

COMMONWEALTH OF KENTUCKY
COUNTY OF KENTON
CITY OF INDEPENDENCE
ORDINANCE NO. 2026-O-_____

AN ORDINANCE AMENDING THE CITY OF INDEPENDENCE'S CODE OF
ORDINANCES RELATED TO SECTION 72 AMENDING PARKING REGULATIONS

Whereas, The City of Independence needs to update the applicable Parking Regulations;
and

Whereas this Ordinance is being adopted to Amend Chapter 72 as described below; and

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF INDEPENDENCE,
COUNTY OF KENTON, COMMONWEALTH OF KENTUCKY:

*(Strikethrough portions are to be deleted, underlined portions are to be added
as required by KRS 83A.060(3))*

Section I

CHAPTER 72 PARKING REGULATIONS

Section

Parking Generally

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Statutory reference:

Revenues from fees, fines, and forfeitures related to parking, see KRS 65.120

POLICY INTENT

It is not the policy of the City of Independence to permit overtime or extended-period parking on city streets or public rights-of-way. However, the City recognizes the need for short-term, temporary parking of vehicles that are actively in use and moved frequently. The City will make reasonable efforts to deter and address overtime parking through education or warnings prior to enforcement action.

Abandoned vehicles, however, are subject to immediate enforcement actions, which may include citing the vehicle owner or towing the vehicle at the owner's expense.

PARKING GENERALLY

§ 72.00 DEFINITIONS

For the purposes of this chapter, the following definitions apply.

- (A) ABANDONED – a vehicle that remains parked on a city street, in the same place more than 72 hours, and is inoperable due to mechanical issues or left with no intent to move it. Indicators may include: vehicle inoperable, deflated tire(s), leaking engine fluids, severe body damage, expired vehicle registration, tarp or other protective covering on the vehicle, chocked tires, or any other indicator that would tend to lead a reasonable person to believe that the vehicle has not moved for an extended period of time.
- (B) ALL WEATHER SURFACE- A hard surface, dust-free material capable, during ordinary use, of withstanding without substantial deterioration, normal weather conditions. Gravel, rock, or screenings alone, without use of a petroleum or cement binder, does not meet the definition of an all-weather, dust-free material.
- (C) CUL-DE-SAC – a street or passage closed at one end.
- (D) DAWN – the period of time including one half (1/2) hour after sunrise.
- (E) DUSK – the period of time including one half (1/2) hour before sunset.
- (F) FIRE LANE – the portion of a roadway designated for emergency vehicles. It is on the same side of the street as the water hydrants. In the event there are no water hydrants, the right side of the street, as one enters from the main thoroughfare, shall be designated the fire lane.
- (G) FLATBED UTILITY TRAILER – A mobile unit that is designed to be attached to and have its front end supported by a motor vehicle for the purpose of hauling materials. No such trailer shall be greater than twenty (20) feet in length from tongue to bumper, eight (8) feet in width, and five (5) feet tall excluding the gate.
- (H) MOVE - for the purposes of defining an abandoned vehicle, to move the vehicle is to move it a distance equal to one full length or more, of the vehicle in question.
- (I) OVERTIME PARKING – parking a vehicle in the same place without moving for a period exceeding 72 hours.

(J) RECREATIONAL VEHICLE - campers, trailers, boats, house trailers, mobile homes, or any other such device designed to be mounted upon any other motor vehicle, towed behind any motor vehicle, or in any way integrated into a movable, temporary housing facility.

(K) ROUNDABOUT - a road junction formed around a central circle about which traffic moves in one direction only. Also known as a traffic circle or rotary.

(L) SETBACK - it is the front facade or main, visible front exterior face (wall) of the house. It serves as the primary barrier against weather and protects the interior.

§ 72.01 OBSTRUCTIONAL PARKING; DOUBLE PARKING.

(A) It shall be unlawful ~~for any person~~ to leave any vehicle or ~~any other thing~~ object that may be a nuisance, obstruction, ~~or hindrance, or danger in or on~~ any street, alley, ~~or sidewalk, or public right-of-way within the city either during the~~ at any time day or night.

(B) Double Parking - It shall be unlawful ~~for any person~~ to stop or park any vehicle on the roadway side (typically the left side) of any other vehicle that is stopped or parked on the edge or curb of any street, alley, sidewalk, or public right-of-way.

Penalty, see § 72.99

§ 72.02 MANNER OF PARKING.

(A) Facing Wrong Way - It shall be unlawful ~~for the operator of any vehicle~~ to stop or park a vehicle in a manner other than with its right-hand side toward and parallel with the curb or edge of the roadway. ~~If except that where~~ parking is permitted on the left side of a one-way street, the left-hand side shall be toward and parallel to the curb or edge of the roadway. so parked, and except (Exception for commercial loading and unloading on one-way streets.)

(B) Distance to Curb - No vehicle shall be stopped or parked or left standing on any street unless ~~its two~~ both right wheels are within six (6) inches of, and parallel with to, the curb or edge of the roadway. (Exception for except that on one-way streets where parking on one-way streets where parking is permitted on the left side of the road, where it shall be opposite. the ~~two left wheels are to be within six inches of and parallel with the curb.~~

(C) Backed to Curb - No vehicle shall be stopped or parked with the rear of the vehicle backed to the curb on any street, except that wagons trailers and trucks may do so ~~when while~~ loading and or unloading, as long as it remains for no longer provided that such loading and unloading and delivery of property and material shall not consume more than thirty (30) minutes.

~~The time exception does not apply when parking a trailer or truck in this manner. Such backing of trucks or wagons is prohibited at all times and on all streets in the city where any truck or wagon so backed interferes with the use of the roadway or by moving vehicles or occupies road space within ten (10) feet of the center line of the street roadway (or its approximate location if no center line is present).~~

(D) Diagonal Parking - The city may establish diagonal parking at certain places where vehicles must be parked at an angle (generally 45 degrees) to the sidewalk, edge, or curb of the roadway, requiring the parking of vehicles at a certain angle to the curb and within a certain portion of the roadway adjacent thereto. ~~However, the city may not establish diagonal parking diagonal parking shall not be established~~ where the roadway space required to do so stretches to ~~therefor would be~~ within ten (10) feet of the center line of ~~any street~~ the roadway.

Such diagonal parking places shall be designated by suitable signs or markings on the pavement and shall indicate by markings that indicate the required angle and required angle and the width of the roadway space within which a ~~such~~ vehicle shall be parked.

(E) Parking Within Marked Spaces - It shall be unlawful to ~~for the operator of any vehicle to~~ ~~to park such~~ park a vehicle in such a way that any part thereof shall ~~of it~~ extends beyond the lines marking the boundaries ~~side or the rear~~ of the space assigned for one vehicle.

Penalty, see § 72.99

§ 72.03 LIMITATIONS OF STOPPING AND PARKING.

~~It shall be unlawful for the operator of any vehicle to stop or park such vehicle. Except in the case of a real emergency, or when directed by a police officer, traffic sign, or traffic signal, in compliance with the provisions of this traffic code or when directed by a police officer or traffic sign or signal at any time it shall be unlawful to park a vehicle~~ in the following places:

(A) On the mainly-traveled portion of any roadway, public right-of-way, or any other place in the roadway where vehicles stand in any manner other than as specified in § 72.02.

(B) On the curbs or sidewalks in the city.

(Ord. 3-2-75, passed 2-13-75)

(C) In front of, or blocking, sidewalk ramps provided for ~~persons~~ people with disabilities.

(D) In front of, or blocking, a public or private driveway.

(E) Within an intersection or crosswalk.

(F) At any place where official signs prohibit stopping or parking. (This does not apply to ~~police officers~~ first responders when operating properly identified vehicles during the performance of their official duties.)

(G) Within ~~thirty~~(30) twenty (20) feet of any flashing beacon, ~~traffice~~ stop sign, or traffic-control device.

(H) No person shall move, push, tow, or use any other means to place an inoperable vehicle not lawfully under his control into any such prohibited area.

(KRS 189.450(5)-(7))

(I) It shall be unlawful ~~for any person~~ to park any type of ~~motor vehicle, motorcycle, or other motor propelled~~ vehicle, motorized or non-motorized, in any area of the city which has been designated as a no-parking zone.

~~(J) No person shall park any type of motor vehicle, motorcycle, or other motor propelled vehicle on the north side of Independence Road from its intersection with Madison Pike to the corporation line of the city.~~

§ 72.04 RESTRICTIONS AND PROHIBITIONS ON DESIGNATED STREETS.

(A) The provisions of this section prohibiting the stopping and parking of a vehicle shall apply at all times, unless otherwise noted in these ordinances, or at those times herein specified or as indicated on by official signage, in compliance with the directions of a police officer, or to prevent a collision. ~~except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control devices.~~

(B) The provisions of this section imposing a time limit on parking shall not relieve any person of their duty to observe other, and more restrictive provisions listed in these ordinances, prohibiting or limiting the stopping or parking of vehicles, trailers, etc. in specific places or at specified times.

(C) ~~When signs are erected in compliance with the provisions of division (F) below giving notice thereof, no person shall park a vehicle at any time on any street so marked by official signs.~~ No person shall park a vehicle, trailer, or other object on any public street that is marked with signs which have been posted in compliance with section (F) below.

(D) When a curb has been painted in compliance with the provisions of ~~division~~ section (F) below, it shall have the same authority as does a sign posted in accordance with that section. ~~no person shall park a vehicle at any time at or adjacent to any curb so marked.~~

(E) When signs are erected that specify a period of time in which parking is restricted, in compliance with the provisions of division section (F) below, ~~in each block giving notice thereof, no person shall~~ it shall be unlawful to park any vehicle in that location during the listed period between the hours specified by official signs on any day except Sundays. on any street so marked.

(F) The city shall determine ~~on what streets or portions thereof~~ where stopping or parking shall be restricted or prohibited. ~~Whenever under authority of or by this traffic code or any other ordinance any parking limit is imposed or parking is prohibited on designated streets, or~~

~~parking areas are restricted to parking for persons with disabilities, appropriate signs shall be erected giving notice thereof. Whenever parking is restricted or prohibited in accordance with these ordinances or Kentucky Revised Statutes, including areas restricted to parking by persons with disabilities, appropriate signage shall be erected giving notice of the limitations.~~

(1) ~~However~~ In lieu of erecting such signs, or in conjunction ~~therewith~~ with them, the face and top of a curb ~~or curbs~~ that is at or adjacent to which parking is prohibited at all times the restricted parking area, may be painted a solid yellow color. If the restriction is for parking by disabled persons, the curb may be painted a solid blue color. If no curb is present, a line of the appropriate color may be painted on the edge of the roadway where parking is restricted.

(2) No ~~such~~ regulations or restrictions shall be effective unless the appropriate signs have been erected ~~and are in place~~ or the curbs are painted ~~yellow~~ the appropriate color, at the time of any alleged offense. ~~Except~~ This does not apply in the case of those parking restrictions which by their very nature would not require ~~such signs and~~ or markings, such as blocking a fire hydrant.

~~(G) When signs are erected in compliance with divisions (F) above in each block giving notice thereof, no person shall park a vehicle for a time longer than specified on official signs any day except Sunday and on any street so marked.~~

Penalty, see § 72.99

§ 72.05 PARKING RESTRICTED TO ALLOW STREET CLEANING.

The city is authorized to designate street cleaning areas and shall provide suitable signs ~~and~~ or markings on the street to be cleaned that indicate restricted parking on a ~~that~~ specific particular day and time. It shall be unlawful for ~~the operator of~~ any vehicle to stop or park on any street so designated.

Penalty, see § 72.99

§ 72.06 OVERTIME PARKING PROHIBITED; ~~PARKING IN EXCESS OF CERTAIN NUMBER OF HOURS PROHIBITED;~~ TOWING AUTHORIZED.

(A) It shall be unlawful ~~for anyone~~ to park any vehicle, in any one place, on any ~~of the~~ public ways or street or right-of-way ~~of~~ in the city, for a period exceeding seventy-two (72) hours ~~or longer~~ without moving.

(B) Any vehicle left parked in violation of this ordinance which is deemed to be abandoned shall be subject to the regulations of the city pertaining to the towing of abandoned motor vehicles. Further any vehicle parked in violation of this ordinance which is deemed overtime parking may be subject to the city regulations of the city pertaining to the towing of abandoned motor vehicles/overtime parking based on the officers discretion and the reason for the

~~overtime parking any one place on any of the public ways or streets of the city for a period of seventy-two (72) hours or longer shall be deemed abandoned and shall be subject to the regulations of the city pertaining to abandoned motor vehicles as set forth in Chapter 90. See section 72.00 for definition of moving.~~

Penalty, see § 72.99

§ 72.07 PARKING ON PARADE ROUTE.

(A) The Chief of Police or other authorized city official shall have the authority, ~~whenever in his judgment it is necessary,~~ to prohibit or restrict the parking of vehicles along a street or ~~part thereof constituting~~ a that is part of the route of a parade or procession, and to erect temporary traffic signs to that effect. ~~and to prohibit and prevent such parking.~~

(B) It shall be unlawful to park or leave unattended, any vehicle in violation of such signs or directions.

Penalty, see § 72.99

Cross-reference:

Parades, see §§ 71.40 through 71.51

§ 72.08 PARKING ON OFF-STREET FACILITY.

(A) It shall be unlawful for the driver of a motor vehicle to park or abandon ~~the~~ a vehicle, or drive on or otherwise trespass on another person's property, or on an area developed as an off-street parking facility, without the consent of the owner, lessee, or person in charge of any such property or facility.

(B) If at any time a vehicle is parked, abandoned, or otherwise trespasses in violation of the provisions of ~~this section (A) above,~~ a warrant may be obtained in District Court by the owner, lessee, or person in charge of the property or facility, the owner, lessee, or person in charge of the property or facility may have the unauthorized vehicle removed in accordance with the provisions of § 72.20 through 72.22.

(C) If the private property is an off-street parking facility or other commercial property, the vehicle may be removed in accordance with KRS 189.725, which lists certain requirements before an unauthorized vehicle may be towed away.

(D) The Police Department may, upon the written request of the owner, lessee, or person in charge of the private property, remove or cause to be removed the unauthorized or trespassing vehicle. In lieu of writing the owner, lessee, or person in charge of the private property may orally provide the authority captured on an officer's Body Camera or other recording device.

~~and the Police Department, on written complaint of the owner, lessee, or person in charge, shall remove or cause to be removed the vehicle in accordance with the provisions of §§ 72.20 through 72.22.~~

Penalty, see § 72.99

§ 72.09 OWNER RESPONSIBILITY.

If any vehicle is found illegally parked in violation of any provisions of this subchapter regulating stopping, standing, or parking of vehicles, and the identity of the driver cannot be determined, the owner or person in whose name the vehicle is registered shall be held prima facie responsible for the violation.

Penalty, see § 72.99

§ 72.10 PARKING IN PARKS.

(A) It shall be unlawful ~~for any person~~ to park a motor vehicle in or on any section of any public park, playground, play lot, tot lot, ballfield, recreational field, or water park (splash pad) within the city not designed as a parking area. ~~or designed and regularly maintained as a roadway.~~

~~However, nothing contained in this section shall be construed as prohibiting the parking of a motor vehicle parallel to a designated and regularly maintained roadway in any such park or playground where at least two wheels of the motor vehicle are resting on such roadway.~~

(B) With the exception of areas lighted specifically for basketball, pickleball and City sponsored events, parking shall be prohibited at any time from dusk to dawn.

Penalty, see § 72.99

§ 72.11 DISPLAY OF PARKED VEHICLE FOR SALE.

It shall be unlawful to park on any street or public right-of-way; a motor vehicle displayed for sale or a motor vehicle on which demonstrations are being made for the purpose of sale. ~~on any street.~~

Penalty, see § 72.99

§ 72.12 PARKING FOR PERSONS WITH DISABILITIES.

(A) Unless stated otherwise in these ordinances, Any other provision to the contrary not withstanding, a motor vehicle ~~bearing a decal~~ displaying a handicap parking placard in its front

windshield or a handicap parking license plate, issued by the County Clerk pursuant to appropriate county ordinances for persons with disabilities, when operated by a person with a disability or when transporting a person with disabilities, may be parked in a designated parking place for persons with disabilities.

(B) When parked in a metered parking space, the vehicle may be parked for two (2) hours for no fee, or when parked where any parking limit is imposed may be parked for two (2) hours in excess of the parking limit.

(C) The motor vehicle may be parked in a loading zone for that period of time necessary to permit entrance or exit of the persons with disabilities to or from the parked vehicle, but in no circumstances longer than thirty (30) minutes.

(D) This section shall not permit parking in a "no stopping" or "no parking" zone, nor where parking is prohibited for the purpose of creating a fire lane or to accommodate heavy traffic during morning, afternoon, or evening hours, nor permit a motor vehicle to be parked in such a manner as to constitute a traffic hazard.

Penalty, see § 72.99

§ 72.13 TRUCKS OVER ONE TON IN CAPACITY PROHIBITED FROM PARKING IN RESIDENTIAL AREAS.

(A) It shall be unlawful for trucks of over one ton in capacity to be parked ~~anywhere in the city~~ on a residential city street for longer than one hour, except when actively loading or unloading.

(B) A residential street shall be defined as an area where a majority of the buildings on a particular street are used for residential purposes.

(Ord. 2-2-78, passed 2-23-78) Penalty, see § 72.99

§ 72.14 FIRE LANES, TURNAROUNDS, AND ROUNDABOUTS

(A) It shall be illegal ~~for anyone to stop or park or leave standing any~~ a motor vehicle in any fire lane in the city.

(B) It shall be illegal to stop or park in a turnaround, circle, or cul-de-sac, anywhere in the city. This shall apply to all city streets.

(C) It shall be illegal to stop or park in any roundabout in the city, such as the roundabout at the intersection of Mt. Zion Road and Bristow Road.

(Ord. 1-2-79, passed 2-8-79) Penalty, see § 72.99

Cross reference:

~~Designated fire lanes, see Chapter 75, Schedule III~~

§ 72.15 ABANDONMENT PROHIBITED.

(A) It shall be unlawful to abandon any ~~automobile or other~~ vehicle, motorized or not, anywhere in the city limits including, but not limited to, roadways, public right-of-way, or public driveways.

(B) Abandoned vehicles on city roadways are subject to an immediate tow order by the Independence Police Department.

(C) In circumstances where a vehicle must be parked on a city street more than 72 hours while the owner is out of town, the owner must notify the Independence Police Department and provide the dates that they will be away. This exception will only apply if the vehicle will not otherwise fit in the driveway.

§ 72.16 IMPROPER REGISTRATION PLATE.

It shall be illegal to ~~No person shall~~ park a motor vehicle on any street, alley, public right-of-way, or public publicly accessible parking lot within the city without a valid registration plate affixed to the vehicle. Such registration plate must comply with KRS 186.020.

§ 72.17 PROHIBITED PARKING GENERALLY.

It shall be unlawful to park a ~~No person shall cause, permit, encourage, aid, assist or engage in the location of a parked~~ motor vehicle ~~in the city~~ in any of the following areas anywhere in the city:

~~(A) Within twenty (20) feet of any intersection of public streets or ways;~~

(B) Within ten (10) feet of any fire hydrant;

(C) Within ~~eight~~ ten (10) feet of any private driveway, other than a driveway located within a circular cul-de-sac or turn-around at the end of the street where parking is not allowed;

~~(D) On any public street or way in the opposite direction of the direction in which motor vehicles may be legally operated on that side of the street or way on which the parked motor vehicle is located;~~

~~(E) On any street or public way in the city for a continuous period in excess of 72 hours;~~
and

(F) ~~No parking within twenty (20) feet of a stop sign, traffic light, no parking within 20 feet of or any intersection of public streets. This distance may be extended by order of the Police Chief or more than 20 feet if police and or Public Works Services Director.~~

(G) ~~It shall be unlawful Nobody shall cause, permit, allow, aid, assist, encourage or engage in either the parking on any other location of any motor vehicle upon to park a motor vehicle on any surface that is not an All Weather Surface. any area of ground which is either unpaved surface or anywhere that is paved with something other than concrete or blacktop. or the use of any such area of ground therefor, except that Any such area of ground which was in use used therefor at the time of the enactment of prior to May 1, 2026 this section may be continued to therefor, so long as all portions thereof are may still be used as long as it is continuously covered with at least two (2) inches of gravel.~~

~~§ 72.18 RECREATIONAL VEHICLES BOATS AND TRAILERS ON PUBLIC WAYS.~~

(A) ~~Nobody shall cause, permit, allow, assist, encourage or engage in the location of either a boat or a trailer, separately or in combination with each other, a recreational vehicle upon any street or other public right of way within the city. If they are being loaded or unloaded, they may be parked on the street for no more than 72 hours. except for boats and trailers in the process of being towed by a motor vehicle.~~

§ 72.19 PARKED TRAILERS, RECREATIONAL VEHICLES, AND BOATS PROHIBITED.

(A) ~~Nobody shall cause, permit, allow, assist, encourage or engage in the location of any parked trailer above, upon any street or other public way within the city for any period of time in excess of 72 continuous hours.~~

(A) Within residential and mixed-use zones

1. It shall be unlawful to park or to keep any truck with a gross vehicle weight in excess of 18,000 pounds, or any trailer, recreational vehicle, camper, boat, or similar type of equipment with a length in excess of thirty-nine (39) feet, at any place on property located in a residential district zone, except in a completely enclosed garage. It shall also be unlawful to park or keep any semi-tractor trailer, regardless of length, on property located in a residential district zone.

2. Only one such vehicle or piece of equipment may be stored or parked on a residential lot, except within an enclosed building.

3. No such vehicle or equipment shall be permanently stored in a front yard.

4. A flatbed utility trailer may be stored in the property owner's driveway at all times of the year provided that the trailer is kept empty and in good working order.

5. Vehicles or other similar equipment permanently stored in the side yard is a conditional use and subject to approval of the board of adjustment, as set forth in Section

13.08, and must be stored on an all-weather surface. Access must be provided entirely on the lot, or via an access agreement, but a paved driveway is not required.

6. Vehicles or other similar equipment permanently stored in the rear yard must be stored on an all-weather surface. Access must be provided entirely on the lot, or via an access agreement, but a paved driveway is not required.

7. A vehicle may be stored in a front yard or side yard for the purpose of unloading a vehicle, washing a vehicle or some other similar, temporary purpose. The vehicle, however, must be removed from the front yard or side yard once the purpose for temporarily parking the vehicle is accomplished. Temporary for this regulation shall mean less than 72 hours. Campers, boats and recreational vehicles may be stored in a driveway for up to 96 consecutive hours within each seven (7) day period.

8. No such equipment shall be used for living, sleeping, or housekeeping purposes on any lot.

(B). Within non-residential zones where permitted

1. Must be screened from public view by building facades or solid fence.

2. Shall be maintained with a paved surface or compacted gravel or crushed stone.

IMPOUNDING

§ 72.20 IMPOUNDMENT OF VEHICLES AUTHORIZED.

(A) All police officers are empowered to authorize the impoundment of a vehicle violating vehicle-related ordinances in conjunction with issuing a citation ~~after a citation has been issued.~~

(B) A vehicle slated for impoundment will be tagged and placed under control of the Police Department. ~~Should a vehicle be moved without the consent and approval of the Police Department a warrant shall be issued immediately for the violator's arrest.~~

(C) All fines, fees, and charges must be paid in full before ~~a release of impoundment can be issued for the vehicle's release.~~ an impounded vehicle may be released to its owner. ~~Included herein shall be~~ This shall include a handling fee of seventy-five (\$75.00) dollars payable to the City of Independence for the time of the officers utilized for the impoundment, all pursuant to KRS 82.625. Proof of ownership, valid proof of insurance, and a valid vehicle registration must also be presented before the vehicle may be released, unless the vehicle is being towed from the impound facility.

(Am. Ord. 2011-O-08, passed 4-4-11)

§ 72.21 REQUIRED NOTICE TO OWNER; SALE OF A VEHICLE.

(A) (1) Any person engaged in the business of storing or towing motor vehicles, who has complied with the notification requirements of KRS 281.928, shall have a lien on the motor vehicle and its contents, except as set forth in division (B), for the applicable and reasonable charges assessed in accordance with KRS 281.926 and 281.932, as long as it remains in his or her possession.

(2) If, after a period of forty-five (45) days, the applicable and reasonable charges assessed in accordance with KRS 281.926 and 281.932 have not been paid, the motor vehicle and its contents, except as set forth in division (B), may be sold to pay the charges after the owner and any lienholder have been notified by certified mail at the addresses specified in KRS 281.928(1), ten (10) days prior to the time and place of the sale. If the proceeds of the sale of any vehicle pursuant to this section are insufficient to satisfy accrued charges, the sale and collection of proceeds shall not constitute a waiver or release of responsibility for payment of unpaid charges by the owner or responsible casualty insurer of the vehicle. A lien on a vehicle under this division shall be subject to prior recorded liens, unless released by any existing lienholder pursuant to division (A)(3).

(3) (a) A lienholder having a prior recorded lien listed on the title issued by the Commonwealth of Kentucky shall be notified by certified mail within the first ten (10) days of impoundment in accordance with KRS 281.928.

(b) The notification, in addition to the requirements of KRS 281.928, shall include the make, model, license number, vehicle identification number, owner's name and last known address, and tentative date of sale for the vehicle, and state that the towing company or storage facility seeks to obtain a new title free and clear of any liens, excluding tax liens.

(c) If the certified letter required under this division is not sent within the ten (10) days by the towing and storage company, then only ten (10) days of storage may be charged.

(d) The lienholder has the right to take possession of the motor vehicle after showing proof of lien still enforced, and paying the reasonable or agreed towing and storage charges on the motor vehicle.

(e) If a lienholder does not exercise the right to take possession of the motor vehicle under this division within forty-five (45) days of notification, the towing company or storage facility may obtain a new title under KRS 186A.145 free and clear of any liens, excluding tax liens.

(f) Nothing in this section shall allow the transfer of a vehicle subject to a lien, except as provided in KRS 186A.190 or in division (A)(3)(e).

(4) If there are no lienholders required to be notified under KRS 281.920 to 281.936, KRS 359.230 and KRS 376.275, and the owner does not exercise the right to take possession of the motor vehicle under this section within forty-five (45) days of notification required under KRS

281.928, the tow company or storage facility may obtain a new title under KRS 186A.145 free and clear of any liens, excluding tax liens.

(B) Division (A) above shall not apply to the following contents of a motor vehicle, which shall be released to the vehicle owner or the owner's designated agent upon request, if the request is made within forty-five (45) days of the date the vehicle was towed:

- (1) Prescription medication in its proper container;
- (2) Personal medical supplies and equipment or records;
- (3) Educational materials, including but not limited to calculators, books, papers, and school supplies;
- (4) Documents, files, electronic devices, or equipment which may be able to store personal information or information relating to a person's employment or business;
- (5) Firearms and ammunition. Notwithstanding the provisions of § 72.22(A), firearms and ammunition which are not claimed by the owner of the vehicle within forty-five (45) days of the date the vehicle was towed shall be transferred to the Department of Kentucky State Police for disposition as provided by KRS 16.220;
- (6) Cargo in the possession of persons engaged in transportation in interstate commerce as registered under KRS 186.020;
- (7) Cargo in the possession of an integrated intermodal small package carrier as defined by KRS 281.605(12);
- (8) Child restraint systems or child booster seats; and
- (9) Checks, checkbooks, debit or credit cards, money orders, stocks, or bonds.

(KRS 376.275(1), (2))

§ 72.22 SALE OF THE CONTENTS OF A VEHICLE.

(A) Except as provided for in § 72.21(B)(5) above, any contents exempted under § 72.21(B)(3), (4), (6), and (7) that are not claimed by the owner of the vehicle within forty-five (45) days of the date the vehicle was towed, may be sold or otherwise legally disposed of by the storage or towing company. Any contents exempted under § 72.21(B)(1), (2), (8), and (9) that are not claimed by the owner of the vehicle within forty-five (45) days of the date the vehicle was towed, shall not be sold, but shall be otherwise legally disposed of by the storage or towing company.

(B) The storage or towing company shall not be responsible for contents in a vehicle's trunk or other locked compartment to which the storage or towing company is without access, unless the towing company intentionally opens the area without the owner's consent.

(KRS 376.275(3), (4))

SNOW EMERGENCY

§ 72.35 ANNOUNCEMENT OF SNOW EMERGENCY.

Except as set forth in (C) of this section, ~~no person shall cause or permit~~ it shall be unlawful for any motor vehicle to be parked on the ~~pavement roadway or public~~ right-of-way of any portion of any city street at any time during which:

(A) There is an accumulation of snow ~~and/or~~ ice upon any portion of the streets or highways of two (2") inches or more in depth; or

(B) Whenever the Mayor, Chief of Police, or other authorized city official ~~authorized by the Mayor~~, finds that snow, sleet, or freezing rain will create a condition making it necessary which ~~mandates~~ that the parking of motor vehicles on city streets be prohibited, or whenever he finds on the basis of a firm forecast of snow, sleet, or freezing rain that the weather conditions so forecasted may create a condition making it necessary that such parking be prohibited, they are ~~he is~~ authorized to announce the prohibition, to become effective at a time specified by them ~~him~~.

(C) If snow, sleet, or freezing rain occurs after 11:00 p.m. and prior to 6:00 a.m., and the Mayor, Chief of Police, or other authorized city official ~~authorized by the Mayor~~ has not announced prior to 11:00 p.m. that parking on city streets is to be prohibited ~~after a specified time~~, a vehicle parked on a city street may remain so parked only until 6:00 a.m.

(Ord. 1995-0-2, passed 2-14-95)

§ 72.36 TERMINATION OF EMERGENCY.

A ~~The~~ parking prohibition announced by the Mayor, Chief of Police, or other authorized city official ~~authorized by the Mayor~~, under the authority of this chapter, shall remain in effect until they ~~he~~ announce the termination of the snow emergency, in whole or in part, after which the prohibition of parking authorized by this section shall no longer be in effect.

(Ord. 1995-0-2, passed 2-14-95)

PENALTY

§ 72.99 PENALTY.

Any person receiving a citation for any parking violation in the city shall be fined in an amount not less than \$20 nor more than \$100.

(KRS 189.990(1))

Section II

That any section, or part of any section, or any provision of this Ordinance which is declared invalid by a Court of appropriate jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

Section III

This Ordinance shall take effect and be in full force when passed, published, and recorded according to law.

1st Reading - _____, 2026.

2nd Reading - _____, 2026.

Vote: _____, Yes, _____, No

City of Independence
Kenton County, Kentucky

By: _____

Christopher J. Reinersman
Mayor

Attest:

Gina Gabbard

Clerk