

ORDINANCE NUMBER 4 -2021

COUNTY OF FRANKLIN, KENTUCKY

**AN ORDINANCE AMENDING THE ~~DELIVERY OF COUNTY SERVICES~~
ROAD DEPARTMENT SECTION OF CHAPTER 30: ADMINISTRATIVE CODE OF
THE FRANKLIN COUNTY CODE OF ORDINANCES TO REMOVE AND ADD
LANGUAGE UNDER SUBSECTIONS §30.135, §30.136, §30.137, §30.138, AND
§30.139, (A), (B), (C), AND (D).**

WHEREAS, The Franklin County Fiscal Court adopted the General Administration Section of Chapter 30: Administrative Code by Ordinance No. 1-2021 on the 19th day of February, 2021, to establish procedures and processes relating to the Constitutional office of the Franklin County Judge Executive; and

WHEREAS, the Judge Executive has established an Administrative Service Committee consisting of two Magistrates and the Judge Executive to consider amendments to the Administrative Code; and

WHEREAS, The Administrative Service Committee has met and considered changes relating to the General Administrative Section of Chapter 30: Administrative Code of the Franklin County Code Ordinances relating to the office of Judge Executive; and

WHEREAS, the Administrative Service Committee desires consideration by the Fiscal Court the General Administrative Section of Chapter 30: Administrative Code of the Franklin County Code Ordinances relating to the office of Judge Executive

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

SECTION I. The Code of Ordinances, Administrative Code, Chapter 30, ~~§30.135 (A), (B), (C) AND (D)~~ **§30.135 (A), and (B) is hereby amended to read as follows:**

§ 30.135 ESTABLISHMENT OF ~~COUNTY ROAD~~ DEPARTMENT.

(A) There is hereby created and established a **Franklin** County Road Department consisting of a **County Road Engineer or** County Road Supervisor and such other employees of said department as may from time to time be provided in the job classifications and approved by the County Fiscal Court for by the CJE and the FCFC.

(B) The County ~~Judge/Executive~~ with the consent of the Fiscal Court **Road Engineer/Supervisor** shall appoint the County Road Supervisor. ~~be appointed by the CJE with the approval of the FCFC and shall serve a period of two (2) or four (4) years.~~

—(C) The County Fisical Court shall set the number and compensation of all employees of the road department in §§ 30.035 through 30.103 of this chapter.

—(D) The County Judge/Executive, in accordance with the provisions of §§ 30.035 through 30.103 of this chapter, shall make all appointments to the Road Department and removals.

SECTION II. The Code of Ordinances, Administrative Code, Chapter 30, §30.136 (A), and (B), ~~§30.136 (A) and (B)~~ is hereby amended to read as follows:

§ 30.136 DUTIES OF THE ROAD SUPERVISOR.

(A) The duties of the County Road ~~Engineer~~/Supervisor shall be ~~the head of the road department subject to the order and direction of the CJE~~ set forth in the classification located in §§ 30.098 and 30.099 of this chapter.

(B) The County Road ~~Engineer~~/ Supervisor shall be responsible for the performance of the road department and its functions, and all persons who are employees of the road department shall be subject to the supervision and direction of the ~~County Road Engineer~~/Supervisor.

SECTION III. The Code of Ordinances, Administrative Code, Chapter 30, §30.137 (A), and (B), ~~§30.137 (A), (B), and (C)~~ is hereby amended to read as follows:

§ 30.137 COUNTY ROAD INVENTORY/CONDITION.

(A) The County Judge/Executive—~~County Road Supervisor/Engineer~~ shall maintain a map (s) that clearly identifies all the county- maintained roads. ~~The inventory shall identify all roads by name and/or number, list the number and locations of all bridges, and any other information that may identify county roads and the condition thereof.~~

(B) ~~The County Road Supervisor shall contact all area utilities (city and county water services) prior to digging, surfacing or resurfacing any county road.~~ ~~At least on a biannual basis, the FCFC and the County Road Supervisor/Engineer shall travel together to review the condition of the county roads as determined by each Magistrate or the County Road Supervisor/Engineer in regard to their district.~~

(C) ~~The Road Engineer/Supervisor shall contact all area utilities relative to their planned activities prior to surfacing or resurfacing any county road.~~

SECTION IV. The Code of Ordinances, Administrative Code, Chapter 30, §30.138 (A), and (B).

§ 30.138 SPECIFICATIONS FOR COUNTY ROADS.

(A) The County Fiscal Court, in accordance with KRS 179.470, may accept roads into the county road system.

(B) Prior to Fiscal Court consideration of a road for acceptance into the county road system, the County Road Supervisor shall certify that the following specifications have been met or exceeded

(1) Surveyed legal description of the proposed road prepared by a licensed state-registered surveyor;

(2) A copy of all property owner's deeds and property of good, marketable and fee simple title in the property of the owners proposing to deed the road right-of-way to the county;

(3) Certification by the property owners that fences, buildings, gates and cattle gates have been removed from the proposed county road right-of-way;

(4) Acceptable road specifications shall be recommended by the road supervisor and approved by the County Fiscal Court regarding, but not limited to, right-of-way width, pavement width, pavement specifications and grade and drain;

(5) The road shall be properly ditched and tiled with cross-drain pipes of adequate size and road banks stabilized in grass or other suitable ground cover;

(6) Once a road has been accepted into the county road system the county shall be obligated to maintain the road. This maintenance will only be performed within the county's right-of-way or where easements have been granted by property owners; and

(7) The adoption of minimum standards of construction for all roads which may be included within the county road system and accepted for any future maintenance by the county is contained in Ch. 151 of this code of ordinances. Any future amendments shall be considered ratified and incorporated as part of this chapter.

SECTION V. The Code of Ordinances, Administrative Code, Chapter 30, §30.139 (A), (B), (C) and (D)

§ 30.139 OTHER COUNTY SERVICES.

~~(A) County Fire Department.~~ The County Fire Department is responsible for firefighting and emergency response in the unincorporated areas of the county. The Fire Department also supports the County Fire Department when the situation dictates.

~~(B) County Planning, Zoning and Code Enforcement Office.~~ This office provides building and electrical inspections for all new construction within the county. It utilizes the Kentucky

~~Building Code, the CABO One and Two Family Dwelling Code and the National Electric Code. The office also provides planning and zoning services for the residents of the county, as well as performing administration of the County Zoning Ordinance (Ord. 7, 2001 Series, amending Ord. 2, 1993 Series, electrical fees) (Ord. 6, 2001 Series, amending Ord. adopted 6-23-1998), which may be amended as required by state law then in effect and to which reference is made for particular amendments.~~

~~—(C) Occupational Tax Office. This office collects and maintains occupational license fees, maintains a listing of all businesses conducting business within the county, receives all occupational taxes and posts it to appropriate accounts and collects all delinquent occupational license fees (Ord. 14, 2007 Series, as amended, and as may be amended by any future amendments, which are hereby ratified and for which reference is made for additional requirements).~~

~~—(D) Lakeview Park.~~

~~— (1) The county's Lakeview Park was established in July 1991. It is 135 acres of rolling landscaped grassland on Georgetown Road, Hwy. 460. The main attraction of the park is the Carter House, a two-story brick colonial style home named for the former owners of the Carter family farm. The Park also includes pavilions, softball complexes, soccer fields, horse show rings, a walking/running path, playground and a nine-hole, par 3 family golf complex and driving range.~~

~~— (2) The County Lakeview Park Rental Policy is adopted on 10-30-1997, in Fiscal Court Order Book 17, page 326, and as may be amended by any future amendments, which are hereby ratified and for which reference is made for additional requirements.~~

SECTION VI. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

SECTION VII. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Franklin County Fiscal Court in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION VIII. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 18th day of December, 2025.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 7 day of January, 20 and of record in Fiscal Court Order Book 34, Page 527.



Michael Mueller
Franklin County Judge/Executive

ATTESTED TO:

Kim Cox
Kim Cox
Fiscal Court Clerk

SUMMARY

This ordinance approves an amendment to Chapter 30, §30.135, §30.136, §30.137, §30.138, and §30.139, (A), (B), (C), (D), and (E) of the Administrative Code relating to ~~Delivery~~ County Services Road Department

