

- H. LeGris, Chair
- D. Sevigny, Vice-Chair
- J. Brown
- T. Morton
- E. Curtis
- L. Sheehan
- D. Gray
- J. Hale
- A. Beasley
- H. Boone



Environmental Quality and Public Works (EQPW) Committee

Tuesday, June 10, 2025

1:00 P.M.

AGENDA

I.	Approval of May 13, 2025 Committee Summary	[LeGris]	(1-2)
II.	Empower Lexington Update	[LeGris/Griggs]	(3-20)
III.	Urban Forestry/Street Trees	[LeGris/Wilson]	(21-38)
IV.	HB 443 Updates: Engineering / Waste Management	[LeGris/Burton, Howard]	(39-81)
V.	Items Referred to Committee	[LeGris]	(82)

2025 Meeting Schedule

January 14	May 13
February 11	June 10
March 11	October 7
April 22	November 18

"Environmental Quality and Public Works committee to which shall be referred matters relating to the department of Environmental Quality and Public Works and its divisions, including capital improvement projects and any related partner agencies."- Council Rules & Procedures, Section 4.102 (3).



Environmental Quality & Public Works (EQPW) Committee

May 13, 2025

Summary and Motions

Chair Hannah LeGris called the meeting to order at 1:00 p.m.

Committee Members Dave Sevigny, James Brown, Tyler Morton, Emma Curtis, Liz Sheehan, Denise Gray, Joseph Hale, Amy Beasley, and Hil Boone were present. Vice Mayor Dan Wu was present as a non-voting member.

I. APPROVAL OF APRIL 22, 2025 COMMITTEE SUMMARY

Motion by Hale to approve the April 22, 2025 Environmental Quality & Public Works Committee Summary. Seconded by Gray. Motion passed without dissent.

II. WATER QUALITY MANAGEMENT FEE INCENTIVE GRANT PROGRAM

Charlie Martin, Director of the Division of Water Quality, explained that in April 2009, a Task Force recommended a fee that became Code of Ordinances Article XIV. Additionally, the task force suggested creating an incentive grant program funded with \$1.2 million annually for education programs, water quality projects, and flood mitigation projects. Residential properties receive \$200,000 in incentive grants, while non-residential properties receive \$1 million. The ordinance for the Water Quality Management Fee requires a 10% allocation of the annual revenue to the program. Martin noted that grant cancellations occur due to cost issues, leadership changes, the grant being tied to an organization's property that has relocated, and a lack of experience in the construction industry.

When asked how District Council Members can be better partners in the community to communicate the availability of grants, Martin said his staff engages with the Council Aides to share information, and they communicate in advance of awarding grants. Information about this program is posted on the website, but the problem is getting people to look there. Martin explained two factors that contribute to an increase: an escalator tied to the fee and an expanded footprint resulting from the development. When someone submits a plan to build, Martin said they collect a fee for this, which is based on the impervious area. When asked what more we can do to encourage these improvements, Martin suggested that his team meet internally to discuss and report back; there are ideas for how to improve. Addressing only one application received for innovation and how we get more, Martin said we need to encourage the technical and engineering community to apply. Martin mentioned that technical assistance is available to assist with grant writing, and we provide help throughout the process. **No action was taken on this item.**

III. WASTE CONTAMINATION REDUCTION PLAN

Antonio Baldon, Director of the Division of Waste Management, provided an update on the progress of the *Contamination Reduction Workgroup*. He provided an overview of the project, which originated from the *Waste Digester Task Force* and aims to examine and reduce contamination rates in Lexington's recycling and yard waste streams. The workgroup has met monthly in 2025 to develop a recycling and yard waste contamination reduction plan for implementation by December 31, 2025. The goal of the comprehensive plan is to reduce inbound contamination rates, which are currently 35% for recycling and

60% for yard waste, both of which are significantly higher than the national average of 17%. The workgroup includes members specializing in operations management, collections, enforcement efforts, education and outreach, and recycling and yard waste facility management. Baldon explained how they took the frontline workforce on a tour of the facility, which highlighted areas for improvement. In the first week of May, postcards outlining items that can and cannot be recycled were sent to residents. There will be ongoing outreach, including mass media and social media, as well as tabling events. In March and April 2025, LFUCG Waste Management conducted audits to identify the types and locations of contamination on LFUCG residential recycling routes. The residential recycling route audit revealed that they collected 2.4 million pounds of recycling across 64 routes. They identified different types of contamination, with the worst offenders being car parts, medical waste, and food waste. The proposed next steps include additional routes for commercial and multi-family businesses, as well as business routes, private haulers utilizing the MRF (Materials Recovery Facility), and the downtown route with twice-daily pickup. Changes to the carts include adopting national standards for color, implementing RFID (Radio Frequency Identification) tags to track carts, and imprinting on lids to indicate acceptable materials. The proposal would also include developing processes for city service curbside audits, and incorporating standards for contamination levels, with green indicating “pass”, yellow indicating “needs work”, and red indicating “fail”. Notifications such as postcards, yard signs, and “Oops tags” will be provided to customers. Ultimately, the city must assess the consequences of ongoing contamination. The draft curbside process ensures regular auditing of all routes, with a focus on removing carts after three serious violations have occurred. The red strikes would fall off after 12 months, and there is a provision for carts to be reissued after that time or with proof of new residency.

Baldon explained that we will roll the new carts out slowly, and when a replacement cart is necessary, we will deliver a new one. When asked about the industry standard, Baldon said the national contamination rate is 17%. In the Midwest, it hovers around 20%, and we are currently at 34%, which is an achievable goal. Baldon said they will utilize the PIE (Public Information and Engagement) team to educate residents on private streets or in the 12th District. Currently, there is no cart removal process in place; the city will implement this process after providing the necessary education. When asked if the workgroup considered a larger container for returning and recycling empty shipping boxes, Baldon said they discussed potentially having different-sized carts. Baldon explained that there are semi-automated and fully automated operations on residential collection. When asked if LFUCG has considered drop-off locations for recycling, Albright explained that the city has offered these in the past, but due to illegal dumping at these locations, they had to be removed. There was concern that removing a cart would mean the residents would be unable to recycle. Baldon clarified that, after some time, education, and agreement to use it properly, the cart would be returned. LFUCG will provide a cart when a new resident moves in. When asked if there is a composting component to the contamination reduction plan, Baldon said they are starting with recycling, education, and enforcement. They will also examine other waste streams, such as yard waste, which will be addressed in the third phase. **No action was taken on this item.**

IV. ITEMS REFERRED TO COMMITTEE

No Action was taken on this item.

The meeting adjourned at 2:25 p.m.



Emissions Reduction Plan: Race to Net Zero

Jada Walker Griggs, Program Manager Senior, Sustainability
Abby Terry, PE, Tetra Tech

Environmental Quality and Public Works Committee
June 10, 2025





What is Sustainability?

“Sustainability in Lexington means meeting the needs of our generations while ensuring future generations are able to enjoy our urban communities, tree-lined rural roads, equine farms, and countless other physical and social elements that contribute to what makes Lexington, Lexington.”

– Empower Lexington

It involves three main areas:

1. Environment: Protecting natural resources and reducing pollution to keep our planet healthy.
2. People: Ensuring fair and equitable treatment for all individuals and improving quality of life.
3. Economy: Creating robust economic systems that can support ongoing growth without depleting resources.

This approach helps strengthen our community and improve its ability to handle challenges. By doing these things, LFUCG shows how we can all work together for a better future.

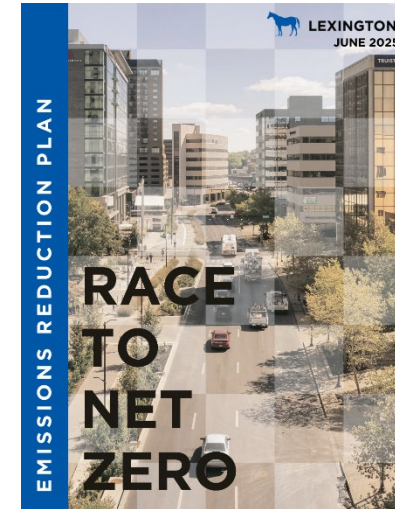
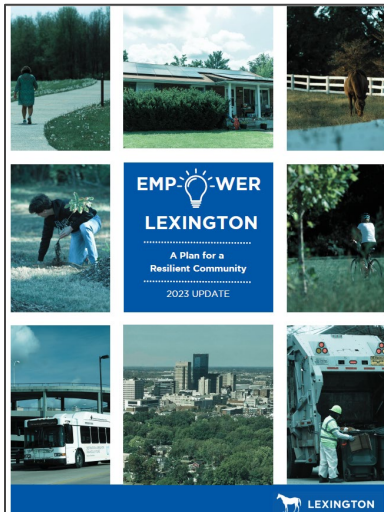






Lexington's Sustainability Strategy

- Empower Lexington
- 2021 Community-wide & Municipal Greenhouse Gas Inventories Report
- Race to Net Zero Emissions Reduction Plan



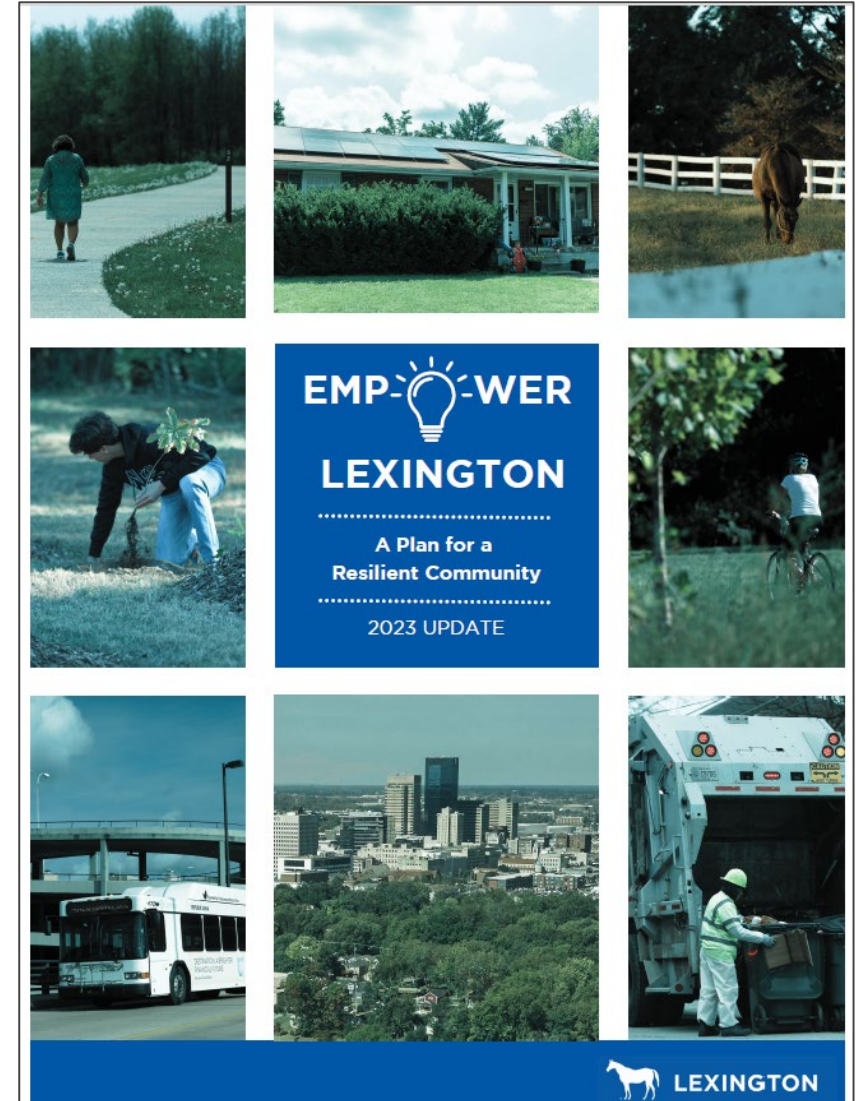


Empower Lexington: 2023 Updates

- About 50 stakeholders reviewed information for the following 6 sectors: *Materials and Resources; Natural Systems and Ecology; Transportation and Land Use; Quality of Life (Justice, Equity, Diversity, and Inclusion); Water Efficiency; and Energy and Greenhouse Gas Emissions*
- Sectors align with the Leadership in Energy and Environmental Design (LEED) for Cities Certification to identify actions critical to reducing our environmental impact.
- Plan includes an updated community-wide and LFUCG municipal greenhouse gas (GHG) emissions inventory.
- Includes high-level strategies per sector to help meet our sustainability goals. Highlights the top 3 identified by the community.



*GHG - Gases in the earth's atmosphere that trap heat. Increased concentrations of certain gases contributes to climate change.





Empower Lexington: Resolution

RESOLUTION #435-2024

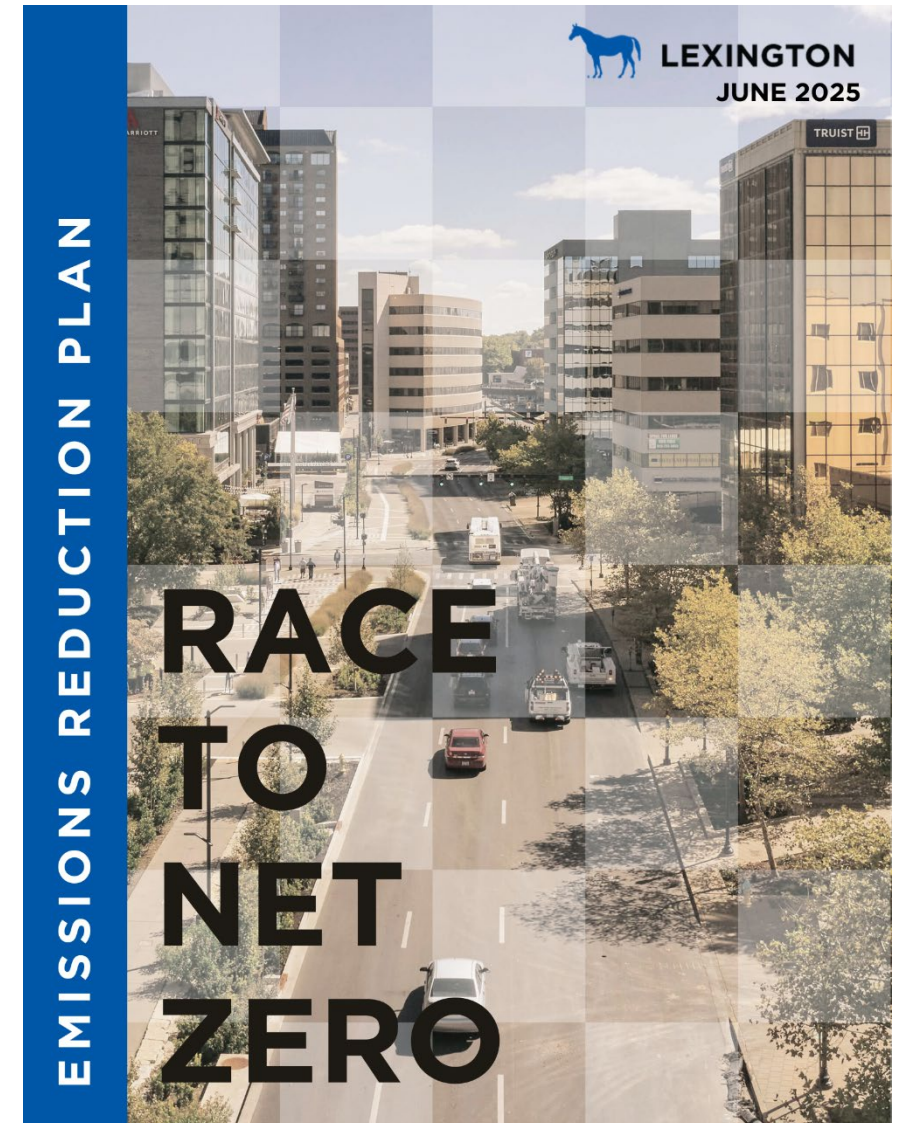
A RESOLUTION APPROVING “*EMPOWER LEXINGTON: A PLAN FOR A RESILIENT COMMUNITY*,” A COMMUNITY-WIDE SUSTAINABILITY PLAN DESIGNED TO REDUCE GREENHOUSE GAS EMISSIONS AND ENERGY USE IN LEXINGTON-FAYETTE COUNTY, AND FURTHER SUPPORTING COMMUNITY EFFORTS IN FURTHERANCE OF ITS IMPLEMENTATION.





Race to Net Zero

- **What is Net Zero?**
 - Achieving net zero means that any emissions produced by human activities are counterbalanced by an equivalent amount of emissions being absorbed or offset.
- **Plan includes:**
 - Climate Vulnerability: Exposure, Sensitivity, and Adaptive Capacity
 - Suite of reduction measures to facilitate net-zero transition





Race to Net Zero: National Risk Index

FEMA tool that rates US community risk for 18 natural hazards:

- Avalanche
- Coastal Flooding
- Cold Wave
- Drought
- Earthquake
- Hail
- Heat Wave
- Hurricane
- Ice Storm
- Landslide
- Lightning
- Riverine Flooding
- Strong Wind
- Tornado
- Tsunami
- Volcanic Activity
- Wildfire
- Winter Weather



NATIONAL RISK INDEX REPORT: FAYETTE COUNTY, KY

Hazard Type	Risk Index Rating
Cold Wave	Very High
Tornado	Relatively High
Strong Wind	Relatively High
Lightning	Relatively High
Ice Storm	Relatively High
Hail	Relatively Moderate
Heat Wave	Relatively Moderate
Winter Weather	Relatively Moderate
Earthquake	Relatively Low
Riverine Flooding	Relatively Low
Landslide	Relatively Low
Hurricane	Very Low
Wildfire	Very Low
Drought	Very Low
Avalanche	Not Applicable
Coastal Flooding	Not Applicable
Tsunami	Not Applicable
Volcanic Activity	Not Applicable



Race to Net Zero: Climate Vulnerability

Exposure

- The degree to which a community, system or individual is **subjected to** the impacts of climate-related hazards and environmental changes.

Sensitivity

- The degree to which a community, system or individual is **affected by** the impacts of climate change and climate-related hazards.

Adaptive Capacity

- **The ability of** individuals, communities, systems or organizations to adjust to the impacts of climate change and other environmental stressors.





Race to Net Zero: Building Resiliency



AGING AND DISABILITY SERVICES



COMMUNITY AND RESIDENT SERVICES



FAMILY SERVICES



OFFICE OF AFFORDABLE HOUSING



OFFICE OF HOMELESSNESS
PREVENTION AND INTERVENTION



YOUTH SERVICES



Greenhouse Gas Emissions Inventory



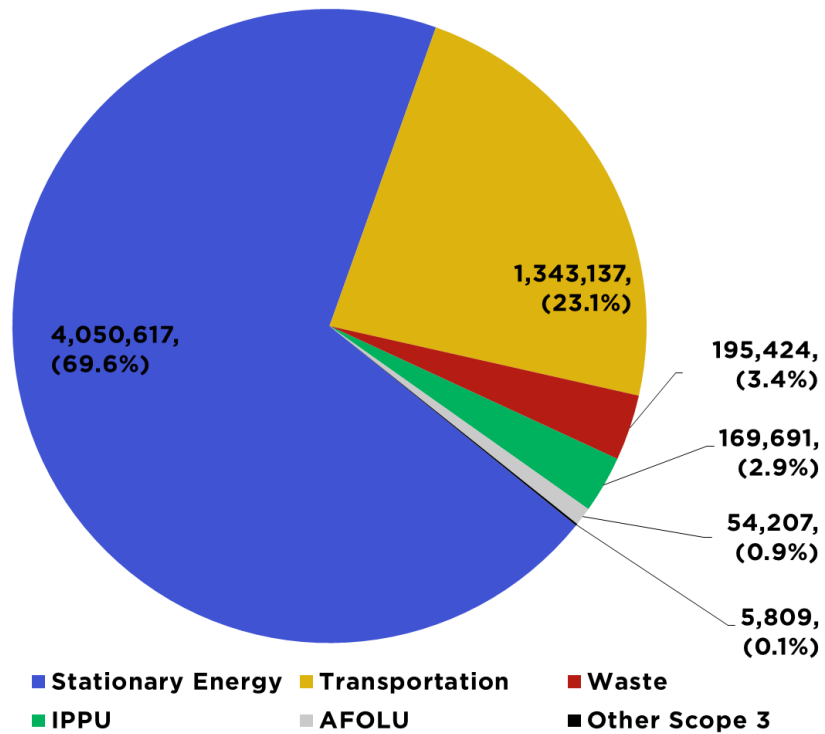
- Reactivated our community-wide GHG emissions inventory for calendar year 2021
- City contracted Tetra Tech to complete the inventory
- Calculated community-wide & LFUCG GHG emissions
- Activities and sources attributed to LFUCG operations were included as a subset to the community-wide inventory



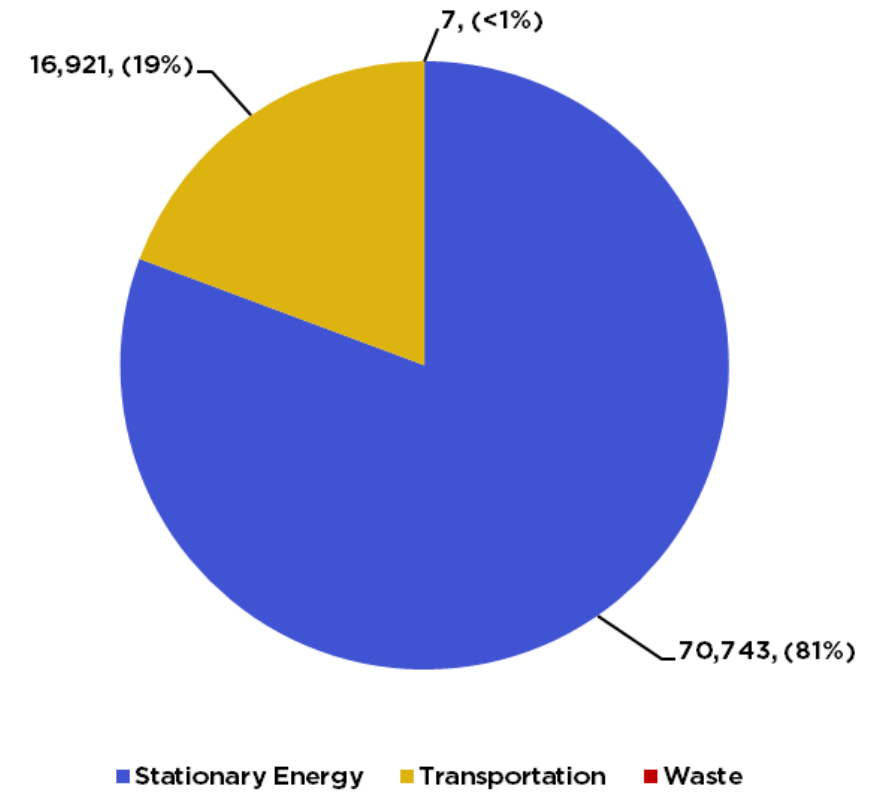


Greenhouse Gas Emissions Inventory

Community-Wide



LFUCG Municipal Operations



Values presented in metric tonnes of carbon dioxide equivalents (MT CO₂e).



Race to Net Zero: Proposed Reduction Measures

PROPOSED REDUCTION MEASURES

A reduction measure is a behavior shift from a high-emissions activity to a low-emissions activity. The sections that follow present the selected measures to facilitate reducing emissions to net zero by 2050. Each measure features a summary page containing the following information:

Description:

What is the measure?

Status:

What is the current status of the measure?

GHG Reduction Potential:

How much of a reduction can this measure produce relative to the inventory total?

- Low = <10%
- Medium = 10-30%
- High = >30%

Key Stakeholders:

What external stakeholders are pivotal in implementing this measure?

Cost:

How much will it cost to implement this measure?

- \$ = < \$0.5 million
- \$\$ = \$0.5 million - \$1.5 million
- \$\$\$ = > \$1.5 million

Timeframe:

When can this measure be implemented?

- Near-term = <5 years
- Mid-term = 5-15 years
- Long-term = >15 years

LFUCG Authority:

What level of authority does LFUCG have in implementing the measure?

Co-benefits:

What other benefits does this measure provide?

CO-BENEFITS DEFINITIONS

**AIR QUALITY**

Reduced criteria and hazardous air pollutants (carbon monoxide, ground-level ozone, lead, nitrogen dioxide, particulate matter, and/or sulfur dioxide)

**SOCIAL EQUITY**

Addresses existing social inequities (e.g., disparities in opportunities based on race, gender, ethnicity, education, socioeconomic status, geographic location, and system barriers)

**PUBLIC HEALTH**

Air contaminant reductions, increased physical activity, improved public safety

**ECONOMIC DEVELOPMENT**

Growth of economic output, job creation, infrastructure development, education and skills development, or innovation and technology

**CLIMATE RESILIENCY**

Provides resilient physical or social infrastructure to mitigate climate risks and develop adaptation strategies





Race to Net Zero: Proposed Reduction Measures

STATIONARY ENERGY SUMMARY

	MEASURE	2030 TARGET	2050 TARGET	TRACKING METRIC
E-1	PARTNER WITH UTILITY COMPANIES TO REDUCE CARBON INTENSITY.	21%	75%	• ELECTRICITY EMISSION FACTOR (LBS/MWH)
E-2	INSTALL ROOFTOP SOLAR ON RESIDENTIAL, COMMERCIAL, AND PUBLIC BUILDINGS.	10%	30%	• INSTALLED CAPACITY (MW)
E-2A	INSTALL GROUND-MOUNTED SOLAR ARRAYS ON RE-POWERING SITES.	25%	100%	• INSTALLED CAPACITY (MW)
E-3	ADOPT THE NEWEST BUILDING CODE.	10%	30%	• ENERGY CONSUMPTION PER SQUARE FOOT
E-4	CONDUCT ENERGY AUDITS AND IMPLEMENT ENERGY EFFICIENCY MEASURES.	10%	30%	• ANNUAL ENERGY USAGE (KWH)
E-5	ELECTRIFY HOMES SERVED BY NATURAL GAS.	10%	30%	• ANNUAL ENERGY USAGE (MCF)

TRANSPORTATION SUMMARY

	MEASURE	2030 TARGET	2050 TARGET	TRACKING METRIC
T-1	INCREASE LEXTRAN RIDERSHIP.	10%	30%	• VEHICLE MILES TRAVELED • RIDERSHIP YEAR-OVER-YEAR PERCENT CHANGE
T-2	IMPLEMENT THE COMPLETE STREETS ACTION PLAN AND BICYCLE AND PEDESTRIAN MASTER PLAN.	10%	30%	• VEHICLE MILES TRAVELED • MILES OF INFRASTRUCTURE CONSTRUCTED
T-3	TRANSITION TO EVS.	10%	30%	• REGISTERED EVS IN FAYETTE COUNTY
T-4	CONTINUE TO PRIORITIZE AFFORDABLE, EQUITABLE, AND CONNECTED COMMUNITY DEVELOPMENTS.	10%	30%	• VEHICLE MILES TRAVELED





Race to Net Zero: Proposed Reduction Measures

WASTE SUMMARY

	MEASURE	2030 TARGET	2050 TARGET	TRACKING METRIC
W-1	REDUCE THE QUANTITY OF WASTE GENERATED.	10%	30%	• WASTE GENERATED (METRIC TONS)
W-2	INCREASE THE RECYCLING RATE AND REDUCE CONTAMINATION.	10%	30%	• MATERIALS RECYCLED (METRIC TONS)
W-3	REDUCE THE QUANTITY OF FOOD WASTE GENERATED.	10%	30%	• WASTE GENERATED (METRIC TONS)
W-4	INCREASE THE QUANTITY OF MATERIALS COMPOSTED (YARD AND FOOD WASTE).	5%	30%	• MATERIALS COMPOSTED (METRIC TONS)

AFOLU SUMMARY

	MEASURE	2030 TARGET	2050 TARGET	TRACKING METRIC
A-1	INCREASE URBAN TREE CANOPY.	10%	30%	• URBAN TREE CANOPY COVERAGE (%)
A-2	OPTIMIZE FERTILIZER USAGE.	5%	20%	• FERTILIZER APPLIED (METRIC TONS)

IPPU SUMMARY

	MEASURE	2030 TARGET	2050 TARGET	TRACKING METRIC
I-1	TRANSITION TO ALTERNATIVE REFRIGERANTS.	30%	90%	• PERCENTAGE OF ALTERNATIVE REFRIGERANTS IN MIX (%)





Race to Net Zero: Methodology and Emissions Scenario

- Emissions reduction calculations were completed using *The Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* (October 2024)
- Emissions scenarios presented **reduces Lexington's baseline 2050 emissions by approximately 80%.**
- Advancements over the next 25 years may allow for higher targets.
- Power Purchase Agreements (PPAs) (physical and/or virtual), Renewable Energy Certificates (RECs), and offsets required to balance remaining emissions and achieve net-zero emissions.

Measure	Estimated 2030 Reduction (MT CO2e)	Estimated 2050 Reduction (MT CO2e)
Stationary Energy		
E-1: Partner with utility companies to reduce carbon intensity.	928,345	3,949,357
E-2: Install rooftop solar.	346,070	1,038,210
E-2A: Install ground-mounted solar arrays on contaminated sites identified in EPA's RE-Powering America's Land Program.	118,405	459,693
E-3: Champion KY HBC adoption of the newest version of the International Energy Conservation Code.	7,044	67,967
E-4: Conduct energy audits and implement energy efficiency measures.	13,640	48,656
E-5: Replace gas boilers, stoves, dryers, and heating systems with electric alternatives.	15,433	46,299
Transportation		
T-1: Increase Lextran ridership.	3,218	34,644
T-2: Implement the Complete Streets Action Plan and Bicycle and Pedestrian Master Plan.	409	763
T-3: Transition to electric vehicles.	61,719	123,439
T-4: Continue to prioritize affordable, equitable, and connected community developments.	17,176	150,164
Waste		
W-1: Reduce the quantity of waste generated that is sent to landfills or recycled.	4,334	32,649
W-2: Increase recycling rate and reduce contamination.		
W-3: Reduce food waste that is sent to the landfill or composted.		
W-4: Increase yard waste collection and implement food waste organics collection.		
Agriculture, Forestry, and Other Land Use		
A-1: Increase urban tree canopy.	51,333	61,594
A-2: Reduce synthetic fertilizer usage.	1,913	8,097
Industrial Processes and Product Use		
I-1: Replace refrigerants with high global warming potential with those with lower global warming potentials.	98,242	123,586





Race to Net Zero: What's Next?

- Chance to shape the type of city we would like Lexington to be for future generations
- Collective effort from all of Lexington-Fayette County - everyone has a role

“The earth is what we all have in common.”

– Wendell Berry, Kentucky Novelist, Poet and Farmer

“Sustainability in Lexington means meeting the needs of our generations while ensuring future generations are able to enjoy our urban communities, tree-lined rural roads, equine farms, and countless other physical and social elements that contribute to what makes Lexington, Lexington.”

– Empower Lexington





Questions?

jgriggs@lexingtonky.gov
www.lexingtonky.gov/sustainability



LEXINGTON
Sustainability





URBAN FORESTRY AND STREET TREES UPDATE

Environmental Quality & Public Works Committee

Heather Wilson

June 10, 2025





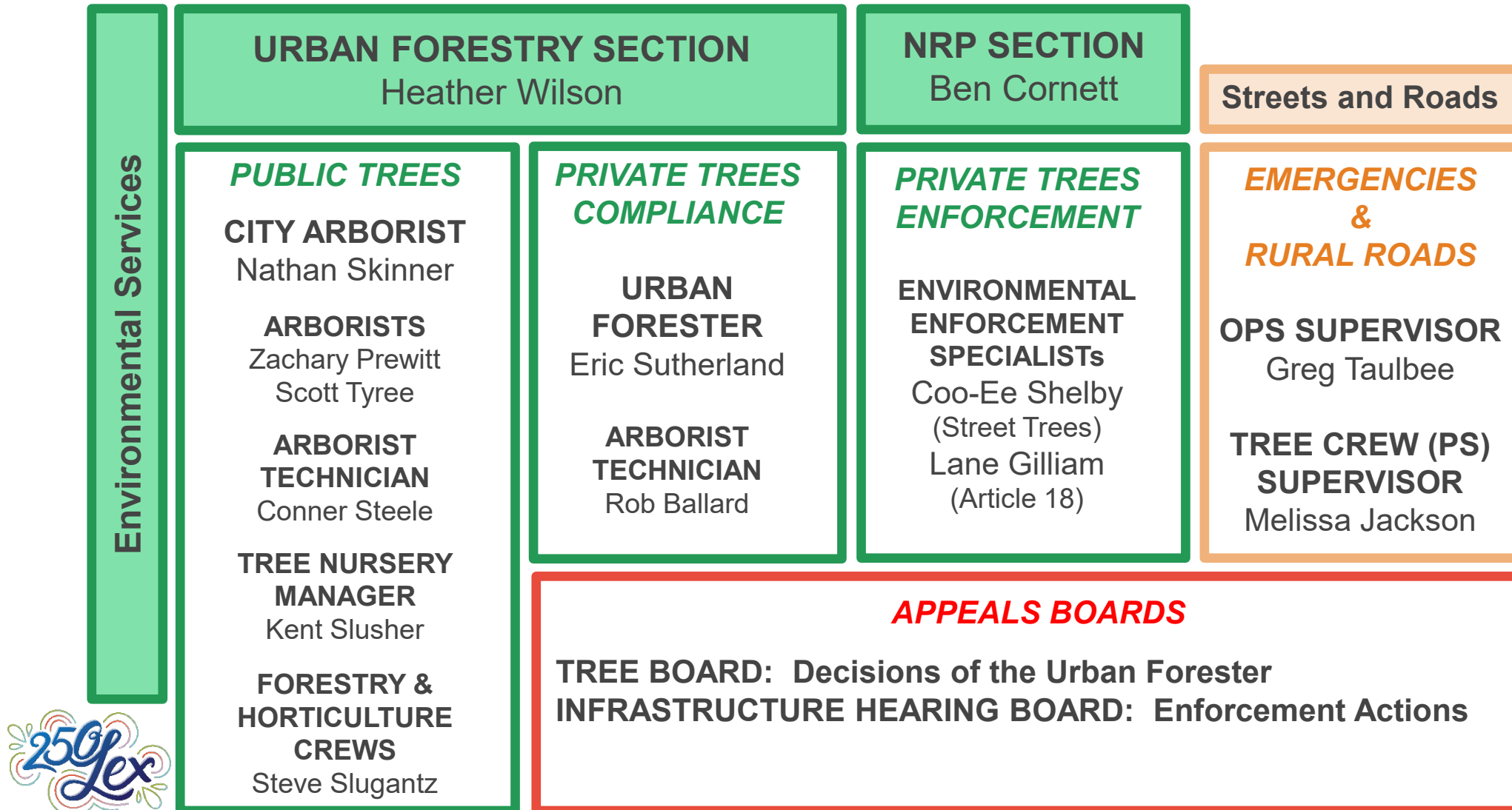
Topics

- **Urban Forestry Organizational Chart**
- **Background on Street Trees in Lexington**
- **Hazard Street Tree (Cost-Share) Program**
- **Street Tree Clearance Pruning Program**
- **What Urban Forestry Does/ Future Goals**
- **Questions**





Urban Forestry Organizational Chart – Multiple Divisions





Background on Street Trees in Lexington

- **LFUCG-Maintained Street Trees (~10%)**
- **Privately-Maintained Street Trees (~90%)**
 - Adjacent property owners are responsible
 - City programs provide assistance
 - Hazard Street Tree (Cost-Share) Program
 - Courtesy Street Tree Pruning Program
- **Knowing the numbers matters**
 - A healthy urban tree canopy = money saved
 - Human health
 - Utility bills
 - Proactive tree management
 - Less emergency clean up
 - Reduced impact to public right of ways
 - How much does it cost to maintain our urban forest?





Hazard Street Tree (Cost-Share) Program

- Participation requirements:
 - Removal and replacement with acceptable tree species
 - Owner-occupied residential properties in the USA or Urban Areas
- Provides 50% cost-share for hazardous street tree removal and replacement
- Provides 100% grants for qualified property owners
- Process:
 - Property owner obtains quotes from two of the City's pre-qualified certified arborist vendors and completes / submits application form
 - Urban Forester confirms ownership, conducts an initial inspection, and provides applicant with an approval letter and a Street Tree Removal and Planting Permit
 - Selected vendor completes tree removal and replacement
 - Property owner submits copy of paid invoice to Urban Forester
 - Urban Forestry conducts follow-up inspection and issues reimbursement





Hazard Street Tree (Cost-Share) Program

- FY 2020: Original budget was \$150,000
Program suspended due to pandemic in March 2020
- FY 2021: Original budget request not funded
\$50,000 allocated - \$32,729 paid out
(with 5 applications for \$8,300 deferred to FY22)
- FY 2022: \$50,000 budgeted - \$51,388 paid out as of mid-June
- Spring 2022: Tree Canopy Ad Hoc Committee allocated \$150K
to clear backlog with an additional \$50K allocation following update to
program guidelines
- FY 2023: \$50,000 budgeted - \$202,122 paid out in FY23
- FY 2024: \$150,800 budgeted - \$150,800 paid out in FY 24
- FY 2025: \$150,000 budgeted - \$149,291.99 paid out to-date





Hazard Street Tree (Cost-Share) Program

FY25 Program Participants by Council District

	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
FY15	2	8	4	1	40	22	1	0	21	20	15	39	173
FY16	0	10	4	8	19	50	15	5	4	9	13	20	157
FY17	2	7	5	10	21	40	18	0	34	7	16	24	184
FY18	2	1	4	5	33	45	7	3	20	13	7	23	163
FY19	3	6	16	0	39	29	12	4	9	16	7	36	177
FY20	0	3	14	2	19	26	8	10	15	40	4	24	165
FY21	0	5	1	3	2	5	1	2	2	12	2	11	46
FY22	0	2	5	4	13	2	3	3	4	4	0	2	42
FY23	0	4	8	6	37	23	8	4	73	18	9	15	205
FY24	0	2	4	3	11	13	2	1	15	18	4	29	102
FY25	3	3	7	7	22	3	3	5	17	7	1	18	96
TOTAL:	12	51	72	49	256	258	78	37	214	164	78	241	1510

FY25 Program Participants by Council District

FY25	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
# participants	2	3	5	4	19	3	2	4	12	5	1	12	
# 100% grants	2	1	0	1	1	1	1	1	2	0	0	1	11





Hazard Street Tree (Cost-Share) Program

LFUCG's 50% Share of Expenses FY2015 – FY2025



	# Trees Removed & Replaced	LFUCG \$ Expended	LFUCG \$/Tree Removed & Replaced
FY15	173	\$61,439	\$355
FY16	157	\$73,906	\$471
FY17	184	\$101,407	\$551
FY18	163	\$96,128	\$590
FY19	177	\$129,192	\$730
FY20	165	\$96,873	\$587
FY21	46	\$32,729	\$712
FY22	41	\$45,783	\$1,117
FY23	202	\$195,547	\$968
FY24	102	\$112,500	\$1,103
FY25	96	\$149,292	\$1,555
TOTAL:	1410	\$1,094,796	\$776

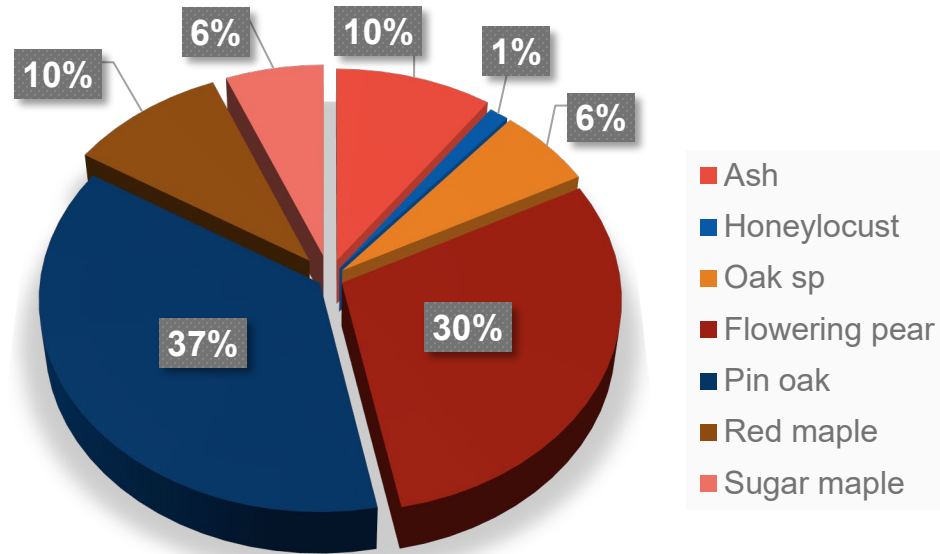




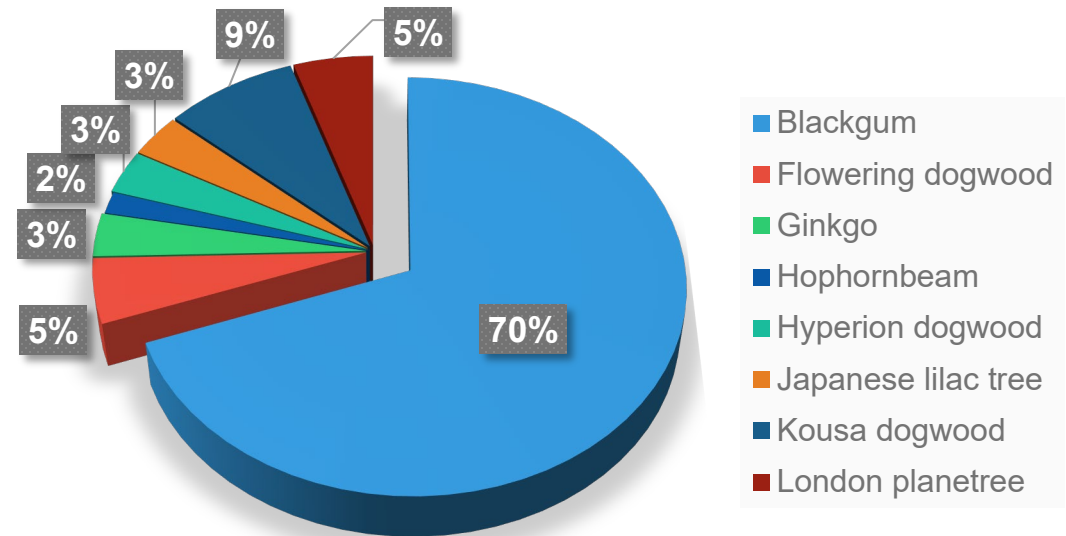
Hazard Street Tree (Cost-Share) Program

FY25 Program Trees

REMOVED: BY SPECIES



PLANTED: BY SPECIES





Hazard Street Tree (Cost-Share) Program- *Benefits & Goals*

- Reductions in:
 - ✓ LexCalls related to dead and dying trees
 - ✓ Time from identification of hazard to removal of hazard
 - ✓ Staff time and costs related to enforcement and abatement
- Many positive comments from citizens
- Continue to increase participation in CD's: 1, 2, 3, 4, 7, 8, and 11
- Continue to encourage vendors to promote and offer a variety of trees
- Increase communication with Landscapers, Tree Nurseries, and Other Tree Care & Lawn Care Services about this program





Street Tree Clearance Pruning Program

- Certified Arborists on Arboricultural Services Contract perform the work
- Work occurs mostly in the winter / early spring
- 38,249 street trees pruned for clearance from FY16 – FY25
- \$535,003 spent in FY16 – FY25
- Average cost per tree:
 - \$13.66/tree (FY16-FY24)
 - \$19.19/tree (FY25)
 - \$13.99/tree (FY16-FY25)

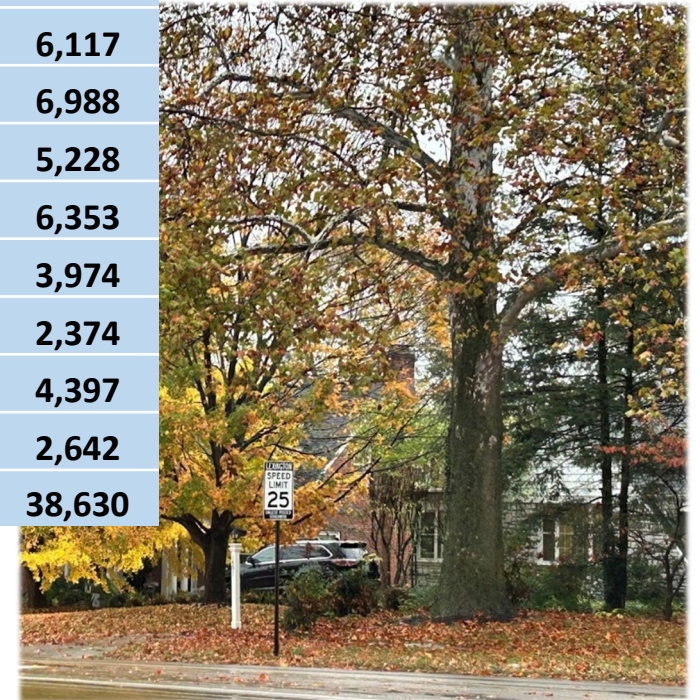




Street Tree Clearance Pruning Program

FY16 – FY25 Statistics by Council District

	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
FY16							94						94
FY17	1				207	104	151						463
FY18	318	2832		367	96	1133	275	284	245	220	347		6,117
FY19		1138				1468	3061		787	116	418		6,988
FY20							1732	23	1418	2055			5,228
FY21		3935				2418							6,353
FY22	119			2600		592						663	3,974
FY23		134		950			156	387				747	2,374
FY24	82				624			1079	2222	158	24	208	4,397
FY25	180		5	167	333			211	1736		10		2,642
TOTAL:	700	8,039	0	4,084	1,260	5,715	5,469	1,984	6,408	2,549	799	1,618	38,630

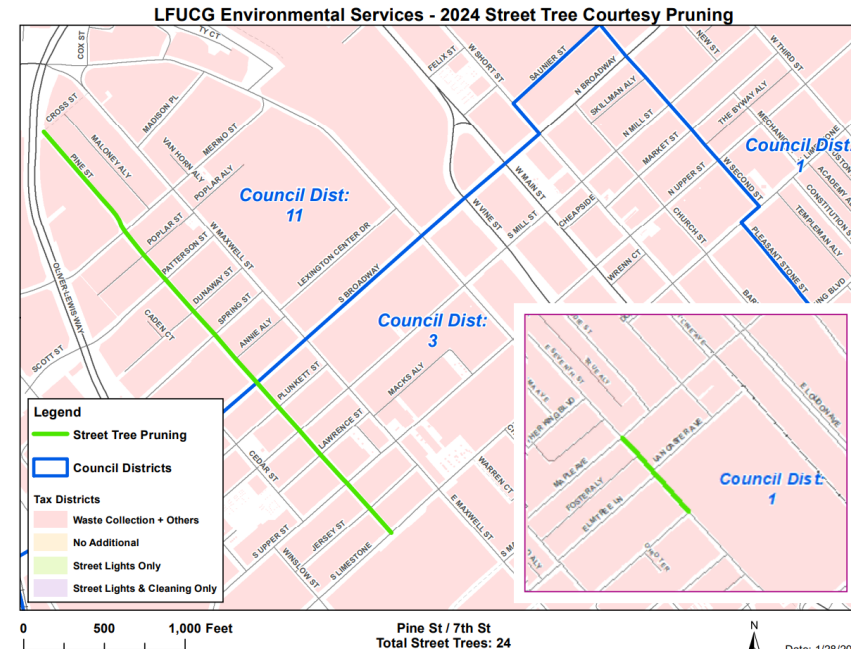




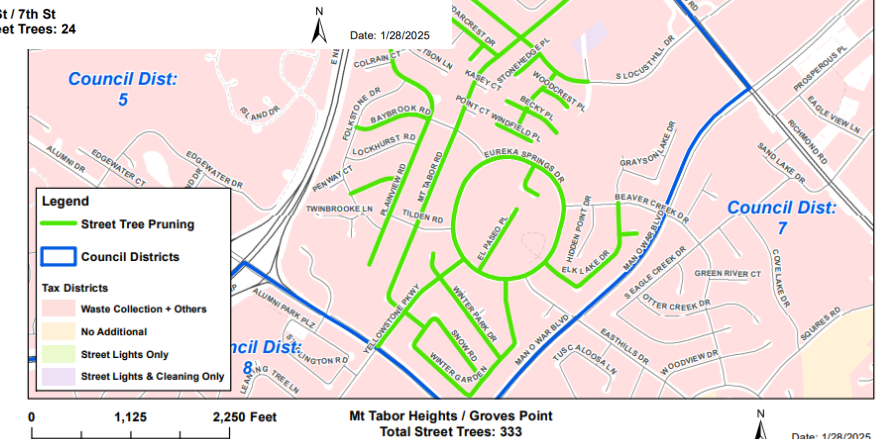
Street Tree Clearance Pruning Program

FY25 Subdivisions:

- CD1 – E 7th St (Maple to Ohio)
- CD3 – Pine St
- CD4 – Southpointe Dr
- CD5 – Mt. Tabor Heights, Groves Point
- CD8 – Carriage Ln Estates
- CD9 – Palomar Hills, The Woods, The Green, Wyndham Hills, Plantation,
- CD11 – Pine St



Pine St / 7th St
Total Street Trees: 24



Date: 1/28/2025

Mt Tabor Heights / Groves Point
Total Street Trees: 333

Date: 1/28/2025



Street Tree Clearance Pruning Program – *the why?*

- Reductions in:
 - ✓ Storm damaged trees
 - ✓ Hanging and falling limbs
 - ✓ Storm damage response and overtime expenditures in neighborhoods where pruning has occurred
 - ✓ LexCalls related to trees blocking roads and sidewalks
 - ✓ Incidents related to vehicular-pruning
 - ✓ Damages to waste trucks, emergency vehicles, snow plows, school and Lextran buses, & postal and package delivery trucks
 - ✓ Staff time and costs related to street tree compliance assistance
- Many positive comments from citizens





Street Tree Clearance Pruning Program - *opportunities for improvement*

- Continue to strive for “proactive” pruning program vs. being “reactive” or “complaint-based”
- Expanded clearance pruning to include crown cleaning
 - Immediate benefits:
 - lessens risk of damage to or by the tree by removing dead, damaged, and diseased limbs
 - improves air flow through the tree’s canopy
 - reduces excessive weight on tree’s limbs
 - Long-term benefits:
 - enhances stability of the tree’s canopy
 - improves tree’s overall canopy health by removing dead, damaged, diseased, and crossing branches
 - reduces tree’s susceptibility to weather-related damage





What Your Urban Forestry Program Does

- Prune Trees
 - Medians, Parks, LFUCG Facilities, WQ Projects, Sanitary Sewer Projects, Capital Projects, County Roads, Greenways, WQ Lots, Rights of Ways
- Remove and Replant trees
 - LFUCG managed spaces, facilities, greenways, water quality lots, county roads
- Connect with the Community
 - Reforest the Bluegrass, Tree Week, Reforest @ Home, Neighborhood Planting Projects
- Plant Health Care & Protection
- New Development Oversight
- LFUCG Tree Nursery
- Beautification Projects & Horticultural Services
- Downtown Streetscape Trees
 - Town Branch Commons, Town Branch Trail
- Legacy Trail, Brighton Trail
- Emergency clean up/assistance



Conner Steele





Path Forward / Future Initiatives

- Continue Street Tree Clearance Pruning each winter (\$85K - FY25 Budget)
- Continue Hazard Street Tree (Cost-Share) Program (\$150K - FY25 Budget)
- Tree Inventory – continue to improve database
 - Software Purchased (FY 25)
- Urban & Community Forest Master Plan
 - In Need



Questions?



LEXINGTON





HB 443 UPDATES – ENGINEERING & WASTE MANAGEMENT

Environmental Quality & Public Works Committee

June 10, 2025





ENGINEERING STORMWATER MANUAL UPDATES

Presenter: Doug Burton, Director

Division of Engineering





Why – HB 443

■ New section of KRS 100

- (1) Except as provided in subsection (2) of this section, the ordinances, rules, and regulations adopted pursuant to this chapter governing subdivision plats and development plans shall be in the form of **objective standards** that shall be **applied ministerially**.
- (2) Ordinances, rules, and regulations governing development plans may allow for **discretion** to be applied by the approving authority in circumstances where:
 - a) An applicant seeks a deviation from the established objective standards; or
 - b) The approving authority determines, based on substantial evidence, that a strict ministerial application of the established objective standards would pose a specific threat to public health, safety, or welfare in the affected area.





What – Stormwater Manual Updates

■ 1.1 Regulatory Basis of the Stormwater Manual

The manual includes stormwater planning, design, and construction standards for the infrastructure that is routinely designed and constructed in development projects, including conventional engineering principles and practices. The Planning Commission ~~may impose additional requirements to address issues that arise during the approval process for development plans and subdivision plans. The~~ and the Director of the Division of Engineering may require additional and/or higher standards ~~for unusual conditions not specifically covered in this manual or where otherwise appropriate from an engineering standpoint to assure public safety and quality in infrastructure design and construction.~~ if substantial evidence exists that a strict ministerial application of the established objective standards would pose a specific threat to public health, safety, or welfare.

■ 1.8.2 Stormwater Criteria for Redevelopment Projects - Applicability

The Division of Engineering may require additional controls where they deem it necessary to protect downstream property if substantial evidence exists that a strict ministerial application of the established objective standards would pose a specific threat to public health, safety, or welfare.





What – Stormwater Manual Updates

■ Division Responsibilities

The **Division of Planning** is responsible for administering the subdivision and development plan process. Infrastructure issues for a proposed development are reviewed by the Technical Committee, which meets each month, to review development plans and subdivision plans. The committee includes staff from many areas of government, including the Divisions of Building Inspection, Engineering, Environmental Services, and Water Quality. The committee makes a formal recommendation to the Planning Commission's Subdivision Committee to approve or disapprove the plan. The Planning Commission may ultimately impose additional requirements if substantial evidence exists that a strict ministerial application of the established objective standards would pose a specific threat to public health, safety, or welfare~~to address unique issues that arise during the approval process for development plans and subdivision plans~~. The additional requirements are legally binding requirements that must be integrated into plans prepared by the Engineer.





When

- Takes effect on July 1, 2025





Questions?





WASTE MANAGEMENT CHAPTER 16 UPDATES

*Presenter: John Howard, Deputy Director
Division of Waste Management*





The Purpose of Today's Presentation is to:

- Summarize proposed changes to Chapter 16;
- Highlight the Importance of Dumpster Service Standards;
and
- Briefly discuss Dumpster Inspections, Permits, and Fees.





Introduction

- There are approximately 3,800 dumpsters permitted by the Division of Waste Management.
- Permit applications must meet Division of Waste Management's requirements for Dumpster placement.
- Dumpsters are serviced by the Division of Waste Management except when serviced privately based upon tax district and/or contractual agreement.





Proposed Changes to Chapter 16

- HB 443 requires that local laws and regulations governing development plans “Shall be in the form of objective standards.”
- Requested changes to Chapter 16 are to codify the Division’s existing requirements for:
 - Truck maneuvering;
 - Concrete pads and Dumpster enclosures – to include compliance with ADA standards; and
 - Compliance with all regulations of the Division’s “Dumpster Service Guide” – currently under revision and to be titled “Dumpster Service Standards”.

DUMPSTER SERVICE GUIDE

Permits – Placements – Screening – Scheduling - Specifications



Division of Waste Management
Lexington Fayette Urban County Government
675 Byrd Thurman Drive
Lexington Kentucky 40510
Phone 859-280-8556





Dumpster Service Standards

- Chapter 16 would contain additional references to the Division's Dumpster Service Standards (previously “Dumpster Service Guide”).
- Dumpster Service Standards are currently being revised to correspond with House Bill 443.
- Dumpster Service Standards are regulations developed to ensure public health and safety around Dumpsters and Dumpster enclosures.





Inspections and Permits

- Division of Waste Management's Enforcement Officers are responsible for performing inspections and approving new permits.
- Enforcement Officers are also responsible for re-inspections, which occur when a permit holder or dumpster location changes.
- Waste Management Drivers report problems and issues with dumpsters when they observe them, and these matters are referred to Waste Management Enforcement Officers for investigation.





Permits and Fees

- Currently, Chapter 16 requires a one-time fee, in the amount of \$25.00, to obtain a Dumpster Permit with no requirement for renewal - absent ownership change or dumpster relocation.
- Division of Waste Management may consider a future proposal requiring permits to be renewed every two years, with re-inspection performed by Division of Waste Management Code Enforcement Officers that would approve the renewals.





Next Steps

- Council's support of proposed Stormwater Manual & Chapter 16 updates;
- Appropriate distribution and communications of finalized updates





Questions?



NEW DEFINITIONS

(*) Dumpster enclosure shall mean a structure designed to support and enclose a dumpster.

(*) Dumpster service standards (also known as the dumpster service guide) shall mean the document used to provide the standards for design, review, construction, inspection and permitting of dumpster placement sites.

The purpose of these definitions is to make our current "dumpster service guide" into a legal regulation that the ordinance can simply cite. We are currently working to revise the dumpster service guide to include necessary changes.

Sec. 16-4. - Dumpster container service.

(d) The director, division of waste management shall have the authority to designate the location for collection with consideration for such factors as: ease of accessibility, convenience for customers; hazardous conditions such as cables, utility poles, equipment clearance, animals; and collection costs. Dumpster service truck operators are not to maneuver the truck in a reverse position beyond fifty (50) feet. Dumpster service truck operators will not back out onto a public roadway.

This is a safety issue seemingly left up to the discretion of the director of waste management. We would like this to be the standard and anything else to be an exception.

Sec. 16-4.1. - Dumpster screening requirements; requirements for obtaining permit; location and maintenance of dumpsters.

(a)(2) The ~~average~~ height of screening material shall be eight (8) feet from the surface of the concrete pad to the top of dumpster screening. ~~one (1) foot more than the height of the dumpster but when walls or fences are used, shall not exceed eight (8) feet in height.~~

There is no reason for the dumpster screening to be anything but 8 feet tall.

(a)(4) A concrete pad sufficient to support the dumpster and the front wheels of the dumpster collection vehicle shall be required where the existing foundation, as determined by the director of the division of waste management, is not adequate to support the dumpster and the collection vehicle and bollards shall be installed which are sufficient to protect any adjacent structure(s) and allow access to the dumpster. Bollards sufficient to protect the dumpster enclosure shall be installed per the dumpster service standards.

(b)(1) In order to obtain such permit, an application accompanied by a plat of the property on which the dumpster and screening is to be located, drawn to scale and showing the location of all structures, public rights-of-way, and the location of the proposed dumpster and all required screening, shall be submitted to the director of the division of waste management. All dumpster enclosures will be inspected by the division of waste management to determine whether the enclosure conforms to the plans provided in the initial application. Deviation from the initial application or the dumpster service standards may result in denial or revocation of dumpster permit. A fee in the amount of twenty-five dollars (\$25.00) shall be paid to the director of the division of waste management prior to issuance of any dumpster and screening permit except as provided in subsection (b)(3).

We believe per article 12 that the director of waste management has the power to revoke dumpster permits. We simply want to make that clear in this section, as well as referencing the dumpster service guide/standards.

We had also discussed having new permits expire, or having them require some renewal process or re-inspection. Currently, dumpster permits never expire. This has caused administrative issues on our end, simply tracking down old permits has proved impossible. It's also a safety issue, as our standards have changed over time. Dumpsters only need to be re-permitted when they are moved or when they change owners. We think a renewal period of TWO years is reasonable & may consider as a future proposal.

(b)(2) Any dumpster or screening placed or constructed without a permit as required by this subsection shall be removed within forty-eight (48) hours of notice to the person responsible for placement of the dumpster or screening unless a permit is immediately obtained as provided in subsection (b)(3). The notice shall state that a civil citation may be issued if two (2) or more notices to remove unpermitted dumpsters or screening have been issued to the same person within any ~~twelve~~ ^{six} month period notwithstanding whether a permit was obtained after the prior notices.

We would like to improve our capacity to enforce dumpster permit violations. Code Enforcement have communicated to our Enforcement team that they would like this to have more teeth. Because dumpsters sometimes switch owners frequently, unpermitted dumpster notices may not be issued to the same person within the time frame required by this 3 strikes rule. The dumpster may remain unpermitted, be moved back and forth without a permit, etc.

(b)(3)(d) All dumpsters, regardless of whether collection service will be provided by the urban county government or by private hauler, shall be maintained in a safe and sanitary condition and shall be cleaned by the owner/occupant of the dumpster site as often as necessary to prevent the dumpster from becoming malodorous. Litter and debris, e.g. wooden pallets, mattresses, furniture, tires, or grease receptacles, shall not be allowed to accumulate around

the dumpster, and all refuse shall be deposited in such manner as to prevent it from blowing out of the dumpster.

Sec. 16-11. - Dumpster collection schedules.

(b) A dumpster container will not be collected when in the opinion of the director of waste management the container is filled with special handling wastes, hazardous wastes, construction material, or when the combined weight of the container and its contents is of such an excessive weight (Define "excessive weight") as to pose a threat to the proper functioning of the packer truck lifting equipment.

We need to define an excessive weight, which we think would be the gross weight of one of our current front-loader trucks and the maximum load weight of that truck. I'm going to get this exact number tomorrow. Refuse trucks have, however, gotten bigger over the years and may get bigger in the future. This could be moved to the dumpster service standards.

Sec. 16-14. - Special collections.

(c) Items generated from residential units such as televisions, tires off rims (up to four (4)), furniture, small scrap metal pieces, etc., will be collected free of charge by calling the division of waste management. Calls must be made at least twenty-four (24) hours in advance of the requested special pick-up. There is a maximum of one (1) special pickup per week, in addition to the regular pickup. Dumpsters placed in an apartment complex, townhouse complex or condominium complex will require a designated site for the collection of any special handling waste such as furniture, tires, etc. The location of this site must be indicated in the dumpster permit application. This site must be at least six (6) feet away from the screening of any dumpster enclosure and must not impede access to any dumpster enclosure. Clear signage must be posted indicating the "Pickup Area."

A major issue we face is that refuse, especially bulky refuse and construction material, tends to build up around dumpster enclosures. This is a safety issue for our employees and a liability for the city, as lifting a dumpster in an enclosure with bulky items in it is likely to damage the enclosure. As a result our drivers often skip these enclosures, causing frustration for the business.

Allowing refuse to pile up in the enclosures is already banned in the ordinance, but we would like to mandate this additional pickup area for "apartment complexes, townhouse complexes, or condominium complexes" as defined by the ordinance. We would like some reference to this in the ordinance, although it could just be a reference and then "per the dumpster service standards."

ORDINANCE NO. _____ 2025

AN ORDINANCE AMENDING SECTION AMENDING SECTION 16-1(A) OF THE CODE OF ORDINANCES RELATED TO DEFINITIONS TO CREATE A DEFINITION FOR DUMPSTER ENCLOSURE AND DUMPSTER SERVICE STANDARDS AND RENUMBERING THE EXISTING DEFINITIONS IN THIS SECTION; AMENDING SECTION 16-4(D) OF THE CODE OF ORDINANCES RELATED TO DUMPSTER CONTAINER SERVICE TO PUT REQUIREMENTS ON DUMPSTER SERVICE TRUCK OPERATORS: AMENDING SECTION 16-4.1(A)(2) RELATED TO DUMPSTER SCREENING REQUIREMENTS TO DELETE THE WORD AVERAGE AND ADD THE HEIGHT SHALL BE EIGHT FEET FROM THE SURFACE OT CONCRETE PAD TO THE TOP OF THE DUMPSTER SCREENING AND TO DELETE THE REMAINDER OF THE SECTION; AMENDING SECTION 16-4.1(A)(4) RELATED TO DUMPSTER SCREENING REQUIREMENTS TO BOLLARDS TO BE INSTALLED PER THE DUMPSTER SERVICE STANDARDS; AMENDING SECTION 16-4.1(B)(1) RELATED TO DUMPSTER SCREENING REQUIREMENTS TO REQUIRE INSPECTION OF DUMPSTER ENCLOSURES BY THE DIVISON OF WASTE MANAGEMENT FOR CONFORMITY TO THE INITIAL PLANS AND DUMPSTER SERVICE STANDARDS DEVIATION MAY RESULT IN DENIAL OR REVOCATION OF A DUMPSTER PERMIT; AMENDING SECTION 16-4.1(B)(2) RELATED TO DUMPSTER SCREENING REQUIREMENTS TO CHANGE THE TWELVE MONTH PERIOD TO SIX MONTHS; AMENDING SECTION 16-4.1(B)(3)(2) RELATED TO DUMPSTER SCREENING REQUIREMENTS TO PROHIBIT WOODEN PALLETS, MATTRESSES, FURNITURE, TIRES OR GREASE RECEPTACLES TO ACCUMULATE AROUND THE DUMPSTER; AMENDING SECTION 16-11(B) RELATED TO DUMPSTER COLLECTION SCHEDULES TO INCLUDE CONSTRUCTION MATERIAL AND DEFINE EXCESSIVE WEIGHT AND AMENDING SECTION 16-14(C) RELATED TO SPECIAL COLLECTIONS TO REQUIRE A DESIGNATED SITE FOR SPECIAL COLLECTIONS FROM AN APARTMENT COMPLEX, TOWNHOUSE COMPLEX OR CONDOMINIUM COMPLEX.

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

Section 1 - That Section 16-1(a) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

Sec. 16-1. - Definitions.

(a) With relation to [article II](#) of this chapter:

(1) *Apartment complex, townhouse complex or condominium complex* shall mean a group of two (2) or more individual apartment, townhouse or condominium buildings constructed on one (1) taxable parcel of land and containing seven (7) or more individual units.

(2) *Approved landscape waste containers* shall mean biodegradable paper bags or polyethylene containers on wheels provided by the urban county government and intended to hold both woody and nonwoody landscape waste, or polyethylene or metal containers up to thirty (30) gallons, with lids, that are labeled "Yard Waste Only".

(3) *Ashes* shall mean the residue from the burning of wood, coal, coke and other combustible materials in homes, stores, institutions and small industrial establishments for the purpose of heating, cooking and disposing of waste combustible material.

Cinders that are produced in large quantities at steam-generating plants are not included within the meaning of the term.

(4) *Building rubbish* shall mean the waste material resulting from the construction, remodeling, repair and demolition operations on commercial buildings, houses and other structures.

(5) *Director, division of solid waste* shall mean the director of the division of solid waste of the urban county government or his authorized deputy, agent or representative.

(6) *Dumpster* shall mean a metal tank designed or intended to be mechanically dumped into a packer-type garbage truck.

(7) *Dumpster enclosure* shall mean a structure designed to support and enclose a dumpster.

(8) *Dumpster service standards* (also known as the dumpster service guide) shall mean the document used to provide the standards for design, review construction, inspection and permitting of dumpster placement sites.

~~(7)~~ (9) *Garbage* shall mean animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods, paper and other kitchen type wastes generated from normal household activities. It is composed largely of putrescible organic matter and its natural moisture content. It includes a minimum amount of free liquids. Garbage originates primarily in home kitchens, and also may originate in stores, markets, restaurants, hotels and other places where food is stored, prepared or served.

~~(8)~~ (10) *Hazardous waste* shall mean ammunition, explosives, pathological waste, pesticides, herbicides, propane tanks, toxic industrial waste, radioactive waste and other toxic materials which are harmful to public waste.

~~(9)~~ (11) *Kitchen facilities* shall mean equipment arranged in a room or some other space in a structure which facilitates the preparation of food including, but not limited to, a combination of two (2) or more of the following—a range, microwave oven, dishwasher, kitchen sink or refrigerator.

~~(40)~~ (12) *Nonwoody landscape waste* shall mean grass clippings, leaves, garden vegetation, weeds and twigs (pencil thin), free of other debris or refuse.

~~(44)~~ (13) *Recyclable materials* may include, but is not limited to various grades of paper, aluminum and tin cans, glass and plastics.

~~(42)~~ (14) *Roll cart container* shall mean a large, durable polyethylene refuse container on wheels, complete with attached lid. Roll cart containers are designed to be rolled to the curb by residents or proprietors. Carts are designed to be dumped automatically by refuse vehicles. Carts are designed to hold both garbage and trash. Carts are provided by the urban county government and remain the property of the urban county government.

~~(43)~~ (15) *Roll cart container equivalent* shall mean any regularly recurring volume of garbage and/or trash, up to a ninety (90) gallon capacity, which is collected by the urban county government but not contained in a roll cart container or dumpster.

~~(44)~~ (16) *Shall* is mandatory; *may* is permissive.

~~(45)~~ (17) *Special handling wastes* shall mean wastes which cannot be properly or safely handled by a packer-type garbage truck (front or rear loading) without resulting in damage to government equipment. This waste shall include but is not limited to tires on rims, wooden pallets, lumber, large engine parts, large furniture, large scrap metal and shavings, bricks, building rubbish, concrete blocks, commercial stoves, excavated earth, food processing waste, metal drums, large wire bindings, heavy packing material, boiler house cinders, sewage, process sludge, liquids and hazardous or toxic materials of any sort.

~~(46)~~ (18) *Townhouse or condominium* shall mean a single-family residence sharing a common wall with one (1) or more single-family residences.

~~(47)~~ (19) *Trash* shall mean a variety of both combustible and noncombustible solid waste from materials from homes, stores and institutions.

~~(48)~~ (20) *Woody landscape waste* shall mean tree limbs or trunks not more than six (6) inches in diameter.

Section 2 - That Section 16-4(d) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

Section 16-4(d) The director, division of waste management shall have the authority

to designate the location for collection with consideration for such factors as: ease of accessibility, convenience for customers; hazardous conditions such as cables, utility poles, equipment clearance, animals; and collection costs. Dumpster service truck operators are not to maneuver the truck in a reverse position beyond fifty (50) feet.
Dumpster service truck operators will not back out onto a public roadway.

Section 3 - That Section 16-4(1)(a)(2) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

Section 16-4.1(a)(2)

The average height of screening material shall be eight (8) feet from the surface of the concrete pad to the top of the dumpster screening. ~~one (1) foot more than the height of the dumpster but when walls or fences are used, shall not exceed eight (8) feet in height.~~

Section 4 - That Section 16-4.1(a)(4) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

Section 16-4.1(a)(4) A concrete pad sufficient to support the dumpster and the front wheels of the dumpster collection vehicle shall be required where the existing foundation, as determined by the director of the division of waste management, is not adequate to support the dumpster and the collection vehicle and bollards shall be installed which are sufficient to protect any adjacent structure(s) and allow access to the dumpster. Bollards sufficient to protect the dumpster enclosure shall be installed per the dumpster service standards.

Section 5 - That Section 16-4.1(b)(1) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

Section 16-4.1(b)(1) In order to obtain such permit, an application accompanied by a plat of the property on which the dumpster and screening is to be located, drawn to scale and showing the location of all structures, public rights-of-way, and the location of the proposed dumpster and all required screening, shall be submitted to the director of the division of waste management. All dumpster enclosures will be inspected by the division of waste management to determine whether the enclosure conforms to the plans provided in the initial application. Deviation from the initial application or the dumpster service standards may result in the denial or revocation of the dumpster

permit. The plat shall contain a statement that it is a true and accurate depiction of the site shown thereon and be signed by the owner or person who has charge, care or control of the premises. A fee in the amount of twenty-five dollars (\$25.00) shall be paid to the division of waste management prior to issuance of any dumpster and screening permit except as provided in subsection (b)(3).

Section 6 - That Section 16-4.1(b)(2) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

Section 16-4.1(b)(2) Any dumpster or screening placed or constructed without a permit as required by this subsection shall be removed within forty-eight (48) hours of notice to the person responsible for placement of the dumpster or screening unless a permit is immediately obtained as provided in subsection (b)(3). The notice shall state that a civil citation may be issued if two (2) or more notices to remove unpermitted dumpsters or screening have been issued to the same person within any ~~twelve~~ six-month period notwithstanding whether a permit was obtained after the prior notices.

Section 7 - That Section 16-4.1(b)(3)(d) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

Section 16-4.1(b)(3)(d) All dumpsters, regardless of whether collection service will be provided by the urban county government or by private hauler, shall be maintained in a safe and sanitary condition and shall be cleaned by the owner/occupant of the dumpster site as often as necessary to prevent the dumpster from becoming malodorous. Litter and debris, e.g. wooden pallets, mattresses, furniture, tires, or grease receptacles, shall not be allowed to accumulate around the dumpster, and all refuse shall be deposited in such manner as to prevent it from blowing out of the dumpster.

Section 8 - That Section 16-11(b) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows

Section 16-11(b) A dumpster container will not be collected when in the opinion of the director of waste management the container is filled with special handling wastes, hazardous wastes, construction material, or when the combined weight of the container and its contents is of such an excessive weight (Define excessive weight) as to pose a threat to the proper functioning of the packer truck lifting equipment.

Section 9 - That Section 16-14(c) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows

Section 16-14(c) Items generated from residential units such as televisions, tires off rims (up to four (4)), furniture, small scrap metal pieces, etc., will be collected free of charge by calling the division of waste management. Calls must be made at least twenty-four (24) hours in advance of the requested special pick-up. There is a maximum of one (1) special pickup per week, in addition to the regular pickup. Dumpsters placed in an apartment complex, townhouse complex or condominium complex will require a designated site for the collection of any special handling waste such as furniture, tires, etc. The location of this site must be indicated in the dumpster permit application. This site must be at least six (6) feet away from the screening of any dumpster enclosure and must not impede access to any dumpster enclosure. Clear signage must be posted indicating the "Pickup Area."

Section 10 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK, URBAN COUNTY COUNCIL

PUBLISHED:

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4909-3992-9654, v. 1

draft document

standards

DUMPSTER SERVICE GUIDE

Permits – Placements – Screening – Scheduling - Specifications



**Division of Waste Management
Lexington Fayette Urban County Government
675 Byrd Thurman Drive
Lexington Kentucky 40510
Phone 859-280-8556**

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The urban county government will provide upon request, collection service for dumpster containers at any multi-family residential structure, office, commercial and residential unit, or other building within the urban service district which is taxed for refuse collection. No dumpster, regardless of whether collection service will be provided by the urban county government or by private hauler, shall be placed upon any site without first obtaining a permit from the Division of Waste Management. A fee in the amount of \$25 shall be paid to the Division of Waste Management prior to the issuance of any dumpster permit. Those dumpsters which are placed without a permit, will not be serviced *and* will result in a citation being issued.

The urban county government services only 2-4-6-8 cubic yard dumpsters. Dumpsters filled by compactors will not be serviced, nor will temporary dumpsters or dumpsters on casters. The Division of Waste Management encourages establishments to share dumper containers and to locate them in a mutually accessible and serviceable area. The dumpster must be placed on the lot for which primary use is intended. Dumpster placement must comply with all requirements of the Division of Waste Management Ordinances (contact the Division of Waste Management).

Dumpster Required

Dumpster containers will be required to be furnished at the expense of the owner(s) at the following locations:

1. Apartment buildings, townhouses, or condominiums of seven units or larger.
2. All office, commercial and industrial units, or other buildings including apartment complexes, townhouse complexes, and condominium complexes, as determined by the Director of the Division of Waste Management or, in the case of locations under development, that have or will generate a sufficient amount of refuse to warrant the use of a dumpster. Sufficient is defined as approximately 4 cubic yards per collection day or three (3) or more roll cart containers of refuse.
3. Complexes or groups of apartments, townhouses, or condominiums which individually may have less than seven (7) units, but are developed as a single development whose units total or exceed seven (7) and either:
 - (a) Have common or shared parking areas
 - (b) Share entrances or exits

Permitting

No dumpster shall be placed upon any site without first applying for a permit from the Division of Waste Management and the payment of a \$25 permit fee. In order to obtain a permit, the property owner or their locally designated property manager/tenant must call the Division of Waste Management at 859-280-8556. A Solid Waste Enforcement Officer will visit the proposed site to determine its acceptability in regard to screening, overhead obstructions, truck access, etc. If conditions are acceptable, then a permit will be issued upon receipt of the permit fee. However, if conditions do not meet with the inspector's approval, a list of the needed improvements will be given to the owner/tenant in order to bring the site up to required standards, and owner will have 30 days to comply. Once the standards have been met, a re-inspection will be conducted, and a permit issued after the fee is received. Dumpsters will not be permitted or serviced until required standards are met. **Any person placing a dumpster that fails to obtain a permit from the Division of Waste Management will be given a 48 hour notice to remove the illegally placed dumpster. The third illegally placed dumpster in a 12 month period will result in fines not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00), and each day's continuance of any such violation shall be a separate offence.**

The service vehicle must be able to service containers, back up, and depart without having to make unnecessary maneuvers. Therefore, the servicing distance, the distance from the opening of the dumpster screen outward, may be no more than 50ft backing area and must be clear of any obstructions (parking place, median, building, curb, etc.). Collection vehicles will not pass over a curb to service a dumpster. Dumpster may not be placed on any public street, alley or sidewalk, or upon public property of any nature.

No dumpster shall be located closer than 10 feet from any abutting residential property line. Dumpsters shall not be located in such a manner as to leave the unscreened side visible from any public right-of-way. However, when this is impractical, the Division of Waste Management may designate a location for the dumpster which is most accessible and aesthetically appropriate. No dumpster shall be located within ten (10) feet of any public right-of-way.

Dumpsters shall be placed no closer than 10 feet to any building opening (door or window), or within 10 feet of any combustible wall unless fire protection devices are provided and approved by the Fire Marshal.

For a location proposed in development or construction plans, a plat of the property drawn to scale and showing the location of all structures, public right-of-ways, and the location of the proposed dumpster, and all required screening shall be submitted to the Division of Waste Management. The plat should also include the utility easements, the zoning of subject, and all adjacent properties. The plat must contain a statement that it is a true and accurate depiction of the site shown and must be signed by the owner or person who has charge or control of the premises.

All temporary dumpsters to be set in any public right-of-way-street, sidewalk, or alley, must acquire a permit from the Division of Engineering. These permits are for a period of 7 days and must be renewed every 7 working days. The urban county government will not service temporary dumpsters.

Dumpster Removal Requirements

All removals of front end loader dumpsters in Fayette County whether serviced by the Division of Waste Management or private service company will need to be reported to The Division of Waste Management 48 hours prior to removal. This will allow time for arrangements to be made for adequate refuse service to be put in place. Any removal of a dumpster without notification to the Division of Waste Management will result in fines not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), and each day's continuance of violation shall be a separate offense.

NUMBER OF DUMPSTER PER BUILDING TYPE

CLASSIFICATION	BUILDING TYPE	QUANTITIES OF WASTE GENERATED
APARTMENTS	27 SINGLE FAMILY UNITS	1 - 8 YARD TRASH DUMPSTER
COMMERCIAL BUILDINGS		
	OFFICE	4 CUBIC YARDS PER 10,000 SQ. FT. PER WEEK
	DEPARTMENT STORE	7 CUBIC YARDS PER 2,500 SQ. FT. PER WEEK
	SHOPPING CENTER	VARIES WITH TYPE OF TENANT HANDLED
	SUPERMARKET	7 CUBIC YARDS PER 1,250 SQ. FT. PER WEEK
	RESTAURANTS	VARIES WITH NUMBER OF MEALS SERVED & TYPE OF FOOD
	DRUGSTORE	7 CUBIC YARDS PER 2,000 SQ. FT. PER WEEK
	BANKS	1 DUMPSTER LOCATION REQUIRED
HOTELS & MOTELS		
	HIGH OCCUPANCY	1/2 CUBIC YARD PER ROOM PER WEEK & RESTAURANTS
	AVERAGE OCCUPANCY	1/6 CUBIC YARD PER ROOM PER WEEK & RESTAURANTS
WARHOUSES		VARIES WITH TYPE OF ACTIVITY
FACTORIES		VARIES WITH TYPE OF ACTIVITY
INSTITUTIONS		
	HOSPITALS	1 CUBIC YARDS PER FIVE OCCUPIED BEDS PER DAY
	NURSING HOMES	1 CUBIC YARDS PER FIFTEEN PERSONS PER DAY
	REST & RETIREMENT HOMES	1 CUBIC YARDS PER TWENTY PERSONS PER DAY
SCHOOLS		
	GRADE SCHOOL	1 CUBIC YARD PER EIGHT ROOMS PER DAY
	HIGH SCHOOL	1 CUBIC YARD PER TEN ROOMS PER DAY
	UNIVERSITIES	SURVEY REQUIRED

Dumpster Screening

All dumpsters shall be screened except when located within any B-4, I-1, or I-2 zones. Dumpsters in B-4, I-1, or I-2 zones shall be screened when located within 100 feet of any zone except B-4, I-1, or I-2. Establishments with existing dumpsters located in these zones, and which are not screened, may be required to screen within 30 days of formal written notice by the Director of the Division of Waste Management.

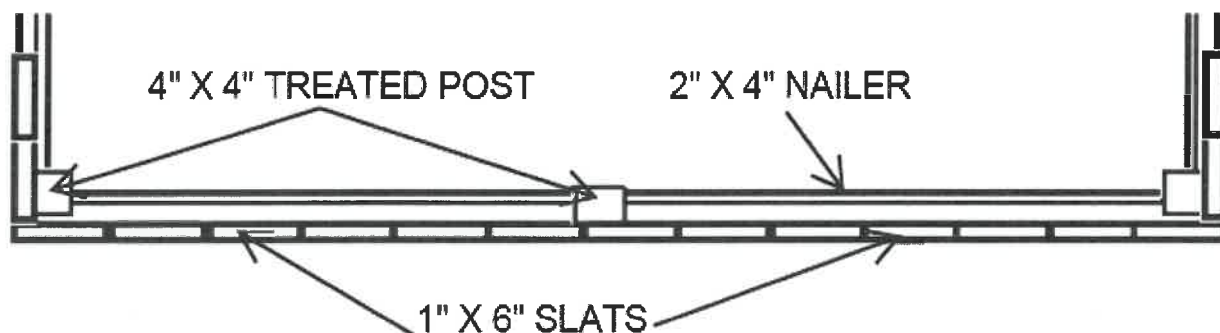
The dumpster area must be screened on 3 sides using material consisting of stone, brick, block, wood, or a continuous planting of evergreens. Chain link is not recommended as proper screening. Screens of stone, brick, block, or wood shall have 80% opacity (80% solid). Evergreen plantings shall be placed two per side on three sides. If any planting shall die, it shall be promptly replaced.

The opening for removal of the dumpster for collection must be a minimum of 12 feet from the nearest point (i.e., poles, fences, any/all obstructions) to allow for proper access when it is serviced. For every dumpster added, an additional 10 feet in width is needed. When gates are provided **DROP RODS** or some means of retaining the door in an open position while servicing takes place must be provided. **Please Note: the opening between opened gates must maintain the minimum 12 feet opening specification, including any support poles.** The standard height for all screening material must be 8 feet to accommodate all sizes of dumpsters.

Whenever screening material is placed around any dumpster, fixed barrier guard posts (fig. 1) must be provided within the screening material at the rear of the container. This will decrease the possibility of damage to the screen. Placements of side guard posts are acceptable but not mandatory, and must be approved by an inspector.

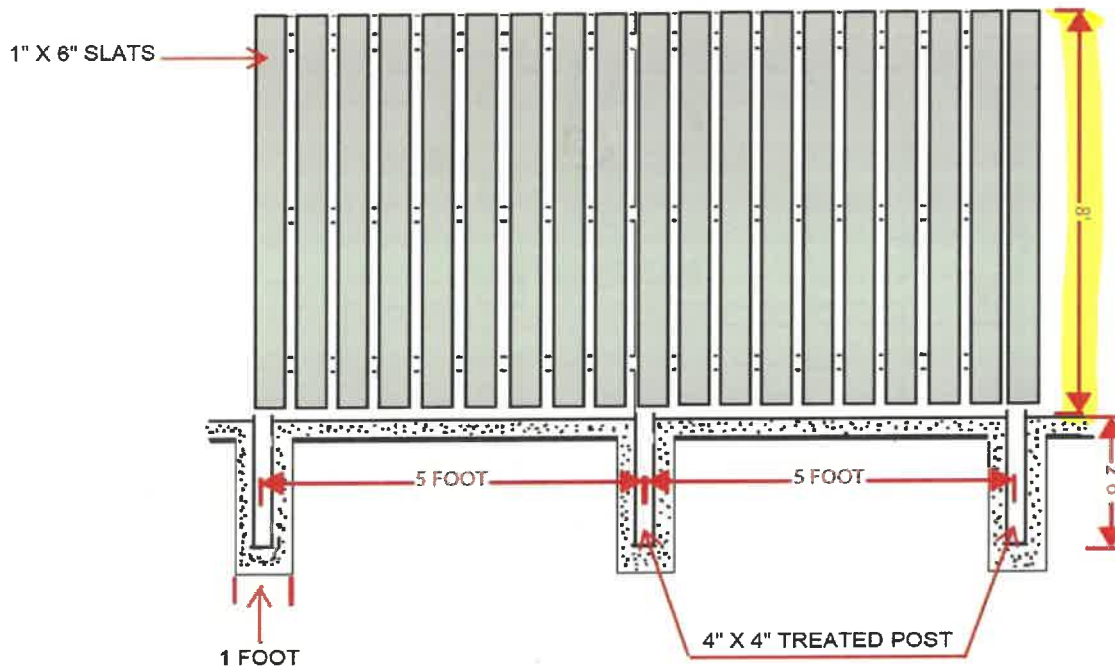
DUMPSTER SCREENING DETAIL

FIGURE #1



SCREEN FENCE DETAIL

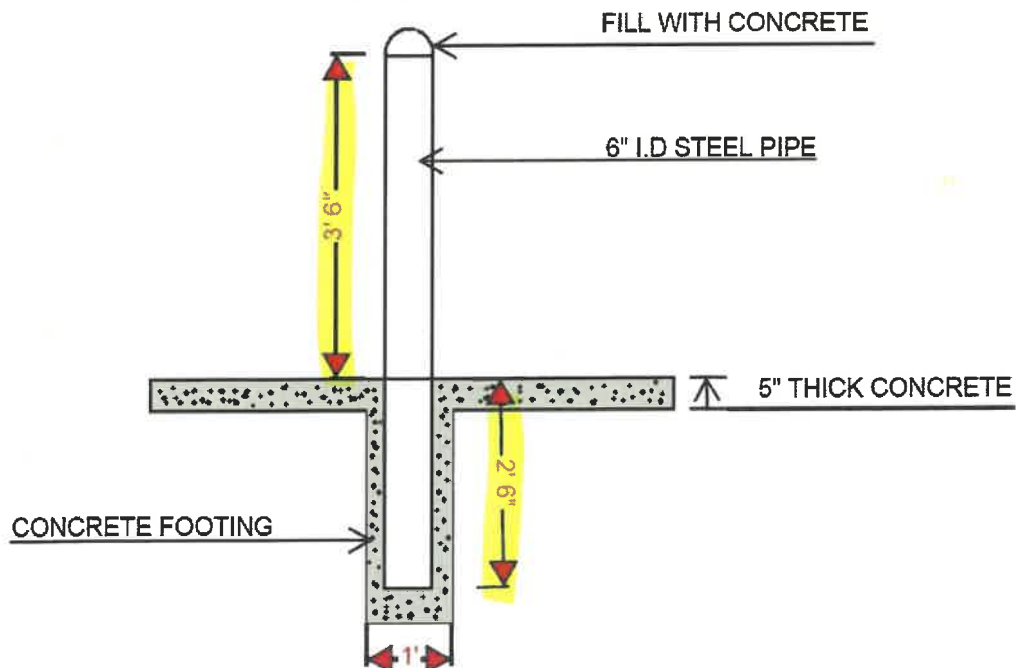
FIGURE # 2



NOTE: ALL POST MUST BE SET IN CONCRETE. IF WOOD IS USED AS SCREENING MATERIAL, 3 HORIZONTAL BOURDS MUST BE USED TO SUPPORT THE VERTICAL BOURDS. ALL LUMBER SHALL BE TREATED. OTHER SCREENING MATERIAL SUCH AS BRICK, BLOCK, HEDGES, ECT MAY BE USED FOR SCREENING.

GUARD POST DETAIL

FIGURE # 3



DOUBLE ENCLOSURE WITHOUT GATES

FIGURE # 5

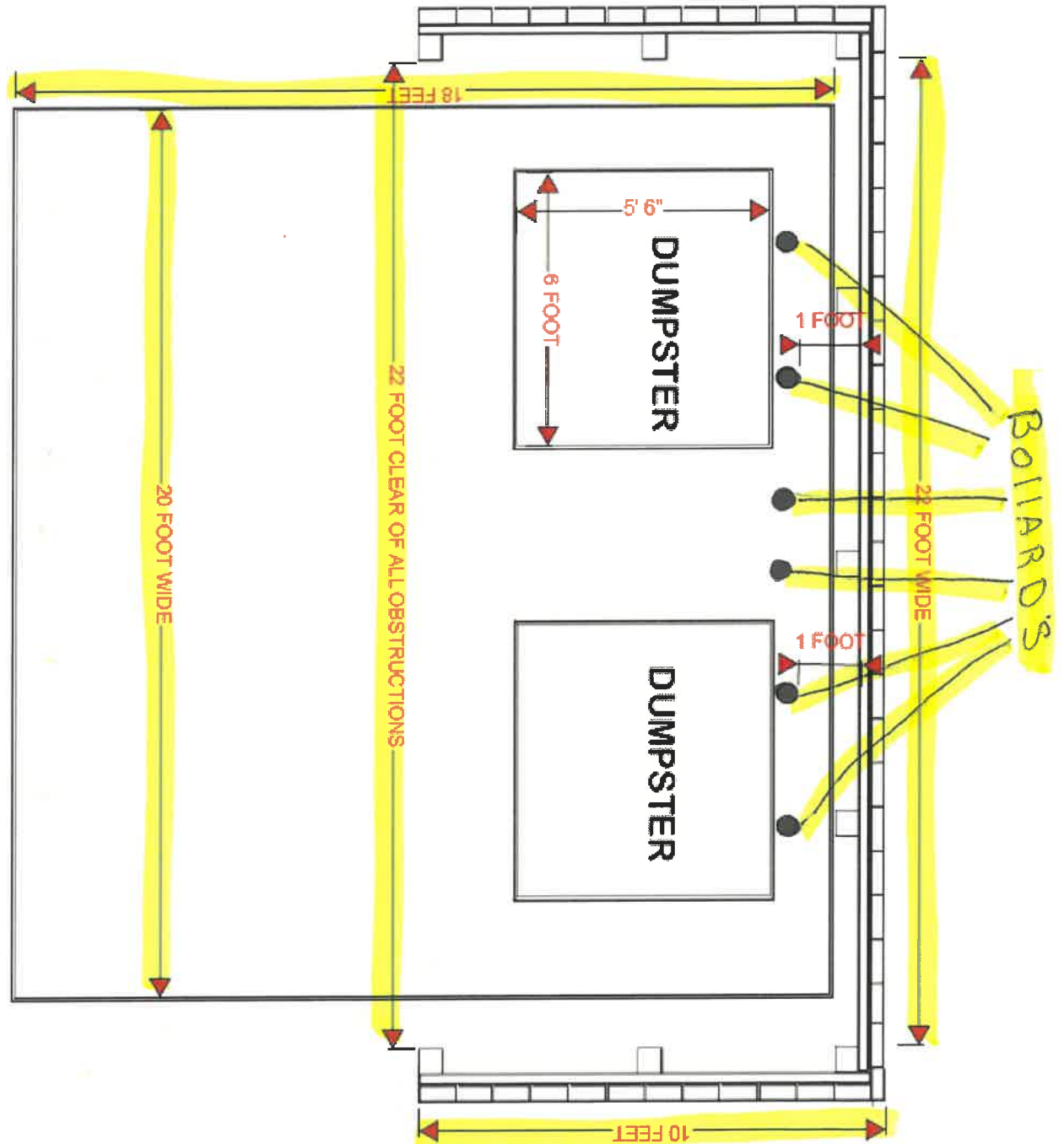
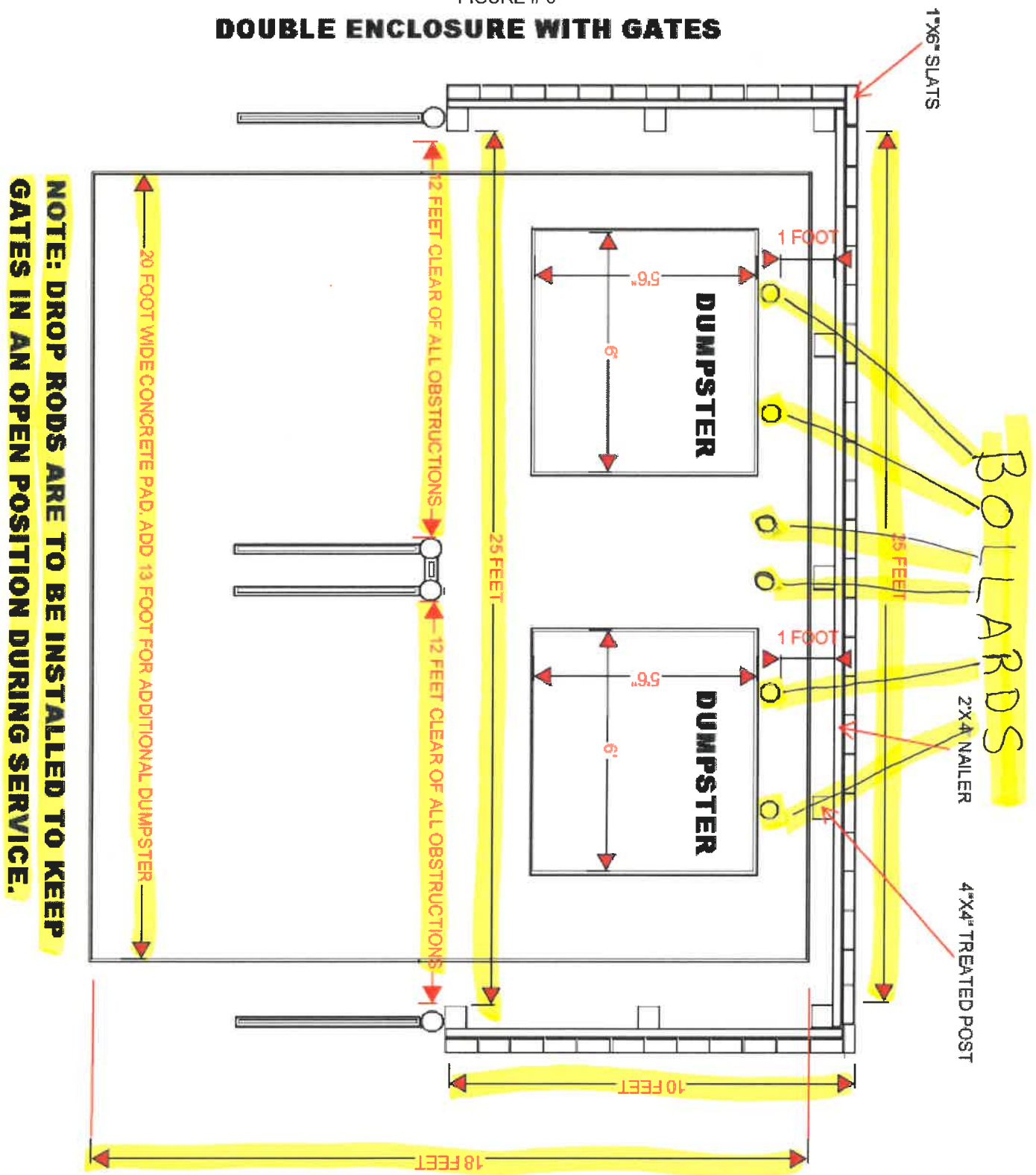
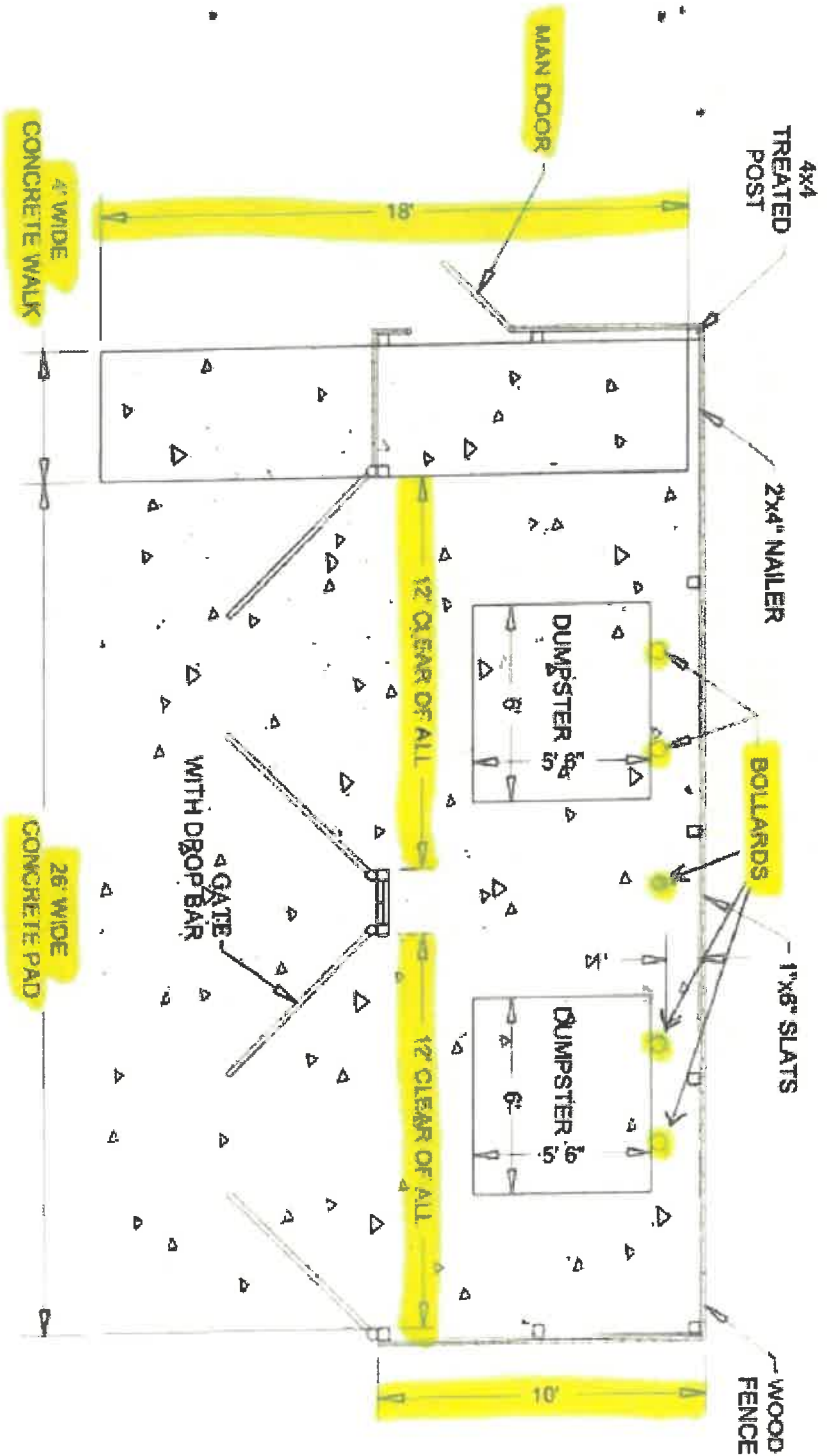


FIGURE # 6

DOUBLE ENCLOSURE WITH GATES

ADA DUMPSTER ENCLOSURE DETAIL



NOTES:

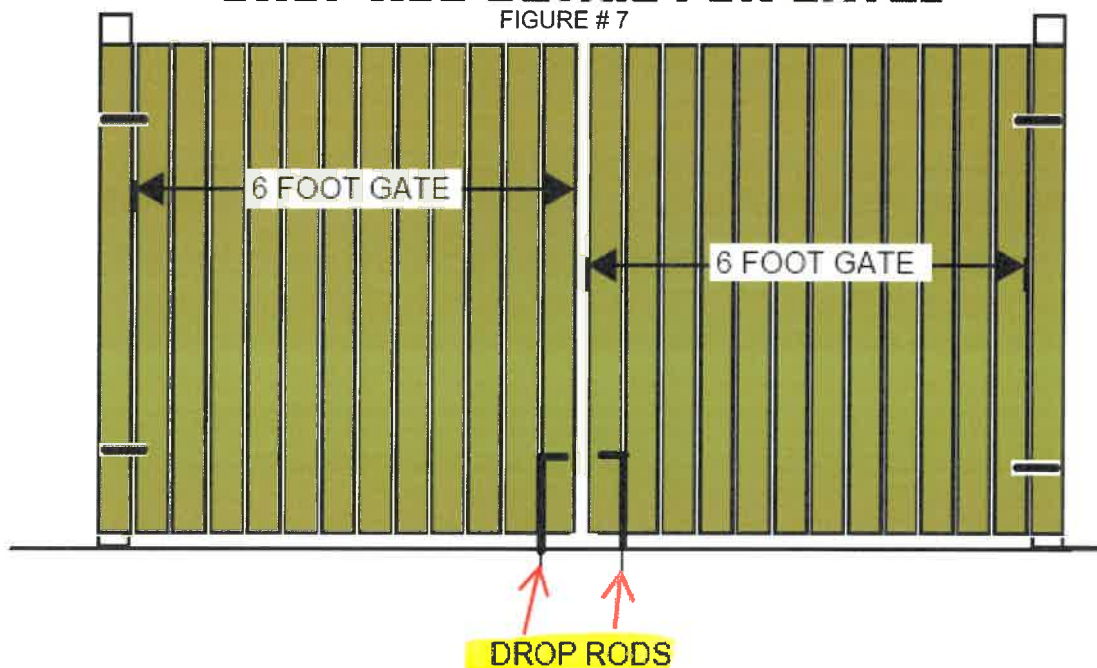
1. See Concrete Dumpster Pad Detail for thickness.
2. All posts must be set in concrete. If wood is used as screening material, 3 horizontal boards must be used to support the vertical boards. All lumber must be treated. Note all gates must have drop rods installed. Drop rods are needed to keep gates open while dumpster is being serviced. The Division of Waste Management will open gates but will not close gates.
3. Fence height shall be 8' typical.

ADA DUMPSTER ENCLOSURE DETAIL

SCALE: NOT TO SCALE

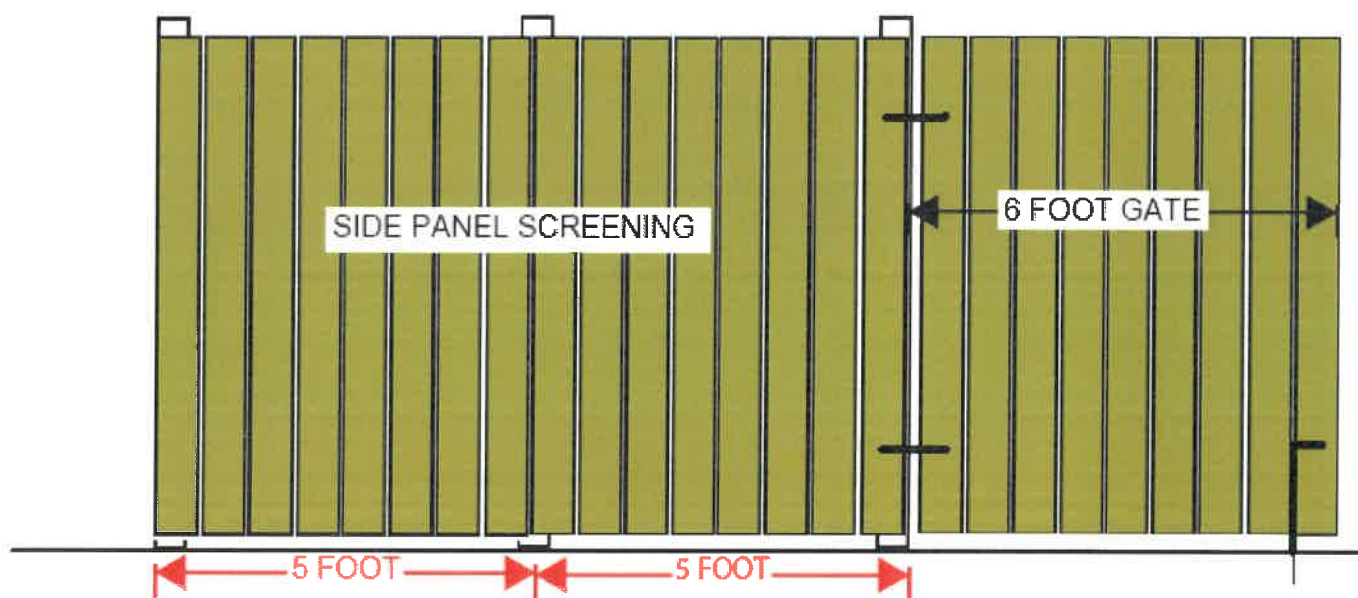
DROP ROD DETAIL FOR GATES

FIGURE #7



NOTE: DROP RODS ARE TO BE INSTALLED ON ALL GATES. THIS IS TO ENSURE THAT THE GATE WILL STAY OPEN WHILE BEING SERVICED. DRILL HOLES IN ASPHALT OR CONCRETE TO SECURE GATE OPEN AND CLOSED.

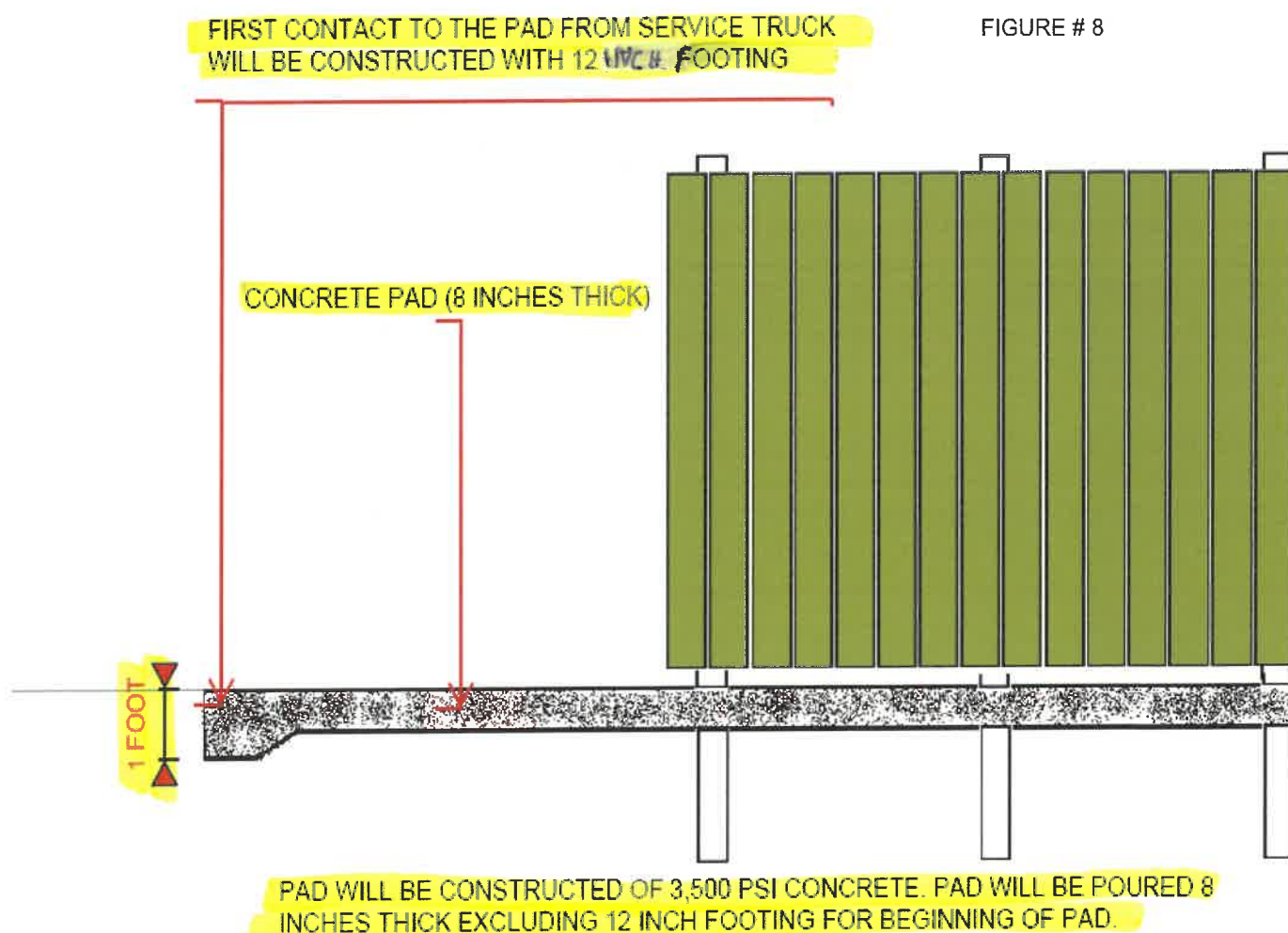
GATES OPEN (SIDE VIEW)



Dumpster Pads

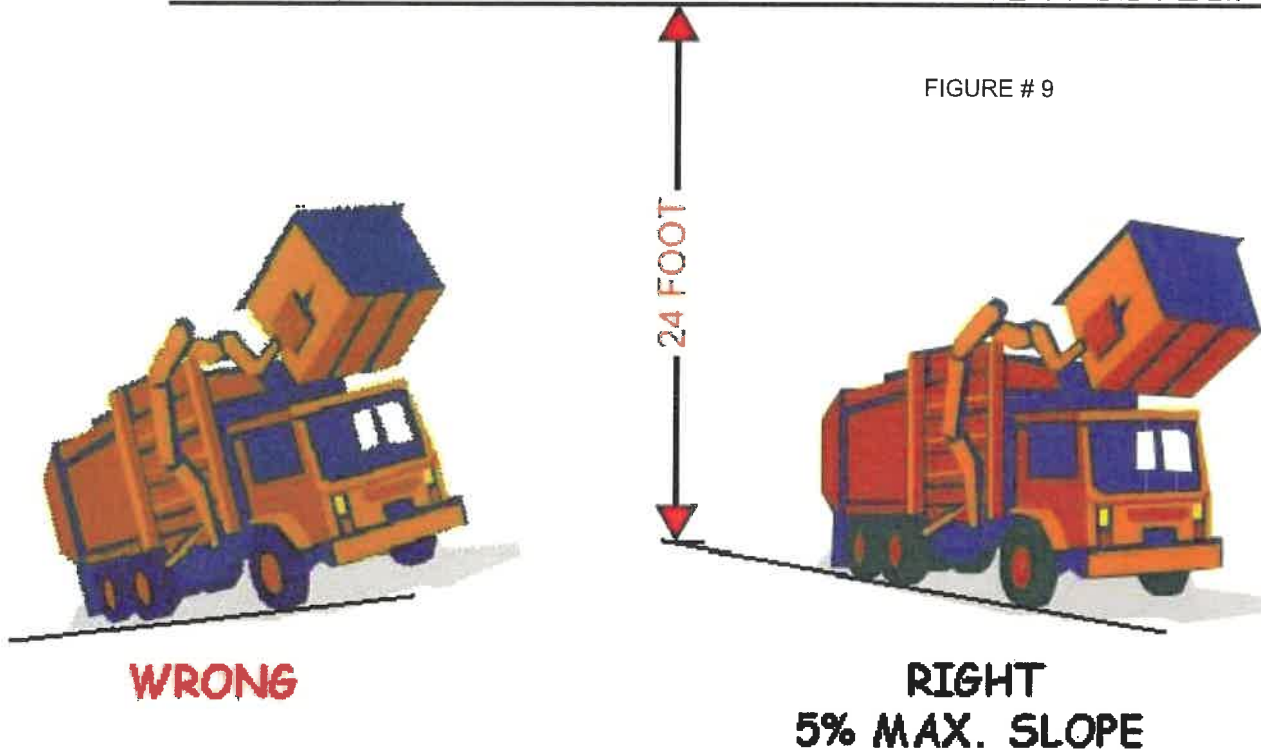
A concrete pad large enough to support the dumpster and the front wheels of the dumpster collection vehicle are required. The pad shall be 18 feet long by 10 feet wide (for single enclosure). The dumpster pad and apron are to be constructed of 3,500 PSI concrete. The pad will be poured to 8 inches in thickness. First contact from the service truck to the pad will be constructed to a 12" footing.

FIGURE # 8



24 FOOT CLEAR FROM OVERHEAD OBSTRUCTIONS

FIGURE # 9



The vehicle approach to container must be on the same slope.

CAUTION: CONSTRUCTION OF DRIVEWAYS TO CONTAINER SHOULD BE STRONG ENOUGH TO SUPPORT TRUCK LOAD WHERE DUMPSTER TRUCKS WILL DRIVE ACROSS PAVING (DRIVEWAY OR PARKING LOTS) ON YOUR PROPERTY TO SERVICE THE DUMPSTER.

FOR BITUMINOUS WITH DENSE GRADE AGGREGATE BASE: 4" BIT. AND 8" DGA.

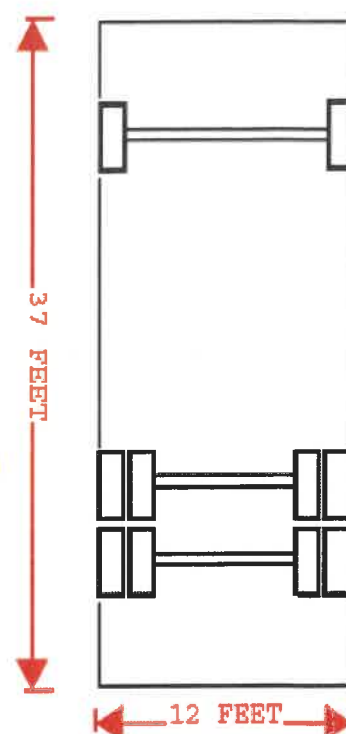
FOR FULL DEPTH BITUMINOUS: 8" BIT,

FOR CONCRETE: 5" CONCRETE

The urban county government will not accept responsibility for damage to pavement that does not meet the reference standards. Net weights of service vehicles frequently approach 80,000 pounds.

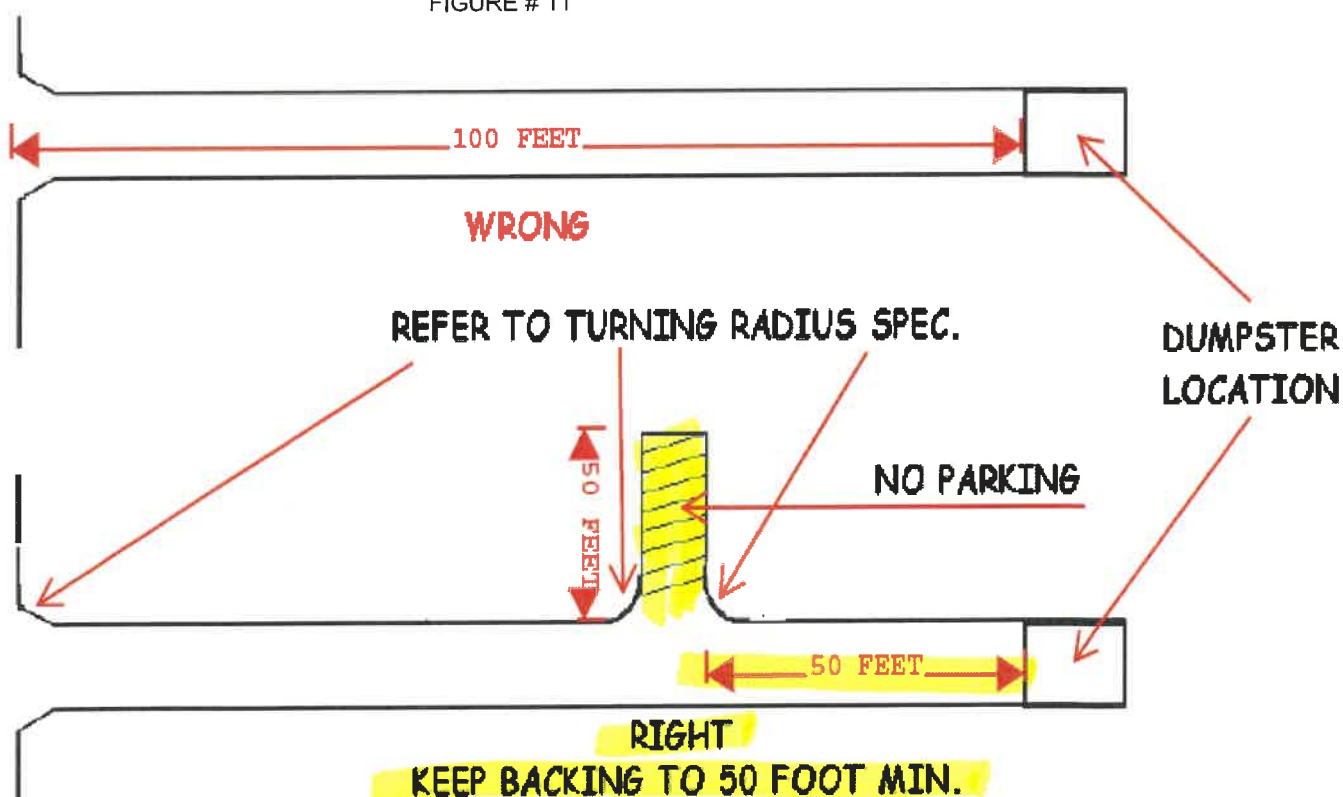
FIGURE # 10

SERVICE AND EQUIPMENT SPECIFICATIONS
VEHICAL DIMENSIONS
OVERALL WIDTH - 12 FEET
OVERALL LENGTH - 37 FEET
W/FORKS EXTENDED - 41 FEET
OVERALL HEIGHT - 13 FEET 6 INCHES
W/8 YARD DUMPSTER EXTENDED OVERHEAD 23 FEET
 14 FOOT 6 INCHES CLEARANCE NEEDED
TURNING RADIUS - 45 FEET (MINIMUM INSIDE)
50 FEET OUTSIDE



GUIDELINES TO FOLLOW ON LOCATING DUMPSTER LOCATIONS

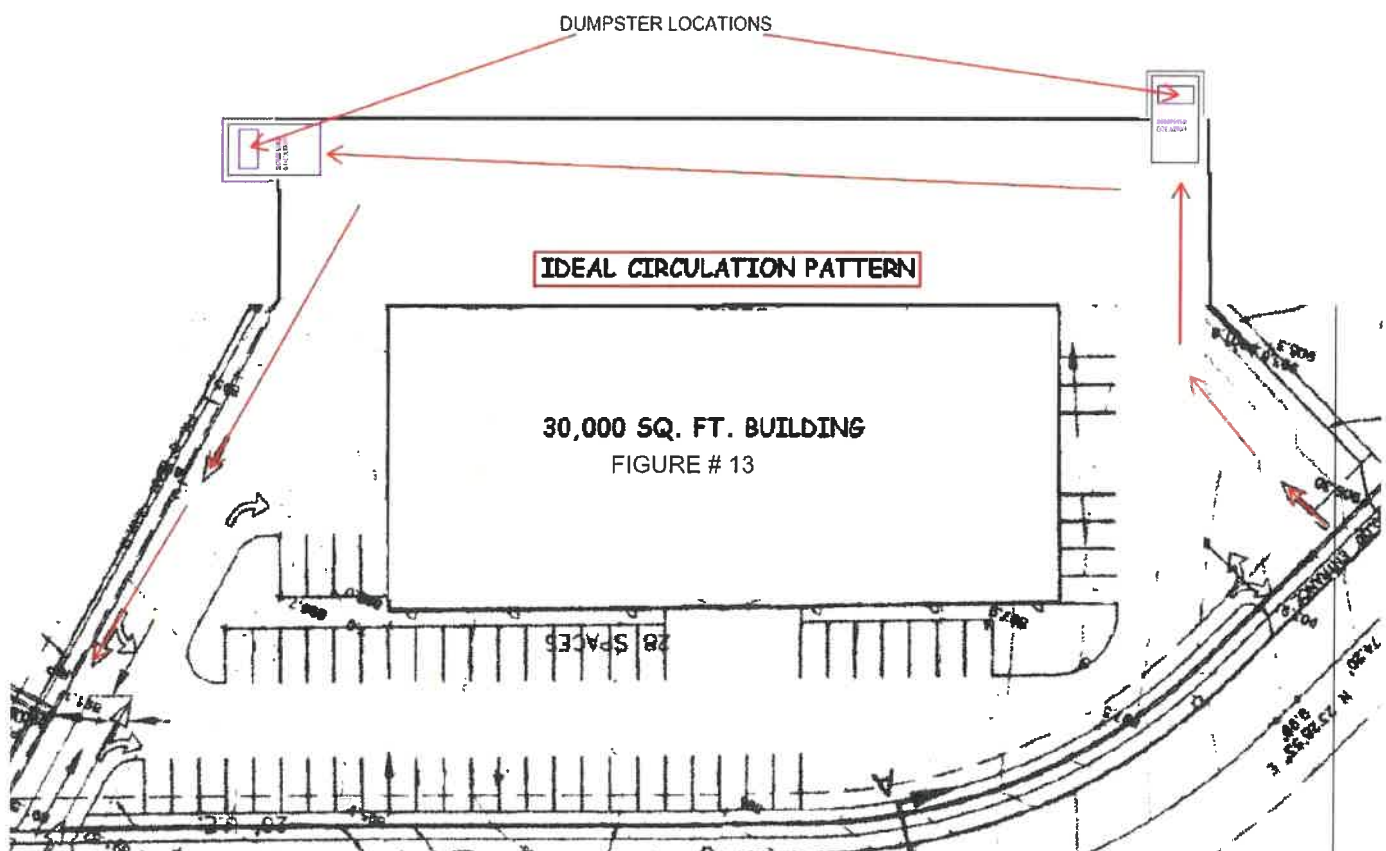
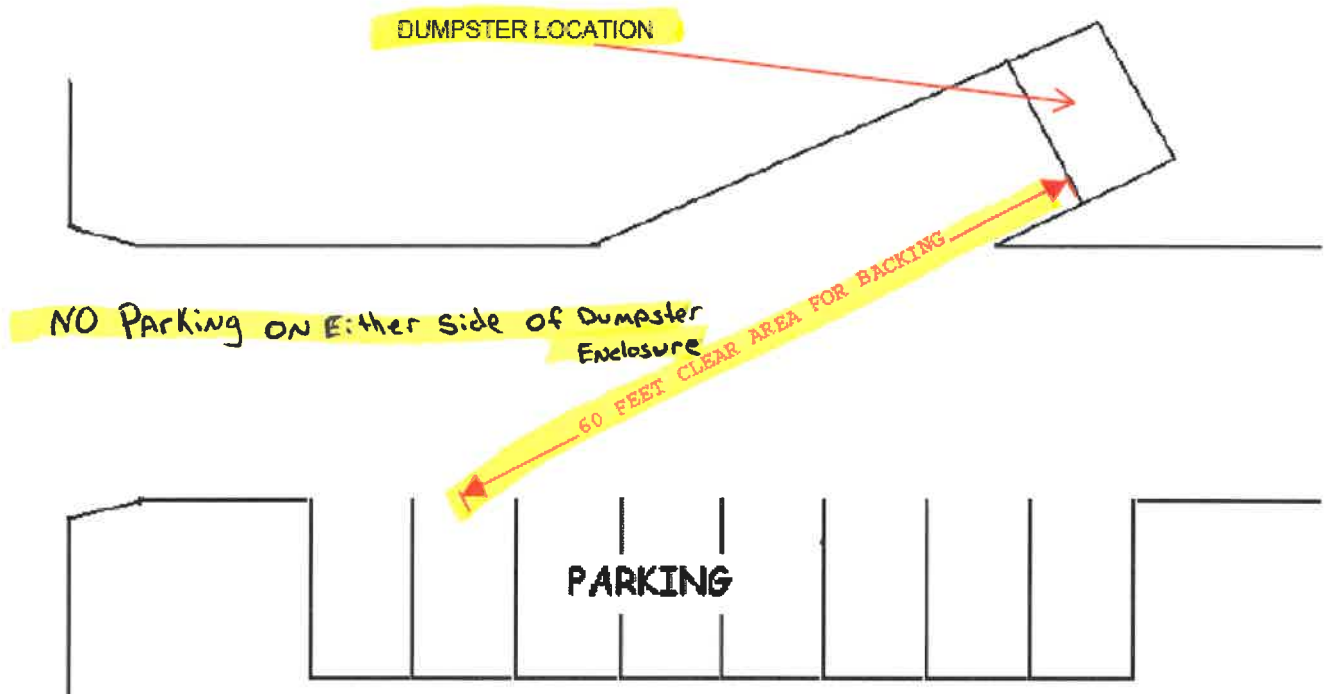
FIGURE # 11



LOCATING DUMPSTER GUIDLINES

79

FIGURE # 12



The urban county government shall make a maximum of 2 collections per week for each establishment having dumpster containers. If a dumpster is blocked by a vehicle or is obstructed in any other way which prohibits access, the driver will return for this collection only if the schedule allows. 24 hour access is required.

If access to the dumpster is not sufficiently clear of snow and ice to allow the truck to safely operate, the dumpster will not be serviced.

The dumpster container will not be collected when the container is filled with special handling wastes or when the combined weight of the container and its contents is of such an excessive weight as to pose a threat to the proper functioning of the packer truck lifting equipment.

Special Handling Wastes-These are wastes which cannot be properly or safely handled by a packer type garbage truck without resulting in damage to government equipment. This includes but is not limited to the following: tires, wooden pallets, lumber, large engine parts, large furniture, large scrap metal and shavings, bricks, building rubbish, demolition material, concrete blocks, appliances, excavated earth, food processing waste, metal drums, large wire bindings, heavy packing material, boiler house cinders, sewage, sawdust, brush, processing sludge, hazardous or toxic materials, or liquids of any sort.

Holiday Policy-The following holidays are observed by the urban county government: New Year's Day, Martin Luther King, Jr.'s Birthday, President's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Thanksgiving Friday, Christmas Eve, and Christmas Day. If one of these days falls on your normal collection day, your dumpster will be serviced on the alternative day for your route.

Special problems or questions should be reported by calling LexCall at 311.

Maintenance

All dumpsters, regardless of whether collection service will be provided by the urban county government or by private hauler, shall be maintained in a safe and sanitary condition, and shall be cleaned by the owner/occupant of the dumpster site as often as necessary to prevent the dumpster from becoming malodorous. Litter and debris shall not be allowed to accumulate around the dumpster, and all refuse shall be deposited in such a manner as to prevent it from blowing out of the dumpster. The dumpster enclosure is not to be used as a storage area. **ONLY the dumpster (no other bins, containers, etc.) shall be located inside of the dumpster enclosure.**

Many complaints are received concerning odors from dumpster containers in summer months. The urban county government does not spray dumpster containers. A small garden type sprayer with a common disinfectant will usually take care of the problem.

If dumpster screens become damaged, repairs should be made within 30 days of the date in which the damage occurred. Damaged dumpster containers are the responsibility of the dumpster provider and will be repaired or replaced within 48 hours. The urban county government is not responsible for damage caused by malfunctions or normal wear and tear. Any containers with ragged edges, rust problems affecting the strength or appearance, or broken sleeves, may not be serviced. Formal written notice will be given to property owners and/or tenants to make the necessary corrections.

It is the responsibility of the dumpster provider to make repairs or exchanges in a timely manner as to not cause a disruption of service.

Private Dumpster Providers Responsibilities

It is the responsibility of the dumpster provider, (Allied Waste, M &M, Rumpke, etc.) to notify their customer/renter to contact the Division of Waste Management at 859-280-8556 to apply for a permit. All changes of owners, tenants, and dumpster providers will require a new permit. (Permits are for that user and their dumpster provider only) It is the responsibility of the property owner to notify the Division of Waste Management as to when a dumpster has been removed from a location and any change of dumpster sizes. Notification should occur when the change is completed.

Questions and Answers

1. When do I need a permit?

Answer: There are many different reasons that a permit would be needed.

- New Placement
- New owner or change of business
- Change in dumpster provider

Permits are only valid for the original business and dumpster provider. Any changes require a new permit to be issued.

2. What needs to be done with my dumpster(s) when I move or close my business?

Answer: The Division of Waste Management keeps all records of city serviced and private serviced dumpsters. In the event that a business or apartment complex (etc.) is moving or closing, the Division of Waste Management must be notified in writing so that the removal from billing and routing can be done. In the event that your dumpster is serviced by a private hauler, the same rule applies. After written notification has been given to the Division of Waste Management from the property owner or tenant for dumpster removal, a 72 hour notice will be given to the dumpster provider from the Division of Waste Management for removal. If removal does not occur with 72 hours, fines will incur.

CONTACT INFORMATION

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Cameron Fogle	Enforcement Officer	859-280-8554	cfogle@lexingtonky.gov
John Cornett	Enforcement Officer	859-280-8575	jcornett2@lexingtonky.gov

Division of Waste Management
 675 Byrd Thurman Drive
 Lexington Kentucky 40510
 859-280-8556 phone
 859-367-4923 fax

COMMITTEE ITEMS REFERRED

Environmental Quality & Public Works (EQPW)

Referral Item	Current Sponsor	Date Referred	Last Presentation	Status	Legistar File ID
1 Odor Control Program Update	J. Reynolds	2023-10-31	2025-02-11		0140-24
2 Coordination of ongoing maintenance for projects (infrastructure, beautification, etc.)	J. Reynolds	2024-08-20			
3 Neighborhood Traffic Management Program (NTMP)	L. Sheehan	2024-08-20	2025-02-11		0151-25
4 Traffic Calming with Public Art and Quick Installations	L. Sheehan	2024-08-20			
5 Lextran Services and Environmental Impacts	H. LeGris	2025-02-11	2025-04-22		0389-25
6 Haley Pike Solar Study	H. LeGris	2025-02-25	2025-03-11		0249-25
7 Review of Water Quality Management Fee Incentive Grants Program	D. Sevigny	2025-02-25	2025-05-13		0486-25
8 HB443 Updates: Engineering and Division of Waste Management	H. LeGris	2025-04-15		2025-06-10	0571-25
9 Parking Citation Issuance During Winter Weather Emergencies	E. Curtis	2025-04-22			
10 Mint Lane Pump Station	D. Sevigny	2025-05-27			
11 Empower Lexington Update	H. LeGris	2025-06-03		2025-06-10	0547-23
Annual / Periodic Updates					
12 Live Green Lexington Update (Public Information and Engagement)	H. LeGris	2021-02-02	2024-10-22		0500-21
13 Urban Forestry / Street Trees Update [<i>Lex Grow Trees</i>]	H. LeGris	2019-09-17	2025-04-22	2025-06-10	0501-21
14 Capacity Assurance Program (CAP) Audit Update	H. LeGris	2018-08-30	2023-04-18		0964-20
15 Energy Initiatives Update	H. LeGris	2017-01-10	2025-03-11		0572-22
16 Snow & Ice Removal Plan	H. LeGris	2014-02-15	2024-10-22		1034-22
17 Pavement Management Plan	H. LeGris	2020-05-26	2025-03-11		0440-22
18 Stormwater Projects Update	H. LeGris	2018-02-20	2024-08-20		0922-22
19 Municipal Separate Storm Sewer System (MS4) Update	H. LeGris	2018-02-20	2024-10-22		1122-22
20 Consent Decree and Remedial Measures Plan Update	H. LeGris	2019-01-22	2024-12-03		0222-22
21 Contamination Reduction and ASP Composting Biannual Update	D. Sevigny	2023-11-14	2025-05-13		1200-24