ORDINANCE NO. _____, SERIES 2022

AN ORDINANCE AMENDING THE LOUISVILLE METRO CODE OF ORDINANCES SECTION 50.57 TO DEFINE CONDOMINIUMS IN THE COMPREHENSIVE STORM WATER DRAINAGE AUTHORITY (AMENDMENT BY SUBSTITUTION).

SPONSORED BY: COUNCIL MEMBER ANTHONY PIAGENTINI

WHEREAS, current definitions for the Comprehensive Storm Water Drainage Authority omit condominiums;

WHEREAS, current definitions for Class A Properties and Class B Properties do not distinguish between condominiums that are single unit structures with common elements from condominiums that are multiple unit structures with common elements;

WHEREAS, without these definitions in the Comprehensive Storm Water Drainage Authority plan, the result has been that single unit condominium structures, with separate plumbing from other single unit condominium structures, are charged drainage rates as though the units were one multiple unit structure sharing the same combined plumbing;

WHEREAS, single unit condominium structures have separate and lower drainage and water runoff than the collective, multi-level, multiple unit condominium structures; and

WHEREAS, Metropolitan Sewer District rates that do not account for the difference between single unit and multiple unit condominium structures unfairly overcharge single unit structures.

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

SECTION I: The Louisville Metro Code of Ordinances ("LMCO") § 50.57 is amended to add the following definitions:

SINGLE UNIT CONDOMINIUM. Ownership of a single residential unit where the residential unit is the sole unit in a structure with common elements or there are no more than four (4) residential units in a structure with common elements.

MULTIPLE UNIT CONDOMINIUM. Ownership of a residential unit within a structure containing five (5) or more residential units with common elements.

CLASS A PROPERTIES. One- and two-family residential properties and single unit condominiums.

CLASS B PROPERTIES. All other properties, including but not limited to apartment buildings having units for three or more families, multiple unit condominiums, and institutional, commercial, industrial, agricultural, and governmental properties.

SECTION II: LMCO § 50.83 is amended as follows:

There shall be two classifications of property for determination of storm drainage service charges as follows:

(A) Class A - One and two family residential properties and single unit condominiums.

(B) Class B - Multi-family (three families or more) residential property, multiple unit condominiums, and non-residential property.

SECTION III: This Ordinance shall be effective on August 1, 2023 unless LMCO § 50.84 and related Ordinances are amended for consistency in which case this Ordinance will be void *ab initio* and superseded.

_____	_____
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: _____

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