

Ellinger

Myers

Lawless

Beard

Feigel

Crosbie

McChord

Martin

Henson

Lane

SERVICES COMMITTEE

August 11, 2009

1:00 P.M.

A G E N D A

1. Taxicab Special Permits - Gorton (1-13)
2. Golf Carts on Public Roads - Stinnett (14-36)
3. Underground Utilities - Feigel (37-39)
4. Items in Committee (40)

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

Council Rules & Procedures, Section 2.102(3)



Mayor Jim Newberry

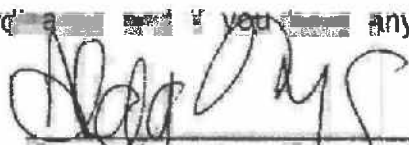
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Law

TO: Ned Sheehy, Mayor's Office
FROM: Department of Law
DATE: October 1, 2008
RE: Taxicabs - Special Event Permits
Log No. 08-CC1420

Pursuant to your request, attached for your review is a draft ordinance creating a special event permit for taxicab companies. A special event permit will allow taxicab companies to modify their vehicle identification scheme for a specified period of time to advertise special events in Fayette County. This is similar to what the Department of Transportation does for taxicab companies regulated by the state.

Also, I included a correction to the definition of taxicab in the draft ordinance as the current definition is incorrect.

Please review the attached ordinance and if you have any questions, please let me know.



David Hume, Attorney Sr.

cc: Joe Kelly, Sr. Advisor for Management
Rebecca Langston, Council Office
Tim Bennett, Department of Public Safety
David Hume, Division of Police
Steve Ferrell, Division of Police

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DRAFT

9/23/08

ORDINANCE ____-2008

AN ORDINANCE

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

Section 1 – That Section 18A-1 of the Code of Ordinances be and hereby
is amended to read as follows:

Sec. 18A-1. Definitions.

The following words and phrases, when used in this chapter,
have the meanings as set out herein:

- (1) Certificate means a certificate of public convenience and necessity issued by the Transportation Cabinet, Commonwealth of Kentucky, authorizing the holder thereof to conduct a taxicab business.
- (2) Driver's permit means the permission granted by the commissioner of public safety to a person to drive a taxicab upon the streets of the urban county.
- (3) Holder means a person to whom a certificate of public convenience and necessity or a local taxicab permit has been issued.
- (4) Manifest means a daily record prepared by a taxicab driver of all trips made by said driver, showing time and place of origin, destination, number of passengers, and the amount of fare of each trip.
- (5) Rate card means a card approved by the commissioner of finance and issued by the owner of the taxicab for display in each taxicab which contains the rates of fare then in force.
- (6) Taxicab means a motor vehicle operated under~~[an unrestricted taxicab certificate issued by the bureau of vehicle regulation]~~ a certificate of convenience and necessity issued by the department of transportation or a local taxicab permit issued by the department of public safety. A taxicab shall not mean ~~[or]~~ a vehicle providing transportation within Fayette County that is not affiliated with a licensed taxi company accepting tips, donations, gas money or any other form of compensation. This section shall not apply to carpooling situations by

private citizens or any local, state or federal ridesharing program.

(7) Local taxicab permit means a permit issued by the department of public safety authorizing the holder thereof to conduct a taxicab business in the urban county.

(8) Special event permit means a permit issued by the department of public safety authorizing the holder of a local taxicab permit to modify its vehicle identification scheme for all or part of its taxicab fleet for a specified period of time and for the purpose of advertising a special event located within the boundaries of fayette county.

Section 2 – That Section 18A-15 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 18A-15. Vehicles; equipment and maintenance.

(a) Periodic inspections. Every vehicle operating under this chapter may be periodically inspected by the urban county government at such random intervals as shall be established by the commissioner of public safety to ensure the continued maintenance of safe operating conditions.

(b) Vehicles must be kept in a clean and sanitary condition. Every vehicle operating under this chapter shall be kept in a clean and sanitary condition according to the rules and regulations promulgated by the health department.

(c) Annual inspection. Every vehicle operating under this chapter shall be inspected annually by an automotive technician who holds a valid automotive service excellence (A.S.E.) certificate approved by the Transportation Cabinet, Commonwealth of Kentucky and is not employed by holder of the local taxicab permit. Proof of annual inspections shall be filed with the department of public safety at the time of application or renewal of a local taxicab permit. A local taxicab permit shall be issued or renewed following a satisfactory inspection.

(d) Vehicle identification. Every vehicle operating under this chapter shall be painted in accordance with the color scheme and insignia on file with the commissioner of public safety. All identifying markings on the vehicles shall be plainly distinguishable in letters at least three (3) inches high permanently painted or otherwise permanently affixed to each of the two (2) sides of the taxicab and to the rear of the

taxicab. The lettering shall show the vehicle number assigned to it by its owner or operator and the name of the company, individual or association by whom the vehicle is owned or operated.

(1) Upon written request to the department of public safety, the holder of local taxicab permit may be granted a special event permit. The written request shall include the requested timeframe for the permit and the proposed design. The name of the taxicab company shall be prominently displayed on the sides and the rear of the vehicles. Upon the expiration of said permit, all vehicles with a modified identification scheme shall, within five (5) business days, be returned to the original color scheme and insignia approved pursuant to the local taxicab permit.

(e) Out of service. If a vehicle operating under this chapter fails to pass a random inspection, the vehicle shall be deemed out of service. The division of fleet services shall place a green sticker in the front window indicating that the vehicle is out of service. The vehicle shall remain out of service until it passes an inspection conducted by an automotive technician, in the division of fleet services, who holds a valid automotive service excellence (A.S.E.) certificate approved by the Transportation Cabinet, Commonwealth of Kentucky. Upon successful inspection, the division of fleet services shall remove the out of service sticker. Unauthorized removal of the sticker is prohibited and may result in suspension or revocation of a permit. Out of service vehicles shall not remain on the premises of the holder of the local taxicab permit for longer than thirty (30) days.

private citizens or any local, state or federal ridesharing program.

(7) Local taxicab permit means a permit issued by the department of public safety authorizing the holder thereof to conduct a taxicab business in the urban county.

(8) Special event permit means a permit issued by the department of public safety authorizing the holder of a local taxicab permit to modify its vehicle identification scheme for all or part of its taxicab fleet for a specified period of time and for the purpose of advertising a special event located within the boundaries of fayette county.

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- (b) Vehicles must be kept in a clean and sanitary condition. Every vehicle operating under this chapter shall be kept in a clean and sanitary condition according to the rules and regulations promulgated by the health department.
- (c) Annual inspection. Every vehicle operating under this chapter shall be inspected annually by an automotive technician who holds a valid automotive service excellence (A.S.E.) certificate approved by the Transportation Cabinet, Commonwealth of Kentucky and is not employed by holder of the local taxicab permit. Proof of annual inspections shall be filed with the department of public safety at the time of application or renewal of a local taxicab permit. A local taxicab permit shall be issued or renewed following a satisfactory inspection.
- (d) Vehicle identification. Every vehicle operating under this chapter shall be painted in accordance with the color scheme and insignia on file with the commissioner of public safety. All identifying markings on the vehicles shall be plainly distinguishable in letters at least three (3) inches high permanently painted or otherwise permanently affixed to each of the two (2) sides of the taxicab and to the rear of the

taxicab. The lettering shall show the vehicle number assigned to it by its owner or operator and the name of the company, individual or association by whom the vehicle is owned or operated.

(1) Upon written request to the department of public safety, the holder of local taxicab permit may be granted a special event permit. The written request shall include the requested timeframe for the permit and the proposed design. The name of the taxicab company shall be prominently displayed on the sides and the rear of the vehicles. Upon the expiration of said permit, all vehicles with a modified identification scheme shall, within five (5) business days, be returned to the original color scheme and insignia approved pursuant to the local taxicab permit.

(e) Out of service. If a vehicle operating under this chapter fails to pass a random inspection, the vehicle shall be deemed out of service. The division of fleet services shall place a green sticker in the front window indicating that the vehicle is out of service. The vehicle shall remain out of service until it passes an inspection conducted by an automotive technician, in the division of fleet services, who holds a valid automotive service excellence (A.S.E.) certificate approved by the Transportation Cabinet, Commonwealth of Kentucky. Upon successful inspection, the division of fleet services shall remove the out of service sticker. Unauthorized removal of the sticker is prohibited and may result in suspension or revocation of a permit. Out of service vehicles shall not remain on the premises of the holder of the local taxicab permit for longer than thirty (30) days.

Yellow Cab

August 11th, 2009

To: LFUCG Council Members

Yellow Cab of Lexington would like to support the City Ordinance Amendment to Chapter 18 that would allow for temporary permits for taxi color schemes. This amendment would allow a taxi provider to show community pride and support as well as displays of awareness for a variety of issues. As you can see in the following pictures Yellow Cab has a history painting taxis to show such support. Yellow Cab of Louisville our sister company currently has eight taxis painted to promote the 2008 Ryder Cup these cabs are being converted to show "Support for our Troops" and four taxis painted pink for Breast Cancer Awareness. As you can see in these pictures Yellow Cab uses only high quality professionals to paint our taxis.

Some ideas that we have for special taxis in Lexington would include but not limited to the following: 2010 World Equestrian Games, 2010 Festival of the Bluegrass, Cancer Awareness, and any future National Championships won by the University of Kentucky.

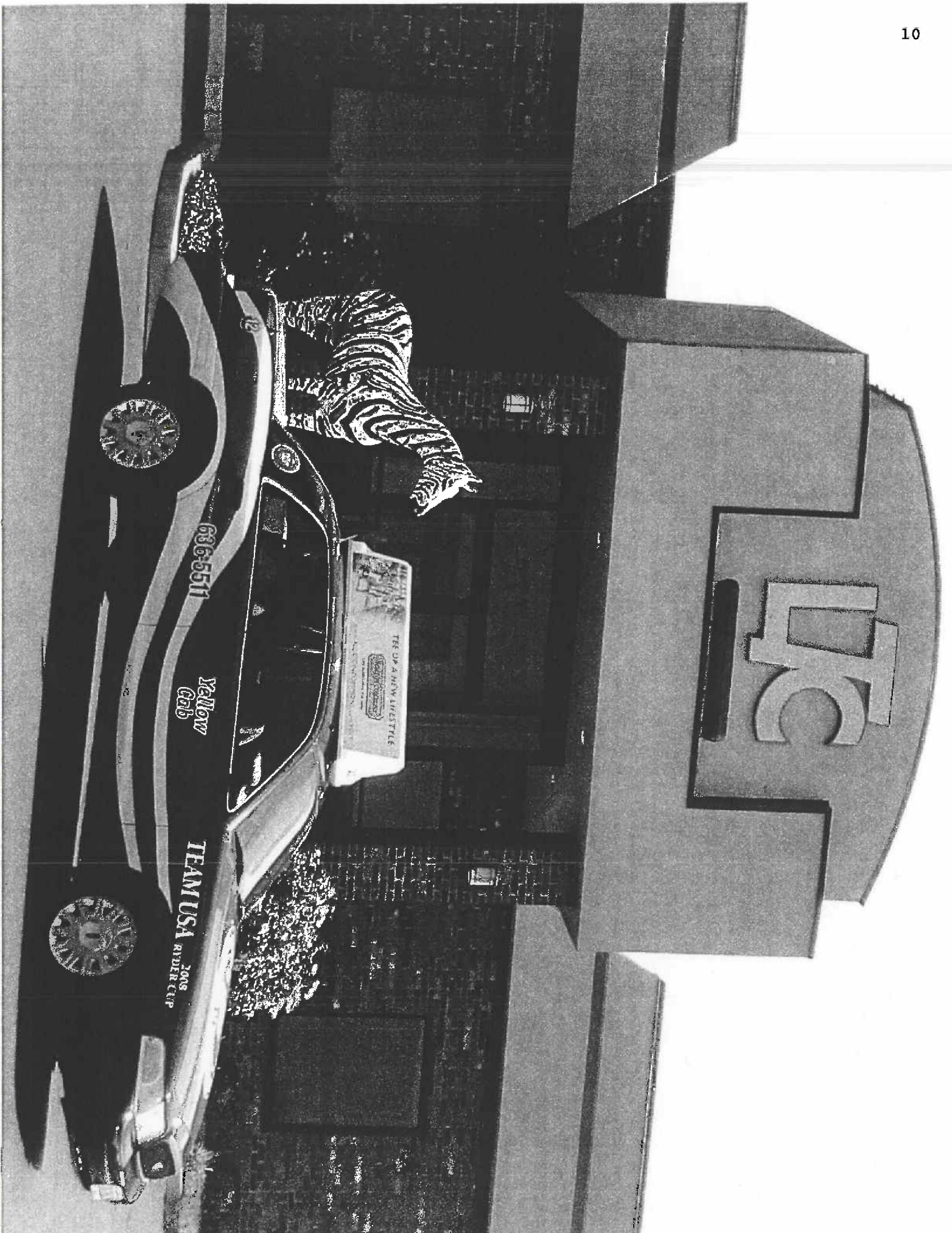
Sec. 18A-15. Vehicles; equipment and maintenance.

- (a) Periodic inspections. Every vehicle operating under this chapter may be periodically inspected by the urban county government at such random intervals as shall be established by the commissioner of public safety to ensure the continued maintenance of safe operating conditions.
- (b) Vehicles must be kept in a clean and sanitary condition. Every vehicle operating under this chapter shall be kept in a clean and sanitary condition according to the rules and regulations promulgated by the health department.
- (c) Annual inspection. Every vehicle operating under this chapter shall be inspected annually by an automotive technician who holds a valid automotive service excellence (A.S.E.) certificate approved by the Transportation Cabinet, Commonwealth of Kentucky and is not employed by holder of the local taxicab permit. Proof of annual inspections shall be filed with the department of public safety at the time of application or renewal of a local taxicab permit. A local taxicab permit shall be issued or renewed following a satisfactory inspection.
- (d) Vehicle identification. Every vehicle operating under this chapter shall be painted in accordance with the color scheme and insignia on file with the commissioner of public safety. All identifying markings on the vehicles shall be plainly distinguishable in letters at least three (3) inches high permanently painted or otherwise permanently affixed to each of the two (2) sides of the taxicab and to the rear of the taxicab. The lettering shall show the vehicle number assigned to it by its owner or operator and the name of the company, individual or association by whom the vehicle is owned or operated.

(1) Upon submittal and approval by the Commissioner of Public Safety or his designee, a "Special Event" permit for the modification of the paint scheme may be granted for all or part of a taxicab fleet, provided that a time frame for the design use is specified, a design, and the use of the registered insignia is prominently displayed on both sides and the rear of the vehicle(s). Upon the sunset of the permit, the taxicab company, individual or association has five (five) working days to return any or all vehicle's appearance to the originally approved color scheme and insignia.

Amend Taxicab Regulations as follows:

Section II A(4) The color scheme and insignia used to designate the vehicle or vehicle of the holder. All taxicabs operating pursuant to a local taxicab permit must be uniform in color, unless pursuant to Ordinance Sec. 18A-15 allowing for the permit of a special event modification for all or part of a taxicab fleet for a defined period of time. With the approval by the Commissioner of Public Safety or his designee, such permits may be granted. The use of the insignia must still be prominent on both sides and the rear of the vehicle.











Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Newberry
Mayor

Logan Askew
Commissioner

TO: Kevin Stinnett, Councilmember

FROM: Department of Law

DATE: July 7, 2009

RE: Golf Carts on Public Roads
Log No. 09-CC0531

Attached please find a draft ordinance allowing golf cart operation on certain public roadways. The draft ordinance meets the minimum requirements provided for in KRS 189.286. The Urban County Council may be more restrictive on the requirements but cannot be less restrictive than the statute. The heading will be completed when the ordinance is finalized.

The statute requires a local governmental ordinance allowing operation of golf carts on public roadways to specify on which roadways golf cart operation is allowed. This may be accomplished in Section 18-185 by specifically naming each roadway.

The statute allows golf cart operation on public roadways. Because of the wording of the statute there appears to be no authorization to allow golf cart operation on private streets. The statute authorizes golf cart operation on public roadways in a governmental jurisdiction that lie within five (5) road miles to an entrance of a golf course. There are several golf courses that lie outside of Fayette County; however, they are close enough to the county line that five road miles from the entrance could fall under the statute. Council may or may not wish to include the out-of-county golf courses in the allowable operational zone.

In Section 18-186 a decision needs to be made as to the yearly fee for the permit to operate the golf cart on a public roadway. In Section 18-192 a decision needs to be made as to the amount of the penalty for a violation of this ordinance.

The Council may wish to determine whether a violation will be an administrative fine to be heard by an administrative hearing board or a criminal offense to be heard in district court. If this is to be an administrative fine, other jurisdictions have allowed any

peace officer or code enforcement officer to issue citations for violations. If this is a criminal violation cited to district court, only a peace officer may issue a citation. Council may wish to determine who will be authorized to issue citations for violations of this ordinance.

There are a number of other items the Council may wish to consider:

- (1) A requirement that a golf cart have a bicycle safety flag which extends not less than 7 feet above the ground attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape and an area of not less than 30 square inches and shall be daylight glow in color.
- (2) A requirement that golf carts be equipped with rear view mirrors, lights (including brake lights, head lights and turn signals), reflectors and brakes.
- (3) A requirement that each cart be equipped with seat belts and whether each passenger is required to be safely secured with a seat belt.
- (4) Whether the Division of Traffic Engineering should conduct studies and determine upon which roadways golf carts may safely operate and whether the Division of Streets and Roads should post signs alerting motorists that golf cart operation is allowed on that roadway.
- (5) A limit on the number of occupants in any golf cart operated on a public roadway.
- (6) A provision that prohibits the operation of a golf cart upon any bicycle path, sidewalk, sidewalk area or other area not designated for operation pursuant to ordinance.

Finally, other divisions and governmental entities may need to be consulted concerning operation of golf carts on the public roadways, such as Traffic Engineering, the Division of Streets and Roads, Police and Revenue. The Sheriff's office may need to be consulted as that office will be required to conduct the inspections. The County Attorney's office may need to be consulted regarding prosecution of violations of this ordinance.

Please contact me with any questions.


 Michael R. Sanner
 Attorney Senior

cc: Paul Schoninger
Office of the Urban County Council
Jim Newberry, Mayor
Joe Kelly, Office of the Mayor
Rebecca Langston Council Office

This memorandum is intended to remain confidential pursuant to the attorney-client privilege as it contains privileged or confidential information.

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ORDINANCE NO. _____ - 2008

AN ORDINANCE CREATING ARTICLE XIII IN CHAPTER 18 OF THE CODE OF ORDINANCES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT RELATING TO OPERATION OF GOLF CARTS ON CERTAIN PUBLIC ROADWAYS. ...

WHEREAS, during the 2008 session of the General Assembly of the Commonwealth of Kentucky, KRS 189.286 was created to authorize local governments to enact an Ordinance to allow the operation of golf carts on certain public roadways in its jurisdiction; and

WHEREAS, the Council of Lexington-Fayette Urban County Government deems it appropriate to allow the operation of golf carts on certain public roadways.

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

Section 1 – That Article XIII of Chapter 18 of the Code of Ordinances be and hereby is created to read as follows:

Sec. 18-184 Definitions

"Golf cart", when used [in Sections 18-185 through 18-193] or in Article XIII of Chapter 18, means any self-propelled vehicle that:

1. is designed for the transportation of players or maintaining equipment on a golf course while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;
2. Has a minimum of four (4) wheels;
3. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
4. Is designed to carry not more than six (6) persons, including the driver;
5. Has a maximum gross vehicle weight of two-thousand, five hundred pounds (2500);
6. Has a maximum rated payload capacity of one thousand, two hundred pounds (1,200); and
7. Meets the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. § 571.500.

Sec. 18-185 Authorized Public Roadways for Golf Cart Operation

The operation of golf carts is allowed on the following public roadways that lie within five (5) road miles of an entrance to a golf course....

Sec. 18-186 Requirements for Operation of Golf Carts on Specific Public Roadways

(a) Golf cart owners wishing to operate golf carts on specific public roadways must be issued a permit from the Division of Revenue after filling out an application form for the permit and submitting payment of a yearly fee of _____ dollars for each permit issued annually beginning _____. Subsequent renewals of the permit shall be due on or before July 1 of each year. There shall be no pro-ration of the fee for any permit issued after July 1 and all permits issued after July 1 shall expire on the next July 1 following. Insurance and proof of inspection by a certified inspector shall be presented prior to issuance of an official permit.

(b) Golf carts authorized to operate on specific public roadways must bear the official permit issued by the Division of Revenue, which shall be affixed to the lower left side (driver's side) of the windshield of the golf cart.

(c) Golf carts authorized to operate on specific public roadways shall be inspected by a certified inspector designated by the county sheriff and certified through the Department of Vehicle Regulations to ensure that the golf cart complies with the requirements of this section. Inspection fees under this paragraph shall not exceed five dollars (\$5) with an additional fee not to exceed ten dollars (\$10) per trip charged if it becomes necessary for the certified inspector to travel to the site of the golf cart rather than having the golf cart brought to the sheriff's inspection area.

Section 18-187 Operational Restrictions

A person may operate a golf cart on a public roadway pursuant to section 18-185 if:

1. The posted speed limit of the designated public roadway is thirty-five (35) miles per hour or less;
2. The operator of the golf cart does not cross a roadway at an intersection where the roadway being crossed has a posted speed limit of more than thirty-five (35) miles per hour;
3. The operator has a valid operator's license in his or her possession;
4. The golf cart is being operated between sunrise and sunset; and
5. The golf cart displays a slow-moving vehicle emblem in compliance with KRS 189.820.

Section 18-187 Insurance Requirements

A golf cart operating on a public roadway under section 18-185 of this section shall be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway.

Section 18-188 Other Traffic Laws Apply

Any person operating a golf cart on a public roadway under the provisions of this section shall be subject to the traffic regulations of KRS Chapter 189 and Revised Code of Ordinances Chapter 18.

Section 18-189 Exemptions

A golf cart operating on a public roadway pursuant to this section is not considered to be a motor vehicle and may be exempted from:

1. Title requirements of KRS 186.020;
2. Vehicle registration requirements of KRS 186.050; and
3. Emissions compliance certificates pursuant to KRS 224.20-720.

Section 18-190 Prohibitions by the Transportation Cabinet

The Transportation Cabinet may prohibit the operation of a golf cart on a public roadway designated under section 18-185 that crosses a state-maintained highway under its jurisdiction if it determines that such prohibition is necessary in the interest of public safety.

Section 18-191 Provisions Not Applicable

The provisions of this section shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.

Section 18-192 Penalties

Any person violating the provisions of this ordinance shall, upon conviction of a first offence, be fined not less than \$ _____, nor more than \$ _____. Any person convicted of a subsequent violation of this ordinance within two years of a prior conviction under this ordinance, shall be fined not less than \$ _____, nor more than \$ _____.

Section 18-193 Miscellaneous

(a) In the event this Ordinance conflicts with any other Ordinance of the Urban County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct an independent provision and such holding shall not affect the validity of the remaining portion.

(b) Nothing in this Ordinance shall be construed to relieve any person of any legal duties or obligations created by any other statute or ordinance. Promulgation of this Ordinance does not preclude legal enforcement by any peace officer or traffic control officer of any provision in the Kentucky Revised Statutes, including the prohibition against operating an unlicensed or unregistered motor vehicle on the public roads of the Commonwealth unless that motor vehicle falls within the exceptions created by this Ordinance or any other existing law, ordinance or regulation in the Commonwealth of Kentucky.

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

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

MRS:X:\Cases\CO\08-LE0009\LEG\00217686.DOC

DRAFT

Paul Schoninger

From: Dwayne Holman
Sent: Thursday, May 28, 2009 1:10 PM
To: Paul Schoninger
Cc: Tim Bennett; Ronnie Bastin; Ron Herrington; Michael Sanner; Keith Horn; Rob Hammons
Subject: RE: Golf Carts Using Public Roads

Paul,

The Division of Police submits that enacting an ordinance allowing golf carts on public roadways presents at least three issues:

1. The safety features of golf carts are not designed to deal with collisions involving passenger vehicles even at slow speeds. A 25 to 35 MPH impact in a passenger car is a serious collision. A basic scenario of a vehicle exceeding the posted speed limit of 35 MPH and strikes a golf cart at 40 MPH would create a devastating impact. We submit this is a prominent public safety issue.
2. The administrative portion of any ordinance created would involve creating a process to deal with inspections and the issuing of permits. This would be a staffing burden for someone.
3. The creation of an ordinance allowing golf carts on the roadway would create a new enforcement issue for the Division. Any ordinance created would be subject to gross misinterpretation. As it is now, we frequently receive complaints of golf carts in the roadway and on sidewalks in neighborhoods like Hartland and Andover. The complaints usually involve underage drivers using golf carts for transportation to neighborhood pools. People already think this is OK without an ordinance that allows limited permission. Any ordinance that complies with the state law would not resolve this complaint and would give our officers a new issue to help regulate in some areas.

In conclusion, we submit that due to the lack of safety features alone, golf carts have no place on public roadways. A/C Boggs has extensive experience in collision reconstruction expertise and he submits that the exemption to allow golf carts on public roadways will create a hazard greater than the benefit attempting to be gained. In smaller communities this might have a place, but our city is too large with a very heavy traffic volume that is not conducive to this proposal. We are constantly working speeding complaints in all neighborhoods, so to allow it "just in residential neighborhoods" won't be enforceable or safer due to the aforementioned neighborhood connector speeding complaints and issues.

The state law that allows the city to enact an ordinance permitting golf cars on some roadways:
<http://www.lrc.state.ky.us/KRS/189-00/286.PDF>

Federal motor carrier safety regulations the golf car must meet to be aloud on the roadways designated:
http://edocket.access.gpo.gov/cfr_2005/octqtr/pdf/49cfr571.500.pdf

The Division of Police does not support this initiative.

Lieutenant Dwayne Holman
Office of the Chief of Police
Lexington Division of Police
859-258-3621

From: Rob Hammons
Sent: Wednesday, May 27, 2009 6:21 PM
To: Paul Schoninger; Keith Horn

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

TO: Kevin Stinnett, Councilmember
 6th District

FROM: Paul Schoninger
 Staff to Council

DATE: June 5, 2009

SUBJECT: Golf Carts on Public Roads

This memo is in response to your request for information regarding golf carts using public roads.

In 2008 the General Assembly passed and the Governor signed SB 93, which allows local governments to adopt ordinances permitting the use of golf carts on designated public roadways under local control.

The bill is restrictive in its use and identifies several requirements for both the golf cart operator and the local government before the golf carts can legally be operated on public roads. I'll try to highlight some of the requirements

Requirements of the Local Government

- The local government may authorize and regulate the operation of a golf cart on any public roadway under its jurisdiction within five (5) miles of an entrance to the golf cart.
- The local government must adopt an ordinance specifying each roadway that is open for golf cart use;
- The posted speed limit of the designated public roadway must be 35 MPH or less;
- The roadways designated cannot cross a roadway that has a posted speed limit of more than 35 MPH;
- The local government must inspect each golf cart. The inspector must be designated by the County Sheriff and must be certified by the Kentucky Department of Vehicle Inspection; and
- The local government is responsible for issuing a permit to the operator of each the golf cart to use on the designated roadways ;

Requirements for Golf Cart Operators

- The operator must have valid operator's license in his/her possession;
- The golf cart must be inspected by a certified inspector designated by County Sheriff and certified through the Kentucky Department of Vehicle Inspection;

Kevin Stinnett, Councilmember 6th District

June 5, 2009

Golf Carts on Public Roads

Page Two

- The operator must obtain a permit from the local government for the golf cart ;
- The golf cart displays a slow moving vehicle emblem;
- Display permit that identifies that the golf cart is allowed to be operated on specific roadways;
- The golf cart is being operated between sunrise and sunset; and
- The operator shall maintain proof of insurance in vehicle;

The LFUCG Police has expressed opposition to this legislation for 3 reasons:

- Safety (potential for conflict between passenger vehicles and golf carts);
- Administrative process via inspections, permits; and
- Enforcement issue

I have included a copy of their e mail expressing opposition.

In addition to Kentucky, at least 24 states allow golf carts on some public roads. Prior to the General Assembly action numerous communities primarily but not exclusively in the southeast and southwest allowed golf carts on public roads, including: Myrtle Beach, SC; North Myrtle Beach, SC; Ft Walton, Fla; Tavares, Fla; Auburn, Al; Bonita Springs, Fla; Loudon, Ga; Savannah, Ga; Augusta, Ga; and Sunrise, Az.

In Kentucky it appears that just Winchester, Oldham County, Georgetown, Cold Springs, Shelbyville and Ft. Knox have adopted local ordinances, although it is under consideration in Paintsville, Franklin County.

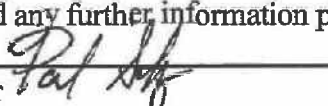
North Carolina is considering a similar state statute allowing local jurisdictions the ability to regulate golf carts on public roads. As you can see most of these communities are rural or at least much smaller than Lexington, with the exception being Savannah, Georgia.

GIS is preparing a map showing all public roadways with speed limits under 35 MPH within 5 miles of a golf course entrance. In addition Law is preparing a draft ordinance for your review.

I have attached a copy of SB 93 along with the Police opposition to this legislation, along with some pertinent background material for your review.

Should you need any further information please do not hesitate to contact me at 258-3208.

Paul Schoninger
Staff to Council



C: Dina Melvin
Mike Sanner

189.286 Local government may permit operation of golf cart on public roadway -- Ordinance -- Qualifications for operation -- Exemption from title, registration, and emissions compliance requirements -- Preemption by Transportation Cabinet.

- (1) As used in this section:
 - (a) "Golf cart" means any self-propelled vehicle that:
 1. Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;
 2. Has a minimum of four (4) wheels;
 3. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;
 4. Is designed to carry not more than six (6) persons, including the driver;
 5. Has a maximum gross vehicle weight of two thousand five hundred (2,500) pounds;
 6. Has a maximum rated payload capacity of one thousand two hundred (1,200) pounds; and
 7. Meets the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. sec. 571.500; and
 - (b) "Local government" means a city, county, charter county government, urban-county government, consolidated local government, unified local government, or special district.
- (2) The governing body of a local government may authorize and regulate the operation of a golf cart on any public roadway under its jurisdiction that lies within five (5) road miles of an entrance to a golf course if the local government adopts an ordinance specifying each roadway that is open for golf cart use.
- (3) An ordinance created under subsection (2) of this section shall require that a golf cart operated on a designated public roadway:
 - (a) Be issued a permit for the golf cart by the local government;
 - (b) Display a sticker or permit that identifies that the golf cart is allowed to be operated on specific roadways within the local government; and
 - (c) Be inspected by a certified inspector designated by the county sheriff and certified through the Department of Vehicle Regulation to ensure that the golf cart complies with the requirements of this section. The inspection fee under this paragraph shall not exceed five dollars (\$5) with an additional fee not to exceed ten dollars (\$10) per trip charged if it becomes necessary for the certified inspector to travel to the site of the golf cart rather than having the golf cart brought to the sheriff's inspection area.
- (4) A person may operate a golf cart on a public roadway pursuant to subsection (2) of this section if:

- (a) The posted speed limit of the designated public roadway is thirty-five (35) miles per hour or less;
 - (b) The operator of the golf cart does not cross a roadway at an intersection where the roadway being crossed has a posted speed limit of more than thirty-five (35) miles per hour;
 - (c) The operator has a valid operator's license in his or her possession;
 - (d) The golf cart is being operated between sunrise and sunset; and
 - (e) The golf cart displays a slow-moving vehicle emblem in compliance with KRS 189.820.
- (5) A golf cart operating on a public roadway under subsection (2) of this section shall be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway.
 - (6) Any person operating a golf cart on a public roadway under the provisions of this section shall be subject to the traffic regulations of KRS Chapter 189.
 - (7) A golf cart operating on a public roadway designated by a local government under subsection (2) of this section is not considered to be motor a vehicle and is exempt from:
 - (a) Title requirements of KRS 186.020;
 - (b) Vehicle registration requirements of KRS 186.050; and
 - (c) Emissions compliance certificates pursuant to KRS 224.20-720.
 - (8) A local government may adopt more stringent local ordinances governing golf cart safety equipment and operation than specified in this section.
 - (9) The Transportation Cabinet may prohibit the operation of a golf cart on a public roadway designated under subsection (2) of this section that crosses a state-maintained highway under its jurisdiction if it determines that such prohibition is necessary in the interest of public safety.
 - (10) The provisions of this section shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.

Effective: July 15, 2008

History: Created 2008 Ky. Acts ch. 106, sec. 1, effective July 15, 2008.

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town.

Laws in 26 states either allow low-speed electric vehicles to use some local streets or give communities the power to make that decision, said Jim Reed, Transportation Program Director for the National Conference of State Legislatures. As more golf carts roll onto public streets, the potential for injuries increases, said Gerald McGwin, a researcher at the University of Alabama-Birmingham. His study, published in the June edition of *The Journal of Trauma*, found about 1,000 people in the USA require emergency room treatment from golf cart injuries each month. Most of those injuries occur on golf courses, but about 20% are from incidents at home or on public roads.

The National Highway Traffic Safety Administration does not recognize golf carts as on-road vehicles, so they don't have to meet the same federal safety standards as automobiles, said McGwin, who stressed the need for safety to be addressed in local ordinances.

"Once you use them in a setting they aren't designed for — or where they come in contact with other vehicles — the potential for serious injuries really increases," McGwin said.

Contributing: Evans reports for The Indianapolis Star.

Find this article at:

http://www.usatoday.com/money/autos/2008-07-20-golf-carts_N.htm

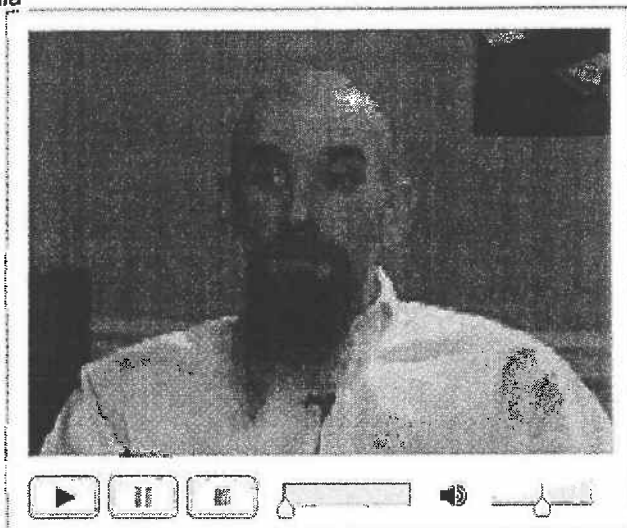
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Golf Cart-Related Injuries an Unappreciated Concern, Say UAB Researchers

Golf Cart-Related Injuries an Unappreciated Concern, Say UAB Researchers

Multi-Media



Article Body

June 10, 2008

- Golf cart-related injuries increasing
- Use up in neighborhoods
- Adolescent males have high injury rates

BIRMINGHAM, Ala. - Golf carts are becoming a popular means of transportation away from golf courses, and new research from UAB's (University of Alabama at Birmingham) Center for Injury Sciences says injuries associated with their use may be underappreciated, suggesting the need for the implementation of safety measures.

In findings published in the June issue of the *Journal of Trauma: Injury, Infection and Critical Care*, UAB researchers found that there were more than 48,255 golf-cart related injuries between 2002 and 2005, with the highest injury rates observed in males 10-19 years old and those over 80.

"Golf carts are becoming a popular way to get around in some neighborhoods, particularly for adolescents and teenagers who cannot yet drive a car," said Gerald McGwin, Ph.D., associate director for research at the Center for Injury Sciences and professor of epidemiology. "A lot of people perceive golf carts as little more than toys, but our findings suggest they can be quite dangerous, especially when used on public roads."

McGwin says fractures and head trauma are among the most common injuries associated with golf cart-related accidents.

"Some communities encourage golf cart use as a primary means of transportation because of their low emissions, quiet operation and presumed safety," McGwin said. "There is little federal regulation and most states do not require operators to be of a certain age, use any sort of safety equipment, or obtain an operators license."

McGwin suggests that safety standards are needed. Manufacturers and sellers of golf carts should be required to include safety education materials at the time of sale.

Due to the high risk of rollover and ejection, the use of helmets and seatbelts is recommended, particularly if the golf cart is driven on public roads. And McGwin suggests that developers should reevaluate the design of golf cart paths, addressing gradient, sharpness of curves and proximity to other hazards.

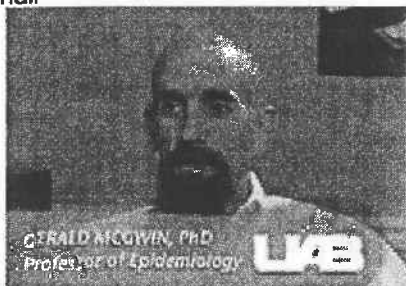
"Golf carts are an attractive transportation solution due to their low emissions and cost effectiveness when compared to traditional motor vehicles," McGwin said. "But more stringent safety standards should be applied to the design and use of golf carts, particularly those operated on public roads."

NOTE: The University of Alabama at Birmingham is a separate, independent institution from the University of Alabama, which is located in Tuscaloosa. Please use **University of Alabama at Birmingham** on first reference and **UAB** on second reference.

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Posted by John Bryant Hall on 6/10/2008 8:15:00 AM

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Cheap ride: More towns let golf carts putter about

By JIM SUHR — August 6, 2008

ST. LOUIS (AP) — With two GEO Trackers, a Lexus and a pickup truck, retired coal miner Bob Woll has many ways to zip around his southern Illinois town to visit friends, the fairgrounds or the frozen custard stand. These days, he prefers his electric golf cart.

"There's no noise, no checking the oil or how much gas you've got. You just get on and go," said Woll, a 67-year-old alderman in Sesser, Ill., who helped pass an ordinance permitting golf carts to ride on the streets.

Sesser is among dozens of communities across the country responding to \$4-a-gallon gasoline by allowing vehicles best known to country-club duffers to roam the streets as a cheaper, cleaner alternative to cars and trucks. The 20-year-old cart Woll bought for \$300 gets 20 miles on a 10-hour charge.

One factor that could limit the vehicle's prevalence off the golf course is safety: Studies have shown that roughly half of golf cart injuries occur on streets or residential property, and injury rates are on the rise — to the tune of 12,000 annually.

Experts who have studied the accident rates say helmets, seat belts and driver education programs would mitigate the problem, though these measures rarely are mandated by state or local ordinances.

Twenty-six states, from Maine to Oregon and Wisconsin to Georgia, allow the use of low-speed electric vehicles on local streets, or give towns the power to make that decision, according to Jim Reed of the National Conference of State Legislatures.

While there are no estimates of just how many golf carts on the nation's roads, communities increasingly are signing off on them:

— Circleville, Ohio, officials voted last month to allow carts on city streets with posted speed limits of 35 mph or less, with the stipulation that they're titled, insured and modified to be street-legal.

— At least 40 Wisconsin communities, including Milwaukee, Madison and Racine, permit the carts on their roads, and more are considering it.

— And in Illinois, three communities in Iroquois County, bordering Indiana, allow residents to drive carts.

Fuel efficiency isn't the only reason golf carts are being touted by municipalities.

In Bremen, Ohio, sheriff's deputies say they make it easier for officers to interact with the 1,200 locals. And in the St. Louis suburb of Pine Lawn, Mo., the police chief said 15 mph golf carts are less intimidating to the public.

At Augusta, Ga.-based E-Z-GO, which makes electric vehicles that look like fancy golf carts, consumer orders are up nearly 30 percent over this time last year, company president Kevin Holleran said. New carts with headlights, tail

lights, turn signals and what Holleran calls "more of those creature comforts" cost about \$8,000.

Electric models, which can cover 40 miles on each charge, have proven more popular than gas-powered models, which get about 30 miles to the gallon, Holleran said.

At her Critters Golf Carts store in Woodstock, Ill., northwest of Chicago, Shirley Forman says her sales have been supercharged. She normally sells 60 or 70 carts a year, but has sold at least 128 already this year. "It's really turned around," she says.

In most towns, carts allowed for street use are required to have a sign denoting them as slow-moving vehicles or tall orange flags that easily can be seen by motorists. They're generally not allowed on sidewalks. In Sesser, residential golf cart users must have liability insurance and pay a \$35 fee.

Many states require a golf cart's operator to have a valid driver's license. And while South Carolina requires that the carts have a state permit, most other states don't require registration for street-use carts, said Nick Farber, a research analyst at the National Conference of State Legislatures.

A study released in June by the Center for Injury Research and Policy at Nationwide Children's Hospital in Columbus, Ohio, found that annual injury rates for golf carts rose 130 percent over the 16 years ending in 2006.

Another recent study, by the University of Alabama at Birmingham, said about 1,000 Americans are hurt on golf carts each month, with males ages 10 to 19 and people over 80 with the highest injury rates. About half of the injuries occurred on golf courses or in other sports venues, including football stadiums.

Fatal golf cart accidents are rare, but they draw attention.

In Minnesota last month, a 41-year-old man died when he fell from a golf cart and hit his head on the pavement. In June, an 87-year-old man was killed in Indiana when the golf cart was hit by a car on a rural highway.

"A lot of people perceive golf carts as little more than toys, but our findings suggest they can be quite dangerous, especially when used on public roads," researcher Gerald McGwin said in unveiling the UAB study in June.

Woll said he wouldn't mind tightening Sesser's ordinance to add a requirement that residential golf carts have a warning that sounds when they back up — a feature he's added to his cart, intent on setting a good example.

But the town is already sold on the carts' fuel economy benefits. Sesser is looking to buy a used golf cart for the water department, figuring it'd be more convenient for meter reading than constantly jumping in and out of the pickup truck.

"This maybe would save us about \$600 to \$700 a year in fuel just for the water department," Woll said.

He figures the carts are be especially sensible in Sesser, a hardscrabble town that fell on tough times in recent decades as nearby coal mines closed. And with so many townspeople reluctant to drive because of high fuel prices, the carts could help get them out of the house.

"Now, everybody's just staying at home, not going nowhere," said Woll. "This will at least let them ride around town."

**COMMONWEALTH OF KENTUCKY
OLDHAM COUNTY
ORDINANCE NO. KOC 09-520-808**

An Ordinance to permit operation of golf carts on public roadways in Oldham County--To establish qualifications for operation --To exempt same from title, registration, and emissions compliance requirements--Notice of preemption by Transportation Cabinet--Penalty

Whereas, By enactment of the Kentucky Legislature, KRS 189.286, the operation of golf carts on certain roadways in Kentucky in Counties may be authorized by local government where such operation is deemed by the legislative body to be appropriate; and,

Whereas, KRS 189.286, permits the operation of golf carts on public roads upon promulgation of an Ordinance of local government; and,

Whereas, KRS 189.286(2) places certain limitations on said operation of golf carts and requires the legislative body of the local government to specify those roadways for which KRS 189.286 applies,

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF OLDHAM COUNTY, KENTUCKY, THAT: this Ordinance to permit and regulate the operation of golf carts on certain roadways in Oldham County shall be enacted.

(1) As used in this section:

"Golf cart" means any self-propelled vehicle that:

1. Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;

2. Has a minimum of four (4) wheels;

3. Is designed to operate at a speed of not more than thirty-five (35) miles per hour;

4. Is designed to carry not more than six (6) persons, including the driver;

5. Has a maximum gross vehicle weight of two thousand five hundred (2,500)

pounds;

6. Has a maximum rated payload capacity of one thousand two hundred (1,200)

pounds; and

7. Meets the federal motor vehicle safety standards for low-speed vehicles set forth in 49 C.F.R. sec. 571.500;

(2) Fiscal Court identifies the roadways subject to the provisions of this Ordinance as those portions of any public road in Oldham County that lie within five (5) road miles of an entrance to a golf course so long as the posted speed limit is 35 (thirty-five) miles per-hour or less; however, the County Judge Executive, or the person identified as having the delegation of authority of the Judge Executive, is hereby granted the authority to determine if a particular road or section of road should be withdrawn from the scope of this Ordinance in the interest of public safety, and, upon such a determination and its publication and passage by Fiscal Court, pursuant to the requirements of KRS 424, such determination to remove any section of public roadway in Oldham County from the scope of this Ordinance shall become an administrative regulation that is enforceable as a provision of law under this Ordinance.

(3) Pursuant to this Ordinance it is lawful to operate a golf cart on a designated public roadway; provided:

(a) The Oldham County Sheriff's Department has established a system for the inspection and permitting of golf carts pursuant to this Ordinance and a permit for operation of the golf cart has been issued by the Sheriff's Department;

(b) The golf cart displays a permit that identifies that the golf cart is within compliance of this Ordinance and is thereby allowed to be operated upon those roadways identified herein.

(c) The golf cart has been inspected by a certified inspector designated by the county sheriff and certified through the Department of Vehicle Regulation to ensure that the golf cart complies with the requirements of this section. The inspection fee shall be five dollars (\$5.00) and the permit fee under this Ordinance shall be five dollars (\$5.00). Persons wishing to have their golf carts inspected for issuance of any permits under this section shall bring same to the sheriff's inspection area during times and days as established by the Oldham County Sheriff. If at any time the Sheriff's Department authorizes the inspection and permitting of golf carts under this Ordinance may take place at locations other than the Sheriff's Department, an additional fee of five dollars (\$5.00) may be imposed for remote inspection.

(d) The establishment of permit and inspection procedures is subject to the approval of the Sheriff. Nothing in this Ordinance shall be construed to require the Sheriff to establish an inspection and permit system for golf carts.

(4) A person may operate a golf cart on a public roadway pursuant to subsection (2) of this section if:

(a) The posted speed limit of the designated public roadway is thirty-five (35) miles per hour or less;

(b) The operator of the golf cart does not cross a roadway at an intersection where the roadway being crossed has a posted speed limit of more than thirty-five (35) miles per hour;

(c) The operator has a valid operator's license in his or her possession;

(d) The golf cart is being operated between sunrise and sunset; and

(e) The golf cart displays a slow-moving vehicle emblem in compliance with KRS 189.820.

(5) A golf cart operating on a public roadway under subsection (2) of this section shall be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway.

- (6) Any person operating a golf cart on a public roadway under the provisions of this section shall be subject to the traffic regulations of KRS Chapter 189.
- (7) A golf cart operating on a public roadway designated by a local government under subsection two (2) of this section is not considered to be motor a vehicle and is exempt from:
- (a) Title requirements of KRS 186.020;
 - (b) Vehicle registration requirements of KRS 186.050; and
 - (c) Emissions compliance certificates pursuant to KRS 224.20-720.
- (8) The Transportation Cabinet may prohibit the operation of a golf cart on a public roadway designated under subsection two (2) of this section that crosses a state-maintained highway under its jurisdiction if it determines that such prohibition is necessary in the interest of public safety.
- (9) When presently used to play golf, or when being used to maintain a golf course, golf carts that are not being operated on a public roadway, except to cross a roadway while following a golf cart path on a golf course, are not subject to any requirements or restrictions on use of golf carts that are imposed by this Ordinance.
- (10) Operating a golf cart in violation of any provision of this Ordinance is an offense of the Oldham County Code Enforcement Board. Any peace officer or code enforcement officer may issue a citation for the violation of any provision of this Ordinance. Any person violating a provision of this Ordinance shall receive a civil fine of \$100 (one hundred) to \$500 (five hundred) dollars. Any person who violates any provision of this Ordinance two or more times within a 12 (twelve) month period shall receive a civil fine of \$500 to \$1,000. Any person who receives a citation for violation of this Ordinance may contest the citation by sending written request for a hearing by the Code Board to the address listed on the citation within 7 (seven) days of receipt of the citation.
- (11) Nothing in this Ordinance shall be construed to relieve any person of any legal duties or obligation created by any other statute or ordinance. Promulgation of this Ordinance does not

preclude legal enforcement by any peace officer or traffic control officer of any provision in the Kentucky Revised Statutes, including the prohibition against operating an unlicensed or unregistered motor vehicle on the public roads of the Commonwealth unless that motor vehicle falls within the exceptions created by this Ordinance or any other existing law, ordinance or regulation in the Commonwealth of Kentucky.

This ordinance shall become effective upon its passage and advertisement according to law.

Dated this _____ day of _____, 2009.

DUANE MURNER, Oldham County Judge/Executive

ATTEST:

TINA M SCHAAF
Oldham County Fiscal Court Clerk

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
Memorandum

TO: Services Committee

FROM: Cheryl Feigel, Councilmember
5th District

DATE: August 6, 2009

SUBJECT: Underground Utilities Issue

In January 2009 a weather emergency was declared in Fayette County, as well as across the State of Kentucky. Approximately 50K people were without electricity, numerous traffic signals were out and ice covered all streets and roads as well as tons of debris from fallen tree limbs. Electricity was off for many people as long as two weeks, due primarily to power lines downed by ice and broken tree limbs.

In February 2004 an ice storm resulted in 20,000 homes without power.

In February 2003 we experienced the worst ice storm in the history of Lexington resulting in 132,000 people without power. Again, due to downed power lines from ice and broken tree limbs.

Computing the cost of these storms to all those involved is a very complicated process, but suffice it to say that the amounts are astronomical.

Couple these perennial ice storm catastrophes with the unsightliness of power lines, telephone lines, cable lines, etc. as they traverse across our landscape and the constant need for the utility companies to butcher the beautiful old trees along our roadsides. The only solution to this enormous and costly problem is to plant utility lines underground.

Cost is always cited as the primary objection to burying utility lines but that cost is dramatically reduced if done within the context of new development, when excavation is already taking place. With this in mind, I am proposing a requirement for all new developments, commercial and residential, and all new highway projects to include buried utilities.

Services Committee
August 6, 2009
Underground Utilities Issue
Page Two

The proposed amendment to the subdivision regulations has been prepared by Ed Gardner in the Legal Department and has been reviewed by David Frieber of Kentucky Utilities. They will also be available for comment during the discussion.

In addition, research was done to identify existing ordinances in other communities with similar requirements and was used as a model for this amendment.

During the initial discussion of this proposal, it was reported that nearly 90% of all new developments currently opt for underground utilities. However, I believe that it is incumbent upon our government to hold all future developments to these higher standards.

SUBDIVISION REGULATIONS

6-5 UTILITY STANDARDS - The following shall be the minimum standards for utilities such as telephone supply, electric supply, gas supply, water supply or other utilities:

6-5(a) TELEPHONE, NATURAL GAS, AND ELECTRIC SUPPLY - Every subdivision shall be provided with a proper telephone and electric system. Natural gas supply systems shall be provided at the option of the developer, dependent upon the ability of the local gas supplier to meet the demands of new development. All distribution lines or cables for utilities shall be installed below ground within the subdivision. Major facilities such as high-voltage electric transmission lines, distribution feeder circuits of 200 amps or greater or major cables/facilities to provide utilities such as telephone, and cable television to the area as a whole may be located above ground. The installation of these utilities shall conform to commonly accepted construction standards and the requirements of the Kentucky Public Service Commission and utility companies shall work cooperatively with the Division of Engineering during construction. Underground utilities shall be separated from sanitary sewer and/or storm sewer facilities by a minimum of six (6) feet and shall not conflict with designated tree preservation areas, areas where future multipurpose trails are planned, areas designated for future right-of-way, or construction easements.

Services Committee Items

August 5, 2009

<u>Item</u>	<u>Referred By</u>	<u>Date Referred</u>	<u>Status</u>
Taxicab Special Events Permits	Gorton	5-26-09	August 09
Golf Carts on Public Roads	Stinnett	3-10-09	August 09
Underground Utilities in New Developments	Feigel	3-3-09	August 09
2003 Public Utilities Ice Storm Task Force	Gorton	2-13-09	Mar 09/Fall 09
Private Solid Waste Providers	Gorton	2-13-09	Spring 09
Animal Cruelty	Myers	4-2-09	August 09
Sign Ordinance	Myers	9-9-08	Spring 2009
Multi-Way Stop Glendover Dr @ Valley Rd	Beard	7-8-08	Petition Drive
Employee Automobile Usage and Reimbursement	Blues	5-13-08	General Services Reviewing
Zandale Storm Water Ditch	Beard	11-20-07	
Imposing Fines for ROW Signage	Myers	11-14-06	
Curb Replacement Program	Gorton	3-12-05	