

Exh # 4  
9-15-2002

COMMONWEALTH OF KENTUCKY  
OLDHAM COUNTY  
ORDINANCE NO. 00-340-370

\*\*\*\*\*

AN ORDINANCE RELATING TO ENCROACHMENT PERMITS IN  
OLDHAM COUNTY, KENTUCKY.

\*\*\*\*\*

WHEREAS, the Fiscal Court has the authority pursuant to KRS  
67.083(3)(t) and (u), to enact ordinances to provide for safe transportation; and,

WHEREAS, the County Road Department is required to give approval for  
encroachment on county roads to ensure that they provide for safe egress and ingress to  
and from county roads and to provide for drainage across said encroachment to prevent  
damage to roadway; and,

WHEREAS, this requires expenditure of county employee time.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF  
THE COUNTY OF OLDHAM, COMMONWEALTH OF KENTUCKY THAT:

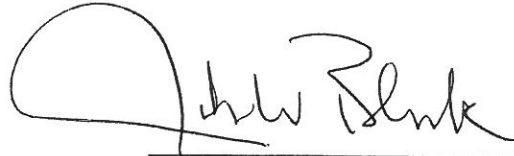
- (1) Before any encroachment is allowed upon Oldham County roads, a permit must be granted by the Oldham County Road Department.
- (2) All encroachment permits shall expire within 90 days and unless exercised completely will have to be renewed.
- (3) If any permit is not complied with, the County Road Engineer is granted authority to remove any improvements from county right-of-way.
- (4) Said encroachment permits shall be requested by completion of application for encroachment approved by County Road Department with conditions approved by County Road Engineer and County Road Department.
- (5) The fee for encroachment permits shall be established by resolution based upon County employee time to properly inspect and grant permits.
- (6) Fees for renewal shall be same as the fee for initial permit.

(7) If the owner, lessee, occupant or person having charge of any property establishes and maintains any encroachment upon county roads without proper permit in violation of this ordinance, then each of them, upon conviction thereof, shall be fined not less than Fifty (\$50.00) Dollars nor more than Five Hundred (\$500.00) Dollars, and each day the encroachment is maintained shall be considered a separate offense.

SEVERABILITY CLAUSE

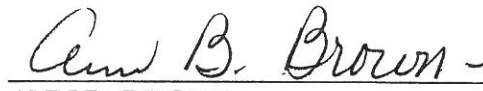
If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

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



\_\_\_\_\_  
JOHN W. BLACK  
Oldham County Judge/Executive

ATTESTED:

  
\_\_\_\_\_  
ANN B. BROWN  
Oldham County Fiscal Court Clerk