hire Richard E. Vimont to assist me in two important functions. First, I knew some of our prosecutors needed training and mentoring in areas of trial preparation. Richard immediately became involved in the D.U.I. charge against John Michael Montgomery, and worked extremely hard with our staff getting the case ready for trial. As you know, the case was resolved with a guilty plea, despite many legal and factual complications. In just six months, he has been a tremendous resource and had a positive impact on all of our attorneys.

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Mayor James H. Newberry, Jr.  
February 2, 2007

The second major area of concern I encountered was the office's lack of an experienced civil trial attorney. Naturally with his knowledge and experience, Richard was the perfect choice. Not only has he provided invaluable legal advice to me in the last six months, he was responsible for a very successful lease negotiation for our new office location in the First Federal Bank building. In the aftermath of the horrific plane disaster on August 27, 2006, Richard provided daily input and guidance to the County Coroner, Gary Ginn, in dealing with the inundation of legal issues that arose.

As you know, it is my desire to establish a Civil Litigation Division in our office. We are presently involved in one civil case filed against this office which, to date, has been handled by private counsel. I was disturbed to learn that this private representation has cost us more than \$60,000 in the past year, with only two discovery depositions having been taken. Because of this, I have decided to take over the legal representation of the case which will save us a tremendous amount of legal costs in the future.

In addition to this litigation, our office is presently defending two actions that were recently filed against former assistant County Attorneys, and the office of County Attorney. One of these is pending before the Fayette Circuit Court, and the other is on appeal before the Supreme Court of Kentucky. Already, in six months, I know we have saved thousands of dollars by the hiring of Richard Vimont, and I have no doubt that by July, 2007, his salary will be substantially less than the private legal costs would have been.

I have discovered that we have paid thousands of dollars to private law firms in past years defending other personnel actions. We presently have one part time attorney who primarily handles all of our tax litigation and competency related matters regarding civil commitments. I believe that eliminating this part-time position and adding two full-time civil attorneys will benefit not only our office, but will also allow us to better serve the needs of the Urban County Government's legal department, which has a history of contracting out litigation to private firms at tremendous costs.

A Civil Litigation Division aided by the trial expertise of myself and my First Assistant, Brian Mattone, would save the Urban County Government a minimum of \$200,000.00 a year in legal fees.

When I came to this office, there was one lady who answered the main telephone for the entire office. She literally answered over thirty-thousand calls a year. For years, there have been continuing complaints from attorneys, the police and the public about the inaccessibility of this office. I discovered that it

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Mayor James H. Newberry, Jr.  
February 2, 2007

was a common occurrence for people who answered the phones to simply abandon their post to go to lunch or take a break from the desk. The telephone often rang twenty to thirty times before being answered.

It was a nightmare for the public to get through, so I have tried to create a more efficient system by implementing an answering machine which helps route the caller to a receptionist within the desired department. Although I had no budget, I have employed a paralegal who is scheduled to cover the phones when needed during the day. We seriously need financial help in our budget to adequately provide the public with two employees who can serve as telephone receptionists and thus provide efficient lines of communication.

We desperately need to hire several paralegals and clerical staff to support the seventeen (17) prosecutors. At this time, all of our attorneys do their own typing and are responsible for contacting all of the witnesses in their cases. We have a huge criminal case load (40,000 cases a year), and without help, it is impossible for any of our prosecutors to efficiently do their jobs in court and properly deal with the public. We are often unable to do case research or even have the necessary court preparation. As you can imagine, this is imperative to the successful disposition of our cases.

None of our three budgets provides for office supplies and operating expenses outside of the child support division. This is a line-item expense that we have managed to fund through income generated from our property tax and cold check departments. I believe this is an expense that should be provided by the Urban County Government.

Our budget includes two new victims' advocate positions. We presently have a grant which allows us to hire victims' advocates, but they are restricted by the grant guidelines from working with victims outside the domestic violence area. We must increase our staff in order to service victims of serious misdemeanor and felony crimes. Unfortunately, this office has never had funding for these positions, and while we diligently try, it is impossible for our individual prosecutors to provide adequate assistance and information to this important class of citizens.

This office presently has the responsibility of taking every misdemeanor complaint in Fayette County, and then requesting that a summons or warrant be issued from the District Court judges. This used to be a function of the Administrative Office of the Courts (A.O.C.), but the County Attorneys have been delegated the responsibility without providing the necessary funding.

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Mayor James H. Newberry, Jr.  
February 2, 2007

Unfortunately, there has not been a budget provided by the State or the P.A.C., and when I took office I found that two former police officers were handling the entire operation. This was totally unacceptable because we were actually running the complaint process at our offices' convenience, by being available only between 8:30 a.m. and 12:00 noon, and from 1:30 to 4:30 p.m., Monday through Friday. This department operates on the 7<sup>th</sup> floor of our office building and the public is tremendously inconvenienced in just trying to find the right place to file a criminal charge.

I have hired a third person to take complaints. Presently we have funding from the Urban County Government for one position, and I have been able to get P.A.C. to fund one other position. We must increase the complaint intake staff because we currently take about twice as many complaints as we did one year ago. Since we do not have adequate personnel, we are still only able to offer these services from 8 a.m. to 4:30 p.m. daily. These services must be expanded to the evening hours since that is when a great number of criminal complaints are generated.

I plan to move this department to the District Court building where I have located available space, thus making our service more accessible to the public. At a minimum, I believe we should stay open at least until 9:00 p.m., but we must increase the complaint staff by two employees in order to cover the demand.

For the last twelve years the County Attorney's office has occupied six floors of the building located at 163 West Short Street. This office is on a four year lease which ended December 31, 2006. When I assumed the duties of the office in August, 2006, I immediately became aware of very serious existing fire safety concerns and the poor condition of our building. I also realized that we were desperately in need of additional space in the next couple of years, which is not available in our present location.

We made an extensive effort to find suitable office space in the downtown area, and after several months of lease negotiations, we have acquired new office space at 110 West Vine Street, which is the space that will be vacated by the U.S. Attorney's Office in March or April, 2007. State government, through our child support budget, will be partially assisting us financially for the moving expense, which has been estimated to be \$40,000.00.

Therefore, we are requesting further assistance from the Urban County Government. Our move will take place in May, 2007. Another benefit to us in moving into this space is that we will be able to acquire, at no cost, the U.S.

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Mayor James H. Newberry, Jr.  
February 2, 2007

Attorney's existing phone system, which is superior to our current system. We will also inherit their computer wiring and main boards, which will be at no cost to us, and we will receive twenty-one free parking spaces which will allow a considerable savings of \$14,920.00 each year.

In the past, the Urban County Government has only contributed \$56,000.00 a year to the rent of our office space. The only other contribution toward rent that we receive is provided by our child support budget which amounts to approximately sixty percent of the total cost. I believe the Urban County Government should pay the remaining cost of the annual rent for our offices.

Lastly, I am requesting a modest 3% increase for the salaries of my existing staff which are presently funded by the Urban County Government. We have been unable to give adequate salary increases over the years due to financial hardships.

You and your budget staff should be aware that we have some tax revenues in escrow. My predecessor, Margaret Kannensohn, wisely invested the tax collections received as a result of lump sum delinquent tax bill purchases by private groups who benefit monetarily from such purchases. However, due to the private sector's recent purchases of the tax bills, our commissions have been greatly reduced for several years. For this reason, we are using these reserves as a source of revenue to fund our programs. Since we anticipate revenues of this nature will continue to be reduced in the future, we are seeking your assistance.

I strongly believe that the request we have made is one of substantial need and one which is reasonable. My office is willing to assist the Urban County Government in any manner possible. With your assistance, I believe we will be able to accomplish the future goals we have for Lexington and its citizens.

I look forward to discussing these initiatives on February 22, 2007 at 3:30 p.m. If I can answer any questions or be of assistance prior to that date, please don't hesitate to contact me at your earliest convenience.

Sincerely,

Larry S. Roberts



**LARRY S. ROBERTS**  
**FAYETTE COUNTY ATTORNEY**

BRIAN E. MATTONE  
 FIRST ASSISTANT

WANDA G. PARKER  
 DIRECTOR, CHILD SUPPORT ENFORCEMENT

163 WEST SHORT STREET  
 SUITE 700  
 LEXINGTON, KENTUCKY 40507  
 (859) 254-4941  
 (859) 253-2487 (FAX)

May 7, 2007

~~XXXXXXXXXX~~  
 Urban County Council  
 200 E. Main Street, 5<sup>th</sup> Floor  
 Lexington, Ky 40507

Dear ~~XXXXXXXXXX~~:

Since taking office on August 15, 2006, I have worked very hard learning about the financial operation of this office, and very quickly became shocked to discover there were serious problems with adequate funding from our local government. The County Attorney's office operates on three sources of government funding. Our Child Support division consists of 47-50 employees, and is totally funded by the Commonwealth of Kentucky with a budget of over \$2,000,000. The Prosecutors Advisory Council (PAC), in state government, provides funding for the salaries of the majority of our prosecutors and a few support staff. Our Urban County Government provides partial funding for administrative salaries, rent, and operating expenses.

Earlier this year I had a meeting with Mayor Newberry and his staff to present our needs for the new budget which involved a requested increase of \$1,200,000. Attached, hereto, is a copy of a letter I sent to the Mayor in which I explained the importance of our request. The Mayor's recommendation for our budget for 2007-2008 was only increased by \$100,000. I am writing to ask you and your fellow council members to take a hard look at this budget. With Mayor Newberry's proposed budget for next year including the \$100,000 increase, we are still seriously under-funded.

The County Attorney's office has three major areas of need for additional financial support from local government. First is the line item of operating expenses which has remained at \$4,500.00 for the past ten years. PAC only provides us with \$3,000 a year for operating expenses, which we use for postage. ~~The LFHCC budget is our only source of funding for our operating expenses.~~ Last year the operating budget, for our office, excluding the expenses of Child Support, was \$278,250.51. It is my belief that LFUCG has the responsibility to provide adequate funding for the operation of our office. I have enclosed, for you, a copy of sections 10.07 and 11.04 of the Urban County Government Charter which state the duties of my office.

We are in serious need of two additional prosecutors and a civil attorney to enable us to fulfill the responsibilities of our office. This office has huge responsibilities

handling over 60,000 criminal and traffic cases a year. Although I have requested additional funding from PAC for two entry level prosecutors at an entry level salary of \$33,000, I have been advised that funding will not be available from the state for the 2007-2008 budget. This creates a tremendous problem.

As you may know, we have a newly created Family Court in Lexington which has four judges. This court was originally handled by Circuit Court judges, and other than Child Support collection, the County Attorney had very little responsibility for providing prosecutors. However, now with the Family Court judges having no other Circuit Court responsibilities, there has been a huge increase in non criminal cases which we must handle.

For example, Judge Joann Wise has undertaken the extremely important function of running a Truancy Court as part of her duties as a Family Court Judge. My office is in total agreement with the whole concept of doing everything possible to curb unexcused absences in our schools. This section of court is operating each Monday beginning at 12:00 Noon. Because of the huge numbers of cases, the average being 85 each Monday, it has required two prosecutors and one paralegal assigned from our staff to handle the docket. There is a minimum of 12 support staff required to assist Judge Wise with this court. Every Monday, court has lasted until 6:30 to 7:30 P.M., and last week we finished the docket at 9:30 P.M. In addition to our in court involvement, each Monday requires a minimum of 13 hours of preparation by my staff. This is a commitment which I totally buy into, but when Family Court was established, there was no increase in our staff to handle the tremendous work load we are now facing.

The County Attorney's office also prepares dockets and maintains files for three additional status court dockets in our Family Court which averages over 80 cases per week. Before the Circuit Court created Family Court we were able to handle the Dependency, Neglect and Abuse cases with one part time attorney and a paralegal. Now, that is impossible, so we are using all of our prosecutors to assist in this Court.

While we are doing everything possible to provide adequate legal services to our courts and the public, we cannot continue at this pace without some additional attorneys and support staff. Somewhere the services will begin to break down, most likely in the preparation that I am requiring of all of our attorneys. The perfect example is the eight to ten hour requirement of the attorneys in the Truancy Court each Monday. They cannot possibly prepare for the criminal dockets they have the following two days because of this time commitment. Unfortunately, the public suffers when we cannot make the necessary calls to the victims, police officers and witnesses who are the vital part of each case we handle. Two new attorneys are essential to enable this office to maintain the level of service that is expected of us.

I explained in my letter to Mayor Newberry that we needed funding for a civil attorney. This is a position that is crucial to the efficient operation of the County Attorney's office. By hiring Richard Vimont in July, 2006, we used unbudgeted funds,

and we have already saved this county several hundred thousand dollars. I need a salaried position from LFUCG to continue this service to our community.

The County Attorney's office needs funding from LFUCG for rent. Our main office for the past twelve years has been primarily located in six floors of the building at 163 W. Short Street which consists of 24,254 square feet. Three of the floors are occupied exclusively by our Child Support Division, and their proportional share of the rent is paid by state government. The other three floors house all of our prosecutors, victim's advocates, and employees in our departments of Property Tax Collection, Cold Check Collection, Criminal Complaints, Diversion and Accounting. We presently have thirty seven employees on these three floors. Our annual rent for the last fiscal year is \$311,425. Our portion of the rent is \$123,409. LFUCG provides \$56,000 of this expense.

Our monthly rent for the present building was going to increase to a total of \$336,340. Child Support would be responsible for \$201,805, and our proportionate share would have been \$134,535. Effective June 1, 2007 we are physically moving our offices to 110 W. Vine Street where there is 30,000 square feet. Because of my term, I have negotiated a four year lease agreement for us to pay \$14.00 a square foot for a total of \$424,382 with a proportionate contribution from us being \$155,680. Our state Child Support Budget will pay \$268,702. Mayor Newberry's recommendation of an additional \$100,000 to our present allocation of \$56,000 will enable us to pay our rent, but we will still be in serious need of funds to operate.

Our office generates money through the collection of cold checks, diversion and property tax collection, which we use to supplement the payment of expenses not provided by LFUCG and PAC. Every year we are coming up short in meeting the obligations required of our office, and I believe this needs serious attention from the city council.

I do not believe that there has ever been a mayor, vice mayor, council member or budgetary administrative official since the formation of our merged government who has spent enough time to learn what all of the County Attorney's duties are, and observe what any isolated day or week in this office involves. I realize the finalization of the budget is on top of you now. I would greatly appreciate it if you would try to find time to spend from an hour up to a full day with me and my staff to enable you would to better understand what this office provides to this community.

Sincerely,



Larry S. Roberts

Jim Newberry, Mayor  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
 Division of Parks and Recreation

**PROPOSED NAMING POLICY FOR  
 LEXINGTON PARKS AND RECREATION**

APRIL 27, 2007

**I. General Policy**

1. The Lexington-Fayette Urban County Government Division of Parks and Recreation shall be responsible for the process of soliciting, receiving, evaluating and recommending names for public parks and recreation areas and facilities to the Mayor and Urban County Council for their deliberation and approval.
2. The Director of the LFUCG Division of Parks and Recreation will receive recommendations from any citizen, groups of citizens or organization desiring to recommend a name for a park, recreation area or facility. That recommendation should include an appropriate explanation of the name request, the background and importance of that name.
3. The Director of Parks and Recreation shall present the recommendation to the Parks Advisory Board for their consideration and evaluation, and the Advisory Board shall discuss the recommendation at two consecutive meetings, allowing Board members to solicit community input from their district prior to taking a formal vote. The Director shall assign a Parks' staff person to research or amplify the request prior to its being presented to the Advisory Board, so that the Advisory Board will have the benefit of an initial review as they first get the request. When complete, the Board's recommendation shall be forwarded through the administration for eventual presentation to the full Urban County Council.
4. The intent of naming a park or a facility is for permanent recognition. It is recommended that efforts to change a name be subject to the most critical examination so as not to diminish the original justification for the name, or discount the value of the prior contributors.
5. A park named for an individual should never be changed unless it is found that the individual's personal character is or was such that the continued use of their name for a park would not be in the best interest of the community.
6. The Division of Parks and Recreation may recommend to the Parks Advisory Board placement of a plaque, statuary, work of art, or monument in an appropriate location within a park or other facility where the names of individuals may be placed in recognition of their contributions, financial or otherwise.
7. It shall be the policy of the Division of Parks to consider 3 types of Naming Rights: (1) the Naming of parks or facilities within them, (2) Philanthropic or Honorary Naming Rights, and (3) Corporate Naming Rights.

HORSE CAPITAL OF THE WORLD

## II. Specific Permanent Naming Considerations

### 1. Naming entire parks

- It shall be the first consideration of the Advisory Board to name Parks after geographic or locational features, or historic events, and not people.
- Only under extraordinary circumstances will the Advisory Board approve the naming of any park or portion or select feature of an existing park for an individual within the first twelve months following the individual's death. No park will be named to memorialize a living person.
- To be considered, names for new parks, recreation areas or facilities should not duplicate or be closely related to or pronounced similarly to any other names within the county parks and recreation system so as to minimize public confusion.
- Naming a park or facility after an individual shall require that the individual have been a major contributor to the community in either deed or financial contributions.
- The outstanding accomplishments by an individual for the good of the community shall be considered along with the quality of the contribution, the length of service by the individual, which shall be fully substantiated by those making the recommendations
- Additional names may not be added to the names of parks/facilities already named for an individual.

### 2. Naming portions or select features within existing parks

- Naming only certain portions or specific features will be considered, particularly when financial or programmatic assistance is offered in support of that feature. Costs to change signage, score cards, on-site instructions and the like will be considered before any agreements are made to change names.
- Naming only certain portions will require the same strenuous testing of merit and achievement as though for an entire park..
- For example, certain features in public areas and/or facilities may be named for such things as flowers, birds, animals, etc., instead of people. Consideration for naming these items should be at the discretion of the Division of Parks and Recreation and need not be presented to the Urban County Council.

### 3. Naming Parks when they are initially received by the Urban County Government

- Parks and Recreation will attempt to honor all wishes concerning donations of major tracts of land which contain requests for naming, and the wishes of the donor or the deed or mechanisms of conveyance will be reviewed for guidance, in all cases.
- A minimum of 50% or more of the total development costs for a new park should be a part of the donation before the naming of the entire park will be considered.

### 4. Renaming a Park or Facility

- In order to respect the historical tradition and community values which previous generations bestowed on these resources, the re-naming of officially named parks or facilities within them will be discouraged.

- Only those recreational areas or facilities named for something other than an individual may be renamed. Parks named by deed restriction cannot be considered for renaming.
- Parks or facilities named for individuals shall be considered permanent unless set by an individual naming contract or irrefutable revelations should arise of misconduct or misdeeds so reprehensible and stigmatizing of the individuals memory and so potentially damaging to the park or facility bearing his or her name as to demand change.

### III. Temporary, Philanthropic or Honorary Naming Rights

#### 1. Definitions

- A recommendation for approval shall require an affirmative vote of a majority of the Parks advisory board as well as that of the Urban County Council.
- “Honorary naming rights” shall mean the naming of county property to honor the service, commitment, or other type of participation by an individual or civic or charitable group. Such a naming request may involve property outside of Parks, such as the request to temporarily re-name Main Street after an individual that provided for a significant public event in Pheonix Park or Courthouse Plaza for instance.
- “Philanthropic naming rights” shall mean the naming of county property due to a charitable donation from an individual, civic or charitable group, or other entity or organization that is intended to enhance the community by financial or in kind support for a specific public service or county property.
- “Civic or charitable group” shall mean a nonprofit entity, family or group that has made a substantial contribution to the community, either through civic involvement, involvement in historic events relevant to specific county property or to the geographical location of specific county property, or made a financial and/or in kind donation to support a specific public service or county property. For profit entities of any type shall not be considered a civic or charitable group.

#### 2. Process for approval

- The consideration of Honorary Naming of any park or facility shall generally follow the guidelines above. Honorary Naming Rights shall have certain conditions, including the specific term, for the naming rights. The term for honorary naming should generally be less than 1 year.
- A recommendation for approval shall require an affirmative vote of a majority of the Parks Advisory Board as well as that of the Urban County Council.
- A specific plan shall be developed and presented to Parks and Recreation prior to consideration. Such a plan shall establish the campaign goal which considers the capital costs, annual operating and maintenance costs and the desirability and marketability of the opportunity.
- Each such plan will include the request for approval for naming rights for a specific term which shall not be longer than the useful life of the property or facility as determined by LFUCG, unless otherwise established in a contract proposal.
- A review committee will be established to consider compliance with the existing naming rights policy, appropriate signage, potential controversial elements, compliance with all existing ordinances, the terms, citizen input and other relevant factors, and report its findings to the Advisory Board for discussion and action as necessary.

#### IV. Corporate Naming Rights

##### 1. Definitions

- “Corporate Naming Rights” shall mean a mutually beneficial business arrangement between the county and an external entity (individual, for profit, or not-for-profit organization), wherein the external entity provides goods, services, or financial support to the county in return for access to the commercial and or marketing potential associated with the public display of the external entity’s name on Fayette County property. Corporate naming rights are addressed as provided in the Fayette County sponsorship Policy.
- “Individual” shall mean a person who has made a significant financial and/or in-kind donation to support a specific public service or county property.
- “County Property” shall mean county owned or controlled real property, public facilities such as buildings or significant park features or attributes of a facility.

##### 2. Process for approving

- A specific plan shall be developed and presented to Parks and Recreation prior to consideration. Such a plan shall establish the campaign goal which considers the capital costs, annual operating and maintenance costs and the desirability and marketability of the opportunity.
- Each such plan will include the request for approval for naming rights for a specific term which shall not be longer than the useful life of the property or facility as determined by LFUCG, unless otherwise established in a contract proposal.
- A review committee will be established to consider compliance with the existing naming rights policy, appropriate signage, potential controversial elements, compliance with all existing ordinances, the terms, citizen input and other relevant factors, and report its findings to the Advisory Board for discussion and action as necessary.
- The Administrative Review process will be utilized to move the proposal to the Urban County Council.

**LEXINGTON PARKS AND RECREATION  
APPLICATION FOR NAMING OF PUBLIC PARKS AND RECREATION  
AREAS AND/OR FACILITIES**

**NAMING RIGHTS APPLICATION**

**I. GENERAL POLICY STATEMENT**

Applications must be considered by the Division of Parks and Recreation and the Parks Advisory Board, and if approved, submitted to the Lexington-Fayette Urban County Council which has the final approval authority.

**II. GENERAL INFORMATION**

Name/Address of Individual/Group Making Application:

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Telephone:      Home: \_\_\_\_\_ Business \_\_\_\_\_

FAX: \_\_\_\_\_

Email \_\_\_\_\_

Site of Naming/Renaming to be Considered

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**III. A. RECOMMENDATIONS FOR NAMING FACILITIES**

Naming in honor of historical event, natural feature, geographical location or ecological relationship, etc.

Recommended Name/Title: \_\_\_\_\_

Justification for the above naming \_\_\_\_\_

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**B. RECOMMENDATIONS FOR NAMING FACILITIES AFTER A PERSON**

Recommended Name/Title: \_\_\_\_\_

Is this person living/deceased: \_\_\_\_\_ If deceased, date of death \_\_\_\_\_

Current Address if living: \_\_\_\_\_

Name of Activity, position of leadership and dates of involvement:

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Community Activities:

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Organizations and positions held: \_\_\_\_\_

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Awards and honors: \_\_\_\_\_

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Signature of person submitting application \_\_\_\_\_

DATE \_\_\_\_\_

Print Name \_\_\_\_\_

Date received by Parks and Recreation Director \_\_\_\_\_

Date presented to Parks and Recreation Advisory Board \_\_\_\_\_

(Add attachments if necessary)

*Revised 04-24-07*

# PROPOSED NAMING POLICY FOR LEXINGTON PARKS AND RECREATION

Urban County Council  
Intergovernmental Relations Committee  
September 11, 2007

2

## 25 CITIES WERE SURVEYED FOR IDEAS ON THIS SUBJECT

- |                   |                    |                  |
|-------------------|--------------------|------------------|
| •Juneau, AK       | •Quincy, IL        | •Fenton, MO      |
| •Jacksonville, AR | •Lawrence, KS      | •Salisbury, NC   |
| •Tucson, AZ       | •Manhattan, KS     | •Akron, Oh       |
| •Craig, Co        | •Overland Park, KS | •Springfield, OH |
| •Longmont, Co     | •West Monroe, LA   | •Germantown, TN  |
| •Dunedin City, FL | •Allegan, MI       | •Fort Worth, TX  |
| •Miami-Dade, FL   | •Kentwood, MI      | •Spokane, WA     |
| •LaGrange, IL     | •Savage, MN        | •Greenfield, WI  |

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## A GOOD POLICY NEEDS TO COVER:

- The criteria for evaluating and approving proposals to name Parks
- Distinguish between naming a park or a feature within and the placement of a plaque; statuary, work of art or memorial
- New parks versus existing parks
- The authority and process to approve official name changes
- The following recommended policy has been discussed and approved by the Parks Advisory Board in May 2007

4

## PARKS PROPOSES 3 TYPES OF NAMING CONSIDERATIONS

1. Naming of parks or facilities within
2. Philanthropic or Honorary Naming
3. Corporate Temporary Naming Rights

5

## THE PROCESS STARTS WITH PARKS AND ENDS WITH THE URBAN COUNTY COUNCIL

- Parks will be responsible for
  - Soliciting, receiving, evaluating, recommending names for Parks & Recreation areas
- Recommendations will include an explanation of the name request, background and importance of name.
- Parks Director presents to Parks Advisory Board
  - Parks performs any due diligence necessary
  - Board reviews at 2 consecutive meetings, and if approved
  - If approved Parks forwards via blue sheet to Council
  - Send to the Mayor and Urban County Council for deliberation

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## NAMING ENTIRE PARKS

- First consideration would be to name Parks after geographic or locational features, or historic events and not people.
- Only under extraordinary circumstances will the Advisory Board approve the naming of any park or portion or select feature of an existing park for an individual within the first twelve months following the individual's death. No park will be named to memorialize a living person.
- Names for new parks, recreation areas or facilities should not duplicate or be closely related to or pronounced similarly to any other names within the county parks and recreation system so as to minimize public confusion.
- Naming a park or facility after an individual shall require that the individual have been a major contributor to the community in either deed or financial contributions
- The outstanding accomplishments by an individual for the good of the community shall be considered along with the quality of the contribution, the length of service by the individual, which shall be fully substantiated by those making the recommendations.
- Additional names may not be added to the names of parks/facilities already named for an individual
- Efforts to change a park name should be subject to critical examination to avoid diminishing the original justification

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## RENAMING A PARK OR FACILITY

- In order to respect the historical tradition and community values which previous generations bestowed on these resources, the re-naming of officially named parks or facilities within them will be discouraged.
- Only those recreational areas or facilities named for something other than an individual may be renamed. Parks named by deed restriction cannot be considered for renaming.
- Parks or facilities named for individuals shall be considered permanent unless set by an individual naming contract or irrefutable revelations of misconduct or misdeeds so reprehensible and stigmatizing of the individuals memory and so potentially damaging to the park or facility bearing his or her name as to demand change.

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## NON PERMANENT NAMING SHOULD HAVE A DIFFERENT PROCESS

Temporary, Philanthropic or Honorary Naming Rights

- A recommendation for approval shall require an affirmative vote of a majority of the Parks advisory board as well as that of the Urban County Council.
- "Honorary naming rights" shall mean the naming of county property to honor the service, commitment, or other type of participation by an individual or civic or charitable group. Such a naming request may involve property outside of Parks, such as the request to temporarily re-name Main Street after an individual that provided for a significant public event in Phoenix Park or Courthouse Plaza for instance.

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## Cont'd

- "Philanthropic naming rights" shall mean the naming of county property due to a charitable donation from an individual, civic or charitable group, or other entity or organization that is intended to enhance the community by financial or in kind support for a specific public service or county property.
- "Civic or charitable group" shall mean a nonprofit entity, family or group that has made a financial and/or in kind donation to support a specific public service or county property. For profit entities of any type shall not be considered a civic or charitable group.

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## APPROVING HONORARY NAMING RIGHTS

- The consideration of Honorary Naming of any park or facility shall generally follow the guidelines above. Honorary Naming Rights shall have certain conditions, including the specific term, for the naming rights. The term for honorary should generally be less than 1 year.
- A recommendation for approval shall require an affirmative vote of a majority of the Parks Advisory Board as well as that of the Urban County Council.
- A specific plan shall be developed and presented to Parks and Recreation prior to consideration. Such a plan shall establish the campaign goal which considers the capital costs, annual operating and maintenance costs and the desirability and marketability of the opportunity.

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## Cont'd

- Each such plan will include the request for approval for naming rights for a specific term which shall not be longer than the useful life of the property or facility as determined by LFUCG, unless otherwise established in a contract proposal.
- A review committee will be established to consider compliance with the existing naming rights policy, appropriate signage, potential controversial elements, compliance with all existing ordinances, the terms, citizen input and other relevant factors, and report its findings to the Advisory Board for discussion and action as necessary.

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## Cont'd

### Corporate Naming Rights

#### 1. Definitions

- "Corporate Naming Rights" shall mean a mutually beneficial business arrangement between the county and an external entity (individual, for profit, or not-for-profit organization), wherein the external entity provides goods, services, or financial support to the county in return for access to the commercial and or marketing potential associated with the public display of the external entity's name on Fayette County property. Corporate naming rights are addressed as provided in the Fayette County sponsorship Policy.
- "Individual" shall mean a person who has made a significant financial and/or in-kind donation to support a specific public service or county property.
- "County Property" shall mean county owned or controlled real property, public facilities such as buildings or significant park features or attributes of a facility.

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## Cont'd

### 2. Process for approving

- A specific plan shall be developed and presented to Parks and Recreation prior to consideration. Such a plan shall establish the campaign goal which considers the capital costs, annual operating and maintenance costs and the desirability and marketability of the opportunity.
- Each such plan will include the request for approval for naming rights for a specific term, which shall not be longer than the useful life of the property or facility as determined by LFUCG, unless otherwise established in a contract proposal.
- A review committee will be established to consider compliance with the existing naming rights policy, appropriate signage, potential controversial elements, compliance with all existing ordinances, the terms, citizen input and other relevant factors, and report its findings to the Advisory Board for discussion and action as necessary.

## Intergovernmental Committee Items-Pending

9/5/2007

| <u>Item</u>                                                          | <u>Referred By</u> | <u>Date Referred</u> |
|----------------------------------------------------------------------|--------------------|----------------------|
| Boards & Commissions That Adhere to Ethics Commission                | Myers              | 8-14-07              |
| Party Affiliation for Boards/Commissions                             | Gorton             | 8-14-07              |
| <b>Customer Service for Permit Processing</b>                        | <b>Blevins</b>     | <b>7-10-07</b>       |
| <b>LFUCG Relationship with County Attorney</b>                       | <b>Stinnett</b>    | <b>6-26-07 (COW)</b> |
| Review Current Boards & Commissions                                  | Myers              | 6-12-07              |
| Composition, Utilization & Accountability of Boards/Commissions      | Myers              | 1/16/07              |
| Council Standing Committees                                          | Myers              | 1/16/07              |
| <b>Policy for Naming/Renaming UCG Facilities</b>                     | <b>Cegelka</b>     | <b>2/21/06</b>       |
| Renaming Whitney Young Park Shelter the Charles Quillen Park Shelter | Lane               | 2/21/06              |
| High Risk Pay Supplement                                             | Gorton             | 2/14/06              |
| Proposed New Pay System                                              | Wigginton          | 1/25/05              |