

**CITY OF SHIVELY
CERTIFIED SUMMARY
ORDINANCE NO. 6, SERIES 2025**

**AN ORDINANCE AMENDING TITLE IX, GENERAL OFFENSES, CHAPTER 94
NUISANCES, OF THE SHIVELY CODIFIED ORDINANCES RELATING TO THE
REGULATION OF CLOTHESLINE USAGE IN THE CITY OF SHIVELY**

I hereby certify that the foregoing amended ordinance provides for the prohibition of the use of clotheslines in the front yard of residences within the city or placement of articles of clothing or other items typically hung on clotheslines, to dry on any fences, porches, walls, doors, windows, trees, bushes, plants or other structures in the front yard of any residence within the city.

The complete text of said ordinance may be read at the office of the Shively City Clerk, Shively City Hall, 3920 Dixie Highway, Shively, Kentucky 40216.

A handwritten signature in black ink, appearing to read "Finn Cato", is written over a horizontal line.

Finn Cato

CATO LAW OFFICE PLLC
2950 Breckenridge Lane, Suite No. 3
Louisville, KY 40220
Shively City Attorney

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WHEREAS the City of Shively has determined that it is necessary to regulate the usage of clotheslines within the city, now therefore:

BE IT ORDAINED BY THE CITY OF SHIVELY:

SECTION 1. In City of Shively codified ordinances, Title IX General Regulations, Chapter 94 Nuisances, a new subchapter 94.10 entitled Clothesline Usage, is hereby created and adopted as follows:

§94.10 CLOTHESLINE USAGE.

It shall be unlawful to erect, display or use any clotheslines in front yards of residences within the city. It shall further be unlawful to place articles of clothing, or other items typically hung on clotheslines, to dry on any fences, porches, walls, doors, windows, trees, bushes, plants or other structures in the front yard of any residence.

§ 94.99 PENALTY.

- (A) Violation of any provision of this chapter for which a penalty has not otherwise been established shall constitute a criminal violation for which a citation may issue returnable to District Court with a fine to be assessed for each violation consistent with subsection (B) and (C) of this section, or at the option of the city, and in addition to the foregoing, a violation shall constitute a civil offense and shall be enforced pursuant to the provisions of Chapter 41.
- (B) (1) Any person violating any section of §§ 94.15 - 94.17 shall be fined not less than fifty dollars (\$50.00), or more than five hundred dollars (\$500.00) and/or confined for no more than fifty (50) days in jail. Each separate occurrence or each day such violation is committed or permitted to continue shall constitute a separate offense. It shall be defense for an owner, lessee or occupant of any premises involved in an offense by some other party, if there is posted on said property a sign adequately noticeable in size (no larger than twelve (12) square feet) which contains sufficient warnings as to the criminal liability applicable for noise pollution violations. Said sign shall not contain any other messages such as advertising for said business.

(2) In lieu of issuing a citation as provided for herein, any law enforcement officer may issue an order requiring the immediate abatement of any source of sound alleged to be prohibited by this subchapter, except where a person is acting in good faith to comply with an abatement order issued pursuant to this subchapter. Any violation shall be cause for a citation to be issued by a law enforcement officer.

(C) Any person who violates any provision of this chapter where another penalty is not set out shall be guilty of a violation and shall be punished by a fine of not less than twenty-five dollars (\$25.00) or more than two hundred fifty dollars (\$250.00).

(D) The civil penalty for violating this subchapter shall be not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00). Each day's violation shall constitute a separate offense. This chapter shall be subject to enforcement by the Code Enforcement Board of the city.

SECTION 2. Severability. If any provision of this chapter as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect the other provisions that can be given effect without the invalid provision or application.

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

First reading: July 21, 2025.

Second reading: AUGUST 4, 2025.

Passed and approved: AUGUST 4, 2025.

Introduced by: MS. GIBSON

Maria D. Johnson
Maria Johnson, Mayor

Attest: Mitzi R. Kasitz
Mitzi R. Kasitz, City Clerk

Council	Yea	Nay
Ms. Burton-McBroom	<u>Y</u>	<u> </u>
Mr. Gibson	<u>ABSENT</u>	<u> </u>
Ms. Gibson	<u>Y</u>	<u> </u>
Ms. Thompson	<u>ABSENT</u>	<u> </u>
Mr. Vincent	<u>Y</u>	<u> </u>
Ms. Wakaba	<u>Y</u>	<u> </u>