

ORDINANCE NO. _____, SERIES 2022

AN ORDINANCE AMENDING CHAPTER 42 OF THE LOUISVILLE METRO CODE OF ORDINANCES REGARDING USE OF METRO OWNED PARKS. (AMENDMENT BY SUBSTITUTION)

SPONSORED BY: COUNCIL MEMBERS SHANKLIN, FOWLER, GEORGE, AND PRESIDENT JAMES

WHEREAS, Metro Parks are regularly used for events by Metro Government departments and agencies, non-Metro governmental organizations, and private citizens; and

WHEREAS, use of the parks for events entails additional certain costs for which the Department of Parks charges reasonable fees, including but not limited to fees for the use of Metro-owned property and equipment and costs of security necessary for the event provided by LMPD; and

WHEREAS, officials in both the executive and legislative branches of Louisville Metro Government the Office of the Mayor and Metro Council members regularly host official government events for the community which are held in the Louisville Metro Parks system, many of which have been held annually for many years; and

WHEREAS, the departmental budgets are created by Louisville Metro Government with the understanding and expectation that the executive and legislative branch officials may use Metro Parks and other Metro-owned properties for official events, and funding for LMPD and Parks takes that into account.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: A new section of Chapter 42 shall provide as follows:

SECTION 42.33. FEES ASSOCIATED WITH USE OF PARK AND OTHER METRO OWNED PROPERTY AND EQUIPMENT.

(A) Definitions – For the purposes of this section of the LMCO, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) Metro Government Event. Metro Government Event includes the following:

(a) Metro Held Events: Events planned, organized, and presented by Metro Officials on Metro-owned property for educational or informational purposes, even if financial sponsorships are solicited for the event. By way of example, such events include, but are not limited to, townhall meetings and educational sessions on health or public safety.

(b) Metro Sponsored Events: Annual entertainment events held by non-Metro organizations on Metro-owned property, with sponsorship by a Metro Official, even if financial sponsorships from entities other than a Metro Official are solicited for the event. By way of example, such events include, but are not limited to, festivals, concerts, or art fairs.

(2) Metro Official – Metro Official includes the following:

(a) the Office of the Mayor, including the Department directors directly attached to the Office of the Mayor;

(b) any member of the Louisville Metro Council.

(B) Louisville Metro Government may charge reasonable fees associated with the use of any Metro-owned property and equipment, including but not limited to rental fees for park equipment such as stages, bleachers, audio visual equipment, permit fees, or fees required for additional security for the event.

(C) No fees authorized under subsection (A) shall be required for any Metro Government Event held in a Metro-owned park or on other Metro-owned property.

(D) Any Metro Official seeking to use Metro-owned property or equipment for any other purpose other than a Metro Government Event shall be subject to and responsible for payment of all applicable fees associated with the use of Metro-owned property and equipment.

SECTION II: This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Greg Fischer
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____