

CITY OF PEWEE VALLEY
ORDINANCE NO.1, SERIES 2025
AN ORDINANCE RELATING TO A MORATORIUM ON ISSUANCE OF PERMITS
WITHIN AREAS PROPOSED FOR PROTECTION AS HISTORIC DISTRICTS

WHEREAS, Kentucky Revised Statutes 82.650 to 82.670 gives the City of Pewee Valley the authority to create overlay districts and provide regulations for design standards and development within any area that the city determines are unique and significant, and the City of Pewee Valley has zoning authority under KRS Chapter 100 and is a member of the Joint Planning Unit in Oldham County Kentucky,

WHEREAS, the City of Pewee Valley created an Overlay District Commission through City Ordinance #7, Series 2022 and empowered its Overlay District Commission to identify areas in the City with unique qualities that require protection through the creation of overlay district regulations,

WHEREAS, the Overlay District Commission has identified areas within the City that need protection as historic districts, but the finalization of those districts and their design standards will take time and in the interim the structures in these areas should be protected from demolition or significant change,

NOW THEREFORE, pursuant to Kentucky Revised Statutes 82.650 to 82.670, KRS Chapter 100, based upon the recommendation of the City of Pewee Valley Overlay District Commission, and the City Council's findings herein, the City of Pewee Valley Council does hereby adopt the following ordinance imposing as temporary ban on demolition or significant alteration in certain historic areas of the City, as follows:

Section 1: Temporary Moratorium Established:

1. The City Council finds that the areas identified in Exhibit One contain sites and structures of historic and cultural significance, and the great majority of which have already been voluntarily listed on the National Register of Historic Places by their owners. The Pewee Valley Overlay District Commission is currently gathering information to begin the process of protecting these properties in historic preservation area, but this study and designation process will take most of 2025.
2. In the interim, the City Council finds that there is an imminent threat to public health and safety and welfare from the loss of important historic and cultural assets in the areas identified in Exhibit One, from demolition or significant alteration. Therefore, the City Council finds that a moratorium on demolition or significant alteration should be put in place to allow the Pewee Valley Overlay District Commission to complete its study.
3. Beginning immediately and extending up to and including December 31st, 2025, there shall be a moratorium prohibiting the demolition, removal, or significant alteration of the exterior of buildings, within those areas of the City of Pewee Valley identified in Exhibit One. The City, as a member of the Oldham County Joint Planning Unit, hereby directs the Oldham County Planning Commission to issue no demolition or building permit for significant alteration of the exterior of any building, while the moratorium remains in place. The City Council may extend the moratorium if additional time is needed for the Pewee Valley Overlay

District Commission to complete its study or remove the moratorium if the Overlay Committee completes its work and the moratorium is unnecessary.

4. In the case of an emergency condition, such as natural disaster, the City Council shall consider waiving the moratorium upon good cause shown. Normal maintenance, such as fixing gutters, roof replacement, door and window replacement, will not be considered significant alternation and is not affected by this ordinance.
5. Penalty: When any provision of this ordinance is violated, the City shall issue a written notice of violation to the Applicant (or other Person in violation hereof). The notice of violation shall contain; (i) the name and address of the Person alleged to have violated this Local Law; (ii) the address, when available, or a description of the building, structure or parcel upon which the violation occurred or is occurring; (iii) a brief statement specifying the nature of the violation; (iv) a statement of the fine or penalty that may or could be assessed against any Person to whom the notice of violation is directed. The penalties for violation of this ordinance are as follows:
 - a. Any Person that violates any of the provision of this ordinance shall be guilty of a violation and subject to a fine of not less than a civil penalty of not less than \$1,000 nor more than \$2,500 to be recovered by the City in a civil action. Every such Person shall be deemed guilty of a separate violation for each day that such violation, disobedience, omission, neglect, or refusal shall continue.
 - b. City may issue stop-work orders for violations of this ordinance. Any Person receiving a stop work order shall be required to halt all clearing, grading,

construction, and any other or related activities, until the City or a court of competent jurisdiction allows work to recommence.

- c. Any Person violating this Local Law shall be required to restore the structure to its prior or undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town will take necessary corrective action, the cost of which shall become a lien upon the property until paid.
- d. The City may also maintain actions or proceedings in a court of competent jurisdiction to compel compliance with, restrain by injunction the violation of any provision or requirement of this ordinance to prevent, correct, enforce, or abate any violation of, or non-conformance with, any provision or requirement of this ordinance.

Section 2. This ordinance shall take effect upon passage and publication as required by law.

First Reading: February 5th, 2025

Second Reading: March 5th, 2025

Enacted and approved this the ____ day of _____ 2025.

Bob Rogers, Mayor

ATTEST:

Denice Haney, City Clerk

Those in Favor: _____

Those Opposed: _____