

Ordinance of the Fiscal Court of Fleming County
Snow Emergency Levels
Ordinance Number 10-1075

WHEREAS, the County Judge/Executive is empowered by KRS 39A.100 (2) to respond to threatened or impending emergencies; and

WHEREAS, the occurrence of snow, sleet and freezing rain can be hazardous for motor vehicle traffic and increases the risk of collisions; and

WHEREAS, motor vehicles on roadway during such times may substantially interfere with the removal of snow and ice from the roadways county employees and may interfere with the movement of emergency vehicles upon the roadway; and

WHEREAS, the Fleming County Fiscal Court has determined that in order to protect and safeguard the property, health, safety and welfare of its citizens during such occurrences, it should delegate authority to declare various levels of snow emergencies to the Judge/Executive.

NOW THEREFORE, be it ordained by the Fiscal Court of the County of Fleming, Commonwealth of Kentucky:

SECTION ONE: Upon the occurrence of snow, sleet or freezing rain and after consultation with the Fleming County Road Supervisor, the Fleming County Judge/Executive may declare a Snow Emergency and the level thereof. Upon such declaration, all major news media outlets, other governmental jurisdictions and school district authorities in Fleming County may be notified by the most expedient method practicable under the circumstances.

SECTION TWO: Snow Emergencies may be declared at one of the following levels:

LEVEL ONE: Conditions: Roadways are hazardous with blowing and/or drifting snow, roadways may be icy. Advisory: Cautious driving is advised.

LEVEL TWO: Conditions: Roadways are hazardous with blowing and drifting snow and roadways may be icy. Advisory: Only motorists whose travel is necessary should be on the roadways residents are urged to contact their employer to see if they should report to work.

LEVEL THREE: Conditions: All Roadways are restricted to emergency personnel use only for travel to work, for delivery of medical supplies, medical treatment and snow removal operations, advisory: Essential travel only is advised. Violators are subject to prosecutions. Residents are strongly urged to contact their employer concerning work schedules.

SECTION THREE: During Snow Emergencies, no vehicle may be parked and no person, corporation, partnership, joint venture, unincorporated association any combination thereof may park or permit any vehicle to be parked upon any public road right of way. Regardless of any designation permitting parking along right of ways, the County Judge/Executive may specifically prohibit parking in such areas as necessary to permit cleaning of the right of way or parking area, or to otherwise permit emergency vehicles or traffic to utilize the right of way.

SECTION FOUR: During Snow Emergencies, the Fleming County Road Department Supervisor may as ordered by the Fleming County Judge/Executive assist in clearing state-owned roadways if otherwise permitted by law.

SECTION FIVE: Any person violating any provision of this ordinance, or any lawful order, rule or regulation promulgated pursuant to it, may be issued a citation by the Fleming County Sheriff or any peace officer; upon conviction, a fine or not less than (\$25.00) dollars nor more than one hundred (\$100.00) dollars shall be assessed for each occurrence.

SECTION SIX: Should any section or provision of this ordinance be declared invalid by a court of competent jurisdiction for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this ordinance.

SECTION SEVEN: This Ordinance shall be full force and effect from and after its passage, publication and recording, according to the law.

SECTION EIGHT: This Ordinance may be published in summary only.

First Reading: April 13, 2010

Second Reading and Passage: May 11, 2010

Signed: Larry H. Foxworthy
Fleming County Judge/Executive

Attest: Tammy L. Gray
Fleming County Fiscal Court Clerk