

ORDINANCE NO. 286-87

AN ORDINANCE AMENDING AND REENACTING ORDINANCE NO. 213-83, THE RICHMOND ROAD LANDSCAPE ORDINANCE, SO AS TO PROVIDE THAT WHERE THE ORDINANCE DESIGNATES "SAVE EXISTING TREES", ANY TREE TWO (2) INCHES IN CALIPER OR GREATER SHALL BE SAVED UNLESS TO DO SO WOULD PRECLUDE THE PROPER DEVELOPMENT OF THE PROPERTY AND TO PROVIDE A PENALTY FOR VIOLATION OF THE RICHMOND ROAD LANDSCAPE ORDINANCE.

WHEREAS, the Landscape Ordinances Committee has reviewed various amendments to Ordinance No. 213-83, the Richmond Road Landscape Ordinance, and made recommendations to the Urban County Council as to how the Ordinance may be made more effectively enforced; and

WHEREAS, the Council has determined that Ordinance No. 213-83, the Richmond Road Landscape Ordinance, should be amended.

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

Section 1 - That Section 3 of Ordinance No. 213-83, the Richmond Road Landscape Ordinance, be and hereby is amended to read as follows:

Section 3 - In order to landscape and beautify Richmond Road in accordance with the requirements of this Ordinance, this Council shall accept no offer of dedication of service road in the area of Richmond Road covered by Phase I Plan or the Phase II Plan nor shall any building permit for a new structure or expansion of any existing structure by more than twenty-five percent (25%) in floor area be issued for any structure on property abutting Richmond Road or the service road in the Phase I Plan or the Phase II Plan unless the owner of the property involved has provided landscaping in accordance with the requirements of this Ordinance.

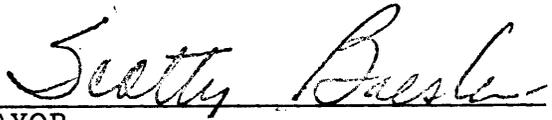
Where this Ordinance designates "saving existing trees", any tree two (2) inches in caliper or greater shall be saved unless to do so would preclude the proper development of the property. In such situations the Director of the Division of Building Inspection shall designate those trees which shall be saved while still allowing for the proper development of the property.

Section 2 - That a new section of Ordinance No. 213-83 is hereby created and enacted as follows:

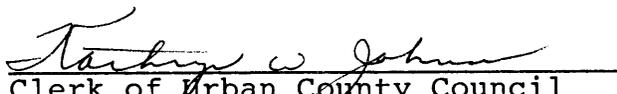
Section 7 - Violation of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who so violates this Ordinance or fails to comply with any of its requirements shall upon conviction of such violation be fined not less than ten dollars but no more than five hundred dollars for each conviction.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: December 15, 1987


MAYOR

ATTEST:


Clerk of Urban County Council

PUBLISHED: December 21, 1987-1t