

ORDINANCE NO. _____, SERIES 2026

AN ORDINANCE AMENDING SECTION 42.31 OF THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) RELATED TO ISSUANCE OF PERMITS.

SPONSORED BY: COUNCIL MEMBER HAWKINS

WHEREAS, Louisville Metro Council seeks to ensure accountability and responsible stewardship of public funds distributed through Neighborhood Development Fund (“NDF”) grant agreements; and

WHEREAS, Louisville Metro Council has an interest in ensuring that individuals, businesses, and organizations that receive public funds are in compliance with the terms and conditions of those agreements; and

WHEREAS, Metro parks and park facilities are public assets, and the issuance of permits for their use should be limited to applicants who are in good standing with Louisville Metro Government; and

WHEREAS, establishing compliance with the applicable NDF grant agreements as a condition of park permitting promotes consistency, transparency, and fairness in the administration of Louisville Metro’s park permitting processes.

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

SECTION I: LMCO Chapter § 42.31(C) is amended as follows:

§ 42.31 RESTRICTIONS; PROHIBITED ACTIVITIES.

(C) *Other restrictions.*

(1) *Removal of natural resources.* It shall be unlawful for any person to remove any natural resource including, but not limited to, plant material, animals, birds, soil, rocks,

water, or other natural resources (but excepting fish where fishing is authorized by the Director of Parks) from any park, parkway or playground in Louisville Metro.

(2) *Burning.*

(a) For the purpose of this section "open fire" shall mean any intentionally ignited bonfire, recreational fire, or maintenance burn conducted in parks by the Parks Department, or those or any other similar burn conducted by any other person in the open air in parks within the boundaries of Louisville Metro. Any maintenance burn shall require a permit from the Air Pollution Control Board.

(b) No person shall kindle or maintain an open fire within any park or playground in Louisville Metro, with the exception of: (1) recreational fires in area specifically designated by the Director of Parks for such fires, and only if approved in advance by the Director of Parks and the Fire Chief of the Division of Fire or a Fire Protection District, as the case may be, and; (2) maintenance burns conducted by the Parks Department. The Director of Parks shall designate to the Fire Chief of the Division of Fire or a Fire Protection District areas appropriate for recreational fires, and areas where the Parks Department proposes to conduct maintenance burns. The Fire Chief of the Division of Fire or of a Fire Protection District may authorize recreational fires only in areas specifically approved by the Director of Parks, and may authorize maintenance burns conducted by the Parks Department in areas proposed by the Director of Parks. Open recreational fires shall be attended at all times by a person not less than 18 years of age.

(3) *Compliance with permits and failure to have a required permit.*

(a) 1. The Director of Parks shall have authority to promulgate such rules and regulations as are necessary for the orderly and complete administration of permitted

events. The Director shall publish and maintain a webpage dedicated to event permits which lists the types of events which require a permit and any associated fees.

2. A permit shall not be required for peaceful demonstrations related to protected first amendment speech that do not disrupt access by emergency personnel and does not conflict with any other previously approved permitted uses of that same park. For purposes of this section, a peaceful demonstration is defined as an event in which people gather together in order to show support or opposition to something or someone that does not involve violence, threats of violence, or incitement to imminent lawless action.

(b) It shall be unlawful to promote, form, hold or assist in organizing any event, use or activity in a Metro Park for which a permit is required, without first obtaining a permit from the Director of Parks.

(c) It shall be unlawful for any person to fail to observe or comply with conditions contained within a written permit issued by the Director of Parks.

~~(d)~~ No permit to rent any park facility shall be issued to any person or business who is not compliant with the terms of any Neighborhood Development Fund grant agreement through which the person or business receives funds from Louisville Metro Government.

~~(d)~~ (e) A permit may be immediately revoked at the discretion of the Director of Parks or his designee if the applicant has made a material false statement or representation on an application for a permit or if the applicant has failed to comply with any of the terms and conditions of an issued permit.

~~(e)~~ (f) It shall be unlawful for any person to charge an admission fee to an event held in any Louisville Metro park unless admission fees are expressly authorized in advance and in writing by the Director of Parks. Permission to use park spaces and

facilities may be immediately revoked when an event requires admission fees without receiving express authorization from the Director.

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

Sonya Harward
Metro Council Clerk

Brent Ackerson
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____