

ORDINANCE NO. 85-13

AN ORDINANCE REGULATING TRAVELLING, PARKING, GATHERING, AND ACTIVITY UPON PUBLIC AND PRIVATE PARKING LOTS WITHIN THE CITY OF RUSSELLVILLE; WITH A PENALTY CLAUSE; WITH REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY OF RUSSELLVILLE, KENTUCKY, THAT:

I. It shall be unlawful for any person to operate or park a vehicle on any off-street parking facility offered for public use, whether publicly or privately owned, in any manner contrary to the designated traffic lanes and parking places clearly marked thereon provided that the lanes and places have previously been approved by the Russellville Police Department.

II. It shall be unlawful for any person, whether acting individually or in concert with a group of persons, to gather on, park on, or stop on any off-street parking facility offered for public use, whether publicly or privately owned, for any purpose or reason other than for the intended purpose and reason for the existence and providing of that off-street parking facility. However, the following uses of the facility shall not be a violation of this section of this ordinance:

- A. The use with the written permission of the person(s) in possession and control of the facility to so use or park thereon in any otherwise lawful manner.
- B. The temporary use to avoid an accident.
- C. The use by a police officer or by fire, ambulance, or other emergency personnel and equipment, in the course of duty.
- D. The use by the owner or tenent or by an employee (in connection with his or her employment) of any establishment served by the facility.
- E. The use by governmental agents, such as inspectors and by utility meter readers in connection with that position.

F. The use by a contractor or other person performing a service for and at the request of the person(s) in possession and control of the facility.

III. It shall be unlawful for any person, whether acting individually or in concert with a group of persons, to gather on, park on, or stop on any off-street parking facility offered for public use whether publicly or privately owned for the purpose of socializing, resting, talking, or sight-seeing unless that purpose is specifically permitted by a written authorization signed by the person(s) in possession and control of the facility.

IV. Any person, firm, or corporation upon conviction for the violation of any provision of this Ordinance shall be fined in an amount not less than \$20.00, nor more than \$ 250.00 for each violation.

V. All portions of any section of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

VI. In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect the validity of any other provision.

This ordinance shall be effective after its passage and publication according to law.

PASSED FIRST READING by roll call vote this the 17th day of September, 1985..

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Keith Fruits</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Gary Woodlee</u>	<u></u>	<u></u>	<u></u>
<u>Willie Hampton</u>	<u></u>	<u></u>	<u></u>

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Harold R. Johns</u>	_____	_____	_____
<u>Gary Hancock</u>	_____	_____	_____
<u>Evertt Daniels</u>	_____	_____	_____

PASSED SECOND READING by roll call vote this the 22 day of October, 1985.

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Everett Daniel</u>	<u>Harold Ray Johns</u>	<u>Willie Hampton</u>	_____
<u>Gary Woodlee</u>	_____	_____	_____
<u>Keith Fruits</u>	_____	_____	_____
<u>Gary Hancock</u>	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Ken Smith
MAYOR

ATTEST:
[Signature]
CITY CLERK