

# Fiscal Court Orders

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT AND IMPOSING OF REGULATIONS, RESTRICTIONS AND/OR LIMITATION ON SPEEDING, STOPPING AND PARKING OF VEHICLES ON COUNTY ROADS OF NELSON COUNTY, KENTUCKY.

WHEREAS, Traffic conditions exist or arise from time to time, which impede and hinder the free movement of traffic upon the county roads of Nelson County, and

WHEREAS, the Fiscal Court of Nelson County, Kentucky, deems it necessary to the safety and interests of its citizens to relieve the congestion caused thereby,

NOW THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF NELSON COUNTY, KENTUCKY:

SECTION 1. For the Purpose of this Ordinance -

(a) The word "vehicle" shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

(b) The word "road" shall mean any public street, avenue, road, boulevard, highway or other public place maintained, operated and under the jurisdictional control and located in Nelson County, Kentucky, and established for the use of vehicles.

(c) The word "person" shall mean and include any individual, firm or corporation.

(d) The word "operator" shall mean and include any individual who shall operate a vehicle as the Owner thereof or as the agent, employee or permittee of the Owner.

(e) The word "court" or "Fiscal Court" shall mean the Fiscal Court of Nelson County, Kentucky.

SECTION 2. The County Judge/Executive may, from time to time, as traffic conditions require, in such roads as are selected by resolution of the Fiscal Court, is authorized:

(a) To established, impose, regulate and thereafter enforce, alter, and/or change, in part or total, speed zones and/or areas for traveling, parking, stopping, restricted parking and/or stopping of vehicles upon the county roads.

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(b) To establish, impose, regulate, and thereafter enforce, alter, and/or change, in total or part, regulations governing the movement, stopping and parking of vehicles at approaches and/or entrances to or within intersections or roads, crosswalks, railroad tract or crossing, alleys; upon sidewalks and entrances to or from public or private driveways upon the public road of Nelson County, Kentucky;

(c) To cause to be erected or installed on the public street or ways such signs and/or signals, including painted lines and/or curbs, as may be deemed sufficient, necessary and/or appropriate to designate the establishment of such zones or areas and of respective regulations; the existence of such signs and/or signals in such areas, zones and ways shall constitute a presumption of law as to the legal placement thereof.

SECTION 3. It shall be unlawful and a violation of the provisions of this ordinance for any person to cause, allow, permit or suffer any vehicle registered in the name of or operated by such person or any operator thereof to park and/or operate a vehicle upon the public streets and ways in violation of restrictions and/or limitations adopted as herein authorized.

SECTION 4. Any person violating regulations adopted pursuant to the provisions of this Ordinance shall upon conviction, be subject to a fine of not less than ten (\$10.00) Dollars, nor more than one hundred (\$100.00) Dollars, for each offense, conditioned however, if the laws of the Commonwealth of Kentucky, provides a penalty for such violation or violations that be different than herein provided then that applicable law of the Commonwealth of Kentucky shall prevail in making a determination of such penalty.

SECTION 5. The Sheriff and Policing authorities of Nelson County are hereby authorized to have any vehicle, parked in violation of any of the provisions adopted pursuant to this ordinance, removed from the public roads, by a contract garageman operating a towage service who is regularly employed for said purpose; and any vehicle so removed from the road shall be placed in the custody of such garageman; and said vehicle shall be held in such storage garage subject to being claimed by the owner thereof; and in addition to all penalties

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hereinbefore provided for violation of this ordinance, the Owner of any vehicle so towed and stored shall, before removing said vehicle from storage, pay therefore all accumulate charges for towage and storage for the period of time that said vehicle is stored; such charges to be reasonable and at local prevailing rates.

SECTION 6. This ordinance shall not be deemed to be in conflict with nor a repeal of prior to existing ordinances of Nelson County or the Commonwealth of Kentucky, but all such prior or existing related ordinances and statutes are subordinated and subject to the provisions of this ordinance and shall be as additional provisions for the regulation of traffic and parking on roads of Nelson County.

SECTION 7. If a section, part of a section, sentence, clause or phrase of this ordinance shall be held to be unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

SECTION 8. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and at the same time are hereby repealed. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

INTRODUCED, SECONDED AND GIVEN FIRST READING at a duly convened meeting of the Fiscal Court of the County of Nelson, Kentucky, held on the 18th day of August, 1981.

GIVEN SECOND READING APPROVAL AND ADOPTED at a duly convened meeting of the Fiscal Court of the County of Nelson, Kentucky, held on the 1st day of September, 1981, on the same occasion signed in open session by the County Judge/Executive as evidence of his approval, attested by the County Clerk, and ordered to be enrolled.

APPROVED:

Charles Roberts  
COUNTY JUDGE/EXECUTIVE

Phyllis S. Mattingly  
COUNTY CLERK

Cynthia Shuffert, D.C.

Adopted 9-1-81  
Effective 9-3-81