

COMMONWEALTH OF KENTUCKY
CITY OF PROSPECT
CITY COUNCIL REGULAR MEETING
Monday, March 17, 2025, 7:00 p.m.

AGENDA

CALL TO ORDER

- Chair: Mayor Doug Farnsley

APPROVAL OF MINUTES

- Approval of Minutes of the February 26, 2025 special council meeting.

COMMENTS FROM CITIZENS

MAYOR'S REPORT

- Mayor's update on City matters.
- Discussion of the May 2025 city council meeting schedule.

FINANCIAL REPORTS

- Monthly financial update

COMMISSION & BOARD REPORTS

- Architectural Review Committee
- Ethics Commission
- Forestation Board

OTHER REPORTS

- Jefferson County League of Cities
- Parks and Recreation Advisory Committee

POLICE REPORT

UNFINISHED BUSINESS

NEW BUSINESS

- **Resolution No. 3, Series 2025**, A RESOLUTION DEDICATING AND NAMING THE HARRODS CREEK PARK STREAM BRIDGE AS THE LINDA WARDELL BRIDGE.
- First reading of **Ordinance 648, Series, 2025**, AN ORDINANCE RELATING TO THE AMENDMENT AND MODIFICATION OF CHAPTER 150: BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF PROSPECT. *This ordinance amends building regulations to allow for the construction of pool houses on residential lots.*

- First reading of **Ordinance 649, Series, 2025**, AN ORDINANCE RELATING TO THE AMENDMENT AND MODIFICATION OF CHAPTER 154: SWIMMING POOLS OF THE CODE OF ORDINANCES OF THE CITY OF PROSPECT. *This ordinance amends swimming pool regulations to require the screening of pool equipment from view of adjacent properties.*

ADJOURNMENT

Supporting documents for this meeting's agenda are archived on the city's website calendar:

<https://www.prospectky.gov>

This meeting will be conducted in part via WebEx and live-streamed to YouTube here:

<https://www.youtube.com/@cityofprospectmeetings4880/streams>

Members of the public may attend in person and see and hear all participating members at Prospect City Hall, 9200 US Hwy 42, Prospect, Kentucky.

CITY COUNCIL
SPECIAL MEETING MINUTES

February 26, 2025

Attending In-Person: Mayor Doug Farnsley; Council Members John Evans, Christian Furman, Don Gibson, David Holmes and Sandra Leonard; Police Chief Tony Denham and Assistant Police Chief Michael McKeehan; C.A.O and City Clerk John S. Carter

Participating Remotely: Council Member John Clark; Director of Public Works Ron Cundiff

Call to Order

Mayor Farnsley called the meeting to order at 3:03 p.m.

Discussion of Police Operations

Chief Tony Denham presented to the council recent changes in the department, including new personnel hires and changes to the housewatch program. The chief outlined for the council the department's service, staffing, and budget priorities for the upcoming year. There was a short question and answer session with the council members.

Approval of Minutes

Council Member Gibson moved to approve the minutes from January 21, 2025, regular council meeting, and January 29, 2025, special council meeting, seconded by Council Member Furman, and the motion passed unanimously.

Presentation of the 2024 Financial Audit Report

On behalf of LBMC, Bill Meyer presented the findings of the 2023/2024 fiscal year audit report.

Mayor's Report

- The mayor presented his State of the City address.
 - Prospect's police department's leadership changed to Chief Tony Denham upon Jeff Sherrard's retirement in the fall of 2024. Under Chief Denham's capable leadership, the department has filled two vacancies and has been able to return to 24-hour coverage throughout the city. All Prospect police officers have had substantial experience in previous departments, and most have held supervisory roles. Public safety remains the city's number one priority.
 - Prospect has made significant improvements to Little Hunting Creek Park, including the construction of the John Evans Pavilion and Charlotte's Playground. More recently, the city has completed the construction of a new pedestrian bridge in Harrods Creek Park and continues to work on plans for a boardwalk to connect City Hall to Timber Ridge Drive through Putney Pond Park.

- The Parks and Recreation Advisory Committee sponsored its second season of summer concerts and events, including performances by several bands, Kentucky Shakespeare, and a new Kidz Fest. Other events held include birdwatching walks, the 4th of July celebration, Prospect's 50th birthday party, and the return of the Harrods Creek Park Trail Bash.
- In 2024, Prospect launched a new program, "Art In City Hall". Prospect resident Kathie Sauer chairs the committee which has held six exhibitions to date, with the next exhibition entitled "Winter into Spring" scheduled to open on Sunday, March 23rd at 2 pm, and will closed on May 16th.
- The city has largely recovered from the April 2, 2024, tornadic storm that hit Prospect. The mayor thanked the city's police and public works departments, as well as city partners, Greenscapes and Louisville Metro Emergency Services, for their outstanding work that evening and throughout the long cleanup.
- The city continues to defend a lawsuit brought against it by LDG Development. The parties have filed motions for summary judgment. If the court denies the city's motion, the case is expected to proceed to trial in July 2025.
- In recent years the city has made several improvements to city hall, including repaving and expanding the parking lot, substantial roof repairs, replacement of aging HVAC systems, replacement of some shutters and windows, and the painting of the entire first floor.
- The city is on sound financial footing, having spent \$150K less than budgeted for 2024. The city continues to reserve funds necessary to cover the city's portion of the state pension system shortfall. The city's Investment Committee has made prudent investments with the city's reserves and accumulated surplus to produce approximately \$125K in interest income in the past year.

Financial Reports

The City Administrator presented a synopsis of the city's finances for January 2025.

- Cash on hand totaled approximately \$3.8 million, of which approximately \$2.6 million is unrestricted funds.
- The city has earned approximately 76% of its annual revenue and spent approximately 64% of budgeted expenditures.
- The capital project fund balance is approximately \$97K.
- The restricted Road Aid Fund balance is approximately \$199K.

Commission and Board Reports

On behalf of the Ethic Commission, Chairperson John Embry reminded city officials, appointed officials, and city employees to complete the annual financial disclosure form before March 3, 2025.

On behalf of the Architectural Review Committee, Chairperson Dr. Bob Jacob, updated the council on the committee's activities, including its review of building plans for the proposed re-

development of Prospect Point, and amending of the city's building and swimming pool regulations to allow for the construction of a pool house.

Other Reports

Council Member Gibson reported that the Jefferson County League of Cities [JCLC] met on January 23, 2025, and that the topic of discussion was municipal solid waste. Mr. Gibson announced that he was stepping down as the city's liaison to the JCLC and that Council Member Sandra Leonard would begin acting in his stead.

On behalf of the Parks and Recreation Advisory Committee Member Carolyn Embry presented an oral and written report.

- The search for grants to fund the proposed Putney Pond Boardwalk continues with the hope that construction can begin in the spring of 2026.
- Member Tina Beavin is working with ICF to coordinate this year's invasive plant removal from city parks.
- The 'Owl Prowl' program has been delayed due to the outbreak of avian flu. The committee hopes to reschedule this program later this year.
- The committee has organized a lecture on Cybersecurity, Scams, and Fraud for Saturday, March 8, 2025, at 10 am.
- On Saturday, March 22nd the committee is sponsoring a hike from city hall to Putney Pond led by Cave Hill Naturalist Luke Pearson, to explore the wild soundscapes of Prospect.
- Resident Jacquelin McGrail will lead two spring wildflower walks in Harrods Creek Park, the first on Sunday, April 6th at 1 pm, and the second walk on Saturday, April 19th at 10 am.
- The 2nd annual Kidz Fest has been scheduled for Little Hunting Creek Park on Saturday, June 14th.
- Various concerts and events have been scheduled for the John Evans Pavilion in Little Hunting Creek Park beginning this April and continuing throughout the summer. The itinerary will be announced soon.
- On October 19, 2025, the committee is sponsoring the return of the Louisville Leopards children percussion band to play at the John Evans Pavilion.
- The Harrods Creek Park trail bash will return this year on November 23rd.

Police Report:

Police Chief Denham reported:

- The details of the written report on arrests and call responses were presented.
- The chief reminded residents of the importance of locking their vehicles to avoid car theft.

Old Business

None.

New Business

None.

Adjournment: Council Member Furman moved to adjourn, seconded by Council Member Evans, and the motion passed unanimously. Mayor Farnsley declared the meeting adjourned at 4:15 p.m.

Prepared by:

Approved:

John S. Carter, City Clerk

Douglass Farnsley, Mayor

This meeting was live-streamed on YouTube.



Prospect Police Department

Report Summary for FEBRUARY 2025

❖ *Arrests*

- ◆ February 16: Domestic Violence

❖ *Call Response Reports*

- ◆ February 1: (021) Criminal mischief
- ◆ February 2: (no#) Criminal Mischief
- ◆ February 16: (np#) Criminal Mischief
- ◆ February 20: (032) Harassment, No physical contact

❖ *Code Enforcement Reports*

19 permits were issued in February. Other February issues included:

- ◆ Unpermitted signs removed
- ◆ Unpermitted dumpsters

❖ *Felony Reports*

- ◆ February 22: (033) TBUT Auto attempt
- ◆ February 22: (034) Firearm

❖ *JC3 Reports*

- ◆ February 16: (027) Assault 4th
- ◆ February 16: (029) Duties only

❖ *KYIBRS Non-Criminal Reports*

- ◆ 0

❖ *Misdemeanor Reports*

- ◆ February 5: (024) Shoplifting under

❖ *Total Assists Outside of Prospect – 0*

❖ *Total Citations / Warnings other than Arrests – 39*

❖ *Total Collisions – 7 non-injury and 1 injury*

❖ *Total People Fingerprinted – 1 resident and 1 non-resident = \$20*



Prospect Police Department

Monthly Report of Police Activities FEBRUARY 2025

ACTIVITY	2025	2024
House Checks:	3070	3776
Traffic Activity		
Citations/ Warnings Issued	39	8
Non- Injury Accidents	7	7
Injury Accidents	1	3
Citizen Assists	6	3
Reports		
Misdemeanor Reports	1	0
Felony Reports	2	2
Call Responses	4	0
Miscellaneous Reports	0	0
Arrests	1	2
Calls For Service		
Dispatched Runs	117	91
Officer Initiated Runs	160	60
Burglary/ Robbery, Fire Alarms Included False Alarms	13	13
Code Enforcement Citations	0	0

**COMMONWEALTH OF KENTUCKY
CITY OF PROSPECT
RESOLUTION 3, SERIES 2025**

A RESOLUTION OF THE CITY OF PROSPECT ("CITY") DEDICATING AND NAMING THE HARRODS CREEK PARK STREAM BRIDGE AS THE LINDA WARDELL BRIDGE.

WHEREAS, Linda Wardell has served and led the Parks and Recreation Advisory Committee for over fifteen (15) years to improve the City of Prospect by developing and enhancing the city's parks; and

WHEREAS, Mrs. Wardell has served the city with distinction, honor, and dedication during periods of tremendous growth in the City of Prospect; and

WHEREAS, Mrs. Wardell proposed the creation of a bridge to span the Harrods Creek Park stream and worked tirelessly to make the bridge a reality; and

NOW, THEREFORE, be it resolved this 17th day of March 2025, by the City of Prospect that the Harrods Creek Park stream bridge be and hereby is dedicated to Mrs. Linda Wardell and is named, The Linda Wardell Bridge.

Adopted on: March 17, 2025 by a vote of ____ aye to ____ nay.

By: _____
Douglass Farnsley, Mayor

Dated:

ATTEST:

By: _____
John S. Carter, City Clerk

Dated:

**CITY OF PROSPECT
ORDINANCE NO. 648, SERIES 2025**

**AN ORDINANCE RELATING TO THE AMENDMENT AND MODIFICATION OF CHAPTER 150:
BUILDING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF PROSPECT**

WHEREAS, Chapter 150 establishes a code of building regulations for the City of Prospect; and

WHEREAS, it is the responsibility of the City Council to review ordinances on a periodic basis and amend them as appropriate, and

WHEREAS, it has been determined that modifications, corrections, additions, and clarifications are necessary to reflect the intent of the City Council,

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. Chapter 150 is hereby amended and modified as hereinafter set forth with old language struck through, changes, and new language being underlined and reading as follows:

Chapter 150.02 RESIDENTIAL BUILDINGS AND LOTS; RESTRICTIONS

(A) Floor area.

(1) On all residential subdivided lots within the city, except those platted and of record as of November 19, 1984, the first floor area of a one-story house shall be a minimum of 2,500 square feet; the first floor area of a two-or- more story house shall be a minimum of 1,600 square feet and minimum square footage of a two-or-more story house shall be 3,000 square feet; the first floor area of any other designed house shall be a minimum of 2,250 square feet and in no case shall square footage of any multi-story house on a subdivided residential lot within the city be less than 3,000 square feet.

(2) On all residential subdivided lots platted and of record as of November 19, 1984, the first floor area of a one-story house shall be a minimum of 1,850 square feet and the first floor area of a two-story house shall be a minimum of 1,100 square feet and minimum total square footage in a two-story house shall be 2,200 feet and the first floor area of a one-and-a-half story house shall be a minimum of 1,500 square feet. In no case shall total square footage of any house on such subdivided residential lots be less than 1,850 square feet.

(B) Stories; square footage requirements. The number of stories shall be counted from the front (street) elevation, beginning with the first story completely above ground from the front elevation, and all square footage requirements within this section disregard basement square footage. Square footage requirements to be heated living areas only. Open porches and attached garages are not to be included in computing square footage area.

(C) Approval of plans. The plans of residence and/or garage showing the plan, type, shape, height, material, color scheme, and location of same, and a completed application for building

permit in the form prescribed by the Mayor, shall be submitted to and approved in writing by the Mayor or any other official of the city to whom the power of approval has been delegated by the Mayor.

(D) Dwellings to be suitable to site and surroundings. No residence shall be constructed on any lot that does not compare favorably in character, design, and construction with others in the city and unless the residence shall be suitable to the site and in harmony with the other homes and surroundings.

(E) Garages. All residences must provide for at least two car attached garages, unless the subdivision lot is one acre or more in size in which event detached garages are allowed. In no case shall any garage door face the street in front of the residential dwelling, nor shall any garage door face the street to the side of the residence where the residence is located on a corner lot. For this purpose a lot is a corner lot where each of two sides of the lot faces one or the other of two intersecting streets and there are no other subdivided lots between either those sides and the street it faces. Where lots are irregularly shaped and/or a residence is situated on a lot at an angle, the garage door(s) may neither face either street nor be located at less than a 30 degree angle to any street. No carports are permitted and garages must be similar in design, character, and construction as residences.

(F) Lawngrades, fences, house elevations, and location of house. Lawngrades, fences, house elevations, and location of the house are to be approved in the same manner as the residence plans. (See division (C) above.)

(G) Sewer or foul water. No owner of any property in any subdivision within the city shall allow sewer water or any other foul water to stand or flow upon the surface of the property, nor flow into or onto any adjoining property.

(H) No residential lot within the city which totals two acres or less shall be subdivided.

(I) An "outbuilding" is defined in § 150.56(A)(1)(a) and (b). No outbuilding shall be allowed on any lot within a residential zoned area of the city unless the following criteria are met:

(1) Outbuildings are only permitted on lots of three acres or more. Outbuildings must be similar to the residence in design, character and construction and shall not be a prefabricated or manufactured structure;

(2) The outbuilding shall be at least 12 feet from any lot line;

(3) The outbuilding shall not be used as a garage;

(4) The square footage of any outbuilding built after the effective date hereof shall not exceed 10% of the square footage of the main building on said residential lot; provided, however, any existing outbuilding destroyed by fire or other cause may be rebuilt up to the square footage it was prior to such destruction;

(5) The outbuilding shall not unreasonably interfere with the quiet enjoyment of neighboring properties;

(6) The outbuilding shall be buffered from adjoining properties by a minimum evergreen opaqueness of 50% with a minimum six feet in height at the time of planting and shall be maintained at all times as approved; and

(7) The outbuilding shall have received a building permit issued in accordance with § 150.55 hereof.

(J) Notwithstanding the restrictions in division (I) above, a children's playhouse may be constructed on any residential lot so long as such structure contains only items suitable for children at play and is at least eight feet from any lot line.

(K) Notwithstanding the restrictions in division (I) above, a gazebo may be constructed on any residential lot for recreational purposes only as a lawn or garden decoration, to sit and enjoy the open space and beauty of the landscape in accordance with the following criteria:

(1) The gazebo shall have a maximum square footage of 144 square feet;

(2) The maximum size of columns supporting the roof of the gazebo shall be no larger than six inches across if it is a flat surface and eight inches in diameter if it is a curved surface;

(3) The gazebo shall be open on all sides with nothing between the columns supporting the roof other than rails with spindles at the bottom and/or ornate woodwork at the top;

(4) The gazebo shall be constructed of wood, wood substitute, wrought iron or wrought iron substitute;

(5) The roof of the gazebo shall consist of wood shingles or shall match the roof of the home on the lot on which the gazebo is constructed, and the roof of the gazebo shall match the shape of the gazebo;

(6) The maximum height of the gazebo, including any copula, if used, but excluding any weather vane, spindle or other type of approved decoration on top of the gazebo, shall be 15 feet measured from ground level, and the pitch of the roof of the gazebo shall rise a minimum of six inches every 12 inches (45 degrees); and

(7) A complete set of the plans and specifications for the gazebo shall be submitted pursuant to § 150.56(B).

(L) Notwithstanding the restrictions in division (I) above, a pool-house may be constructed on any residential lot of three-quarters (3/4) acres or more, that is used to support and provide amenities for an adjacent swimming pool and may include changing rooms, bathrooms, storage areas, and recreational spaces, in accordance with the following criteria:

(1) The square footage of a pool-house shall not exceed 240 square feet.

(2) A pool-house shall not exceed a maximum height of 1 story.

(3) A pool-house shall have a minimum setback of 15 feet from any building setback line.

(4) A pool-house's construction style and materials must be similar in design, character, and construction as the residential dwelling.

(5) All utilities run to pool-house shall be placed underground.

(6) Any pool-house that is to be erected within a deed-restricted community shall have the prior written approval of the homeowner's association before the issuance of any building permit.

(7) A pool-house is a non-residential structure and shall not be used for human habitation.

(8) All pool equipment, such as pumps, filters, heaters, chlorinators, UV or ozone systems, automation systems, and pool vacuum systems, shall be screened and placed at least ten feet from the nearest property line. (see §154.06).

~~(L)~~ (K) Only one outbuilding (exclusive of a single detached garage) will be permitted on any one residential lot.

Section 2. This Ordinance shall take effect from and after its passage, signing, and publication as required by law.

First Reading this _____ day of _____ 2025.

Second Reading this _____ day of _____ 2025.

"Aye" votes:

"Nay" votes:

VETO:

ATTEST:

Douglass Farnsley
Mayor, City of Prospect

John S. Carter
City Clerk

**CITY OF PROSPECT
ORDINANCE NO. 649, SERIES 2025**

**AN ORDINANCE RELATING TO THE AMENDMENT AND MODIFICATION OF CHAPTER 154:
SWIMMING POOLS OF THE CODE OF ORDINANCES OF THE CITY OF PROSPECT**

WHEREAS, Chapter 154 establishes a code of swimming pool regulations for the City of Prospect; and

WHEREAS, it is the responsibility of the City Council to review ordinances on a periodic basis and amend them as appropriate, and

WHEREAS, it has been determined that modifications, corrections, additions, and clarifications are necessary to reflect the intent of the City Council,

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. Chapter 154 is hereby amended and modified as hereinafter set forth with old language struck through, changes, and new language being underlined and reading as follows:

CHAPTER 154: SWIMMING POOLS

Section

- 154.01 Permit required
- 154.02 Application for permit
- 154.03 Permit fee
- 154.04 Refusal to issue permit
- 154.05 Fence or similar enclosure to enclose pool area
- 154.06 Screen for pool equipment
- ~~154.06~~ 154.07 Adequate drainage required
- ~~154.07~~ 154.08 Disposal of debris, waste, or rubbish
- ~~154.08~~ 154.09 Maintaining streets in clean condition
- ~~154.09~~ 154.10 Stop work order
- ~~154.10~~ 154.11 Above ground swimming pools prohibited within city
- 154.99 Penalty

§ 154.01 PERMIT REQUIRED.

No person, firm, or corporation shall construct a swimming pool within the corporate limits of the city without first making application and obtaining a permit therefore.

§ 154.02 APPLICATION FOR PERMIT.

An application for a permit, signed by the owner or his authorized agent, shall be filed with the City Clerk. It shall provide any information as may be reasonably required by the City Clerk for an intelligent understanding of the proposed work and its affect on the surrounding properties. The information set forth in the written application shall contain at least the following information:

- (A) The kind of pool to be constructed;
- (B) The overall dimensions of the length, width, and depth of the pool;
- (C) A plat showing the pool and pool equipment location on the property in relation to existing structures, easements, boundary lines, and existing or proposed fences;
- (D) Any effect on adjacent properties which can be reasonably expected to result from the construction of the pool;
- (E) What provisions are to be made for supplying the pool with potable water and for the drainage thereof;
- (F) The substance which will be used as fill and the anticipated disposition of any earth removed;
- (G) The time when construction is expected to begin and the length of time that it will take before it is completed.

§ 154.03 PERMIT FEE.

The City Clerk or other official so designated by the City Council, as a condition precedent to the issuance of the permit, shall require the payment of a \$50 permit fee.

§ 154.04 REFUSAL TO ISSUE PERMIT.

If in the opinion of the City Clerk or other official so designated by the City Council the construction of any pool may cause serious injury to persons or property, the permit shall not be issued and the construction thereof shall not be begun until the applicant for the permit has demonstrated to the satisfaction of the City Clerk, or other official so designated by the City Council, that adequate provisions have been made to avoid serious injury to persons and property within the city.

§ 154.05 FENCE OR SIMILAR ENCLOSURE TO ENCLOSE POOL AREA.

All pools or pool areas shall be enclosed by a permanent fence or similar structure surrounding the pool area. Such fences must be completely constructed as full enclosures and must be erected within thirty (30) days of completion of the pool basin, excluding plumbing. The fence or

enclosure shall extend not less than four feet above the ground, and shall not be constructed in such a manner that the facing of said fence barrier is constructed solely of horizontal members. All gates shall be self-closing and self-latching. In all other respects, fences shall comply with the requirements of Chapter 152. In addition to the foregoing, a temporary safety fence constructed of vinyl mesh or other material suited to secure the pool area shall be installed at the beginning of and during construction of the pool basin unless the pool construction area is currently secured by permanent fully enclosed fencing. With respect to both temporary safety fencing and permanent fencing surrounding the pool area, all fencing shall be fully placed and contained within the property boundaries of the land of the pool owner.

§ 154.06 SCREEN FOR POOL EQUIPMENT.

All pool equipment, such as pumps, filters, heaters, chlorinators, UV or ozone systems, automation systems, and pool vacuum systems, shall be placed at least 10 feet from the nearest property line and screened by a green barrier or living screen composed of hedges, shrubs or other plants sufficient to block the view of said equipment from adjacent properties.

~~§ 154.06~~ 154.07 ADEQUATE DRAINAGE REQUIRED.

The applicant shall be responsible for seeing that adequate provisions are made for drainage, both during the period of construction and after construction is completed. The applicant shall ensure that water will not be diverted from its natural flow to the detriment of the land surrounding the construction.

~~§ 154.07~~ 154.08 DISPOSAL OF DEBRIS, WASTE, OR RUBBISH.

The applicant is charged with the responsibility of seeing that no debris, waste, or rubbish from the project for which this permit is issued is discarded or abandoned within the boundaries of the city, either during, upon, or after the completion of the project.

~~§ 154.08~~ 154.09 MAINTAINING STREETS IN CLEAN CONDITION.

At all times, it shall be the duty of the applicant to maintain the streets in the vicinity of the permit location in a clean condition. The street shall not be allowed to become cluttered or covered with dirt or debris as a result of the construction and like activities.

~~§ 154.09~~ 154.10 STOP WORK ORDER.

If at any time during an applicant's project, he shall be found to be in violation of any section of this chapter or any work is found to be contrary to the provisions of this chapter or any other ordinance of the city, or is being conducted, in a dangerous or unsafe manner, that work shall immediately be stopped. The notice that work is to cease shall be in writing, and shall be given to the owner of the property, his agent, or any person at the work site who is in a position of authority and the notice shall state the conditions under which work may be resumed.

§ ~~154.10~~ 154.11 ABOVE GROUND SWIMMING POOLS PROHIBITED WITHIN CITY.

(A) In the interest of the public health, safety, welfare and aesthetics, it shall be unlawful for any person to construct, install, enlarge or alter any above ground swimming pool in the city. Above ground swimming pools shall not be construed to include wading pools, which are defined as pools which have a diameter or maximum cross dimension of not more than eight feet and a maximum depth of not more than one foot.

(B) Any above ground swimming pool within the city already existing as of the effective date of this section shall be operated, maintained and screened from public view, so as not to create a nuisance, hazard, eyesore or otherwise to result in a substantial adverse effect on neighboring properties or to be in any other way detrimental to public health, safety, welfare or aesthetics.

§ 154.99 PENALTY.

(A) Any person violating the provisions of this chapter shall be guilty of a misdemeanor and fined no less than \$50 nor more than \$500 for each violation as stated. Each day that the violation continues shall be considered a separate offense. This chapter is subject to enforcement by the Code Enforcement Board. A violation of this chapter shall be considered a civil offense in accordance with KRS 65.8808.

(B) Any person, firm or corporation violating any provision of § 154.10 shall be subject to a fine of \$100 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition, any person, firm or corporation violating § 154.10 shall immediately take whatever corrective actions are necessary to come into compliance with that section. Section 154.10 is subject to enforcement by the Code Enforcement Board. A violation of that section shall be considered a civil offense in accordance with KRS 65.8808.

Section 2. This Ordinance shall take effect from and after its passage, signing, and publication as required by law.

First Reading this _____ day of _____ 2025.

Second Reading this _____ day of _____ 2025.

“Aye” votes:

“Nay” votes:

VETO:

ATTEST:

Douglass Farnsley
Mayor, City of Prospect

John S. Carter
City Clerk