

**CITY OF WALTON, KENTUCKY  
ORDINANCE NO. 2019-07**

**AN ORDINANCE OF THE CITY OF WALTON, KENTUCKY, AMENDING SECTION 150.35 OF THE WALTON CODE OF ORDINANCES BY DESIGNATING THE WALTON FIRE PROTECTION DISTRICT AS THE AUTHORITY HAVING JURISDICTION TO ENFORCE THE STANDARDS OF SAFETY AND THE OTHER PROVISIONS CONTAINED IN THAT SECTION, AND TO OPERATE A FIRE INSPECTION PROGRAM PURSUANT TO KRS 227.320; FURTHER TO REQUIRE CERTAIN ADDITIONAL LIFE AND FIRE SAFETY PRECAUTIONS, IMPROVEMENTS AND ACTIONS BY OWNERS AND OPERATORS OF STRUCTURES AND BUSINESSES IN THE CITY.**

**WHEREAS**, by adoption of Ordinance 77-21, now codified as Section 150.35 of the Walton Code of Ordinances, the City of Walton, Kentucky adopted the most current edition of the Standards of Safety, as contained in Chapter 10 Title 815 of the Kentucky Administrative Regulations; and

**WHEREAS**, the City Council of the City of Walton, Kentucky now believes that the public safety, health and welfare of the City, its citizens and its visitors, would be better served by designating the Walton Fire Protection District as the Authority Having Jurisdiction to enforce the Standards of Safety and the other provisions contained in that Section, and to operate a fire inspection program pursuant to KRS 227.320; and further by requiring certain additional life and fire safety precautions, improvements and actions by owners and operators of structures and businesses in the City.

**NOW, THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY AS FOLLOWS:

**SECTION ONE**

Section 150.35 of the Walton Code of Ordinances is hereby amended as follows:

§ 150.35 STANDARDS OF SAFETY ADOPTED/**FIRE DEPARTMENT AUTHORITY/OTHER LIFE SAFETY REQUIREMENTS.**

(A) The most current edition of the Standards of Safety, as contained in Chapter 10 Title 815 of the Kentucky Administrative Regulations, a copy of which is on file in the office of the City Clerk, is hereby adopted in full as if set out at length herein.

(B) The City Clerk shall at all times keep in his possession for reference a copy of the most current edition of the Standards of Safety.

(C) THE WALTON FIRE PROTECTION DISTRICT (“FIRE DEPARTMENT”) IS HEREBY DESIGNATED AS THE AUTHORITY HAVING JURISDICTION TO ENFORCE THE STANDARDS OF SAFETY AND THE OTHER PROVISIONS CONTAINED IN THIS SECTION 150.35, AND TO OPERATE A FIRE INSPECTION PROGRAM PURSUANT TO KRS 227.320; AND ITS FIRE CHIEF OR HIS/HER DESIGNEE (“FIRE CHIEF”) SHALL BE DEEMED TO BE THE PERSON TO HAVE THE AUTHORITY TO PROVIDE THE APPROVALS SET FORTH HEREIN. FURTHER, THE FIRE DEPARTMENT IS AUTHORIZED TO MAKE DETERMINATIONS FOR THE SECURING, AND LABELING OF ANY STRUCTURES THAT ARE DETERMINED TO BE UNSAFE TO OCCUPY, IN A REASONABLE EFFORT TO PREVENT UNAUTHORIZED ENTRY.

(D) PURSUANT TO KRS 227.320, THE OWNER OF EVERY PARKING LOT CONTAINING SPACE FOR TEN (10) OR MORE VEHICLES, AND EVERY OPERATOR OF ANY BUSINESS SERVED THEREBY, SHALL PROVIDE THE REQUIRED FIRE LANE OPEN SPACE AND MARK IT IN A MANOR THAT IS APPROVED BY THE FIRE CHIEF .

(E) THE OWNER OF EVERY COMMERCIAL AND INDUSTRIAL STRUCTURE, AND EVERY OPERATOR OF ANY BUSINESS THEREIN, SHALL PROVIDE AND MOUNT APPROVED LOCK BOXES ON THE STRUCTURES, WITH ACCESS KEYS OR EQUIVALENT INSIDE, FOR FIRE DEPARTMENT USE ONLY AS APPROVED BY THE FIRE CHIEF.

(F) THE OWNER OF EVERY SECURED PREMISES, AND EVERY OPERATOR OF ANY BUSINESS THEREIN, SHALL PROVIDE TO THE FIRE DEPARTMENT A GATE CODE, KEY CARD, OR EQUIVALENT, TO ACCESS ANY SUCH SECURED PREMISES WHICH WOULD PREVENT EMERGENCY PERSONNEL AND APPARATUS FROM RESPONDING AND GAINING ACCESS DURING AN EMERGENCY, FOR FIRE DEPARTMENT USE ONLY AS APPROVED BY THE FIRE CHIEF.

## **SECTION TWO**

This Ordinance shall take effect and shall be in full force after its enactment and publication as required by law.

## **SECTION THREE**

All ordinances or parts of any ordinances in conflict herewith, to the extent of the conflict, if any, are hereby repealed.

## **SECTION FOUR**

If any sentence, clause, section or part of this ordinance or the application thereof to any particular situation is, for any reason, found to be unconstitutional, illegal or invalid, the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

**SECTION FIVE**

This ordinance may be read and published in summary form.

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PASSED AND APPROVED ON FIRST READING BY 6 OF 6 MEMBERS OF CITY COUNCIL ON THE 2<sup>ND</sup> DAY OF JULY, 2019.

PASSED AND APPROVED ON SECOND READING BY 5 OF 5 MEMBERS OF CITY COUNCIL ON THE 13<sup>TH</sup> DAY OF AUGUST, 2019.

APPROVED:

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GABRIEL D. BROWN, MAYOR

ATTEST:

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SHARON L. STEVENSON, CITY CLERK/FINANCE

DATE OF PUBLICATION: AUGUST 22, 2019