

ORDINANCE NO. 002, SERIES 2019

AN ORDINANCE AMENDING SECTION 42.44 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) TO INCLUDE METRO-OWNED PARKS IN THE REQUIREMENT FOR METRO COUNCIL APPROVAL TO CLOSE, REPURPOSE, LEASE, OR SELL SUCH PROPERTIES.

SPONSORED BY: COUNCIL MEMBER PEDEN

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (“Metro Council”) believes that Metro-owned parks are important assets that provide a quality experience for the citizens of Louisville Metro;

WHEREAS, all Metro-owned parks contribute to the health and wellness of the community, so it is important that all Metro-owned parks are available to the entire community; and

WHEREAS, Metro Council hereby amends Chapter 42.44 to include the requirement that Council approve any closure, repurposing, lease and/or sale of any Metro-owned park.

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

SECTION I: LMCO Section 42.44 is hereby amended as follows:

42.44 METRO COUNCIL APPROVAL REQUIRED TO CLOSE, REPURPOSE, LEASE, OR SELL A METRO-OWNED GOLF COURSE OR PARK.

Metro Parks may not permanently close any Metro-owned golf course or park; repurpose the land of any Metro-owned golf course or park; and/or lease, sell, or dispose of the property of any Metro-owned golf course or park without prior Metro Council approval through the following process:

(A) Metro Parks must hold at least two public hearings to discuss the proposed closure of the Metro-owned golf course or park, with at least one public hearing held at a location in close proximity of the named Metro-owned golf course or park. Notice of the public meetings must comply with KRS § 61.823.

(B) After the public hearings, Metro Parks must request approval from Metro Council to permanently close the named Metro-owned golf course or park; repurpose the land of any Metro-owned golf course or park; and/or lease, sell, or dispose of the property of any Metro-owned golf course or park. The following information and documents must be filed with Metro Council for review and consideration of any request:

(1) The public interest reasons Metro Parks requests a permanently closure, repurpose, lease or sale of the named Metro-owned golf course or park along with any supporting documentation;

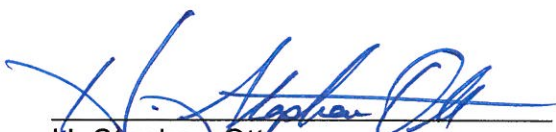
(2) The intended use of the property, if the land is to be repurposed;

(3) Notice of the public hearings; and

(4) The financial records for the named Metro-owned golf course for the past ten years.

(C) Metro Council approval requires a majority vote to permanently close, repurpose, or lease, sell and/or dispose of a Metro-owned golf course or park.

SECTION II: This Ordinance shall take effect upon its passage and approval.



H. Stephen Ott
Metro Council Clerk



David James
President of the Council

Greg Fischer
Mayor

Approved Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: *Sarah J. Martin*



O-465-18 Amend LMCO 42.44 to include parks in the requirement for Council approval to close etc. sjm-sh(11-20-18).docx



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

OFFICE OF METRO COUNCIL CLERK
RECEIVED
DATE 2/8/2019 TIME: 3:00 PM

N. Stephen Ott

February 7, 2019

Stephen Ott
Clerk of the Metro Council
601 W. Jefferson St.
Louisville, Kentucky 40202

RE: O-465-18, Ordinance No. 002, Series 19

Dear Mr. Ott:

Please be advised that I will not sign O-465-18, Ordinance No. 002, Series 19. The ordinance restricts and impedes Parks' ability to make decisions that are necessary for public safety and the best interests of our park system.

While the ordinance will be in effect upon receipt of this letter, our team has been working with Councilmembers Fowler and Peden this week on an amendment to clarify some language and to address some concerns. Councilmembers and Parks have agreed on amending the ordinance to accomplish the Metro Council's goals while allowing Parks to properly manage the Parks system. As stated in the attached letter, the amended ordinance will be filed then heard in the Parks and Sustainability Committee. We look forward to working with all members of the Metro Council on this amended ordinance.

Sincerely,

Greg Fischer
Mayor

Cc: President David James
Councilwoman Cindi Fowler
Councilman James Peden