

ORDINANCE NO. _____, SERIES 2021

AN ORDINANCE CREATING A NEW SECTION TO LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES (“LMCO”) CHAPTER 76 TO REGULATE TEMPORARY CLOSURES OF THE ROADS WITHIN IROQUOIS PARK TO VEHICULAR TRAFFIC.

SPONSORED BY: “SPONSORSHIP WITHDRAWN”

WHEREAS, since April 2020, vehicular access along Rundill Road in Iroquois Park has been prohibited due to public health concerns in connection with COVID-19, which closure had the effect of limiting access to elderly and disable citizens of Metro Louisville; and

WHEREAS, after a public survey and online public input meeting Louisville Metro Parks overwhelmingly heard the public’s desire to re-open the roads in Iroquois Park to their pre-pandemic status; and

WHEREAS, the number of cases associated with COVID-19 and the positivity rate have continued to decline in Metro Louisville, with the Governor lifting many of the restrictions on outdoor events imposed in connection with COVID-19; and

WHEREAS, Chickasaw Park, which was also closed to vehicular traffic in April 2020, is currently re-opened to vehicular traffic; and

WHEREAS, on April 16, 2021, Louisville Metro Parks announced its intent to members of the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) to reopen Rundill Road to vehicular traffic in the very near future, but no action has occurred on the reopening of Rundill Road subsequent to that meeting; and

WHEREAS, the Council wishes to set forth guidelines regarding the vehicular use of the roads within Iroquois Park to (i) restore the pre-pandemic levels of vehicular access

to the citizens of Louisville Metro, (ii) provide guidelines regarding any future closures of the roads within Iroquois Park to vehicular traffic, and (iii) allow Metro Parks to retain flexibility in its management of the day to day operations of Iroquois Park.

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

SECTION I: Creates a new subsection of LMCO 76 as follows:

LMCO 76.09. IROQUOIS PARK ROAD SYSTEM.

(A) The roads within Iroquois Park shall be open to vehicular traffic as follows:

(1) The portion of Rundill Road from the intersection of Rundill Road with Sanders Gate Road, and running clockwise from that intersection to the intersection of Rundill Road and Frisbee Way, Sanders Gate Road and Dogwood Road shall be open to vehicular traffic consistent with Louisville Metro Code of Ordinances Title III: Administration; Chapter 42: Closing Hours For Parks and Playgrounds, Section 42.32;

(2) Uppill Road and Toppill Road shall be open to vehicular traffic on Wednesday, Saturday, and Sunday from 8 am to 8 pm (April 1-October 28), weather permitting;

(B) The roads described in subsection (A) shall remain open to vehicular traffic as described in subsection (A) above, unless:

(1) Metro Parks deems it necessary to temporarily close all or a portion of the roads to vehicular traffic for maintenance and/or repairs, the public's health and safety, or a Metro Parks permitted event;

(2) Temporary closures shall mean closures lasting no longer than sixty (60) days;

(3) Metro Parks shall obtain Council approval to extend a temporary closure, for reasons other than repairs or maintenance, for an additional sixty (60) day period, and at the end of any such additional sixty (60) day period, shall obtain Council approval for any further

extensions, each such further extension not to exceed sixty (60) days. Metro Parks shall provide an explanation to Council as to the reasons that necessitate the extension of temporary closure;

(4) If the total duration of the closure, including extensions periodically approved by Council pursuant to LMCO 76.09(B)(3), will exceed 240 days, Metro Parks, prior to requesting a fourth extension from Council of the temporary closure, shall hold a public meeting to discuss the continued closure of the road(s) to vehicular traffic. Notice of the public meeting must satisfy the requirements in KRS 61.823. After the public meeting Metro Parks must file documentation regarding the public meeting and a budget report reflecting the fiscal impact of the temporary closure, if any, with Council prior to Council considering Metro Park's request for a fourth extension.

(5) For any closure related to the public health concern caused by COVID-19 that is in effect as of the effective date of this Ordinance, Metro Parks shall re-open the road(s) to vehicular traffic upon the effective date of this Ordinance. Metro Parks may then submit a written request to Metro Council to approve future temporary re-closure of such road(s) pursuant to LMCO 76.09(B)(3).

(C) The portion of Rundill Road from the intersection of Rundill Road with Sanders Gate Road, and running counterclockwise from that intersection to the intersection of Rundill Road with Frisbee Way, shall be closed to vehicular traffic, unless Metro Parks deems it necessary to open that portion of Rundill Road to vehicular traffic in connection with a Metro Parks permitted event.

(D) If Metro Parks wishes to close any of the road(s) described in subsection (A), above, to vehicular traffic for a period of more than one (1) year ("long-term closure"), Metro

Parks shall hold a public meeting to discuss the proposed closure of the road(s) to vehicular traffic. Notice of the public meeting must satisfy the requirements in KRS 61.823. After the public meeting, Metro Parks must file documentation regarding the public meeting, the reasons for the proposed long term closure, and a budget report reflecting the fiscal impact of the proposed closure, if any, with Council prior to Council considering the request for a long-term closure. The request for the long-term closure must be approved by a vote of Council.

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

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: _____