

CITY OF VILLA HILLS, KENTUCKY
ORDINANCE NO. 2020-1

draft Ord. 2019-M

**AN ORDINANCE ENACTING TITLE V, CHAPTER 52 OF THE CODIFIED
ORDINANCES OF THE CITY OF VILLA HILLS ADOPTING SMALL CELL TOWER DESIGN
GUIDELINES**

WHEREAS, The Federal Communications Commission (FCC) recently enacted Declaratory Ruling and Third Report and Order of Section 252 and 332(c)(7) prescribing new procedures for the deployment of small cellular communication towers within public right of way throughout the United States; and

WHEREAS, among the new regulations enacted by the FCC were restrictions on cities' and counties' regulations of the placement and standards for small cell towers; and

WHEREAS, wireless carriers and the companies that provide infrastructure to support the wireless carriers are increasingly seeking to install small, short range antennas within the public right-of-ways to provide customers with faster and more reliable cell services; and

WHEREAS, this Council believes that enacting this Ordinance and adopting Small Cell Design Guidelines promotes the public health, safety, and welfare of the City and its residents.

NOW, THEREFORE, be it ordained by the City of Villa Hills in Kenton County, Kentucky, as follows:

That Title V, Chapter 52 of the Codified Ordinances of the City of Villa Hills entitled "Small Cellular Tower Design Guidelines" shall be enacted to read as follows:

§ 52.01 OVERVIEW AND PURPOSE; DEFINITIONS.

(A) The purpose of these Design Guidelines is to:

(1) Protect the health, safety, and welfare of the citizens of the City;

(2) Preserve the character of the City's neighborhoods, office, and shopping districts;

(3) Give guidance to wireless telecommunications providers to assist such companies in the timely, efficient, safe, and aesthetically pleasing installation of Facilities; and

(4) Comply with, and not conflict with or preempt, all applicable state and federal laws.

(B) For the purpose of this chapter, and the interpretation and enforcement hereof, the following words and phrases shall have the following meanings, unless the context of the sentence in which they are used shall indicate otherwise:

(1) "Applicant" means any person or entity who submits an Application pursuant to this Chapter.

(2) "Application" means the form issued by the City Public Works Department to be submitted by an Applicant to the City Public Works Director to obtain a Small Cell Use Permit from the City to Collocate a Small Cell Facility and/or to construct, maintain, modify, operate, or replace a Wireless Support Structure.

(3) "Accessory Equipment" means equipment used in conjunction with a Small Cell Facility and generally at the same location as, or in proximity to, the Small Cell Facility including, but not limited to, electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs.

(4) "Administrator" means the City Administrator for the City of Villa Hills.

(5) "Collocation" or "Collocate" means to install, mount, maintain, modify, operate, or replace wireless Facilities on a Wireless Support Structure.

(6) "Design Guidelines" means the standards established in this Chapter 52 of the Villa Hills Codified Ordinances.

(7) "Director" means the City's Director of Public Works, or his or her designee, unless otherwise specified.

(8) "Facilities" means Small Cell Facilities, Accessory Equipment, and Wireless Support Structures, including poles and towers.

(9) "Facilities Operator" means the person or entity responsible for the installation, operation, maintenance, replacement, and modification of Facilities. Facilities Operator includes:

(a) Operators;

(b) Applicants who applied for consent to Collocate a Small Cell Facility or to construct, maintain, modify, operate, or replace a new Wireless Support Structure and who have obtained a Small Cell Use Permit; and

(c) Applicants who applied for consent to Collocate a Small Cell Facility or to construct, maintain, modify, operate, or replace a new Wireless Support Structure and who have obtained a Small Cell Use Permit.

(10) "FCC" shall mean the Federal Communication Commission.

(11) "Operator" means a wireless service provider, cable operator, or video service provider that operates a Small Cell Facility and provides wireless service, including a wireless service provider, cable operator, or a video service provider that provides information services as defined in the "Telecommunications Act of 1996," 110 Stat. 59, 47 U.S.C. 152(20), and services that are fixed in nature or use unlicensed spectrum.

(12) "Permits" means one or more documents issued by: (a) The City of Villa Hills, pursuant to Title V, Chapters 51 (Encroachments) and 52 (Small Cell Tower Design Guidelines) of the Code of Ordinances, that authorize the installation, removal and other work at a site designated by the Applicant that will impact or otherwise affect the Right-of-Way, especially any public street, road, highway, sidewalk or any curb thereof; and (b) The City's Building Department (or authorized agent) permitting the construction, erection or installation of buildings or other structures in the City of Villa Hills; and (c) PDS (Planning and Development Services) authorizing or approving the construction, installation, modification, alteration, and/or expansion of Applicant's Wireless Communications Facilities, including Base Stations, Small Cell Systems, Small Cell Towers or Poles, or Transmission Equipment, at a licensed, approved site in compliance with all zoning and building regulations.

(13) "Public Way" or "Right-of-Way" means the surface of, and the space within, through, on, across, above or below, any public street, public road, public highway, public freeway, public lane, public path, public alley, public court, public sidewalk, public boulevard, public parkway, public drive, public easement, and any other land dedicated or otherwise designated for a comparable public use, which is owned or controlled by the City or other public entity or political subdivision.

(14) "Small Cell Equipment" means a Small Cell Facility and all Accessory Equipment.

(15) "Small Cell Facility" means a network of remote antenna nodes that distributes radio frequency signals from a central hub through a high capacity signal transport medium to a specific area. The term includes mini commercial towers, small cells, distributed antenna systems, mini cell or similar systems.

(16) "Small Cell Tower" means any structure under fifty (50) feet in height with an antenna or transmitter that is constructed for the sole or primary purpose of supporting any Federal Communications Commission (FCC) licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to: private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. A pole originally installed for the primary purpose of supporting wireless telecommunications equipment, regardless of the timeframe between pole installation and connection/implementation of Transmission Equipment, is considered a Small Cell Tower.

and is not a Utility Pole. The term Small Cell Tower includes mini cell towers, distributed antenna system towers, micro cell towers, mini cell, or similar systems.

(17) "Small Cell Use Permit" means the permit granted by the City authorizing an Applicant to Collocate a Small Cell Facility or to construct, maintain, modify, operate, or replace a Wireless Support Structure in the Right-of- Way.

(18) "Staff" means those employees of the City or its designee, including PDS, assigned to support and/or administer the powers and duties proscribed to PDS or to the City, as applicable.

(19) "Stealth Technology" means state-of-the-art design techniques used to blend objects into the surrounding environment and to minimize visual impact. These design techniques may be applied to wireless communications towers, antennas, and other facilities, which blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it less visible to the casual observer. Such methods include but are not limited to facilities constructed to resemble light poles, flag poles or other streetscape amenities. The use of additional features such as flags, decorative street lamps, and banners or signs may be utilized to blend the proposed facility into the visual backdrop.

(20) "Underground Area" means an area in the Right-of-Way where existing electric utilities, cable facilities, telecommunications facilities and other facilities, other than structures and facilities owned by the City or a transit authority, are located underground.

(21) "Wireless Communications Facility or Facilities" mean the approved and permitted equipment specifically identified or described in each Encroachment Permit issued by the City and executed by the Parties pursuant to this Ordinance.

(22) "Wireless Support Structure" means a pole, such as a self-supporting monopole, street light pole, traffic signal pole, a fifteen-foot or taller sign pole, or utility pole capable of supporting Small Cell Facilities.

§ 52.02 APPLICATION PROCEDURES

(A) Facility Operator shall submit applications for small cellular tower installations or co-locations to Planning and Development Services (PDS) of Northern Kentucky for initial review. Applications are then forwarded to the City for compliance with the Design Guidelines contained within Chapter 52 of the Villa Hills Code of Ordinances and siting design issues.

(B) Facility Operator shall include a photograph of the proposed small cell facility that is proposed for the installation(s).

(C) Application shall also include an explanation as to why the facility cannot be co-located on an existing tower or placed on an existing building.

(D) Facility Operator shall provide a completed RF exposure checklist and proof that all licenses or other approvals have been granted by the FCC.

§ 52.03 PUBLIC NOTICE PROCEDURES

(A) When an application is filed for a permit to install one or more wireless communication support structures in the City right-of-way, the City Administrator or his/her designee shall post notice of the application on the City's web site, direct the applicant to post a notice at the proposed site, make the application materials available for public inspection, direct the applicant to provide written notice to residents and businesses with property lines located within 500 feet of the proposed facility, and receive and consider written comment and documentary evidence submitted from the public in accordance with procedures established by the City Administrator. The City Administrator or his/her designee may schedule, and a representative of the applicant must attend, a community meeting to provide the public with information about the planned new equipment or wireless communication structure, answer questions, receive information, and respond to concerns.

(B) When an application is filed for a permit to collocate one or more additional antennas on an existing support structure, the City Administrator or his/her designee shall post notice of the application, make the application materials available for public inspection, provide written notice to residents and businesses with property lines located within 200 feet of the proposed facility, and may receive and consider written comment and documentary evidence submitted from the public in accordance with procedures established by the Director.

§ 52.04 GENERAL STANDARDS

(A) Facilities shall not be installed unless the Facilities are compliant with these Design Guidelines, Chapter 52 of the Codified Ordinances and any Application requirements, and all applicable local, state, and federal laws.

(B) A Facilities Operator shall not construct, maintain, modify, operate, or replace any Facilities not clearly depicted in the Planning & Development Services (PDS) small cell application standards or the City's Application for a Small Cell Use Permit.

(C) No work shall be performed in the City right-of-way without obtaining an encroachment permit from the City.

(D) All work shall be performed in a professional manner consistent with the highest standards of workmanship.

(E) Facilities shall be maintained in good and safe condition and in a manner that complies with all applicable federal, state and local requirements.

(F) Facilities shall not be installed in any location that causes any interference with the City's public safety radio system, traffic and emergency signal light system, or other City or Kenton County safety communications systems or system components.

(G) The City may propose an alternative location for proposed Facilities up to one hundred (100) feet from the proposed location or within a distance that is equivalent to the width of the Public Way, whichever is greater. The Facilities Operator shall utilize the alternative location unless the Facilities Operator shows that the alternative location is not technically feasible.

(H) Facilities shall not interfere with existing or planned street trees.

(I) Signage shall be mounted on all new Facilities providing the Facilities Operator's name, an emergency contact phone number, an informational contact number, and all other information required by law. Unless otherwise prohibited by law, signage shall be discreet in color and shall match the Facilities and surrounding area and font size used on the sign shall be no smaller than 12-point font and no larger than 18-point font.

(J) Unless otherwise required by law, all manufacturer stickers and decals shall be removed from Facilities.

(K) Facilities shall be camouflaged using existing land forms, vegetation, and structures to screen the Facilities from view and to blend in with the surrounding built and natural environment.

(L) The City may require the Facilities Operator to incorporate additional concealment elements before approving an Application. Concealment elements may include, but shall not be limited to, fencing, strategic placement, and placement within existing or replacement street furniture.

(M) Facilities shall not have any flashing lights, sirens or regular noise other than a cooling fan that may run intermittently.

(N) All hardware, including antenna mounting brackets and hardware, antenna mounting posts, cables, shrouds and other equipment mounted shall be painted in a matt-black color, and the color shall match on all installed facilities. The City may require the Facilities Operator use a different, non-matching color on a case- by-case basis when the City determines a non-matching color would better fulfil the purposes of these Design Guidelines.

(O) A Facilities Operator shall remove or paint over any graffiti on the Facilities at Facility Operator's sole expense as soon as practicable, but no later than ten (10) days from the date the Facilities Operator receives notice of the graffiti. Permittee shall keep the Wireless Support Structure and related appurtenances in good and neat order at all times.

(P) Facility Operator must remove an existing Wireless Support Structure within sixty (60) days after a new Wireless Support Structure is installed and activated.

§ 52.05 SPECIFICATIONS FOR COLLOCATION

(A) Small Cell Equipment shall not interfere with the primary purpose of a Wireless Support Structure.

(B) Small Cell Equipment to be attached to a Wireless Support Structure shall be attached at least six (6) feet above ground level. If Small Cell Equipment is projecting toward the street, then the Small Cell Equipment shall be installed no less than sixteen (16) feet above ground level.

§ 52.06 ANTENNAS

(A) Antennas and Accessory Equipment must be capable of fitting within an enclosure not larger than six (6) cubic feet in volume.

(B) Antennas and Accessory Equipment shall not increase the overall height of an existing Wireless Support Structure by more than five (5) feet.

(C) Antennas mounted on a Wireless Support Structure shall be enclosed inside the Wireless Support Structure whenever possible and otherwise within a canister or other shroud. All Accessory Equipment associated with the antenna shall be concealed and shall not visibly protrude from the shroud or canister.

(D) The width of the canister or other shroud encasing the antenna and Accessory Equipment shall not exceed the width of the narrowest portion of the Wireless Support Structure.

(E) The enclosure or shroud shall be painted to match or complement the Wireless Support Structure.

(F) Antennas shall be installed in a manner that minimizes the visual impact to the general public.

(G) Antennas shall not impair light or views from adjacent window(s).

(H) Antennas located on the exterior of a Wireless Support Structure shall be top-mounted on a Wireless Support Structure. The City may approve a side-mounted antenna if, in the City's discretion, the side-mounted antenna would be more appropriate given the built environment, neighborhood character, overall site appearance or would otherwise promote the purposes in these Design Guidelines.

§ 52.07 WIRELESS SUPPORT STRUCTURE-MOUNTED EQUIPMENT

(A) All Wireless Support Structure-mounted Small Cell Equipment other than the antenna(s) and electric meter must be concealed within an equipment cabinet.

(B) Equipment cabinets shall be mounted flush to the Wireless Support Structure.

(C) Equipment cabinets shall be stacked together on the same side of the Wireless Support Structure and oriented away from any windows and doorways to minimize visual impacts thereupon.

(D) The equipment cabinets must be non-reflective and painted in a matt-black finish, to match the Wireless Support Structure.

§ 52.08 GROUND-MOUNTED SMALL CELL EQUIPMENT

(A) The City shall not approve the proposed location of ground-mounted Small Cell Equipment unless the Applicant (1) proposes the ground-mounted equipment in connection with a Collocation, and (2) shows that the equipment cannot be feasibly placed on the Wireless Support Structure or in an underground vault.

(B) If technically feasible, Small Cell Equipment should be located in a vault buried underground rather than being ground-mounted. If underground placement is not technically feasible, ground-mounted Small Cell Equipment shall be contained in a shroud or cabinet.

(C) All ground-mounted Small Cell Equipment shall be installed in a manner that minimizes the visual and ingress/egress impact to the general public.

(D) Ground-mounted Small Cell Equipment shall be placed as far as practicable from pedestrian sidewalks and shall neither block nor be placed within the sidewalk in any way.

§ 52.09 CABLES

(A) All cables, conduit and wiring shall be located inside conduit and inside the Wireless Support Structure or an equipment cabinet.

(B) Excess cables and wiring shall not be spooled, coiled or otherwise stored on the exterior of the Wireless Support Structure unless within an enclosure. Cables shall not be externally visible.

§ 52.10 ELECTRICAL METERS

(A) Facilities Operators are encouraged to use flat-rate electric service when available in order to eliminate the need for a meter.

(B) If a meter is required, then Facilities Operators shall use the smallest and least intrusive electric meter available. Whenever permitted by the electric service provider, the electric meter shall be painted to match the Wireless Support Structure.

§ 52.11 UTILITY LINES

Service lines shall be underground to avoid additional overhead lines. The underground cables and wires must transition directly into the Wireless Support Structure within a buried pull box or a junction box mounted on the Wireless Support Structure.

§ 52.12 SPECIFICATIONS FOR REPLACEMENT OF WIRELESS SUPPORT STRUCTURES

(A) A Facilities Operator shall be required to replace an existing Wireless Support Structure in the following circumstances:

(1) The Wireless Support Structure upon which the Applicant has proposed to Collocate Small Cell Equipment is deemed incapable of bearing the added weight of the Small Cell Equipment; or

(2) An existing Wireless Support Structure is located within 100 feet of the proposed site of a new Wireless Support Structure, but the existing Wireless Support Structure is incapable of bearing the additional weight of the Small Cell Equipment.

(B) Designs for replacement of Wireless Support Structures shall be as architecturally similar as possible to the existing Wireless Support Structure to be replaced unless otherwise approved by the City.

(1) All luminaire mast arms shall be the same length, arch, and style as the original luminaire arm, unless otherwise specified by the City.

(2) The City may require the Facilities Operator to install a new metal Wireless Support Structure rather than a new wood support structure.

(C) In those zoning districts where the height limit is greater than 35 feet, the overall height of a replacement Wireless Support Structure, including proposed Collocated antenna, shall not be more than forty (40) feet in height above ground level. The overall height of a replacement Wireless Support Structure, including proposed Collocated antenna, shall not be more than thirty-five (35) feet in height above ground level in zoning districts where the height limit is 35 feet or lower, so long as there is no Wireless Support Structure or utility pole taller than thirty (35) feet located within three-hundred (100) feet of the location of the proposed replacement Wireless Support Structure.

(D) All existing signs, traffic signals, emergency signal detection units, video detection cameras, video cameras, crosswalk service buttons, crosswalk signals, and any other pedestrian or traffic devices shall be reinstalled or replaced with new units by the Facilities Operator at no cost to the City.

(E) The concrete Wireless Support Structure foundation for the original Wireless Support Structure shall be removed either partially or completely by the Facilities Operator as instructed by the City.

(1) If partially removed, the original Wireless Support Structure foundation shall be taken back to a level that is twelve (12) inches below the existing grade

and covered with four (4) inches of one-half (1/2) inch to three-quarter (3/4) inch compose of rock material. The remaining eight (8) inches shall be native top soil.

(2) If the entire original Wireless Support Structure foundation must be removed, then all foundation materials (concrete, rebar, metals, bolts, etc.) shall be removed. The type of backfill material and compaction required is: (a) one-half (1/2) sack slurry for the entire depth in paved areas, and (b) one-half (1/2) sack slurry for the entire depth except the top twelve (12) inches will be native top soil in landscaped areas.

§ 52.13 SPECIFICATIONS FOR NEW WIRELESS SUPPORT STRUCTURES

(A) New Wireless Support Structures shall be designed and constructed to accommodate Small Cell Equipment from at least two (2) wireless service providers on the same Wireless Support Structure.

(B) New Wireless Support Structures shall maintain a distance of three hundred (300) feet from existing monopoles.

(C) In residential districts, new Wireless Support Structures shall be located at the shared property line between two residential parcels where the parcels intersect the Right-of-Way.

(D) In non-residential districts, new Wireless Support Structures shall be located between tenant spaces, storefront bays, or adjoining properties at the shared property lines where the parcels intersect the Right-of-Way.

(E) A new Wireless Support Structure shall not be located in front of a building entrance or exit.

(F) In those zoning districts where the height limit is greater than 35 feet, the overall height of a replacement Wireless Support Structure, including proposed Collocated antenna, shall not be more than forty (40) feet in height above ground level. The overall height of a replacement Wireless Support Structure, including proposed Collocated antenna, shall not be more than thirty-five (35) feet in height above ground level in zoning districts where the height limit is 35 feet or lower, so long as there is no Wireless Support Structure or utility pole taller than thirty (35) feet located within three-hundred (100) feet of the location of the proposed replacement Wireless Support Structure.

§ 52.14 UNDERGROUND AREA REGULATIONS

(A) Subject to subsection (b), a Facilities Operator shall locate its Facilities underground in an Underground Area.

(B) A Facilities Operator may replace an existing Wireless Support Structure or Collocate Small Cell Facilities on an Existing Wireless Support Structure even if the Wireless Support Structure is located in an Underground Area.

(C) A Facilities Operator shall not install a new Wireless Support Structure in an Underground Area unless a waiver is granted by the Director.

(D) An Operator may apply to the City for a waiver of the underground placement requirement if the requirement prevents the Facilities Operator from achieving its service objective and the Facilities Operator is unable to achieve its service objective by placing Facilities at:

(1) A location in the public Right-of-Way where the prohibition does not apply;

(2) A utility easement the service provider has the right to access; and

(3) Other suitable locations or structures made available by the City at reasonable rates, fees and terms; or

(4) A Facilities Operator may place an above ground Wireless Support Structure provided (a)(b)(c) options have been exhausted at a location mutually agreeable with the City.

§ 52.15 RELOCATION OR REMOVAL

(A) The City at all times retains the right to order the modification, relocation or removal of a Wireless Support Structure within the City right-of-way for public improvement projects.

(B) Any modification, relocation, or removal shall be completed with 120 days of written notice by the City unless exigencies dictate a shorter period for removal or relocation.

(C) Relocation or removal shall require a permit.

(D) The Permittee shall be entitled, at permittees election, to either a pro-rata refund of fees paid for the original permit or to a new permit, without additional fee, at a location as close to the original location as permissible under this Chapter.

(E) In the event said facility is not modified, relocated, or removed within said period, the City may cause the same to be done at the sole cost and expense of permittee.

(F) Structures may be modified, relocated, or removed without notice to permittee by City for the immediate public safety and welfare, provided notice is provided to the permittee within (3) working days following modification, relocation, or removal.

§ 52.16 ANNUAL CERTIFICATION

Between June 1 and July 1 of each year that the permitted wireless communication structure remains in the City right-of-way, the owner permittee shall submit to the City

Administrator a written statement or e-mail from the owner's representative confirming that the facility or support structure remains in use and remains covered by insurance as required under this Chapter.

§ 52.17 ELECTRONIC MAGNETIC FREQUENCIES

(A) The City acknowledges that the science of Electromagnetic Frequencies (EMF) from wireless frequencies is currently in the early stages of scientific research. Facility Operators assume all legal responsibility for the installation of small cellular devices including any and all future claims of health damage associated with the operation of such small cell facilities.

(B) At all times, the permittee shall ensure that the facility complies with the most current industry standards for size and regulatory and operational standards including, but not limited to, RF emissions standards adopted by the FCC.

(C) Permittee, at its sole expense, shall provide annual tests of RF emittances to City no later than November 15th of each year.

(D) If the City determines that there is good cause to believe that the wireless communication facility may emit RF emissions that are likely to exceed FCC standards, the City Administrator or his/her designee may require the permittee to submit a technically sufficient written report certified by a qualified independent RF emission engineer, certifying that the facility is in compliance with such FCC standards within 90 days.

§ 52.18 EXCEPTIONS

(A) No City permit shall be required under this Chapter to excavate any portion of a street that is a part of the state highway system and for which a state permit is required.

(B) Exceptions pertaining to any provisions of this Chapter, including, but not limited to, exceptions from findings that would otherwise justify denial, may be granted by the Director if the Director make the finding that:

(1) Denial of the Wireless Support Structure as proposed would violate federal or state law;

(2) A provision of this chapter, as applied to the applicant, would deprive applicant of its rights under federal or state law;

(3) Strict application of this Chapter would be contrary to the public interest because the harm to the public of strict application would be greater than the harm caused by granting an exception.

(C) An applicant may only request an exception under paragraph B at the time of applying for a wireless telecommunications facility permit. The request must include both the specific provisions of this Chapter from which the exception is sought and the basis of

the request. Any request for an exception after the City has deemed an application complete and accepted it shall be treated as a new application.

(D) The applicant shall have the burden of proving that denial of the facility as proposed would violate federal or state law, or the provisions of this Chapter, as applied to applicant, would deprive applicant of its rights under federal or state law, using evidentiary standards required by the law at issue. The City shall have the right to hire an independent consultant, at the applicant's expense, to evaluate the issues raised by the exception request and shall have the right to submit rebuttal evidence to refute the applicant's claim.

§ 52.99 PENALTIES; EQUITABLE REMEDIES

(A) Any person or entity found guilty of violating, disobeying, omitting, neglecting or refusing to comply with any of the provisions of this Chapter shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense. A separate and distinct offense shall be deemed committed each day during or on which a violation occurs or continues.

(B) If a Facilities Operator fails to comply with these Design Guidelines, Chapter 52 of the Codified Ordinances, the City may terminate the Facility Operator's Small Cell Use Permit.

(C) Nothing in this Chapter shall be construed as limiting any judicial remedies that the City may have, at law or in equity, for enforcement of this Chapter.

SECTION II

Any ordinances, or parts of ordinances, inconsistent with the provisions of this Ordinance shall be and are hereby repealed.

SECTION III

The provisions of this Ordinance are severable. Any invalidity of any provision of this Ordinance shall not affect the validity of any other provision thereof, and such other provisions shall remain in full force and effect so long as they remain valid, in the absence of Court determination otherwise.

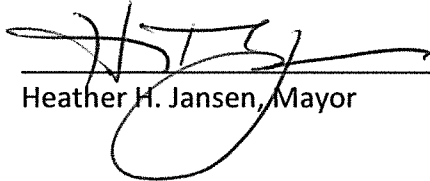
SECTION IV

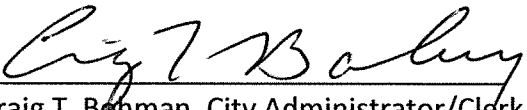
This ordinance shall take effect and be in full force when passed, published, and recorded according to law. Publication may be in summary form.

Passed by the City Council this 15th day of January, 2020.

City of Villa Hills, Kentucky
A Municipal Corporation of the Home Rule Class

ATTEST:


Heather H. Jansen, Mayor


Craig T. Bohman, City Administrator/Clerk

Sponsor: Baehner

First Reading: Dec 18, 2019

Second Reading: January 15, 2020

Ayes: Baehner, Cahill, Thompson, Wadsworth

Nays: none

Abstentions: Ringo

Absent: Stover

Published: 01/25/2020