

**CITY OF SHIVELY  
ORDINANCE NO. 4, SERIES 2020**

**AN ORDINANCE REPEALING AND REPLACING SECTION §50.02 OF CITY OF SHIVELY CODIFIED ORDINANCES RELATING TO THE DUTIES OF THE SUPERINTENDENT OF PUBLIC WORKS AND ESTABLISHING ADDITIONAL DUTIES AND RESPONSIBILITIES OF THE NEWLY-TITLED PUBLIC WORKS MANAGER AS AN EMPLOYEE OF THE CITY OF SHIVELY**

**WHEREAS**, the City Council of the City of Shively, Kentucky adopted §50.02 of its codified ordinances (Shively Ord. 7-1993) relating to the duties of the Superintendent of Public Works, and any and all amendments thereto (Shively Am. Ord. 1-2014), and

**WHEREAS**, the Mayor and City Council of the City of Shively have determined to change the title of the employee position of Superintendent of Public Works to Public Works Manager, and assign additional duties and responsibilities thereto, and

**WHEREAS**, the Shively City Council has determined and hereby declares it is necessary, desirable, and in the best public interest for the city to repeal and simultaneously replace §50.02 of the Shively codified ordinances and any and all amendments thereto, now therefore:

**BE IT ORDAINED BY THE CITY OF SHIVELY:**

**SECTION 1:** §50.02 of the City of Shively codified ordinances and any and all amendments thereto are hereby repealed in their entirety.

**SECTION 2:** A new §50.02 of the City of Shively codified ordinance is hereby adopted as follows:

**§50.02 DUTIES OF THE PUBLIC WORKS MANAGER**

- (A) The Public Works Manager shall be deemed an employee of the City of Shively and shall be paid a salary as approved in the annual budget of the City of Shively.
- (B) The duties and responsibilities of the Public Works Manager shall include, but not be limited to the following:
  - 1. The Public Works Manager shall plan, direct, manage and oversee the activities, projects and operations of the Public Works Department including street maintenance and construction, central maintenance, engineering, traffic engineering, building maintenance, solid waste services, city parks and golf course, coordinate assigned activities with other city departments and outside agencies and provide highly responsible support to the Mayor's office, as well as exercise direct supervision over professional, management, technical and maintenance staff.

2. The Manager shall direct and supervise the Public Works Department in the collection and removal of all household solid waste and yard waste deemed collectible under city ordinance regulation that has been generated and properly prepared for collection in the city. The Works Department shall deliver all waste so collected to a properly permitted transfer station, materials recovery facility, composting facility or disposal site.
3. The Manager shall prepare and publish reasonable regulations concerning the amounts and types of waste to be collected and not collected, days of collection for the various types of waste, location of waste and waste containers and any other regulations pertaining to the storage, collection and disposal of waste as may be deemed advisable, provided that the regulations are not contrary to this chapter or other city ordinance or other enforceable law or regulation. The Manager may change and modify regulations from time to time, which regulations and changes shall become effective one week after notice either by written circular mailed or otherwise delivered to affected occupants or persons, or one (1) notice in a newspaper circulated in the city.
  - (a) No hazardous waste shall be deemed collectible by the Shively Works Department.
  - (b) No waste will be collected if its collection necessitates the entering upon private property by city equipment or employees, unless by consent of the owner or by abatement order issued by the Shively Code Enforcement Board.
  - (c) Waste from multi-family residences of more than four (4) units, and any household solid waste, the collection of which necessitates the entering upon of private property by city employees or equipment, will be considered commercial waste for the purposes of this chapter.
  - (d) It shall be the duty of every occupant or person having household solid waste deemed uncollectible by the Public Works Manager to attend to the waste's proper storage, removal and disposal.
  - (e) The Manager will devise and administer plans and regulations for the storage, collection and disposal of yard waste and recyclables, consistent with the solid waste management plan made by the Jefferson County Solid Waste Management District.

(C) It shall be a violation of this chapter for any person to willfully fail to obey the lawful regulations of the Public Works Manager promulgated pursuant to this chapter concerning the content, storage, collection, transportation and/or disposal of waste.

**SECTION 3:** This ordinance shall take effect upon its adoption by the City Council and publication as required by law.

**FIRST READING JULY 6, 2020**  
**SECOND READING JULY 20, 2020**  
**PASSED AND APPROVED JULY 20, 2020**

**Introduced by Maria Johnson**

**Attest:**

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**Beverly Chester-Burton, Mayor**

**Mitzi R. Kasitz, City Clerk**

<b>Council</b>	<b>Yea</b>	<b>Nay</b>
Ms. Beard	✓	___
Mr. Burrell	✓	___
Ms. Burton-McBroom	Absent	
Ms. Johnson	✓	___
Ms. Thompson	✓	___
Mr. Vincent	✓	___