

ORDINANCE NO. 09-10

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY
AMENDING THE SUBDIVISION REGULATIONS OF MADISON COUNTY,**

WHEREAS, the Madison County Planning Commission duly advertised and held a Public Hearing on Tuesday, September 18, 2009 in accordance with KRS 100 for the purpose of considering a recommendation to amend the Madison County Subdivision Regulations;

WHEREAS, the Madison County Planning Commission recommends to the Fiscal Court to amend Article IV Definitions to include a definition for "Public Street or Roadway" by unanimous vote of 6-yes and 1 member absent;

WHEREAS, the Madison County Planning Commission recommends to Fiscal Court that Article IV Definitions of the Madison County Subdivision Regulations be amended to add the definition for "Public Street or Roadway" as Item # 30, then re-number all subsequent items in the Definition section in numerical order as shown in Section 1;

NOW, THEREFORE, be it ordained by the Fiscal Court of the County of Madison, Commonwealth of Kentucky, as follows:

SECTION I

29. **Public Facility** - Any use of land, whether publicly or privately owned, for transportation, utilities, or communications, or for the benefit of the general public, including, but not limited to, libraries, streets, schools, fire or police stations, county buildings, municipal buildings, recreational centers (including parks), and cemeteries.
30. **Public Street or Roadway** – Any street or roadway that is maintained by the County, City, Federal or State Road Departments using public funds.
31. **Right-of-Way** - Land used generally for streets, sidewalks, alleys, easements, or other public uses. Right-of-way also refers to the distance between lot property lines which generally contains not only the street pavement, but also sidewalks, grass areas, and underground and above ground utilities.
32. **Setback Line** - See "Building Setback Line".

SECTION II

That the County Clerk cause this ordinance to be published in accordance with the appropriate Kentucky Revised Statues.

DATE OF FIRST READING: September 22, 2009

MOTION BY: Roger Barger

SECONDED BY: William H. Tudor

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE ROGER BARGER ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE HAROLD BOTNER, JR. ✓

DATE OF SECOND READING: October 13th 2009

MOTION BY: Larry Combs

SECONDED BY: Roger Barger

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE ROGER BARGER ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE HAROLD BOTNER, JR. absent

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest:

[Signature]
MADISON COUNTY CLERK

PUBLIC NOTICE ORD. **09-1002**

The Madison County Fiscal Court will have 2nd Reading of Ordinance **09-10** at a meeting on Tuesday, October 13, 2009 at 9:30a.m. in the Madison County Courtroom, Richmond. This Ordinance amends the Madison County Subdivision Regulations Section I number one(1.) to read – Public Street or Roadway – *Any street or roadway that is maintained by the County, City, or State Road Departments using public funds.* A copy of the entire ordinance is available in the office of the County Judge Executive.